

OFFICIAL BALLOT ANNUAL TOWN ELECTION RYE, NEW HAMPSHIRE

BALLOT 1 OF 4

MARCH 13, 2012 **INSTRUCTIONS TO VOTERS**

A. TO VOTE, completely fill in the OVAL to the RIGHT of your choice(s) like this: B. Follow directions as to the number of candidates to be marked for each office. C. To vote for a person whose name is not printed on the ballot, write the candidate's name on the line provided and completely fill in the OVAL.

	to provided and completely	
MODERATOR Vote for not more than one ROBERT G. EATON /178 Smattering (Write-in) SELECTMAN Vote for not more than one CRAIG MUSSELMAN /080 Victor Azzi /0 Smattering TOWN CLERK/TAX COLLECTOR Vote for not more than one ELIZABETH M. YEATON /133 Smattering (Write-in) TREASURER Vote for not more than one LEON C. BLAISDELL /149 Smattering (Write-in) CEMETERY TRUSTEE Vote for not more than one LEON C. BLAISDELL /149 CEMETERY TRUSTEE Vote for not more than one KENNETH MOYNAHAN //65	SUPERVISOR OF THE CHECKLIST Vote for not more than one SALLY STEWART KING 1/30 Since the ring (Write-in) LIBRARY TRUSTEE Vote for not more than two KAREN W. OLIVER 897 ** PHILIP BOYNTON 685 ** L. GARRY LAYMAN 572 Since the ring (Write-in) TRUSTEE OF TRUST FUNDS Vote for not more than one KERRY S. POPE 1099 ** Since the ring (Write-in)	BUDGET COMMITTEE For three years More than two RAY JARVIS 100 4 4 DOUG ABRAMS 983 4 DOUG ABRAMS 983 4 DOUG ABRAMS 983 4 DOUG ABRAMS 983 4 DOUG For three years MORE THE PROPERTY OF THREE YEARS OF THE Y
	NING ORDINANCE AMENDM	ENT QUESTIONS
Amendment 1: Proposed by Rye Plan Are you in favor of the adoption of Ame Add definitions of "Shall," "May," "Shoul		10// YES A A of the ordinance? 160 NO
TURN B	ALLOT OVER AND CONTINU	E VOTING

