OFFICIAL BALLOT ANNUAL TOWN ELECTION RYE, NEW HAMPSHIRE

E, NEW HAMPSHIRE MARCH 12, 2013 Elizabeth M. Yeston

BALLOT 1 OF 3

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.

SELECTMAN	BUDGET CO	OMMITTEE	ZONING BOARD OF	
Vote for not	for Three Years	Vote for not more than Two	ADJUSTMENT	
	JAMES G. MAHERA		Vote for not for Three Years more than One	
,,	SHAWN CRAPO	100	RAYMOND J. JARVIS 827	
inattering (Write-in)				
,	Smattering_	(Write-in)	Smattering (Write-in)	
CEMETERY TRUSTEE		(Write-in)	TONING BOARD OF	
Vote for not rThree Years more than One			ZONING BOARD OF	
RANK A. DRAKE 940 * C	PLANNING		ADJUSTMENT Vote for not	
Smattering O	for Three Years	Vote for not more than Two	for Two Years more than Two	
(Write-in)	PHIL WINSLOW	791 * 0	FRANK B. DIBBLE 509 *	
LIBRARY TRUSTEE	BILL EPPERSON	150 ¥ O	PAUL GOLDMAN 451	
Vote for not	Smattering	0	PATRICIA M. WEATHERSBY	
or Three Years more than One	SMG ITER IN	(Write-in)	101*	
TICTOR AZZI 875 C		(Write-in)	Smattering (Write-in)	
Signo Haring (Write-in)	DI ANIMUNI	CROARD	(Write-in)	
<u> </u>	PLANNING	Vote for not	SEWER COMMISSIONE	
TRUSTEE OF	for One Year	more than One	Vote for not	
TRUST FUNDS	SEAN LYNCH	321 C	for Three Years more than One	
Vote for not or Three Years more than One 1,	JEROME A. GITTL	.EIN <u>571</u> * 🗆	DAVID M. ADAMS 955 *	
ANDREW J. MAHONEY 817	Smattering		1 3005 ((()))	
Sur Harana O	7	. (Write-in)	(Write-in)	
Sing flering (Write-in)				
ZONING C	RDINANCE AM	MENDMENT C	UESTIONS	
ARTICLE 3. To see if the Town will vor recommendation of the Rye Planning Boa	ote to amend the Ryard, as follows:	e Zoning Ordinand	ce in accordance with the	
Amendment 1: Proposed by Rye Planni				
Are you in favor of the adoption of Amend				
Amend the first paragraph of Section 700 2012 Annual Town Meeting which change being elected by town voters?	to make it consistent ed the Board of Adjustr	with the Town vote ment from being ap	pursuant to Article 28 of the pointed by the selectmen to	
This is a "housekeeping" amendment wh Annual Town Meeting's 2012 vote to char an elected board. State statutes provide appoint alternates.	san tha Janina Hagia (и илизипени или	rdinance consistent with the NO	
Amendment 2: Proposed by Rye Plann	ing Board			
Are you in favor of the adoption of Amendment 2 as follows? YES				
Are you in layor of the adoption of Among		or color collectors?	NO C	
Amend the Historic District regulations to	adopt requirements for	JI Soldi Collectors.	\$123 /	

