

**TOWN WARRANT  
THE STATE OF NEW HAMPSHIRE**

**FIRST SESSION OF THE ANNUAL MEETING  
(DELIBERATIVE SESSION)  
FRIDAY, FEBRUARY 10, 2017  
7:00 P.M.  
HAMPSTEAD MIDDLE SCHOOL**

**To the inhabitants of the Town of Hampstead in the County of Rockingham in said state, qualified to vote in town affairs:**

You are hereby notified to meet at the Hampstead Middle School in said Hampstead on Friday, February 10, 2017 at seven o'clock in the evening, for the explanation, discussion, and debate of each Warrant Article, and to transact all business other than by voting by official ballot.

**SECOND SESSION OF THE ANNUAL MEETING  
(VOTING)  
TUESDAY, MARCH 14, 2017  
8:00 A.M. TO 8:00 P.M.  
HAMPSTEAD MIDDLE SCHOOL**

**To the inhabitants of the Town of Hampstead in the County of Rockingham in said state, qualified to vote in town affairs:**

You are hereby notified to meet at the Hampstead Middle School in said Hampstead on Tuesday, March 14, 2017 at eight o'clock in the forenoon, to elect officers of the Town by official ballot, to vote on questions required by law to be inserted on said official ballot and to vote on all Warrant Articles from the First Session.

**ARTICLE I**

To choose all necessary town officers for the ensuing year. (By Official Ballot)

**ARTICLE 2**

**Are you in favor of the following as proposed by the Planning Board for the Hampstead Zoning Ordinance:**

To see if the Town will vote to amend Article I-4:0 Definitions and Article III-2:5 Residential Zone A (Structure/Dwelling Regulations) of the Zoning Ordinance to read:

Article I-4:0 Definitions: "BUILDING, ONE AND ONE HALF STORY: A building where the gross floor area of the second floor, where the height from the floor to the ceiling exceeds five (5) feet, is greater than 33%, but shall not exceed 67% of the gross floor area of the first floor (story above grade) of the dwelling. The first floor area, for this calculation does not include basement. The second floor area (67% maximum) must be directly over the first floor area used for the calculation."

And

Article III-2:5 (B) HEIGHT: "The maximum accessory building height in Zone A shall not exceed 24 feet measured from the average grade immediately surrounding the structure to the highest peak and shall not exceed more than one and one half stories."

**Recommended by the Planning Board 7-0**

### ARTICLE 3

#### **Are you in favor of the following as proposed by the Planning Board for the Hampstead Zoning Ordinance:**

To see if the Town will vote to amend Section IV-14 (Inlaw/Accessory Apartments) of the Zoning Ordinance by replacing it with the following:

#### **Accessory Dwelling Units (ADU)**

##### IV-14.0 Purpose

This section concerns the permitting and use of Accessory Dwelling Units (ADU). This provision is adopted as an innovative land use control under RSA 674:21 and the Planning Board is vested with sole authority to administer it and to grant conditional use permits for ADUs.

##### IV-14.1 Definition

Accessory Dwelling Unit (ADU) means a residential living unit that is within or attached to a single-family dwelling and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the primary dwelling unit (PDU) it accompanies.

##### IV-14.2 Conditional Use Permit Requirements

###### A. Approval

ADUs must receive a conditional use permit from the Planning Board before construction or use.

Applications for a conditional use permit shall be subject to the same procedures as site plan review. The Planning Board may grant a conditional use permit for an ADU provided that the Planning Board finds all of the following criteria are met:

###### 1. Location

ADUs are only allowed in Residential Zone A and Recreational Zone B.

###### 2. Lot Size

The lot with an ADU must meet the full lot size requirements for the residential zone in which the lot is located as given by II-1 (Soil Based Lot Size).

###### 3. Septic

The septic system for a lot with an ADU must be of sufficient size to handle all bedrooms in the primary and accessory dwelling units and comply with RSA 485-A:38. This fact must be verified by a State of New Hampshire licensed septic designer and approved by the Hampstead Building Department. The system must be installed prior to the issuance of an occupancy permit.