ARTICLE 3: ZONING ORDINANCE AMENDMENT QUESTIONS CONTINUED
Amendment 2: Proposed by Rye Planning Board
Are you in favor of the adoption of Amendment 2 as follows: Add a definition of "Commercial Recreation" to the definitions in Appendix A of the ordinance and amend the
Add a definition of "Commercial Recreation to the definitions in Appendix A of the Statistics and Statistics an
Explanation
The definition of "Commercial Recreation" includes indoor or outdoor non-motorized recreational activities, including basketball, football, baseball, softball, ice hockey, wrestling, soccer, tennis, racquetball, handball, squash, volleyball, rope courses, zip lines, miniature golf, golf driving range, skateboarding, cycling, bowling, swimming, weightlifting, gymnastics, and health and fitness, but not firearms shooting ranges.
The amendment would allow Commercial Recreation as a use in the Commercial District by special exception /05-2 approved by the Zoning Board of Adjustment. Most of Rye's Commercial District lies along Lafayette Road or west of Lafayette Road. The Rye Airfield skateboard park is located within the Lafayette Road Commercial VES District, and vacant land west of Lafayette Road is suitable for some types of Commercial Recreation uses.
Amendment 3: Proposed by Rye Planning Board
Are you in favor of the adoption of Amendment 3 as follows:
Amend the definition of "Junkyard" in Appendix A of the ordinance to add "building materials, building debris" to the list of old, used, useless or damaged items that may constitute a junkyard?
Explanation Y 976
Explanation The amendment would clarify that the exposed storage, keeping, sale, disposal or abandonment of old, used, YES useless or damaged building materials and building debris may be considered as making up all or part of a no junkyard use.
Amendment 4: Proposed by Rye Planning Board
Are you in favor of the adoption of Amendment 4 as follows:
Amend Section 304 <u>Coastal Area Overlay District</u> to add a new Section 304.6 <u>Tourist Accommodation Uses</u> which would allow land housing tourist accommodation uses which may have become economically or functionally obsolete to be redeveloped in residential use at densities compatible with the density of the surrounding area?
<u>Explanation</u>
Within the Coastal Area Overlay District only, the amendment would allow tourist cabin and motel uses to be torn down and redeveloped for residential uses, including single family, two family and multi-family townhouses, at densities compatible with the surrounding neighborhood. Redevelopment into such uses requires a Special Use Permit from the planning board, which is required to make determinations that the granting of the Special Use Permit will not be detrimental to adjacent property or the neighborhood; will not be detrimental to the public Services and safety, health or welfare; will not be contrary to the public interest; and will not overburden municipal services and that the architecture of the proposed dwellings is compatible with the architecture of dwellings located within 300 feet of the site.
Amendment 5: Proposed by Rye Planning Board
Are you in favor of the adoption of Amendment 5 as follows:
Amend the Wetlands Conservation District and the definitions in Appendix A of the ordinance to make the definition of "Wetlands" and the methodology for identifying wetlands consistent with the definition and methodology used by the NH Department of Environmental Services in issuing state wetlands permits?
<u>Explanation</u>
The proposed amendment revises the definition of "Wetlands" and the methodology used to identify wetlands to make them consistent with the definition and methodology used by NH Department of Environmental Services in issuing state wetlands permits. It also adds a definition of "Vernal Pool" to the ordinance.
Rye's Wetlands Conservation District was enacted 35 years ago, in 1977. Its definition of wetlands includes yes poorly drained and very poorly drained soils, which was the standard way to define municipally regulated wetlands in the 1970's. Many municipal wetlands ordinance now use the definition and empirically based methodology for identifying wetlands used by the Department of Environmental Services.
Amendment 6: Proposed by Rye Planning Board
Are you in favor of the adoption of Amendment 6 as follows:
Repeal Section 601.1 Merger Rule?
Explanation 1, Cro
The Merger Rule requires that two or more nonconforming adjoining lots in single or joint ownership by VES considered as a single lot for planning and zoning purposes. Recent changes in state legislation preclude municipalities from merging preexisting subdivided lots except upon the consent of the owner, thus the Merger Rule is no longer legal.
GO TO NEXT BALLOT AND CONTINUE VOTING