-	ZONING ORDINANCE AMENDMENT QUESTIONS CONTINUED	•
- -7	Amendment 3: Proposed by Rye Planning Board	
- 1	Are you in favor of the adoption of Amendment 3 as follows?	* 881 VES ()
• ,	Adopt a Rye Landfill Groundwater Management Zone Overlay District which would cover Tax Map 10 Lot 5 and Tax Map 10 Lot 5 and Tax Map 10 Lot 82?	NO ()
- 1	Explanation The zoning amendment is required in order to comply with NHDES regulations related to the DES Groundwater Management Zone of the old (now closed) town landfill. The new overlay district would cover only Lots 5 and 82 of Tax Map 10.	,,,,,,
.	Amendment 4: Proposed by Rye Planning Board	[*
	Are you in favor of the adoption of Amendment 4 as follows?	* 549
-	Amend § 509 Demolition Review to lower the age for buildings requiring demolition review from 65 years to 50 years?	YES O
	<u>Explanation</u> The amendment originated with the Heritage Commission.	491
- -	Amendment 5: Proposed by Rye Planning Board.	
-	Are you in favor of the adoption of Amendment 5 as follows?	- 4
— i	Amend the definition of "Structure" to exempt fuel storage tanks from dimensional requirements of the ordinance and to more clearly state which other structures are exempt from dimensional requirements?	*YES 🗇
-	Explanation The building inspector requested this change because fuel storage tanks do not detract from the purposes of the required yard space setbacks and they are covered in other codes and ordinances, such as National Fire Protection Association (NFPA) requirements.	NO ○ 217
-	Amendment 6: Proposed by Rye Planning Board.	İ
-	Are you in favor of the adoption of Amendment 6 as follows?	98A
	Amend the Appendix of Definitions to add a definition of "Storm Water" which is consistent with the state's definition?	
	<u>Explanation</u> The zoning ordinance regulates storm water but does not define it. The amendment would add a definition to the ordinance which is consistent with the state statutory definition and automatically incorporate any changes	NO () /50
	to the state definition.	
-	to the state definition. ARTICLES	
	ARTICLE 4. To see if the Town will vote to raise and appropriate the sum of sixty thousand dollars (\$60,000) to retain a licensed architectural/engineering consultant to prepare schematic designs for the restoration of the 1839 Town Hall building, including the restoration of the Great Hall and its curvilinear staircases, and the construction of additional new town office space in accordance with the November 2012 report of the Town Hall Space Needs Committee and to prepare a Rye Town Facility Master Plan. Such work will be conducted with public input throughout the process and will include refined programming of Town Hall space needs; determination of long-term recreational program needs, and what, if any, of those needs might best be accomplished through the restoration and use of the Great Hall; consideration of the renovation of the ca. 1899 trolley barn building (i.e. former police station) to provide additional space to help satisfy appropriate space needs if Article 5 is approved by voters; and the preparation of two schematic designs and cost estimates, each configured to fully satisfy identified Town Hall space needs. The first schematic design shall include an addition to the existing Town Hall building that respects the historic integrity of the existing building. The second schematic design shall include a separate, new town office building, which also respects the historical integrity of the existing building, to be located on the same parcel, to	
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BALLOT 2 OF 3

OFFICIAL BALLOT ANNUAL TOWN ELECTION RYE, NEW HAMPSHIRE MARCH 12, 2013

Elizaboth M. Yeston TOWN CLERK

	MARCH 12, 2013	
	ARTICLES CONTINUED	
ti F V	ARTICLE 6. To see if the town will vote to raise and appropriate the sum of one hundred seventy thousand dollars (\$170,000) for the purpose of funding the completion of the Conservation Commission's restoration of the Goss Farm Barn on Harbor Road for its intended future agricultural and educational uses. Work will take place in phases: (1) Restoration of the stone footings, foundation, sills and installation of drainage; (2) Restoration of the interior and attached sheds; (3) Finish wiring of barn for housing community activities. This will be a non-lapsing appropriation per RSA 32:7,VI and will not lapse until the restoration is completed or by December 31, 2014, whichever is sooner. This appropriation is in addition to the operating budget. (Majority vote required.) This article is recommended by the Selectmen.	* 609 YES () NO () 505
	This article is recommended by the Budget Committee.	
(This article is recommended by the Selectmen. This article is recommended by the Budget Committee.	¥
	ARTICLE 8. To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) for the purpose of retaining the services of a company specializing in New Hampshire municipal records and document management to facilitate improvements to the Town's records retention system. 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.	*YES () NO () 431
	ARTICLE 9. To see if the Town will vote to raise and appropriate the sum of four thousand dollars (\$4,000) for the purpose of purchasing equipment and implementation services in order to provide broadcasts of meetings of town boards at the town hall via the internet with live on-line streaming and on demand access to archived broadcasts including those of the Board of Selectmen, Zoning Board of Adjustment and Planning Board. 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.	*YES () NO () 472
	ARTICLE 10. 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 six hundred eighty thousand six hundred twenty-seven dollars (\$8,680,627)? Should this article be defeated, the default budget shall be eight million three hundred eighty thousand three hundred forty-seven dollars (\$8,380,347) 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. This article is recommended by the Selectmen. This article is recommended by the Budget Committee.	* 679 YES ○ NO ○ 391
	ARTICLE 11. To see if the Town will vote to completely discontinue on Assessor's Parcel 024-021 any and all rights which the public has in the parcel marked "Portion of Elwyn Road Roadbed" containing 7,244 square feet as shown on a plan titled "Plan of Land 25 Sagamore Road, Rye, New Hampshire" prepared by James Verra and Associates, Inc. dated January 18, 2012 and which plan is posted at Town Hall and at the polls and to authorize the Board of Selectmen to convey by quitclaim deed any and all rights to such land to Bluestone Properties of Rye, LLC. The roadbed is no longer required for public usage following the N.H.D.O.T. reconfiguration of Elywn Road. Pursuant to RSA 231:46, the Town of Rye will continue to have an easement for the storm drain line that is located within the discontinued roadbed. (Majority vote required.)	YES NO S
	ARTICLE 12. To see if the Town will vote to completely discontinue on Assessor's parcels 024-082 and 024-097 any and all rights which the public has in the parcel marked "Old Ferry Landing Road (Class VI Highway) (to be relocated)" as shown on a Plan titled "Tax Map 24, Lots 82 and 97, property of Michael J. Cavaretta Revocable Trust and Dianne A. Cavaretta Revocable Trust, 16 Frontier Street and 36 Pioneer Road, Old Ferry Landing Road, County of Rockingham, Rye, New Hampshire, Lot Line/Highway Relocation Plan", prepared by MSC Civi Engineers and Land Surveyors dated December 11, 2012 and which Plan is posted at Town Hall and at the polls and to authorize the Board of Selectmen to convey by quitclaim deed any and all rights to such land to Michael J. Cavaretta, Trustee of the Michael J. Cavaretta Revocable Trust and Dianne A. Cavaretta, Trustee of the Dianne A. Cavaretta Revocable Trust. The Selectmen have approved a new location for part of Old Ferry Landing Road. This article discontinues the old location. (Majority vote required.)	¥ 658 YES ○ NO ○ 359
	ARTICLE 13. To see if the Town will vote pursuant to Article 18 of the 2000 Annual Town Meeting to approve the cutting of fewer than 10 trees at the Rye Recreation Area in order to construct a 30 spaces gravel parking lot. An aerial photograph showing the layout of the proposed parking area is posted at the Town Hall and at the	YES C

