

# TOWN OF WINDHAM NEW HAMPSHIRE



## Warrant and Budget 2011

*This is the final Town Warrant for consideration at the  
Official Ballot vote scheduled for March 8, 2011.*

# TOWN WARRANT

## THE STATE OF NEW HAMPSHIRE

To the Inhabitants of the Town of Windham in the County of Rockingham in said State, qualified to vote in Town Affairs:

You are hereby notified of the following annual Town Meeting schedule.

### **First Session of Annual Meeting (Deliberative)**

You are hereby notified to meet at the Windham High School in said Windham on Saturday, the Twelfth day of February, 2011 at 9:00 am. This session shall consist of explanation, discussion, and debate of warrant articles numbered 4 through 19. Warrant articles may be amended subject to the following limitations: (a) warrant articles whose wording is prescribed by law shall not be amended and (b) warrant articles that are amended shall be placed on the official ballot for a final vote on the main motion, as amended.

### **Second Session of Annual Meeting (Official Ballot Voting)**

You are hereby notified to meet again at the Windham High School in Windham, on Tuesday, March 8, 2011 between the hours of 7:00 a.m. and 8:00 pm to vote by official ballot on warrant articles numbered 1 through 19.

**ARTICLE 1.** To choose all necessary Town Officers for the year ensuing.

**ARTICLE 2.** To vote by ballot on the following amendments to the Windham Zoning Ordinance and Zoning District Map as proposed by the Planning Board.

***Amendment #1*** - Amend provisions of the Windham Zoning Ordinance governing earth removal by:

A) Deleting the existing language of Section 707, "Earth Removal" and replacing it with the following:

#### 707 Excavation of Earth Materials

Unless otherwise exempted by the provisions of RSA 155-E:2, no property owner shall permit the Excavation of Earth on his/her premises without first obtaining an Excavation Permit from the Windham Planning Board pursuant to the requirements of the Town of Windham's Excavation Regulations.

B) Adding the following new Definitions to Section 200 "Definitions", inserting them in alphabetically as they would occur:

"Excavation" – Pursuant to NH RSA 155-E:1, II, land area which is used, or has been used, for the commercial taking of earth, including all slopes.

"Earth" - Pursuant to NH RSA 155-E:1, I, sand, gravel, rock, soil or construction aggregate produced by quarrying, crushing or any other mining activity or such other naturally-occurring unconsolidated materials that normally mask the bedrock.

***Amendment #2*** - Amend provisions of the Windham Zoning Ordinance governing Continuation of Existing Use and Abandonment of Use by:

A) Adding the following new Definitions in Section 200 "Definitions", inserting them in alphabetically as they would occur:

Abandoned/Abandonment: - When the owner/operator of a non-conforming use (a) intends to abandon or relinquish the use, and (b) takes some overt act, or fails to act, in some way that implies that the owner neither claims nor retains any interest in that use. Whenever a non-conforming use has not been exercised for a period of twelve (12) consecutive months or for a combined twenty-four (24) months during any thirty-six (36) month period, such non-conforming use shall not thereafter be exercised and the future use of the property shall be in conformance with the provisions of this Ordinance.

Non-conforming Structure - A structure that is currently existing, which does not conform to the regulations for the district where it is located, and did exist at the time of publication of notice of the hearing before the Planning Board respecting the regulation to which it does not conform.

B) Amend the existing Definition in Section 200 defining “Non-Conforming Use” by deleting the existing language and replacing it with the following:

Non-conforming Use: An existing use of land or building which does not conform to the regulations for the district in which such use of land or building exists and which existed at the time of publication of notice of the hearing before the Planning Board respecting the regulation to which it does not conform.

C) Amend Section 400 by deleting the existing language and replacing it with the following:

SECTION 400 - CONTINUANCE OF EXISTING USES AND STRUCTURES:

A non-conforming use or structure may continue provided that:

401 No increase in the extent of the non-conforming use or structure shall be made except as allowed in Section 406.

402 If said non-conforming use or structure has been changed to be less non-conforming, it shall not again be changed to a more non-conforming use or structure, and any future use or structure shall be in conformance with this ordinance.

403 If the non-conforming use is abandoned, it shall not be reestablished.

404 A non-conforming structure destroyed or damaged by fire, explosion or other catastrophe may be rebuilt or restored at the same location and again used as previously, provided that said owner shall apply for a building permit and start operations for restoring or rebuilding on said premises within twelve (12) months after such catastrophe and reconstruction is completed and a certificate of occupancy/approved final inspection issued within two (2) years of start of restoration, and further provided that the non-conforming structure, as restored, shall be constructed in accord with the Building Code of the Town of Windham and shall be only as great in volume and area as the original non-conforming structure.

405 Replacement of a pre-existing non-conforming structure shall be permitted under the following conditions:

405.1 The septic system must have State and Town approval.

405.2 There will be no increase in the area and/or volume of the structure.

405.3 There will be no increase in the non-conformity of the structure.

405.4 The new structure shall conform to the requirements of the Building Code.

405.5 A replacement of a non-conforming structure shall whenever possible be made to conform to the required setback requirements.

406 A non-conforming structure, which is non-conforming based on the fact that the lot size or lot frontage does not conform to the current requirements may be expanded, subject to the following requirements:

406.1 The required septic system for such expanded use shall have State and Town approval without waivers from Env.WS 1004.16 of the NHDES Sewage Disposal System Design Rules.

406.2 An increase in the volume or footprint of the structure can only occur on the portion of the structure that is currently in conformance and the addition will not result in further non-conformance with the ordinance.

406.3 The new structure shall conform to the requirements of the adopted building code.

***Amendment #3*** - Amend Section 906, “Duration of Approvals” by deleting the existing language thereof and replacing it with the following:

906. Duration of Approvals: - Any variance or special exception granted by the Board of Adjustment shall be terminated one (1) year from its issuance by the Board of Adjustment unless the variance or special exception granted has been exercised by the recipient. A 1 year renewal may be granted by the Code Enforcement Administrator if requested in writing prior to the original 1 year expiration. A second 1 year renewal may be granted by the Code Enforcement Administrator, if requested in writing prior to the previous renewal expiring, if it can be shown that substantial progress been made towards exercising the approval.

***Amendment #4*** - Amend the Windham Zoning Ordinance to insert the following new Section 617 governing Workforce Housing, as required by State law:

617.1 Purpose

In accordance with NH State Law, RSA 674:59, the purpose of this ordinance is to provide “reasonable and realistic opportunities for the development of workforce housing” within the Town of Windham. The intent is to encourage a balance of housing types for people of a wide range of incomes to help foster community development, a self-reliant workforce, and support community engagement.

617.2 Authority

This Ordinance is created in accordance with the provisions of RSA 674:58-674:61 and consistent with RSA 672:1 (III-e). In addition, this innovative land use Ordinance is adopted under the authority of NH RSA 674:21 and is intended as an “Inclusionary Zoning” provision, as defined in NH RSA 674:21 (I)(k) and 674:21 (IV)(a).

617.3 Applicability

617.3.1 Developments under this ordinance are allowed in the Residential B District, Residential C District, Rural District, and Village Center District.

617.3.2 Dwelling types allowed in the Residential B District, Residential C District, and Village Center District are single family (attached or detached), duplex, and multi-family units.

617.3.3 Dwelling types allowed in the Rural District are single family (detached) and duplex.

617.4 Definitions

For the purposes of this Workforce Housing Overlay Zoning Ordinance, the following definitions apply:

Affordable: As defined in RSA 674:58, “housing with combined rental and utility costs or combined mortgage loan debt services, property taxes, and required insurance that do not exceed 30 percent of a household's gross annual income.”

Collector Roads: As defined in Section 302 of the Subdivision Control Regulations

Conditional Use Permit (CUP): a Conditional Use Permit (CUP) is administered by the Planning Board and may authorize development which would otherwise not be allowed on a particular site as required under the Zoning Ordinance, Subdivision Regulations, or Site Plan Review regulations.

A CUP may not be granted by the Planning Board to relieve the applicant from the provisions of the Wetlands and Watershed Protection District (WWPD)(Section 601), Flood Plain District (Section 607), the Aquifer Protection District (Section 609), Cobbett’s Pond Watershed Protection Ordinance (Section 616), or Historic Demolition Delay Ordinance (Section 719).

Duplex Dwelling Units: A building containing two independent dwelling units of nearly equal size and composition.