OFFICIAL BALLOT

BALLOT 2 OF 4

	ANNUAL TOWN ELECTION	
POUTD OF	RYE, NEW HAMPSHIRE	m. Yeston
•	MARCH 13, 2012 TOWN	CLERK
ARTICLE 3: ZONING	G ORDINANCE AMENDMENT QUESTIONS CONTIN	IUED
Amendment 7: Proposed by Rye F		
Are you in favor of the adoption of A	mendment 7 as follows:	
Amend Sections 801.2 <u>Building Per</u> Driveway Permit must be issued I non-residential lot may be issued?	rmit <u>Applications</u> and 801.4 <u>Issuance of Building Permits</u> to require that a before a building permit for a new dwelling or for a new building on a	1005
,	<u>Explanation</u>	XYES ○
The amendment will assure that the driveway access.	ne locations of new dwellings and buildings are properly coordinated with	NO ○ 333
Amendment 8: Proposed by Rye I	Planning Board	JE 1060
Are you in favor of the adoption of A		#YES ()
Amend Section 801 <u>Building Perm</u> disposal systems and on site utilitie	<u>its</u> to establish that grading and excavation for foundations, on-site waste is shall not begin prior to the issuance of a building permit?	NO O
Amendment 9: Proposed by Rye	•	
Are you in favor of the adoption of A		
Amend Section 501 Signs and Out	door Advertising to add a new Section 501.8 Temporary Signs?	
	<u>Explanation</u>	* 872
(O)	w allow temporary signs. The proposed amendment would allow up to tw er lot in the Commercial and Business Districts only, provided the total are the present requirements and provided the Building Inspector approves th	~ NA (
Amendment 10: Proposed by Ry	e Planning Board	
Are you in favor of the adoption of		
	n District to: (1) change accessory buildings, water impoundment, agricultur uses to uses permitted by special exception; and (2) to amend the list of owing underlined and italicized words: <u>Recognized</u> conservation areas an ation.	J1
	<u>Explanation</u>	¥ 890
wetlands. The amendment also uses.	n uses now permitted in wetlands to uses which would require the great- riew by the Zoning Board of Adjustment in order for the uses to be allowed clarifies the types of conservation and recreation uses which are permitte	
ARTICLE	4: BUILDING CODE AMENDMENT QUESTIONS	
Amendment 1: Proposed by Rye	e Planning Board	
Are you in favor of the adoption of		
l commercial industrial or business	g automatic fire sprinklers in newly constructed or substantially renovat s occupancies containing more than 2,500 gross square feet and in existi ults in a more hazardous classification?	ed ng /04 *YES ()
	<u>Explanation</u>	ио ○
The amendment is requested by commercial, industrial and busine	r the Rye Fire Department in order to provide enhanced fire protection ss uses.	for 192
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ARTICLE 4: BUILDING CODE AWENDWENT QUESTIONS CONTINUE	
Amendment 2: Proposed by Rye Planning Board	
Are you in favor of the adoption of Amendment 2 as follows:	
Amend Section 7 <u>Building Regulations</u> to delete references to outdated nationally recognized codes; to add a reference the State Building Code; and to update references to provisions of the 1993 BOCA Property Maintenance Code with references to the 2009 International Property Maintenance Code?	
<u>Explanation</u>	-
The present Rye Building Code incorporates by reference certain outdated nationally recognized codes that predate the State Building Code, which the Legislature adopted in 2002. Thus, the Rye Building Code no longer needs to expressly incorporate these nationally recognized codes because they are part of the State Building Code. The amendment also puts persons on notice of the applicability of the State Building Code in Rye and of the nationally referenced codes which are included in the State Building Code and which, therefore, apply in Rye.	× 1093
The Town adopted certain sections of the 1993 BOCA Property Maintenance Code in 1996. The 1993 BOCA Property Maintenance Code is outdated and is not part of the State Building Code. Thus, the amendment updates the Rye Building Code to include the comparable sections of the 2009 International Property Maintenance Code (which has replaced the BOCA Property Maintenance Code). The adopted sections of the Property Maintenance Code do not apply to owner-occupied dwelling units.	^YES ○ ■ NO ○ ■
WARRANT ARTICLES	-
ARTICLE 5. To see if the Town will vote to raise and appropriate the sum of one hundred thousand dollars (\$100,000) to be added to the Highway Equipment Capital Reserve Fund created in 1994. This appropriation is in addition to the operating budget. (Majority vote required.)	707 YES O
This article is recommended by the Selectmen. This article is recommended by the Budget Committee.	585
	•
This article is recommended by the Selectmen. This article is recommended by the Budget Committee.	NO 07
ARTICLE 7. To see if the Town will vote to raise and appropriate the sum of fifty-thousand dollars (\$50,000) to be placed in the expendable general trust fund known as the Town Employees' Accumulated Leave Fund, established pursuant to RSA 31:19-a by Article 14 of the 1990 Rye Town Meeting for the purpose of funding Town Employees' accumulated leave accounts. This appropriation is in addition to the operating budget. (Majority vote required.)	
This article is recommended by the Selectmen. This article is recommended by the Budget Committee.	NO A
ARTICLE 8. To see if the Town will vote to raise and appropriate the sum of sixty-five thousand dollars (\$65,000 to purchase a new one-ton rack truck to replace an existing 2003 Chevrolet 3500 one-ton dump truck and to authorize the withdrawal of sixty-five thousand dollars (\$65,000) from the Highway Equipment Capital Reserve Fund created in 1994 for this purpose. This appropriation is in addition to the operating budget. (Majority vote required.)	802 XYES ()
This article is recommended by the Selectmen. This article is recommended by the Budget Committee.	NO ○ 501
ARTICLE 9. To see if the Town will vote to raise and appropriate the sum of thirty-five thousand dollars (\$35,000 for the purpose of purchasing replacement protective clothing for the Fire Department. This appropriation is i addition to the operating budget. (Majority vote required.)	YES O
This article is recommended by the Selectmen. This article is recommended by the Budget Committee.	NO ○ 38°
ARTICLE 10. To see if the Town will vote to raise and appropriate the sum of one hundred thirty-five thousan dollars (\$135,000) for the purpose of furthering design development and cost estimates, placed under the direction of the Board of Selectmen with the advice of the volunteer Capital Improvement Plan Committee, for proposed renovation and/or addition to the Town Half 1839 building. This appropriation is in addition to the operating budget. (Majority vote required.)	a
This article is recommended by the Selectmen. This article is recommended by the Budget Committee.	*NO ○ 830
ARTICLE 11. To see if the Town will vote to change the purpose of an existing DPW Salt Shed Capital Resent Fund to the DPW Long Term Improvements Capital Reserve Fund and to designate the Board of Selectment agents to expend. If this article fails, Article 12 is null and void. (2/3 vote required.)	ve as YES 72.7 **_NO ⊊/o
	