ARTICLES CONTINUED

ARTICLE 14. To see if the town will vote to amend Ordinance #3 SKATEBOARD AND ROLLER SKATE REGULATIONS as amended and adopted by the Selectmen on May 29, 2012 and to be voted on at Town Meeting 2013. (Majority vote required.)

- Change the title of Ordinance #3 to: SKATEBOARD, ROLLER SKATE, BICYCLE AND PEDESTRIAN REGULATIONS.

 (a. 15) Lightway The
- Amend Ordinance #3 by adding regulations of bicycle and pedestrian use of public highways. The amended ordinance would read as follows: (New language emboldened and in italics. Deleted language etruck through).

SKATEBOARD, ROLLER SKATE BICYCLE AND PEDESTRIAN REGULATIONS

- Skateboards and Roller Skates. The use of skateboards and roller skates on all public highways, sidewalks and commons within the Town of Rye is prohibited, provided however, that the Chief of Police with advice and consent of the Selectmen, may designate certain streets, roads and ways upon which the use of skateboards and roller skates may be permitted.
- Bicycles. Any person propelling a bicycle on any public highway shall ride single file and shall ride as near to the right side of the road as practical.
- Pedestrians. Any person running, jogging or walking on the traveled way of any public two-way highway, shall run, jog or walk single file and shall do so as near to the left side of the roadway as practical.

554

/ES

YES 🗀

NO O

*YES '

NO O

248

*****YES ○

408

X 848 YES 🔾

NO O

191

YES 🔾

a 12

NO O

YES

NO O

537

- 4. Violation of this regulation shall subject the person convicted to the maximum penalty provided for violation of Town Ordinance provided that person be over the age of seventeen (17) years. For the first violation of this regulation by any child seventeen (17) years of age or under, the parents or guardian of such child shall be notified. Upon any subsequent violation, the parents or guardians of such child shall be guilty of a violation as defined by the New Hampshire Revised Statutes Annotated.
- 5. This Ordinance, as amended, is promulgated under the provisions of RSA 41:11 and shall take effect upon its adoption by the Board of Selectmen.
 Note: On March 10, 1970, Article 25, it was voted to increase the fines levied for violation of any Town Ordinance from \$10.00 to \$50.00 as provided in RSA 31:39.
 ORIGINAL ORDINANCE ADOPTED 3/11/78, Article 22

ARTICLE 15. Shall the Town authorize the Board of Selectmen and the Beach Commission, or a committee thereof, to study the impact of the operation by persons, businesses or non-profit groups or organizations of a business or event, such as a summer camp; educational field trip; surf camp; race; triathlon; fundraiser; or lessons and/or rentals for activities such as surfing, paddle boarding, kayaking, sailing, kite-surfing, snorkeling or diving on any town beach? The purpose of such study shall be to determine the impact of such businesses or events on public safety and the public's use and enjoyment of the beach. The findings should be presented and discussed at a public hearing and any future legislation addressing the above mentioned activities will be presented and discussed in a public hearing. (Majority vote required)

ARTICLE 16. 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 the following public ways where no parking has been enforced for many years. (Note: New text is **emboldened italic.**) (Majority vote required.)