Inclusionary Zoning: As defined in NH RSA 674:21 (IV)(a) “land use control regulations which provide a voluntary incentive or benefit to a property owner in order to induce the property owner to produce housing units which are affordable to persons or families of low or moderate income. Inclusionary zoning includes, but is not limited to, density bonuses, growth control exemptions, and a streamlined application process”.

Mixed Income Development: A development where there are both market-rate and workforce housing units built.

Multi-Family Dwelling Unit: “A building or structure containing 5 or more dwelling units, each designed for occupancy by an individual household”, as defined in NH RSA 674:58(II).

Secondary Roads: As defined in Section 302 of the Subdivision Control Regulations

Single Family (Attached) Dwelling Unit: Single-family dwelling that is attached to at least one but no more than three other single-family dwelling. These are typically called townhouses or row houses.

Single Family (Detached) Dwelling Unit: A free-standing residential building for occupancy by one household.

Workforce Housing: As defined in RSA 674:58(IV), “housing which is intended for sale and which is affordable to a household with an income of no more than 100 percent of the median income for a 4-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. Workforce housing also means rental housing which is affordable to a household with an income of no more than 60 percent of the median income for a 3-person household” for the same area as defined above. “Housing development that exclude minor children from more than 20% of the units, or in which more than 50% of the dwelling units have fewer than 2 bedrooms, shall not constitute workforce housing” for the purposes of NH RSA 674:58 or this Ordinance.

## 617.5 Procedure

### 617.5.1 Conceptual Consultation

All Workforce Housing project applications must come before the Planning Board for a Conceptual Consultation, as outlined in NH RSA 676:4 (II) (a) & (c). An applicant applying for a development that is intended to qualify as Workforce Housing under this ordinance shall file a written statement of such intent as part of their initial application, as outlined in NH RSA 674:60(I).

### 617.5.2 Design Review

617.5.2.1 Subsequent to the Conceptual Consultation, all Workforce Housing project applications shall include a Design Review submission and consultation with the Planning Board, as outlined under NH RSA 676:4 (II) (b) & (c).

617.5.2.2 An application for a development that is intended to qualify as Workforce Housing under this ordinance shall file a written statement of such intent as part of their initial application per NH RSA 674:60(I).

617.5.2.3 Proposed preliminary architectural designs, site, and access layouts must be submitted as part of this review.

617.5.2.4 The application must include the rationale and approach to meeting Workforce Housing per NH RSA and these Ordinance requirements.

617.5.2.5 The application must include a list of potentially known conditional use permits (CUP), waivers, and variances needed, including justification of their necessity and effectiveness for the project and contributing to affordability as it applies to the Statute and Ordinance.

### 617.5.3 Final Application

617.5.3.1 The application shall include the statutory intent statement filing per NH RSA 674:60(I).

#### 617.5.3.2 Conditional Use Permits (CUP)

617.5.3.2.1 The applicant must submit a list of requested conditional use permits (CUP) needed, including justification of their necessity and effectiveness in contributing to affordability.

617.5.3.2.2 A CUP may not be granted by the Planning Board to relieve the applicant from the provisions of the Wetlands and Watershed Protection District (WWPD)(Section 601), Flood Plain District (Section 607), the Aquifer Protection District (Section 609), the Cobbett's Pond Watershed Protection Ordinance (Section 616), or Historic Demolition Delay Ordinance (Section 719).

617.5.3.2.3 Conditional Use Permits may be granted by the Planning Board if all of the following criteria are met:

- a) The Conditional Use Permit is necessary in ensuring that the Workforce Housing proposal is affordable;
- b) The granting of the Conditional Use Permit will not cause negative public health or safety impacts;
- c) The granting of the Conditional Use Permit will not harm the natural resources of the area;
- d) Realistic and reasonable measures to prevent the loss of those historic resources defined in 719.2.3;
- e) The granting of the Conditional Use Permit will not substantially limit the reasonable use of adjacent property; and
- f) The Development Standards outlined in Section 616.7 are met.

617.5.3.3 If Variances from Section 601, 607, 609, 616, or 719 of the Zoning Ordinance are required, the applicant can request and be granted a joint hearing of the Planning Board and Zoning Board of Adjustment.

617.5.3.4 If review and approval from Section 719 of the Zoning Ordinance is required, the applicant can request and be granted a joint hearing of the Planning Board and the Historic District Commission, per NH RSA 676:2.

617.5.3.5 The application must include the rationale and approach to meeting the definition of Workforce Housing per the State requirements and this Ordinance.

617.5.3.6 The Planning Board may request, at the expense of the applicant, review of project materials by development professionals that are selected and contracted by the Planning Board. These reviews may include (but not be limited to) subjects of traffic, drainage, density calculations, septic and water systems, fiscal, legal, landscaping, architecture, as well as others.

617.5.3.7 The applicant must provide assurance of continued affordability for at least 30 years from the date of Planning Board final approval, or in accordance with State law, whichever is more restrictive. Assurances may include but are not limited to deed restrictions, restrictive covenants, and association documents. Drafts of all documents will be required for review at the time of final application.

### 617.6 Conditions of Approval

617.6.1 Deed restrictions, restrictive covenants, association documents, and other required legal work related to dwelling units established under this ordinance shall be reviewed by Town Counsel to ensure legal form, ownership and enforceability.

617.6.2 Deed restrictions, restrictive covenants, association documents, and other legal work related to dwelling units established under this ordinance shall be properly referenced on all plans filed with the Windham Planning Board and the Registry of Deeds.

617.6.3 Workforce Housing Units developed under this ordinance are to remain affordable for a time period no less than 30 years from the date of final Planning Board approval, or in accordance with State law, whichever is more restrictive.

617.6.4 In a mixed income development where there are both market-rate and workforce housing units, the dwellings qualifying as Workforce Housing shall be made available for occupancy on approximately the same schedule as a project's market-rate units. A schedule setting forth the phasing of the total number of units shall be established prior to final approval by the Planning Board. Said schedule shall be filed at the Registry of Deeds, and be properly updated with the Town and Registry as a condition of release of building permits.

617.6.5 Other reasonable conditions or restrictions may be placed on the application as determined by the Planning Board. All conditions and restrictions of approval will be provided in compliance with NH RSA 674:60(II).

617.6.6 The procedures and criteria outlined in NH RSA 674:60(III) regarding conditions and restrictions of the approval will be followed.

### 617.7 Development Standards

Unless otherwise outlined herein, developments shall meet the requirements of the Town of Windham Subdivision and Site Plan Regulations, as applicable.

#### 617.7.1 Density:

617.7.1.1 Total allowed unit density shall be determined by soil based lot sizing in accordance with the New Hampshire Code of Administrative Rules Chapter Env-Wq 1000 "Subdivision and Individual Sewage Disposal System Design Rules". Site Specific Soils Survey Mapping, including certified soils testing data, certified topographic and wetlands plans, and detailed soil area plans and spreadsheets shall be utilized in the calculations.

617.7.1.2 In a mixed income development where there are both market-rate and workforce housing units, a minimum of 35% of the dwellings must qualify as workforce housing. The Workforce Housing units should be interspersed throughout the overall development. If this percentage creates a financial burden and makes the development not financially viable, a waiver can be sought from the Planning Board to reduce this percentage. The request for a waiver must be accompanied by financial documentation justifying such waiver request.

#### 617.7.2 Dwelling units:

617.7.2.1 The architecture should be complimentary and harmonious with abutting developments.

617.7.2.2 In a mixed income development, the dwellings qualifying as Workforce Housing shall be compatible in architectural style and appearance with the market rate dwellings within the proposed development.

#### 617.7.3 Frontage, Setbacks and Yard Regulations:

617.7.3.1 Structures may be located in any manner on the site that meet this Ordinance's requirements and objectives, and provided that the following dimensional standards are met:

617.7.3.1.1 Proposed dwelling units that have their frontage on existing public roads shall have frontages and front yard setbacks as required in the underlying zoning district.

617.7.3.1.2 Proposed dwelling units shall have the required building setbacks for the underlying zoning district along the abutting property lines.

617.7.3.2 There shall be a minimal horizontal separation between all structures: single family (detached) 20 feet, single family (attached) 35 feet, duplex 20 feet, and multi-family 35 feet.

#### 617.7.4 Layout

617.7.4.1 The proposed plans shall show the location of all buildings, amenities, and common facilities on the property, as well as those other development abutting the property.

617.7.4.2 The plans shall indicate the natural features such as open fields, water features, woodlands, wetlands, trails, stonewalls, and known historic features.