GO TO NEXT BALLOT AND CONTINUE VOTING

Needed 843 yes To Pass

MPLE BALLO



BALLOT 3 OF 4

OFFICIAL BALLOT ANNUAL TOWN ELECTION RYE, NEW HAMPSHIRE **MARCH 13, 2012**

Lizalith m. 4 TOWN CLERK

WARRANT ARTICLES CONTINUED

ARTICLE 12. To see if the Town will vote to raise and appropriate forty-five thousand dollars (\$45,000) to
entain a consulting engineer to evaluate the Department of Public Works site and to develop a long range plant,
including how its development fits into the surrounding area, for its use and further to authorize the withdrawal
including how its development his into the surrounding area, for the development Capital Reserve Fund for that
of forty-five thousand dollars (\$45,000) from the DPW Long Term Improvements Capital Reserve Fund for that
purpose. If Article 11 fails, this article is null and void. This appropriation is in addition to the operating budget.
(Majority vote required.)

YES 🔘

This article is recommended by the Selectmen. This article is recommended by the Budget Committee. NO \bigcirc

Shall the Town 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 eight million five hundred eighty-three thousand two hundred sixty-four dollars (\$8,583,264)? Should this article be defeated, the default budget shall be eight million three hundred fifty-one thousand one hundred thirty dollars (\$8,351,130) 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. (Majority vote required.)

NOTE: This operating budget warrant article does not include appropriations in ANY other warrant articles.

838 ÝES 🔘

This article is recommended by the Selectmen. This article is recommended by the Budget Committee. NO Ç

To see if the Town will vote to amend the Stop and Yield Sign Ordinance as follows: (Note: New ARTICLE 14. text is in bold italic.) (Majority vote required.)

Add the following yield signs to the Section "Yield Intersections" in the "Stop and Yield Sign Ordinance". Old Beach Road at Locke Road (at Island for right turn)

Old Beach Road at Locke Road (at island for left turn)

Causeway Road, yielding right of way to traffic on Causeway Road

ARTICLE 15. To see if the Town will vote to amend the PARKING ORDINANCE to make it consistent with current practice by adding in Section 3, Jenness Beach Precinct and Section 4, Rye Water District the following public ways where no parking has been enforced for many years: (Note: New text is emboldened italic.)