- 3. Jenness Beach Precinct:
 - x. Richard Road
 - y. Brown's Court
- z. Powers Avenue

ARTICLE 17. To see if the Town will vote pursuant to RSA 32:5,V-a and RSA 40:13,V-a, to require that all votes on recommendations on budget items or warrant articles by the governing body and the budget committee shall be recorded votes and that the numerical tally of such votes shall be printed in the warrant next to the affected warrant article. (Majority vote required.)

ARTICLE 18. To see if the Town will vote to increase the maximum Solar Energy Heating and Cooling System property tax exemption for the assessed value of the qualifying equipment as defined by RSA 72:61, which was adopted by the 1979 Annual Town Meeting and re-adopted, as amended, by the 2012 Town Meeting, from fifteen thousand dollars (\$15,000) to thirty-five thousand dollars (\$35,000) and to clarify that the exemption is for systems which supply electrical power and/or hot water for use at the immediate site. (Majority vote required).

ARTICLE 19. (By Petition) Shall the Town vote to direct the Selectmen to consider requiring, in addition to the requirements set forth in RSA 91-A:2, II, that the agendas and minutes of all meetings of any public board, committee or commission associated with the Town be posted on the Town's website? All scheduled meetings shall have an agenda posted on or before the statutory time for posting meeting notices. For entities that have their own website (such as the Rye Public Library), the Town may meet its obligations by providing a link directly to the agendas and minutes from the Town's website, providing that the entity adheres to this article with respect to its own website. This warrant article shall be effective commencing 30 days after certification of the results of the election in which it is adopted. (Majority vote required)

ARTICLE 20. (By Petition) Shall the Town, immediately upon the effective date of this warrant article, and annually thereafter, within 30 days after certification of the results of each Town election, provide to the public a list of each individual required to sign a form relating to conflicts of interest and indicate thereon whether that individual has provided the required form? In addition, 2012 Warrant Article 26 shall be amended by striking the second and third sentences and replacing them with the following language, derived from RSA 21-G:21,II: "For the purposes of this article, conflict of interest shall be defined as a situation, circumstance, or financial interest which causes a private interest to interfere with the proper exercise of a public duty. The public officer or employee shall have an affirmative duty to disclose any conflicts of interest, and to recuse himself or herself from any matter, whether that person's role is ministerial, administrative, or adjudicative, in which a conflict of interest, as defined above, exists." Because this article sets a new standard for conflict of interest, present town officials and employees are exempt for one year, per RSA 31:39-a. (Majority vote required)

GO TO NEXT BALLOT AND CONTINUE VOTING



OFFICIAL BALLOT ANNUAL TOWN ELECTION RYE, NEW HAMPSHIRE MARCH 12, 2013 BALLOT 3 OF 3

Elizabeth M. Yeston

ARTICLES CONTINUED

ARTICLE 21. (By Petition) Shall the Town enhance the usefulness of the Capital Improvements Program ("CIP") process by conducting a public hearing each year, pursuant to RSA 675.6, prior to the adoption by the CIP Committee of the CIP Plan? The capital budget shall encompass all entities within the Town that are required 829 to submit capital projects to the CIP Committee. Any building, land acquisition, or other capital project which is proposed should be accompanied by a listing of sources of funds likely to be needed to implement such a YES 🔘 project, e.g. gifts, revenues, taxes, etc. A table shall be provided showing how the total capital investment each NO O year will affect the tax rate, using clearly set forth assumptions as to financing methods that are consistent with past Town practices for each type of project. This warrant article shall be effective commencing with the 2014-2019 CIP Plan. (Majority vote required) 208 ARTICLE 22. (By Petition) Shall the Board of Selectmen investigate the accuracy of the 2012 reassessment YES of properties, and, by September 1, 2013, report to the taxpayers on whether the methodology used for the reassessment process proved to be reliable and fair to all taxpayers? The report shall support its conclusions with appropriate quantitative data. The report's conclusion shall indicate whether or not another reassessment should be completed. (Majority vote required)

ARTICLE 23. To see if the Town will vote to authorize the Selectmen to sell to the highest bidder at public auction, or sealed bid, such surplus Town equipment as is not traded in on new equipment in 2013. (Majority vote required)