617.7.4.3 All utilities and municipal/private infrastructure (existing and proposed) shall be shown.

#### 617.7.5 Roads

617.7.5.1 All proposed Town roads within a Workforce Housing development shall be constructed to Town standards. Alternatively, development accesses can be provided by private roads and/or drives and shall meet all applicable standards for development and be privately owned and maintained.

617.7.5.2 Collector roads shall have a minimum right-of-way and road width in accordance with current subdivision regulations. However, collector road widths should not exceed the width of the existing road if it is a continuation of that road.

617.7.5.3 Secondary Roads may be ended in a turnaround or turning stub, with maximum road length in accordance with current subdivision regulations. The minimal geometry allowed for the end configuration shall meet minimum emergency access vehicle criteria. The minimum paved width for a secondary road shall be twenty-two feet (22 ft).

617.7.5.4 All Roads and access ways shall be designed to meet current AASHTO (American Association of State Highway and Transportation Officials) standards.

#### 617.7.6 Water and Waste Treatment Systems

617.7.6.1 The development may be served by common water and waste water systems and/or individual systems, either off site or onsite, and include applicable easements and service intents as required by State Permitting.

617.7.6.2 Wells and waste water systems shall have a protective radii and nitrate setbacks as required by the State of New Hampshire and the Town of Windham NH and/or evidence of approvable waivers as may be required by jurisdictional authorities.

617.7.6.3 Any wastewater treatment system or backup system shall have appropriate state approval.

#### 617.8 Appeals

An applicant who has filed a Workforce Housing proposal that is denied or is approved with conditions or restrictions which have a substantial adverse effect on the viability of the proposed development may appeal the action to the Superior Court as outlined in NH RSA 674:61

***Amendment #5*** - Amend provisions of the Windham Zoning Ordinance governing Home-Based Child Day Care by:

A) Deleting the existing language of Section 602.1.6.2;

B) Inserting the following new subsection in Section 602.1 governing permitted uses in the Rural District;

##### Rural District

602.1.10 Home-Based Day Care: Home-Based Day Care, which includes a Family Group Day Care Home or a Family Day Care Home (both as defined below) is permitted in the same fashion as a Customary Home Occupation, and shall be permitted by the obtaining of a Conditional Use Permit issued by the Planning Board, applying the purpose and criteria found in Section 602.1.6.1 and having the same conditions as are found in Sections 602.1.6.4, 602.1.6.6, 602.1.6.7, 602.1.6.8, 602.1.6.10, 602.1.6.12 and 602.1.6.13.

602.1.10.1 Family Group Day Care Home: An occupied residence in which child day care is provided for less than 24 hours per day, except in emergencies, for 7 to 12 children from one or more unrelated families. The 12 children shall include all children related to the caregiver and any foster children residing in the home, except children who are 10 years of age or older. In addition to the 12 children, up to 5 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays.

602.1.10.2 Family Day Care Home: An occupied residence in which child day care is provided for less than 24 hours per day, except in emergencies, for up to 6 children from one or more unrelated families. The 6 children shall include any foster children residing in the home and all children who are related to the caregiver except children who are 10 years of age or older. In addition to the 6 children, up to 3 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays.

C) Inserting the following new subsection in Section 603.1 governing permitted uses in the Residence A, B, and C Districts:

Residence District A, B, and C

603.1 Uses Permitted in the Residence A, B, & C Districts:

603.1.8 Home-Based Day Care, as permitted in Section 602.1.10, is allowed in the Residence A District

**Amendment #6** - Amend provisions of the Windham Zoning Ordinance governing certain agricultural uses and activities by:

A) Adding the following new Definition to Section 200 “Definitions”, inserting them in alphabetically as they would occur:

Agriculture: See NH RSA 21:34-a Farm, Agriculture, Farming

B) Deleting from Section 200 the Definition of “Piggeries and Mink Farms”

C) Amend Section 601.3 governing permitted uses in the WWP District by:

Deleting Subsection 601.3.1 and replacing it with “Intentionally omitted”

Deleting Section 601.3.2 and replacing it with the following:

601.3.2 Agriculture, done in accordance with best management practices adopted by the commissioner of agriculture, markets, and food, Rockingham County Conservation District, and UNH Cooperative Extension

D) Amend Section 602.1 governing permitted uses in the Rural District by:

Deleting Subsection 602.1.1.1 and replacing it with “Intentionally omitted”

Deleting Section 602.1.1.2 and replacing it with the following:

602.1.1.2 Agriculture, done in accordance with best management practices adopted by the commissioner of agriculture, markets, and food, Rockingham County Conservation District, and UNH Cooperative Extension. All Farm Animal “Housing Boundary Setbacks”, as outlined in the best management practices, are to be measured from the property lines.

Deleting Section 602.1.4 and replacing it with the following:

Agriculture, as accessory use to a residential use when done in accordance with best management practices adopted by the commissioner of agriculture, markets, and food, Rockingham County Conservation District, and UNH Cooperative Extension. All Farm Animal “Housing Boundary Setbacks”, as outlined in the best management practices, are to be measured from the property lines.

Deleting Subsection 602.1.8 and replacing it with “Intentionally omitted”

Adding the following new subsection to 602.2:

602.2.6 Farm, Agriculture, Farming if this is the primary use of the property

E) Amend Section 603.1 governing permitted uses in the Residence A, B & C Districts by:

Deleting Section 603.1.2 and replacing it with the following:

Agriculture, as accessory use to a residential use when done in accordance with best management practices adopted by the commissioner of agriculture, markets, and food, Rockingham Country Conservation District, and UNH Cooperative Extension. All Farm Animal "Housing Boundary Setbacks", as outlined in the best management practices, are to be measured from the property lines.

F) Amend Section 604 governing permitted uses in the Neighborhood Business District by:

Adding the following new subsection to 604.1:

604.1.10 Farm, Agriculture, Farming if this is the primary use of the property

G) Amend Section 711 by deleting the existing language and replacing it with the following:

Roadside Farm Stands. The selling of local homegrown produce and local homegrown farm products is permitted in the Rural, Residence A, Residence B, & Residence C Districts and not considered a commercial use, provided that it is an accessory use to a residential use on the same lot, is seasonal and temporary in nature, there are no permanent buildings or structures constructed for the Roadside Farm Stand, and that all the products are grown or produced on site or on a site of the farm stand owner.

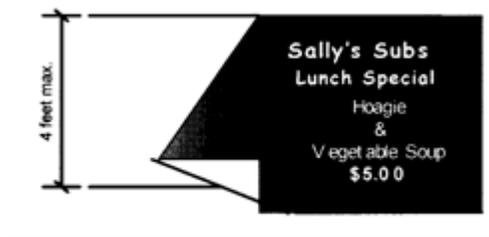
**Amendment #7** - Amend provisions of the Windham Zoning Ordinance governing Signs deleting the existing language of Section 706, "Sign Regulations" and replacing it with the following:

706 Sign Regulations:

706.1 Intent: This article is adopted for the regulation of signs within the Town of Windham in order to enhance the visual environment of the Town; provide for the safety, convenience and welfare of its residents; and support the local business community. Permitted signs are those that give information and directions; build the image of business and industry; and complement the character of the zoning district land use.

706.2 Definitions:

A-Frame/Sandwich Board Sign: A self-supporting freestanding sign, sized a maximum of 4' in height and 2' in width, shaped like and "A" that is easily movable and temporary in nature. See diagram:



Awning Sign: Any visual message (letters, words, logos) incorporated into an awning attached to a building. If the awning only contains a street address and no other letters or words it is not considered a sign.

Changeable Copy Sign: A sign on which the visual message may be manually changed. (Example: Reader boards).

Clear Sight Triangle: The area defined in Section 702.2.

Complex: Either commercial or industrial structure(s) with two or more tenant spaces or divisions.

Directional Sign: A sign limited to providing directional or guide information on the most direct or simple route for on-site public safety and convenience. Directional signs may be located adjacent to driveways. Examples: “IN”, “OUT”, “ENTRANCE”, “EXIT”, and “PARKING”. Directional signs may not contain business names, slogans, or logos, unless the business is not directly visible from the public way.

Electronic Reader Board: A sign, or portion thereof, with characters, letters, or illustrations that can be electronically changed or rearranged without altering the face or the surface of the sign.

Freestanding Sign: Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

Historic Plaque: A marker, erected by federal, state, or local authority identifying a historic place, name or date.

Illuminated Sign: Any sign illuminated from the interior or exterior of the sign.