Jenness Beach Precinct:

- South side of Perkins Road No parking on pavement,
- Bernard Drive No parking
- Pine Street No parking 600 feet both sides from Perkins towards Cable Rd.
- Big Rock Rd No parking both sides
- т. Baker Ave No parking, except from 2231 Ocean Blvd to 23 Baker Avenue по parking on pavement.
- n. Myrica Ave No parking both sides.
- Gray Court No parking both sides.
- Cable Road South side from Ocean Blvd to #16 Cable Road No parking on pavement; thereafter, no parking.
- Breakers Road No parking
- Surf Lane No parking.
- Jenness West No parking.
- Jenness East No parking.
- East Atlantic No Parking.
- Kenphil Ave No parking
- w. Old Beach Road Foss Circle side No parking

Rye Water District: 4.

North side of Washington Road to #11 Washington Road - No parking on pavement, No parking on south side.

o. Wallis Road - No parking both sides of road from Appledore Ave to Odiorne Drive.

TURN BALLOT OVER AND CONTINUE VOTING

Γ-	WARRANT ARTICLES CONTINUED	
	ARTICLE 16. To see if the Town will vote to amend the Solar Energy Property Tax Exemption adopted March 17, 1979, as amended below.	
	(Note: Deleted text is etruck through. New text is emboldened and italicized.)	-
	"To see if the Town will vote to adopt the provisions of RSA 72:62 for a property tax exemption on real property equipped with a Solar Energy Heating or Cooling System as defined in RSA 72:61 which shall be in the amount of 100% of the installation cost the assessed value of the qualifying solar energy system up to a maximum of fifteen thousand dollars (\$15,000)." (Majority vote required.)	
	ARTICLE 17. To see if the Town will vote to accept as a town road, Marjorie Way as shown on a plan entitled "The Hoefle Family, LLC Subdivision Plans Assessor's parcels 7-17, 7-18 and 7-21, Rye NH 03870" dated August 29, 2011, Sheets S-3 & S-4 recorded in the Rockingham County Registry of Deeds as Plan No. D-36933. This acceptance is conditioned upon the final approval of the Public Works Director, the Board of Selectmen and the Planning Board. The Planning Board has approved the subdivision creating Marjorie Way as identified on the above-referenced plan. (Majority vote required.)	
•	ARTICLE 18. (By Petition) To see if the Town will vote to ask the Selectmen to study the following addition to the Parking Ordinance: Under Section 3, Jenness Beach Precinct, change the following parking restriction:	-
	h. No parking on the north side of Locke Road from Ocean Boulevard to Old Beach Road and parallel parking by permit only on the south side of Locke Road from Ocean Boulevard to Old Beach Road. YES	·
•		
•	Note: New text is emboldened. (Majority vote required.)	<u> </u>
	ARTICLE 19. (By Petition) To see if the Town will vote to ask the Selectmen to study the following amendment to the Parking Ordinance: Under Section 3 (f), Jenness Beach Precinct, change the following parking restriction: f. Parallel parking by permit only on the east side of Old Beach Road on a year-round basis.	
	The Ald	ے ا ا
	Note: New text is emboldened. ARTICLE 20. (By Petition) Shall the Town vote to advise the Board of Selectmen that the Town would like to make implement televised or on-line streaming coverage of the meetings of town boards to include at minimum the Board of Selectmen, Zoning Board of Adjustment and Planning Board? NO	
-	ARTICLE 21. (By Petition) Shall the town require that department heads and administrators be specifically certified for their professional positions, where required by state law, at the time of hire or within two years thereafter, or within two years of the adoption of this provision?	5 =
	ARTICLE 22. (By Petition) Shall the town institute a policy whereby no town employee can have an immediate family member as his or her supervisor, with "immediate family member" defined as parents, YES children, husbands, wives, siblings, in-laws, aunts, uncles, nephews, nieces, and cousins?) •
	ARTICLE 23. (By Petition) Shall the town administration report legal expenses to the citizens at the end of each year as one aggregate figure, with additional line items reporting how much the town spent on specific suits or received in specific settlements, and the annual amount paid to: (1) town counsel, (2) other lawyers, broken out by name and (3) recipients of settlements with the town, broken out by name? Settlements that include requirements of confidentiality shall be fully adhered to and complied with.	7 7
	ARTICLE 24. (By Petition) Shall the voters give guidance to town boards that the citizens of Rye consider that an additional private club on the public access to the beach at Wallis Sands is not in the best interest of the town, and direct town officials to bear this concern in mind where the public interest is a legal and appropriate consideration?	33
	ARTICLE 25. (By Petition) Shall the number of alternates to be appointed to the Rye Heritage Commission be increased from two to five, thereby expanding the volunteer opportunities beyond what was authorized in YES Article 18 of the 2011 Warrant articles?	71 5 84
	ARTICLE 26. (By Petition) Shall the town require that each employee, elected official and appointed member, or alternate of a Town board, committee or commission, sign a form which prohibits that individual from participating in any official capacity which represents a conflict of interest with the Town? For the purposes of this article conflict of interest shall be defined as whenever a potential exists for a public officer or employee to influence the outcome of a matter in which he or she has a direct personal or pecuniary interest. The public YES officer or employee shall have an affirmative duty to disclose any such interests. This article shall not affect current employees or officials for one year following adoption.	19 ⊃ 70
	GO TO NEXT BALLOT AND CONTINUE VOTING	

