

Town of Newington, New Hampshire
Non-Partisan Official Ballot
Tuesday, March 8, 2016

Board of Selectmen

Vote for One for 3 Years

Michael Marconi 171

Richard Stern 95

Treasurer

Vote for One for 3 Years

Susan Philbrick 229

Trustee of Trust Funds

Vote for One for 3 Years

Mark Phillips 163

Sewer Commission

Vote for One for 3 Years

T. Dean (Skip) Cole 214

Library Trustee

Vote for Two for 3 Years

Patricia Borkland 164

Catherine Hazelton 185

Library Trustee

Vote for One for 2 Years

John (Jack) O'Reilly 197

Moderator

Vote One for 2 Years

Ruth Fletcher 203

Board of Fire Engineers

Vote for One for 3 Years

Darin Sabine 202

Police Commission

Vote for One for 3 Years

F. Jackson Hoyt 219

Planning Board

Vote for Two for 3 Years

Mark Phillips 179

James Weiner 175

Budget Committee

Vote for Three for 3 Years

Katherine Latchaw 193

Jennifer Weiner 165

Budget Committee

Vote for One for 1 Year

Cemetery Trustee

Vote for One for 3 Years

Vote for One for 2 Years

Vote for One for 1 Year

Town of Newington, New Hampshire
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Tuesday, March 8, 2016

School Board Member

Vote for One for 3 Years

Michael Metzger	98	<input type="checkbox"/>
Mark Joyce	134	<input type="checkbox"/>
_____		<input type="checkbox"/>

School District Treasurer

Vote for One for 2 Years

<u>LINDA LOEWY</u>	34	<input type="checkbox"/>
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Ballot Language - Proposed 2016 Town of Newington Zoning Amendments

Zoning Amendment # 1:

Are you in favor of the adoption of zoning amendment # 1, as proposed by the Newington Planning Board to amend, revise, and update the existing Newington Zoning Ordinance (NZO) as follows:

1. Update legislative references to correctly identify current statutes;
2. Simplify the wording and re-title Article I (Introduction);
3. Relocate related items from Article III to Article I;
4. Add updated definitions to Article II;
5. Combine Articles III & V "Zones" as both define designated Zoning Districts;
6. Delete "Uses Prohibited" - (See note 1 below);
7. Transfer Scenic Road designation from Article V "Zones" to Article IV "General Provisions";
8. Delete "Merger in Non-Conforming Property" (now disallowed by RSA 674:39 aa), and
9. List additional designated government land sites in the Natural Resource Protection District?

The replacement NZO will also include the separately listed and separately approved amendments #2 through # 10. The complete text of the proposed revised zoning amendment is available at the Town Clerk's Office and Planning Office, Town of Newington, 205 Nimble Hill Road, Newington, NH 03801 or online on the Newington Planning Board webpage at <http://www.newington.nh.us/planning-department>

Planning Board voted to recommend

Explanatory Note: Since the existing NZO contains antiquated legislative references, outdated terms and procedures and duplications, the Planning Board desired to clean up (i.e. "housing keeping") the document by updating various items and consolidating Articles when appropriate. For example, Zoning Districts included a section entitled "Uses Prohibited." According to New Hampshire law, if a use is not identified as permitted by right, it is considered to be not permitted. The proposal deletes "Uses Prohibited" among other items.

164

YES

78

NO

Zoning Amendment # 2:

Are you in favor of the adoption of zoning amendment # 2, as proposed by the Newington Planning Board as follows: define an accessory dwelling unit as a single attached residential unit

located on an owner-occupied lot which is secondary, subordinate and attached to the principal dwelling unit and has a maximum floor area of 750 square feet and which has its own private entrance providing access to the unit directly from the exterior or from a common entry and allow the use in the Residential District?

Planning Board voted to recommend

Explanatory Note: The existing NZO lists Accessory Uses as permitted. The Board thought this term needed further explanation and that an accessory dwelling unit would represent an appropriate step by providing some limited opportunities for workforce housing. In addition, pending state legislation (SB 146) would require all municipalities to allow an attached accessory dwelling unit in any single-family house by right, special exception or conditional use permit. At present, there are about 30 accessory dwelling units in Town.

142

YES

95

NO

Zoning Amendment # 3:

Are you in favor of the adoption of zoning amendment # 3, as proposed by the Newington Planning Board as follows: define bed and breakfast as private owner occupied residence that advertises and offers sleeping accommodations to guests in four or fewer rooms for rent with the owner present and provides breakfast to guests only? A guest is defined as a person who rents a room in a bed and breakfast facility for fewer than 30 consecutive days. The number of units is limited to four (4) and subject to a Conditional Use Permit and site plan review.

Planning Board voted to recommend

Explanatory Note: At present, the existing NZO allows Bed & Breakfast Inns by right, without a definition, with "no more than eight lodging rooms." This proposed amendment defines the term "Bed & Breakfast Inn" and limits the number of lodging units to four. The Board thought that a B & B with the currently allowed eight rooms could have an adverse impact on the neighborhood and that four was more appropriate and reasonable.

140

YES

100

NO

Zoning Amendment # 4:

Are you in favor of the adoption of zoning amendment # 4, as proposed by the Newington Planning Board as follows: combine the four existing zoning districts (Airport, Airport Industrial, Light Industrial, Mobile Home) of the Pease property into a new Pease Tradeport District where these same districts are designated in the Pease Tradeport Ordinance with control retained by the Pease Development Authority for the land use review and approval of a proposed development in accordance with NH RSA 12-G:13?