Projecting Sign: Any sign affixed to a building or wall in such a manner that its leading edge extends more than twelve inches beyond the surface of such building or wall.

Roof line: Shall be the lower border of a roof that overhangs the wall (the projecting edge of the roof).

Roof Sign: Any sign that extends above the roofline of the building to which it is attached.

Seasonal Agricultural Sign: Sign displayed during the harvest season of the item advertised

Sign: Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, or trademarks by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business, or a commodity or product, which are visible from a public street or right-of-way and used to attract attention.

Sign area: Shall be that contiguous image area of the sign that could be used to communicate visually the advertised message; support structures and embellishments used to enhance the visual look of the sign shall not be counted in the sign area calculations so long as they are no more than 15% of the total sign area.

Unit: shall consist of only one primary structure per lot with one and only one tenant space.

Wall Sign: Any sign attached parallel to, but within twelve inches of a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign.

Window Sign: Illuminated and non-illuminated signs placed in the windows of a structure and viewed or intended to be viewed from outside the structure.

### 706.3 Construction-All Districts:

706.3.1 All signs (except for pre-existing non-conforming signs) must conform to these regulations and the most recently adopted Building Code.

#### 706.3.2 Sign Permits

706.3.2.1 It shall be unlawful for any person to erect, construct, enlarge, move or convert any sign in the Town of Windham, or cause the same to be done, without first obtaining a sign permit except as specified in 706.7.

706.3.2.2 For those signs that have already received approval from the Planning Board through Site Plan Review, the permitting agency will be the Code Enforcement Administrator.

706.3.2.3 The Planning Board reviews sign permits for: (1) All new or relocated free-standing signs (2) All non-residential awning signs.

706.4 Zones: Sign Usage Allowed: Refer to Section 706.8 “Sign Specifications by District” table for maximum allowable number and dimensions of signs permitted in any zoning district. Other requirements, as applicable, are noted herein.

706.4.1 Residence "A", "B", "C" District & Rural District: A permanent sign shall be allowed to identify the name and address of the residential occupant; such sign shall not be internally illuminated and no Planning Board review or Town permits are required. Home Occupations may have one (1) wall or one (1) freestanding sign, neither being internally illuminated.

706.4.2 Business Commercial A and B Districts, Gateway Commercial District, Limited Industrial District, Neighborhood Business District, & Professional, Business and Technology District:

706.4.2.1 One (1) freestanding sign identifying the commercial complex or unit shall be allowed. A freestanding sign for a complex may identify the individual occupants of the complex in addition to the name of the complex. If a common back plate is used for support, it shall not exceed one and one half times the area of said occupants' sign.

706.4.2.2 One (1) wall sign for each side of a building facing a public or private right-of-way is permitted. For complexes, one (1) wall sign is permitted per occupant on the building façade of each tenant space, except that where the occupant space has more than one (1) façade facing a public or private right-of-way. In the later case, one (1) wall sign per each occupant space façade facing a public or private right-of-way is permitted, up to a maximum of two (2) wall signs. Buildings fronting more than one right-of-way may not combine the permissible sign square footage for the purpose of placing one sign on one frontage.

706.4.3 Historic District and Village Center District: The intent of this section is to ensure the appropriateness of the placement, design, size, color, and execution of signs within the Historic and Village Center District so that they are visually compatible with the structures and environs.

706.4.3.1 Historic District: Any proposed sign, sign structure, or change to an existing sign (but not contents of normally changeable copy) is subject to approval by the Historic District Commission prior to the approval of the Sign by the Planning Board, where required through Site Plan Review, and the issuance of a sign permit by the Code Enforcement Administrator.

706.4.3.2 Historic District & Village Center District Signage Details: Dark backgrounds with light colored lettering are encouraged. Fluorescent or glowing colors are prohibited. Signs shall not obscure important architectural details or features such as windows, transom panels, sills, moldings, cornices, and the like. Signs on adjacent storefronts within the same development shall be coordinated in design, height, and proportion.

706.4.3.3 Historic District & Village Center District Illumination: In addition to lighting restrictions detailed elsewhere in the ordinance, no internally lit signs are permitted.

706.5 General Sign Regulations--All Districts:

706.5.1 Prohibited Signs:

The following signs shall be prohibited within all zoning districts of the Town.

706.5.1.1 Beacon or flashing signs. Signs which feature flashing or rotating lights, strobes, strands of lights, animation, scrolling, or moving parts.

706.5.1.2 Electronic reader boards.

706.5.1.3 Hazardous signs. Signs that interfere with pedestrian or vehicular traffic, distract or confuse motorists, are in a state of disrepair, or are otherwise potentially hazardous to the public.

706.5.1.4 Inflatable signs. Any sign of flexible material that maintains its shape by means of inflation is not permitted.

706.5.1.5 Offsite signs. Signs or billboards advertising or identifying businesses not located on the same parcel or lot as the sign.

706.5.1.6 Signs on vehicles/trailers. No sign affixed to a transportation vehicle either independently propelled or towable which is parked on a location for the purpose of advertising shall be allowed except where allowed by other sections of this ordinance.

706.5.1.7 No sign shall extend above the roof line of the building to which it is attached. *Roof signs* are not allowed.

706.5.2 Illumination shall be installed in a manner so as not to create an unsafe condition for vehicular traffic or become a nuisance to abutting property owners. No flashing, moving, scrolling, or animated signs shall be allowed. Signs may be illuminated until 10pm or the close of business, whichever is later.

706.5.3 The limitation as to the number of signs does not apply to traffic or directional signals or signs which are necessary for safety and direction, with approval from the Planning Board through Site Plan Review or Code Enforcement Administrator where Site Plan Review is not required.

706.5.4 Eight Inch (8") high street numbers shall be included on all freestanding signs for identification purposes and will not count towards the sign size.

706.5.5 No permanent sign shall be affixed to any object within the Town right-of-way except as provided in Section 706.7.2.

706.5.6 All signs shall not interfere with the Clear Sight Triangle; shall not be positioned so as to obstruct or be a hazard to traffic on a road, or to traffic entering or leaving the premises; and shall not create dangerous conditions with respect to pedestrians or vehicular traffic. No signs shall be erected so as to obstruct any doors, windows, or fire escapes of a building.

706.5.7 For all externally illuminated signs, down-lit illumination is encouraged unless good cause can be shown.

#### 706.6 Temporary Signs:

706.6.1 Temporary signs tacked, nailed, posted, or otherwise attached to trees, stakes, fences, or other objects advertising matter not applicable to the premises where located shall not be permitted.

706.6.2 In Business Commercial A and B, Gateway Commercial, Limited Industrial, Neighborhood Business, Professional Business and Technology, and Village Center District; one unlighted on-premise temporary sign shall be allowed at a time for a business, provided:

706.6.2.1 Each temporary sign shall require a temporary sign permit, issued by the Code Enforcement Administrator. The exception to this is a temporary A-frame sandwich board sign as detailed in Section 706.6.2.6.

706.6.2.2 The temporary sign shall be a maximum of 24 sq. ft in area. And shall comply with the height, and setback requirements for the district in which it is located;

706.6.2.3 The temporary sign shall be securely anchored at a stationary location; shall be non-motorized and non-moving; and shall not be lit or illuminated in any way;

706.6.2.4 Such signs shall not be displayed for more than 15 consecutive days and the Temporary Sign Permit for each may be renewed once, for a consecutive period of an additional 15 consecutive days. There must be a period of fourteen (14) days between the end date of one temporary sign permit and the start date of another. The exceptions to this are seasonal agricultural signs which may be displayed for the duration of the season of the item advertised.

706.6.2.5 The nature of allowed temporary signs shall be event related or product related.

706.6.2.6 One (1) temporary A-frame sandwich board sign, maximum 4' in height and 2' in width, is permitted per business and does not require a temporary sign permit. The sign must be placed on the sidewalk or area directly in front of the business at a distance no greater than 2' from the building, and must not impede pedestrian or handicapped access to the business or adjacent businesses. The sandwich board sign shall be removed when the business is not in operation, or when weather conditions, such as wind, create potentially hazardous situations,

706.6.2.7 Any Windham Civic Organization, non-profit group, religious, educational, or other similar entity, may, after receiving a Temporary Sign Permit, place a temporary sign, a maximum of 24 sq. ft. in area and advertising an event for that meeting or group, on Town-owned property or within the Town right-of-way.

706.6.2.8 Per state law no temporary sign may be placed on State-owned property or within the State right-of-way, as referenced by NH RSA 236:69-89 and enforcement shall be through the NH Department of Transportation.