MPLE BALLO



of Rye may be different.

OFFICIAL BALLOT ANNUAL TOWN ELECTION RYE, NEW HAMPSHIRE **MARCH 13, 2012**

BALLOT 4 OF 4

Elizabeth M. Yeston

WARRANT ARTICLES CONTINUED

and commission	(By Petition) Prior to funding the completion of the design of the potential multi-million dollar own Hall, shall the Board of Selectmen address the space needs of the town employees, boards ons by comprehensive pro and cons analysis of all possible options? This could include publicly property or renovation of existing facilities, for example	
0	Town Hail	
0	Public Safety Building (7,000 square feet build-out on second floor)	
0	Rye Recreation facilities	
0	Rye Recycling Center facilities	07
0	Former Police Station TYES	\bigcirc
In addition to number of squa	possible locations, the Board of Selectmen must consider the number of employees and the lare feet per employee of similar facilities in other U.S. towns, and the reasons, if any, why the needs	() 268

ARTICLE 28. (By Petition) Shall the five members of the Zoning Board of Adjustment be elected by the Citizens of Rye pursuant to RSA 673:3,II, by official ballot, rather than be appointed by the Board of Selectmen?

The initial terms of the members shall be staggered pursuant to RSA 673:5,II: one member shall be elected for one year, two members shall be elected for two years and two members shall be elected for three years. By NO statute, five alternates may be selected by the elected members of the Zoning Board of Adjustment, RSA 673:6, i.

296

1070

268

ARTICLE 29. (By Petition) Shall the Rye Selectmen send a letter on behalf of the town to our US Congressional Delegation and to the Postmaster General recommending that our Federal Government close one of the two Post Offices in Rye? The letter shall state that "some of the voters of Rye feel that given the fiscal condition of our federal government and of the US Post Office, some of the residents of Rye, NH would like to see the US Post Office only operate one post office in our town. Currently there are two post offices on Central Road in Rye, less than two miles apart. Selecting which Post Office to keep open is the responsibility of the US ** NO Post Office.'

YES

ARTICLE 30. To see if the Town will vote to authorize the Selectmen to sell to the highest bidder at public *YES/25/4 auction, or sealed bid, such surplus Town equipment as is not traded in on new equipment in 2012. NO

YOU HAVE NOW COMPLETED VOTING