###### 4. Well/Water Source

The lot must have an adequate well/water source to serve the combined needs of the PDU and ADU. The lot may have off-site public-use water supply, or have an on-site well that is tested regularly for NH state environmental requirements.

###### 5. Structure and Use

a. The ADU is contained within or will be an addition to an existing or proposed single family dwelling.

b. The ADU shall be less than 50% of the square area of the PDU and shall be incidental and subordinate to the PDU.

c. The ADU must be designed such that the appearance of the structure remains that of a single-family dwelling.

- d. The primary and accessory units shall be connected by an interior door.
- e. Only one Accessory Dwelling Unit is permitted per lot.
- f. No more than two bedrooms are permitted in the Accessory Dwelling Unit.
- g. Occupancy in the ADU is limited to the use of two people per bedroom unless the septic system is designed and installed to accommodate more occupants per bedroom.
- h. The owner of the lot must occupy either the PDU or the ADU as the owner's primary place of residence. The owner must provide evidence that the lot is the owner's principal place of residence.
- i. Any lot with an ADU must have sufficient off-street parking to meet the combined needs of the PDU and ADU.
- j. The PDU, ADU, and lot shall be owned by the same person.

#### IV-14.3 Detached Accessory Dwelling Units

Detached Accessory Units are not allowed. A detached unit includes but is not limited to a connection from one structure with an ADU to another structure with the PDU by a breezeway.

#### IV-14:4 Certification

Any owner who applies to build an accessory dwelling unit in either an existing single-family home or proposed single-family home must sign a certification that the owner will occupy either the PDU or ADU as the owner's principal place of residence. When a lot with an existing approved ADU or in-law apartment is sold or conveyed to a new owner, the new owner must sign the same certification. The signed certification shall be recorded at the owner's expense in the Rockingham County Registry of Deeds. The certification for a lot with an existing approved ADU or in-law apartment shall be filed in the Rockingham County Registry of Deeds at the time title is transferred and a failure to do so will invalidate the previous approval.

#### IV-14:5 Restrictions

The PDU, ADU, or lot cannot be converted to a condominium or any other form of legal ownership distinct from the ownership of the single family dwelling.

**Recommended by the Planning Board 7-0**

### **ARTICLE 4**

**Are you in favor of the following as proposed by petition for the Hampstead Zoning Ordinance:**

To see if the Town will vote to delete Article IV-5:4, (A), (B), (C), (D) Seasonal Dwelling Conversions (Conversion Requirements) and Article IV-5:5, Seasonal Dwelling Conversions (Permit) and replace it with IV-5:4 Seasonal Dwelling Conversions (Conversion Requirements) to read as follows:

#### **SEASONAL DWELLING CONVERSION**

##### **IV-5:4 Conversion Requirements**

The conversion of a seasonal dwelling to a home which is, or may be, used as the primary or year-round dwelling shall require a Certificate of Occupancy from the Building Inspector of the Town of Hampstead ensuring compliance with all applicable town codes such as electrical code, insulation code, plumbing code and the heating system and gas inspections. A State of New Hampshire subsurface disposal system meeting the requirements of Env-Wq 1000 must be designed and installed prior the issuance of an occupancy permit.

(DELETE IV-5:4 A, B, C, D)

(DELETE IV-5:5)

**By Petition: As recommended by the Board of Adjustment**

**Recommended by the Planning Board 7-0**

#### **ARTICLE 5**

To see if the Town will vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling \$6,359,747 (Six Million Three Hundred Fifty Nine Thousand Seven Hundred Forty Seven Dollars). Should this article be defeated, the default budget shall be \$6,331,491 (Six Million Three Hundred Thirty One Thousand Four Hundred Ninety One Dollars) which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting in accordance with RSA 40:13 X and XVI, to take up the issue of a revised operating budget only.

**Recommended by the Board of Selectmen 3-0**

**Recommended by the Budget Committee 4-0 (advisory only)**

#### **ARTICLE 6**

To see if the Town will vote to raise and appropriate \$10,000 (Ten Thousand Dollars) to be placed in the existing Building Repairs and Maintenance Expendable Trust Fund.