706.7 Signs that do not require a Permit from the Town

706.7.1 Repainting, cleaning and other normal maintenance or repair of a sign or sign structure, so long as the sign copy or structure is not modified in any way.

706.7.2 Any traffic or directional sign, or historic plaque owned or installed by a governmental agency.

706.7.3 In any district, one unlighted temporary sign (12 sq.ft. for residential and 32 sq.ft. for commercial) offering premises for sale or lease for each property, tenant space or unit in one ownership or association shall be permitted, as well as allowing one unlighted 10 sq. ft. sign identifying an architect, engineer or contractor while work is performed on the site. These signs shall be located on the subject property and must be removed when the work is completed and/or the property is sold/leased. Signs advertising an open house may only be displayed during the Open House event.

706.7.4 Signs placed in windows are allowed without a sign permit provided that they comply with the provisions outlined in Section 706.5.1.1, 706.5.1.2, 706.5.1.3, and 706.5.1.5.

706.7.5 "Open" flags measuring 15 sq. ft. in size and attached to the building or a permanent base shall be allowed in all districts. Only one flag is allowed per business. National, State, and US military flags are exempt.

706.7.6 A-frame/Sandwich Board Signs as regulated by 706.6.2 .6.

706.7.7 Political signs. These are subject to NH RSA 664:14-664:18, as may be amended and enforcement shall be through the office of the NH Attorney General.

706.8 - Sign Specifications by District

	Res. A	Res. B	Res. C	Rural	Comm	GTW	Lim. Ind.	PBT	NB	VCD HIST
Minimum Setbacks (ft)										
front lot line	10	10	10	10	10	5	10	10	10	5
side lot line	30	30	30	50	50	10	50	50	50	5
Maximum Heights (ft)										
From Grade (Artificial grading of the landscape is not allowed for the purpose of enhancing the sign's height)										
freestanding sign	6	6	6	6	12	8	12	12	10	5
Maximum Sign Area (ft <sup>2</sup> )										
freestanding sign (structure)	3	3	3	3	60 <sup>C</sup>	20	20	20	20	8
freestanding sign (complex)	20 <sup>B</sup>	20 <sup>B</sup>	20 <sup>B</sup>	20 <sup>B</sup>	60 <sup>C</sup>	60	60	60	20	16
wall sign	3	3	3	3	100 <sup>D</sup>	75 <sup>D</sup>	75 <sup>D</sup>	75 <sup>D</sup>	50 <sup>D</sup>	16
home occupation	3	3	3	3	NP	NP	NP	NP	NP	NP
Changeable Copy (ft <sup>2</sup> )		NP	NP	NP	NP	20 <sup>E</sup>	NP	NP	NP	16 <sup>F</sup>

Legend:

NP = Not permitted

Footnotes:

B: Maximum per entry location; may be split between one sign on each side of the street with a 50% increase in the total for this situation.

C: Up to 33% of the base sign area may be added to this for changeable copy.

D: Up to that amount allowed in 706.8, or 10% of the total sq. footage of the building or tenant façade, whichever is less.

E: Not to exceed 33% of the total sign area; applicable only to a freestanding sign, in addition to the maximum sign area.

F: Not to exceed 50% of the total sign area; applicable only to a freestanding sign.

Zoning District Abbreviations:

Res.A = Residence A	Lim.Ind = Limited Industrial
Res.B = Residence B	PBT = Professional, Business and Technology
Res.C = Residence C	NB = Neighborhood Business
Rural = Rural	VCD = Village Center District
Comm = Commercial A, B, and C	Hist = Historic District
GTW = Gateway	

***Amendment 8*** - Amend provisions of the Windham Zoning Ordinance governing the Cobbetts Pond Watershed by deleting the existing language of Section 616, “Cobbetts Pond Watershed Protection Ordinance” and replacing it with the following:

**SECTION 616: COBBETTS POND WATERSHED PROTECTION ORDINANCE**

**616.1 Authority and Statement of Intent**

**616.1.1** Pursuant to RSA 674: 21, the Town of Windham adopts a Watershed Protection Overlay District and accompanying regulations to ensure the protection and preservation of Cobbetts Pond and its watershed from the effects of point and non-point source pollution or sedimentation. The establishment of the Watershed Protection Overlay District and the adoption of these regulations are intended:

**616.1.1.1** To protect public health,

**616.1.1.2** To protect aquifers, which serve as existing or potential water supplies, and the aquifer recharge system,

**616.1.1.3** To protect surface waters and wetlands contiguous to surface waters,

**616.1.1.4** To protect the natural areas and wildlife habitats within the Watershed Protection Overlay Zone by maintaining ecological balances,

**616.1.1.5** To prevent the degradation of water quality through the regulation of land uses and development within the Watershed Protection Overlay District, and

**616.1.1.6** To assure proper use of natural resources and other public requirements.

**616.1.2** In the event of a conflict between the requirements of this section and other requirements of the Windham Zoning Ordinance or state law, the more stringent requirements shall govern.

**616.2 Applicability**

**616.2.1** The special provisions established in this Watershed Protection Ordinance shall apply to all development proposals and to potential contaminating activities within the Watershed Protection Overlay District. The boundaries of the Watershed Protection Overlay District have been delineated by the NH DES using current location data (see Cobbetts Pond Watershed Overlay District Parcel Map dated 1/27/10).

616.2.2 The boundaries of the Watershed Protection Overlay District are identified through drainage, groundwater and soils analyses and are considered to be essential to the protection of the watershed from the effects of point and non-point source pollution or sedimentation.

616.2.3 All development proposals occurring wholly or partly in an area within the Watershed Protection Overlay District shall be subject to the requirements of this Ordinance.

### 616.3 Administration

616.3.1 General: The Windham Planning Board shall have authority to create processes and procedures to administer the provisions of the Watershed Protection Ordinance.

616.3.2 Enforcement: The Code Enforcement Officer shall be responsible for enforcing the provisions and conditions of this Watershed Protection Ordinance, pursuant to the provisions of Section 1500 of Windham's Zoning Ordinance.

### 616.4 Definitions

Automobile Service or Repair Station: A retail establishment at which motor vehicles are refueled, serviced, and sometimes repaired.

Best Management Practices: As defined in the New Hampshire Stormwater Manual, Volume I, Volume II, and Volume III, prepared by NH DES.

Buffer Zone: The undisturbed natural area sufficient in size to mitigate runoff effects harmful to water quality.

Commercial Agricultural Activities: The production of crops for sale, crops intended for widespread distribution to wholesalers or retail outlets. Commercial agriculture includes livestock production and livestock grazing. Commercial agriculture does not include crops grown for household consumption (e.g. backyard garden or from a vegetable garden or a few fruit trees).

Contamination: Sedimentation, point and non-point source pollution, septage, or the discharge of hazardous materials.

Development: Any activity resulting in a change in the physical character of any parcel of land, such as may be caused by, but not limited to: subdivisions, change in use, the construction or expansion of a building, deck, or shed; installation of a well or septic tank; land disturbing activity such as commercial agriculture or commercial forestry; paving of a previously permeable area; grading, and ;road building. Lot line adjustments are exempt.

Hazardous Materials: As defined in Superfund Amendment and Reauthorization Act of 1986 and Identification and Listing of Hazardous Wastes, 40 C.F.R. §261 (1987).

Hydrology: The study of the earth's waters, their distribution and the cycle involving precipitation, infiltration into the soil and evaporation.

Impervious surface: Surface that is impenetrable by liquids, including, but not limited to, areas paved with conventional asphalt or concrete, sidewalks, patios, decks, and roofs which do not recharge water.

Infiltration rate: The volume of surface water that filters into the soil per unit of time.

Low-Impact Development (LID): an approach to site development and design that provides increased opportunities for stormwater infiltration and increased hydrologic function within a watershed as defined in NH DES Fact Sheet WD-WMB-17, "Low-Impact Development and

Non-point Source Pollution: Contaminants including, but not limited to pesticides, fertilizers, animal wastes, sediments, nutrients, and heavy metals that are deposited on the ground surface and flow into and pollute nearby surface waters.

Point and non-point source pollution: Point pollution comes from a single source such as the discharge from a drainage pipe. Non-point pollution comes from multiple sources such as rain water run-off.

Potential Contaminating Activity: Activities that have the potential to create a new discharge of contaminants or to increase the discharge of contaminants to surface or ground-waters.

Public Water Body: All water bodies with a surface area of 10 acres or more.