NO 53

YOU HAVE NOW COMPLETED VOTING



OFFICIAL BALLOT ANNUAL SCHOOL DISTRICT ELECTION

The source of th	RYE, NEW HAMPSHIRE MARCH 12, 2013	School District Clerk
A. TO VOTE, complete B. Follow directions as	INSTRUCTIONS TO VOTERS Bely fill in the OVAL to the RIGHT of you set to the number of candidates to be me e name is not printed on the ballot, wo ne provided and completely fill in the	rite the candidate's name on
FOR SCHOOL BOARD MEMBER Vote for not three (3) year terms more than two (2) SCOTT F. MARION 764 MICHAEL MOODY 713 Smattering (Write-in)	FOR SCHOOL DISTRICT TREASURER Vote for not three (3) year terms more than one (1) MARK N. ZARTARIAN 845 Smattering (Write-in)	-
appropriations by special warrant articles budget posted with the warrant or as a totaling \$12,938,447 (Twelve Million Dollars)? Should this article be defet Hundred Sixty Thousand Four Hund adjustments required by previous action special meeting, in accordance with RSA (Majority vote required.) (NOTE: This wother warrant article.) The Rye SchoThe Rye Budget	ARTICLES District raise and appropriate as an operas and other appropriations voted separately, to mended by vote of the first session, for the Nine Hundred Thirty-Eight Thousand Foated, the default budget shall be \$12.860.4 red Sixty-Three Dollars), which is the sam of the Rye School District or by law; or the go 40:13, X and XVI, to take up the issue of a rearrant article [operating budget] does not incool Board recommends the operating budget of the committee recommends the operating budget.	purposes set forth therein, bur Hundred Forty-Seven 463 (Twelve Million Eight YES overning body may hold one vised operating budget only. Clude appropriations in ANY 318 get. ddget.
agreement reached between the Rye Sc calls for the following increases in salari Fiscal Year Estima 2013-2014 \$1 2014-2015 5 2015-2016 5 and further to raise and appropriate the current fiscal year, such sum represe benefits required by the new agreemen required.) (NOTE: This appropriation is	vill vote to approve the cost item included thool Board and the Rye Educational Support ites and benefits at the current staffing level: sted Increase 0,670 (8,592 4,535) is sum of \$10.670 (Ten Thousand Six Hundrenting the additional costs attributable to the over those that would be paid at current so in addition to warrant Article 1, the operating tool Board recommends this warrant article Committee recommends this warrant article Committee recommends this warrant article Committee recommends this warrant article.	red Seventy Dollars) for the YES one increase in salaries and taffing levels. (Majority vote g budget article.)
TURN B	ALLOT OVER AND CONTINU	E VOTING

ARTICLES CONTINUED	
Article 3. Shall the District, if Article 2 is defeated, authorize the governing body to call one special meeting, at its option, to address Article 2 cost items only? (Majority vote required.)	NO ()
Article 4. Shall the District vote to authorize, indefinitely until rescinded, the retention of year-end unassigned general funds in an amount not to exceed, in any fiscal year, 2.5 percent of the current fiscal year's net assessment, in accordance with RSA 198:4-b, II? Such fund balance retained can only be used to reduce the tax rate or for emergency expenditures and over-expenditures under RSA 32:11 which are approved by the NH Department of Education. (Majority vote required.)	Yes ○ NO ○ 258
Article 5. To see if the School District shall raise and appropriate the sum of \$4,000 (Four Thousand Dollars) to implement on-line video and audio streaming coverage of School Board meetings conducted at the Rye Junior High School. Such streaming shall be conducted in a manner similar to that proposed by the Town of Rye for meetings at the Town Hall. Live streaming coverage shall be available via the Internet and all meetings streamed shall, promptly after their conclusion, in a timely manner, be made available for access via the Internet or through the School Board's website. The coverage required by this warrant article shall be fully operational by September 1, 2013. (Submitted by resident petition.) (Majority vote required.) (NOTE: This appropriation is in addition to warrant Article 1, the operating budget article.) The Rye School Board recommends this warrant article. The Rye Budget Committee does not recommend this warrant article.	521 VES ()
Article 6. Shall the Rye School District implement NH RSA 32:5, V-a and 40:13, V-a, when effective, by requiring that all votes by the Budget Committee and/or the School Board relative to budget items or any warrant articles be recorded votes and the numerical tally of any such vote be printed in the School District Warrant next to the affected warrant article? This warrant article shall be effective commencing with the 2014 budget and for any warrant articles submitted after the 2013 election. (Submitted by resident petition.) (Majority vote required.)	TES O
YOU HAVE NOW COMPLETED VOTING	