**Recommended by the Board of Selectmen 3-0**

**Recommended by the Budget Committee 4-0 (advisory only)**

#### **ARTICLE 7**

To see if the Town will vote to raise and appropriate \$10,000 (Ten Thousand Dollars) to be placed in the existing Hampstead Public Library Building Maintenance Non-Capital Reserve Fund.

**Recommended by the Board of Selectmen 3-0**

**Recommended by the Budget Committee 3-0-1 (advisory only)**

#### **ARTICLE 8**

To see if the Town will vote to raise and appropriate the sum of \$6,800 (Six Thousand Eight Hundred Dollars) to support Rockingham County Community Action.

**Recommended by the Board of Selectmen 3-0**

**Recommended by the Budget Committee 4-0 (advisory only)**

#### **ARTICLE 9**

To see if the Town will vote to raise and appropriate the sum of \$17,142 (Seventeen Thousand One Hundred Forty Two Dollars) to support the Cooperative Alliance for Regional Transportation (CART).

**Recommended by the Board of Selectmen 3-0**

**Recommended by the Budget Committee 4-0 (advisory only)**

#### **ARTICLE 10**

To see if the Town will vote to raise and appropriate the sum of \$50,000 (Fifty Thousand Dollars) for road construction and a guardrail alongside Mills Shore Drive and Shop Pond Dam.

**Recommended by the Board of Selectmen 3-0**

**Recommended by the Budget Committee 4-0 (advisory only)**

#### **ARTICLE 11**

To see if the Town will vote to adopt the "all veterans' property tax credit" under RSA 72:28-b? If adopted, the credit will be available to any resident, or the spouse or surviving spouse of any resident, who (1) served not less than 90 days on active service in the armed forces of the United States and was honorably discharged or was an officer honorably separated from service, and (2) is not eligible for and not receiving the credit for veterans who served in a qualifying war or armed conflict or for veterans with a service-connected disability. If adopted, the credit will be in the amount of \$500 (Five Hundred Dollars), which is the same amount as the credit for a veteran who served in a qualifying war or armed conflict. If the credit is adopted, any person desiring to claim the credit will be required to file an application with the selectmen or the assessors by April 15 of the tax year.

**Recommended by the Board of Selectmen 3-0**

**Recommended by the Budget Committee 4-0 (advisory only)**

**ARTICLE 12**

To see if the Town will vote to raise and appropriate the sum of \$51,165 (Fifty-One Thousand One Hundred Sixty-Five Dollars) for the purpose of hiring a new full time police officer, effective July 1<sup>st</sup>, 2017, the sum of which represents \$27,435 in a partial year's wages, \$20,730 for benefits and \$3,000 for training and equipment.

**Recommended by the Board of Selectmen 3-0**

**Recommended by the Budget Committee 4-0 (advisory only)**

**ARTICLE 13**

To see if the Town will vote to add to all department mission statements the following: For town officials to exercise a high degree of official judgement and discretion when making policy decisions or negotiations including seeking for-profit revenue, request for funds and allocation thereof, which will only serve to improve, promote, and protect the personal, economic and environmental health of individuals, families, and our community. That this mission statement amendment will be a source of inspiration and will solidify the core values of our community.

**By petition**

**NOT recommended by the Board of Selectmen 3-0**

Given under our hands and seal, the 23 day of January, in the year of our Lord, Two Thousand Seventeen.

HAMPSTEAD BOARD OF SELECTMEN

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Sean P. Murphy

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Priscilla R. Lindquist

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Chad P. Bennett

A true copy of Warrant - Attest:

HAMPSTEAD BOARD OF SELECTMEN

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Sean P. Murphy

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Priscilla R. Lindquist

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Chad P. Bennett

We hereby certify that we gave notice to the inhabitants within named, to meet at the time and place and for the purpose within mentioned, by posting up an attested copy of the within Warrant at the place of meeting within named, and a like attested copy at the Hampstead Middle School, the East Hampstead Post Office, and the Hampstead Town Office Building, being public places in said Town on the 24 day of January, 2017.

HAMPSTEAD BOARD OF SELECTMEN

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Sean P. Murphy

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Priscilla R. Lindquist

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Chad P. Bennett