Runoff Volume: The volume of surface water that runs off during a storm event.

Sedimentation: The deposition of sand, silt, soil or other matter into a watercourse or wetland, including that resulting from post-development surface runoff.

Storm event: A period of sustained rainfall with a minimum total accumulation of 0.25 inches of precipitation over a 24 hour period.

Storm water: Surface water runoff from a non point source caused by a storm event.

Tributary stream: Any perennial or intermittent stream, flowing either directly or indirectly into a public water body. This shall include any tributary stream section contained within a pipe system.

Watershed: The area lying within the drainage basins of public water bodies.

### 616.5 Use Regulations

616.5.1 Allowed uses established by the underlying zoning district shall apply, except as modified below:

616.5.2 The following uses shall be specifically prohibited within the Watershed Protection Overlay District:

616.5.2.1 Storage or production of hazardous materials as defined in either or both of the following:

616.5.2.1.1 Superfund Amendment and Reauthorization Act of 1986.

616.5.2.1.2 Identification and Listing of Hazardous Wastes, 40 C.F.R. §261 (1987)

616.5.2.2 Disposal of hazardous materials or solid wastes.

616.5.2.3 Treatment of hazardous material, except rehabilitation programs authorized by a government agency to treat hazardous material present at a site prior to the adoption of this ordinance.

616.5.2.4 Any business that stores, uses or disposes of hazardous material, unless all facilities and equipment are designed and operated to prevent the release or discharge of hazardous materials and have undergone an inspection by the Town of Windham Building Inspector and Fire Inspector to certify they are in compliance with hazardous material regulations.

616.5.2.5 Disposal of septage or septic sludge, as defined by New Hampshire Solid Waste Rules Env-Wm101-300 & 2100 - 3700.

616.5.2.6 Automobile service and repair stations.

616.5.2.7 Junkyards and Salvage Yards as defined by RSA 236:112.

### 616.6 Review Requirements for Development in the Watershed Protection Overlay District

616.6.1 General. Applications for Subdivisions and Site Plans shall be accompanied by a hydrologic study as outlined in Section 616.7. The Hydrological study must document, in a manner acceptable to the Planning Board, that the proposed land development would provide the same or greater degree of water quality protection as existed on the site (s) at the time the

application was made. Change of Use Applications that do not propose any new construction, paving, alterations to grading, or other alteration to the terrain are exempt from the requirements of the hydrological study.

616.6.2 Applications for new home construction and additions and reconstruction of existing homes need New Home Construction Applications and must include an erosion and sedimentation control plan prepared by an engineer licensed in the State of New Hampshire or a qualified professional familiar with erosion control measures and procedures and acceptable to the Town Engineer.

616.6.3 All development within the Watershed Protection Overlay District shall be evaluated to ensure that:

616.6.3.1 Non-point source pollution is prevented to the maximum extent possible, taking into account site conditions such as slope, soil type and erosivity and vegetative cover.

616.6.3.2 Best Management Practices (BMPs) are in place and are sufficient to remove or neutralize those pollutants that present a potential impact to the water body. The use or creation of detention ponds is not allowed for runoff control, except in those cases where an extended detention pond may be necessary to develop a site.

616.6.3.3 Grading and removal of vegetation at a development site is minimized and erosion and sedimentation control measures are in place and properly installed.

616.6.3.4 If two or more dwelling units share a common sewage treatment system a perpetual maintenance agreement from the building's owner is required.

616.6.3.5 Uses that may potentially cause contamination within the Watershed Protection Overlay District, must submit a spill prevention control and countermeasures plan for approval. This plan shall include the following elements:

616.6.3.5.1 Disclosure statements describing the types, quantities, and storage locations of all contaminants that will be part of the proposed project.

616.6.3.5.2 Contaminant handling and spill prevention techniques.

616.6.3.5.3 Spill reporting procedures, including a list of affected agencies to be contacted in the event of a spill.

616.6.3.5.4 Spill recovery plans, including a list of available equipment.

616.6.3.5.5 Spill cleanup and disposal plans.

## 616.7 Hydrologic Study and Plan

616.7.1 A hydrologic study shall be done by a professional engineer or hydrologist licensed in the State of New Hampshire and shall include the following information:

616.7.1.1 Description of the proposed project including location and extent of impervious surfaces; on-site processes or storage of materials; the anticipated use of the land and buildings; description of the site including topographic, hydrologic and vegetative features.

616.7.1.2 Characteristics of natural runoff on the site and projected runoff with the proposed project, including its rate and chemical and/or biological characteristics deemed necessary to make an adequate assessment of water quality.

616.7.1.3 Measures proposed to be employed to reduce the rate of runoff and pollutant loading of runoff from the project area, both during construction and after.

616.7.1.4 Proposed runoff control and watershed protection measures for the site. These measures shall be designed with the goal of ensuring that the rate of surface water runoff from the site does not exceed pre-development conditions and that the quality of such runoff will not be less than pre-development conditions. Special emphasis shall be placed on the impacts of proposed encroachments into the required buffer.

616.7.1.5 Where the developer of property subject to the terms of this Watershed Protection Ordinance seeks to utilize existing or planned off-site storm-water quality management facilities, the developer shall provide a written certification that the owner of the off-site facilities will accept the runoff and be responsible for its adequate treatment and that the arrangement will run with the land in a manner that will be acceptable to the Planning Board.

616.7.2 The study shall make use of existing Cobbett's Pond water quality historical data to the maximum extent possible. If new data is to be relied upon, the Town reserves the right to have the data reviewed by an independent expert at the expense of the developer, before the study is deemed complete and ready for review.

616.7.3 The study shall be submitted to the Planning Board for review and approval concurrently with the submission of applications for review as required by this Ordinance.

## 616.8 Buffer Requirements

616.8.1 A 100-foot wide buffer zone shall be maintained along the edge of any tributary stream discharging into Cobbett's Pond and along the edge of any wetlands associated with those tributary streams. The required setback distance shall be measured from the centerline of such tributary stream and from the delineated edge of a wetland. Streams shall be delineated from their mean high water mark. The buffer zone shall be maintained in its natural state to the maximum extent possible.

616.8.2 Any reduction in the required buffer zone width may be granted by the Planning Board upon presentation of a hydrologic or other study that provides documentation and justification, acceptable to the Planning Board, that even with the reduction, the same or a greater degree of water quality protection would be afforded as would be with the full-width buffer zone. In granting such a reduction, the Planning Board may require certain conditions of approval which may include, but are not limited to, restrictions on use, type of construction, and erosion, runoff or sedimentation control measures as deemed necessary to protect water quality.

616.8.3 All development shall be located outside of the required buffer zone.

616.8.4 The following uses shall not be permitted within the buffer zone:

616.8.4.1 Septic tanks and drain-fields;

616.8.4.2 feed lots or other livestock impoundments;

616.8.4.3 Trash containers and dumpsters which are not under roof or which are located so that leachate from the receptacle could escape unfiltered and untreated;

616.8.4.4 Fuel storage in excess of fifty (50) gallons [200L];

616.8.4.5 Sanitary landfills;

616.8.4.6 Activities involving the manufacture, bulk storage or any type of distribution of materials hazardous to Cobbett's Pond as defined in the Hazardous Materials Spills Emergency Handbook, American Waterworks Association, 1975, as revised, including specifically the following general classes of materials:

616.8.4.6.1 Oil and oil products,

616.8.4.6.2 Radioactive materials,

616.8.4.6.3 Any material transported in large commercial quantities that is a very soluble acid or base, highly biodegradable, or can create a severe oxygen demand,

616.8.4.6.4 Biologically accumulative poisons,

616.8.4.6.5 the active ingredients of poisons that are or were ever registered in accordance with the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 USC 135 et seq.),

616.8.4.6.6 Substances lethal to mammalian or aquatic life,

616.8.4.6.7 Road salt,

616.8.4.6.8 Lawn fertilizers.

### 616.9 Septic Systems

616.9.1 For any new construction, an Effluent Disposal System (EDS) shall be installed in accordance to NH DES regulations requiring a 75 foot setback from Hydric-A soils and a 50 foot setback from Hydric-B soils from any surface water or wetland area.

616.9.2 For any expansion of an existing structure, or the seasonal conversion of an existing structure, the owner shall conform to RSA 485-A: 38 and the associated Code of Administrative Rules for Subdivision and ISDS Design Rules, as amended.