Planning Board voted to recommend

Explanatory Note: At present, the existing NZO contains four zoning districts for land located in Newington, but controlled by the Pease Tradeport. According to NH RSA 12-G:13, the Pease Tradeport retains land use authority for such property and Pease has its own local land use regulations. The Town of Newington has no land use authority in Pease. This proposal recognizes that fact.

173 64
YES NO

Zoning Amendment # 5:

Are you in favor of the adoption of zoning amendment # 5, as proposed by the Newington Planning Board for the Waterfront Industrial and Commercial District W zone as follows: includes a watchman, caretaker or janitor as a permitted use with the condition that the industry or business shall annually certify by April 1st that the resident is a bona fide watchman, caretaker or janitor employee of the business. Failure to do so shall make the residential use Not Permitted?

Planning Board voted to recommend

Explanatory Note: At present, the existing Section 6 Waterfront Industrial and Commercial District in the NZO states under D. "Uses Prohibited" in (2) "Residential uses are specifically excluded from the W District except for watchman, caretaker or janitor. This proposal would allow watchman, caretaker or janitor as a permitted use so long as the individual is an employee of the business.

165 71
YES NO

Zoning Amendment # 6:

Are you in favor of the adoption of zoning amendment # 6, as proposed by the Newington Planning Board as follows: increase the land area for a Two Family dwelling unit from 80,000 square feet to 120,000 square feet to ensure that the overall nature of the Residential District is maintained?

Planning Board voted to recommend

Explanatory Note: At present, a Single Family unit and a Two Family unit require the same amount of land area, which is 80,000 square feet. Additional land for a Two Family unit is consistent with the rural character of the Residential district.

144 93
YES NO

Zoning Amendment # 7:

Are you in favor of the adoption of zoning amendment # 7, as proposed by the Newington Planning Board as follows: move Article VIII Traffic Mitigation from the NZO and place much of the information in the Town's Site Plan Review Regulations as they are the appropriate location for this requirement?

Planning Board voted to recommend

Explanatory Note: The Town's Site Plan Review Regulations (SPRRs) are the appropriate regulatory tool for addressing the issue. The Planning Board and Town Legal Counsel recommend the deletion of this provision and the transfer of much of the requirements to the SPRRs.

159 68
YES NO

Zoning Amendment # 8:

Are you in favor of the adoption of zoning amendment # 8, as proposed by the Newington Planning Board as follows: in Article X Wetlands Overlay District, delete the Special Exception provision for wetlands crossing and substitute a Conditional Use Permit (CUP) procedure administered by the Planning Board for wetlands crossing?

Planning Board voted to recommend

Explanatory Note: The term "special exception" normally refers to a use that is allowed as a special exception by the Zoning Board of Adjustment. In this case, it refers to the ZBA's approval of construction of a road et cetera in a wetland area. The Planning Board believes this is a planning issue, which is best handled by the Planning Board as a Conditional Use Permit.

133 104
YES NO

Zoning Amendment # 9:

Are you in favor of the adoption of zoning amendment # 9, as proposed by the Newington Planning Board as follows: in Article XIX Administration, clarify Section 1 on Zoning Enforcement by identifying the proper role of the Town's Building Inspector / Code Enforcement Officer and add a new Section 6 entitled Zoning Board of Adjustment (ZBA), which describes the duties and responsibilities of the ZBA and the process for variances, special exceptions and waivers of dimensional requirements?

Planning Board voted to recommend.

Explanatory Note: The proposal clarifies the procedure for enforcement of the Zoning Ordinance and the roles of various officials in that process. The current NZO lacked a section on the duties and responsibilities of the Zoning Board of Adjustment. This proposal contains a new section on the duties and responsibilities of the Zoning Board of Adjustment.

165 72
YES NO

Zoning Amendment # 10:

Are you in favor of the adoption of zoning amendment # 10 as proposed by the Newington Planning Board as follows: in Article X – Wetlands Conservation District, Section 5 Minimum Lot Size Requirements, increase the amount of upland area for a two-family dwelling unit from 45,000 square feet to 60,000 square feet?

Planning Board voted to recommend

Explanatory Note: At present, a Single Family unit requires 30,000 contiguous square feet of upland area and a Two Family unit requires 45,000 contiguous square feet of upland area. The proposal would increase the upland area requirement for a Two Family unit to 60,000 contiguous square feet. This proposal is in keeping with the rural character of the Residential District.

143 95
YES NO

Petitioned Zoning Amendment # 11:

Are you in favor of the adoption of zoning amendment # 11 to allow as an accessory use in the Office District public dining facilities that occupy no more than 10% of the floor area of the building in which they are situated and which are related to the sale of beverages that are manufactured in the remaining 90% of the building's floor area? The amendment reads as follows:

Proposed Zoning Amendment to Article V, Section 2, Paragraph C – Accessory Uses Permitted:

(3) Public dining facilities that occupy no more than 10% of the floor area of the building in which they are situated and which are related to the sale of beverages manufactured in the remaining 90% of the building's floor area.

Planning Board voted not to recommend

Explanatory Note: The Planning Board notes the amendment as written is ambiguous and, if adopted, this amendment will open the entire Office (O) District up to restaurant and retail. It will allow expansion of retail into the Office (O) District.

The complete text of the proposed revised zoning amendment is available at the Town Clerk's Office and Planning Office, Town of Newington, 205 Nimble Hill Road, Newington, NH 03801 or online on the Newington Planning Board webpage at <http://www.newington.nh.us/planning-department>

101 134
YES NO