616.9.3 For a new subdivision development for which EDS's are proposed, if the lots are less than 5 acres, then all plans and permit application shall conform to all relevant NH DES rules and regulations. For lots that are greater than 5 acres, all plans and permit applications shall show an area of 4000 sq. ft., within which the EDS may be located, with test pit and percolation test data to verify the site's suitability for a septic system.

616.9.4 If any septic assessment or an on-site inspection indicates that the existing system is in failure, a plan for a replacement system shall be submitted to NH DES within 30 days from the date of the onsite inspection.

### 616.10 Site Construction (Commercial / Industrial or Residential)

616.10.1 No new impervious driveways are allowed within 75 feet of any surface water or wetland area. Accessory structures are allowed when permitted by the NH DES.

616.10.2 The impervious area of any building lot is limited to 30%. Impervious area includes building area, gravel or asphalt driveway and parking area. For lots that currently exceed 30% impervious area, re-development must decrease the percent of impervious area.

616.10.3 For any use that will render impervious more than 20% or more than 2,500 square feet of any lot, whichever is greater, a storm water management and erosion control plan, consistent with Storm water Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire, Rockingham County Conservation District, August 1992, as amended, shall be prepared and submitted to the Planning Board. No building Permit shall be issued until such time as the Planning Board has reviewed and approved said plan.

### 616.11 Commercial Agriculture Activities

616.11.1 Livestock are not allowed direct access to Cobbetts Pond or its tributaries.

616.11.2 Application of fertilizers or pesticides is not allowed within 200 feet from Cobbetts Pond or its tributaries or wetland.

616.11.3 All livestock grazing and feeding areas shall be a minimum of 200 feet away from Cobbetts Pond or its tributaries.

616.11.4 All runoff from livestock feeding areas shall be directed away from Cobbetts Pond or its tributaries or wetland area.

616.11.5 The storage and use of all animal manure for fertilization purposes must be conducted in accordance with the Best Management Practices for the Handling of Compost, Fertilizer, and Manure in New Hampshire, NH Department of Agriculture, Markets and Food.

616.11.6 Unless stricter setbacks or operational requirements are outlined above, all agricultural operations shall be conducted in accordance with the Manual of Best Management Practices for Agriculture in New Hampshire, NH Dept. of Agriculture, June 1993, as amended, and in accordance with all appropriate sections of the Comprehensive Shoreland Protection Act, NH RSA 483-B.

#### 616.12 Commercial Forestry Activities

616.12.1 A minimum 75-foot undisturbed natural vegetated buffer shall be maintained adjacent to all surface waters or wetland areas.

616.12.2 Unless stricter setbacks or operational requirements are outlined above, all forestry operations shall be conducted in accordance with the Best Management Practices for Erosion Controls on Timber Harvesting Operations in New Hampshire, NH Division of Forests and Lands, February 2004, as amended, and in accordance with all appropriate sections of the Comprehensive Shoreland Protection Act, as detailed in RSA 485-A: 17.

#### 616.13 Emergency Exceptions

616.13.1 Emergency situations relating to public health, safety, and welfare will be temporarily relieved of the provisions of this ordinance in order to correct the emergency and restore the property to its previous condition as soon as possible.

616.13.2 The determination as to whether or not a situation is classified as an emergency shall be made by the Code Enforcement Officer and Building Inspector.

616.13.3 Within ten (10) business days of the determination being made as listed in Section 616.13.2, an application must be submitted as required by the provisions of this ordinance.

***Amendment #9*** - Amend provisions of the Windham Zoning Ordinance governing Commercial Antenna Structures by:

A) Adding the following new Definition to Section 200 “Definitions”, inserting them in alphabetically as they would occur:

Commercial Antenna Structures: An antenna or antenna support structure used for the purpose of transmission, re-transmission, or reception of radio, television, electromagnetic, or microwave signals primarily for the purpose of operating a business or for financial gain, such as commercial broadcasting and cellular wireless telecommunications. A satellite dish antenna that exceeds six feet in diameter shall also be considered a commercial antenna.

B) Deleting the existing Section 701.3 governing Height Regulations for Commercial Antenna Structures and replacing it with the following:

701.3 Commercial antenna structures are permitted in the Commercial A, Limited Industrial, and Professional, Business, and Technology Zoning Districts subject to the following:

701.3.1 Commercial antenna structures shall not exceed in height the distance to the nearest lot line or 150 feet, whichever is the lesser.

701.3.2 - Intentionally omitted.

701.3.3 Guy wires shall not extend into the required building setback areas.

701.3.4 Commercial antenna structures attached, bracketed or mounted on buildings shall not extend more than twenty-five (25) feet above the established roof line.

701.3.5 Only one (1) commercial antenna structure shall be erected on a lot. Commercial antenna structures shall be located at least four thousand (4,000) feet apart, measured in a straight line from the base of each tower.

701.3.6 Commercial antenna structures shall be designed and placed to allow co-location of facilities and uses on each structure.

701.3.7 The total radiation output of all equipment on the structure shall not exceed regulatory limits beyond the lot line.

701.3.8 A site alternative analysis, including existing structures, shall be conducted.

701.3.9 A bond shall be submitted to and held by the Town of Windham for the removal of the commercial antenna structure when the structure is no longer operational.

***Amendment #10*** - Amend provisions of the Windham Zoning Ordinance governing fences by deleting the existing language of Section 710, "Fences" and replacing it with the following:

#### 710 Fences

##### 710.1 Fence Permit

No fence shall be constructed, erected or enlarged prior to obtaining a permit from the Community Development Department.

##### 710.2 Definition

Fence: A manmade barrier that prohibits through passage.

##### 710.3 Height of Fences

710.3.1 No fences in the Residence A, B, C, Rural, Village Center District, and Historic Districts shall be constructed over four (4') in height for fences on the front lot line. Fences on side and rear lot lines may be a maximum of six feet (6') in height.

710.3.2 Fences, hedges, and trees in all districts shall not be installed and/or planted so as to obstruct the view at the intersection of a driveway and/or public way.

710.3.3 Unless otherwise approved through Site Plan Review by the Planning Board, the height of fences in the Commercial Business A, Commercial Business B, Gateway, Neighborhood Business, Professional Business and Technology, Limited Industrial Districts, and any other location where a commercial use legally exists as the primary use, shall be a maximum of eight feet (8') in height, unless the property is a residential use. In the case that the property is used as a residence, the fence must abide by the requirements of 710.3.1.

710.3.4 The exception to the height requirements in 710.3.1 and 710.3.2 are fences enclosing tennis courts, basketball courts, and other sport courts. These fences may be a maximum of twenty feet (20') in height and require Planning Board approval.

##### 710.4 General Fence Regulations

710.4.1 Fences shall meet the clear sight triangle requirements of Section 702.2. The finished side of the fence must face the abutting property. The side of a fence containing the posts or poles and other bracing appurtenances shall face inward to the property being fenced in or on which the fence is located.

710.4.2 No fence shall be erected between a fire hydrant or cistern and an adjacent street, nor within six feet (6') of any fire hydrant or cistern. Nor shall it obstruct access to the Fire Department's connections for the water supply.

710.4.3 No fence shall be erected within five feet (5') of any public or private road.

710.4.4 Fences shall not be erected within the public right-of-way.

710.4.5 Fences may not be constructed of sheet metal, plywood, rolled plastic, razor wire, junk, or debris.

710.4.6 Barbed wire, chicken wire and electrically-charged fencing along property lines are prohibited, except on properties with an agricultural use and on commercial properties with Site Plan Approval from the Planning Board. Barbed wire on commercial properties shall be placed a minimum of eight feet (8') from grade.

### 710.5 Swimming Pool Fencing

Any person who receives approval to construct an in-ground or above-ground swimming pool shall erect and maintain an adequate enclosure either surrounding the property or pool area, sufficient to make the pool inaccessible to small children. The pool fence must comply with both the requirements set forth in this Section and the requirements applicable to pool fences set forth in the NH State adopted Building Code.

***Amendment #11*** - Amend provisions of the Windham Zoning Ordinance by adoption of the following new section governing junk yards:

### 708 Junk Yards

#### 708.1 Purpose:

To provide for the licensing and regulation of junk yards under the authority granted by *NH RSA 236:115* to municipalities.

#### 708.2 Intent:

To conserve and safeguard the public safety, health, and welfare of citizens, and the environment, and to further the economic growth and stability of the Town. A clean and attractive environment is declared to be of importance to the health and safety of the inhabitants and the safeguarding of their material rights against unwarrantable invasion.

To recognize that the maintenance of junk yards is a useful and necessary business and ought to be encouraged when not in conflict with the express purposes of the Land Use and Zoning Ordinance.

To give the Town the ability to regulate the yard in accordance with best management practices that protect public health, safety, and the environment through the licensing requirements.

#### 708.3 Definitions:

Junk: Any old or discarded material, which may include:

- 1) Old or scrap brass, copper, rope, rags, batteries, paper, trash, rubber debris and waste; or
- 2) Junked, dismantled or wrecked motor vehicles or parts thereof; or
- 3) Iron, steel or other old or scrap ferrous or nonferrous material.

Junk motor vehicle dealer: Any person or firm who has an established place of business engaging in the buying of secondhand motor vehicles for the purpose of taking the same apart, or buying, and selling parts of secondhand motor vehicles, or tires, for the assembling of secondhand motor vehicle parts (*as defined in NH RSA 236:112*).

Junk yard: A place used for storing and keeping, or storing and selling, trading, or otherwise transferring junk. As used in this ordinance, the term includes, but is not limited to, the following types of junk yards:

*Automotive recycling yards*: A motor vehicle junk yard, the primary purpose of which is to salvage multiple motor vehicle parts and materials for recycling or reuse (*as defined in NH RSA 236:112*).

*Machinery junk yards*: Any yard or field used as a place of storage in which there is displayed to the public view, junk machinery or scrap metal that occupies an area of at least 500 square feet (*as defined in NH RSA 236:112*).

*Motor vehicle junk yards*: Any place, not including the principal place of business of any motor vehicle dealer registered with the director of motor vehicles under *NH RSA 261:104* and controlled under *NH RSA 236:126*, where the following are stored or deposited in a quantity equal in bulk to 2 or more motor vehicles:

1. Motor vehicles which are no longer intended or in condition for legal use according to their original purpose including motor vehicles purchased for the purpose of dismantling the vehicles for parts or for use of the metal for scrap; and/or
2. Used parts of motor vehicles or old iron, metal, glass, paper, cordage, or other waste or discarded or secondhand material which has been a part, or intended to be a part, of any motor vehicle (*as defined in NH RSA 236:112*).

*Non-commercial junk yard:* A property used for the storage of junk not intended for resale or other commercial use in a quantity equal in bulk to 2 or more motor vehicles.

#### 708.4 Location

708.4.1 All junk yards, as defined by Section 708.3 of this ordinance, are permitted in the Limited Industrial District.

708.4.2 A junk yard shall not create a public nuisance or affect the public health by reason of offensive or unhealthy odors or smoke, or by other causes.

708.4.3 A junk yard shall be located at least 660 feet from the right of way lines of Class I, II, III, and III-a state highways and at least 300 feet from the right of way lines of Class IV, V, and VI municipal highways; and

708.4.4 In no case may a license be granted for a new junk yard located less than 1,000 feet from the right-of-way lines of an interstate highway (*per NH RSA 236:118 II*).

708.4.5 No junk yard may be located within the Wetlands and Watershed Protection District (WWPD) or within 100' of a vernal pool.

#### 708.5 Fencing/Screening Requirements:

708.5.1 A junk yard shall be completely surrounded with a solidly constructed fence at least six (6) feet in height, that substantially screens the area and with a suitable gate, which shall be closed and locked, except during the working hours of the junk yard or when the applicant or his agent is within, as imposed by *NH RSA 236:123*.

708.5.2 All motor vehicles and parts stored or deposited by the applicant shall be kept within the enclosure of the junk yard except as removal is necessary for its transportation in the reasonable course of the business.

708.5.3 All work on such motor vehicles and parts shall be done within the enclosure.

708.5.4 Where the topography, natural growth of timber, a natural barrier, or other considerations accomplish the purposes of this subdivision in whole or in part, the fencing requirements may be reduced by the local governing body, upon granting the license.

#### 708.6 Licensing

Property owners with a junk yard use on their property, including non-commercial junk yards, must obtain:

- (a) A Certificate of Approval for the location of the junk yard granted by the Zoning Board of Adjustment;
- (b) Site Plan Approval from the Planning Board; and
- (c) A municipal License granted by the Board of Selectman

##### 708.6.1 Application for Certificate of Approval

An applicant must apply for a Certificate of Approval from the Board of Adjustment, verifying that the proposed junk yard location meets the requirements of Section 708.4 and other restrictions within the zoning ordinance.

708.6.2 Requirements of Applicants seeking a Certificate of Approval:

708.6.2.1 A Certificate of Approval may not be granted to an applicant who has had any convictions for any type of larceny or for receiving stolen goods.

708.6.2.2 A Certificate of Approval personal to the applicant and cannot be assigned or assumed by a different person or entity. If the property or business is transferred to a new person or entity, the new owner/operator must apply for and obtain a new approval, which will be effective only to the next April 1<sup>st</sup>.

708.6.3 An applicant seeking a Certificate of Approval of a proposed junk yard location must submit:

708.6.3.1 A completed Certificate of Approval Application form

708.6.3.2 A description of the land to be included within the junk yard, by reference to permanent boundary markers.

708.6.3.3 Certification of compliance with best management practices, as detailed in Motor Vehicle Salvage Yard Environmental Compliance Manual and Self-Audit Checklist, NH Department of Environmental Services, May 2009, as amended, for applications to establish automotive recycling yards and motor vehicle junk yards.

708.6.3.4 Site Plan showing the areas of property where items are to be stored and showing location of proposed fencing and fencing specifications.

708.6.4 Once a completed application is submitted, a public hearing will be held with the Zoning Board of Adjustment not less than 2 or more than 4 weeks from the date of the receipt of the application. A Certificate of Approval must be granted prior to an application being scheduled for Site Plan Review by the Planning Board.

708.6.5 Site Plan Review

An applicant seeking to establish new or expand an existing junk yard must receive Site Plan Review approval from the Planning Board and must follow the Site Plan Review criteria as outlined in the *Site Plan Regulations*. Specific attention is to be paid to the material stored on the site and its locations, as well as any potential environmental impacts for this stored material.

708.6.6 Application for License

708.6.6.1 Requirements of Applicants seeking a License:

708.6.6.1.1 A License may not be granted to an applicant who has had any convictions for any type of larceny or for receiving stolen goods.

708.6.6.1.2 A License is personal to the applicant and cannot be assigned or assumed by a different person or entity. If the property or business is transferred to a new person or entity, the new owner/operator must apply for and obtain a new approval, which will be effective only to the next April 1<sup>st</sup>.

708.6.6.2 An applicant seeking a junk yard license from the Board of Selectmen must submit:

708.6.6.2.1 A completed Junk Yard License Application Form

708.6.6.2.2 A description of the land where the junk yard is to be located, by reference to permanent boundary markers

708.6.6.2.3 Hours of operation

708.6.6.2.4 A Certificate of Approval from the Zoning Board of Adjustment stating that the proposed location is not contrary to the prohibitions of the zoning ordinance.

708.6.6.2.5 Verification that Site Plan approval was granted by the Planning Board.

708.6.6.3 Once a completed application is submitted, a public hearing will be held with the Board of Selectman not less than 2 or more than 4 weeks from the receipt of the application.

#### 708.7 License Renewal

708.7.1 A Junk Yard License is valid for a maximum of one year, and must be renewed every April 1<sup>st</sup> by the Board of Selectman.

708.7.2 An applicant may renew his or her license without a hearing upon payment of the annual license fee provided:

- (a) All the provisions of the junk yard statute have been complied with during the previous license period;
- (b) The junk yard has not become a public nuisance under common law or *NH RSA 236:119*;
- (c) The applicant has not been convicted of any type of larceny or receiving stolen property; and
- (d) The applicant is able to certify compliance with best management practices as established by the NH Department of Environmental Services.

708.7.3 If the renewal application or other records of code enforcement show that any of these conditions have not been satisfied, the license may not be renewed without having a public hearing with the Board of Selectmen. Based upon the findings of the Board of Selectmen, the license may not be able to be renewed at all, or conditions may be placed upon the renewal. The occurrence of any of these events during the licensing period is also cause to evaluate whether the Town will take other enforcement action.

#### 708.8 Appeals

708.8.1 If the Zoning Board of Adjustment denies an Application for a Certificate of Approval, the applicant may file a request for rehearing within thirty (30) days of the application denial; as outlined under *NH RSA 677:2*.

708.8.2 If the Planning Board denies a Site Plan Application, the applicant has right to follow the appeal procedure outlined in the *Site Plan Regulations*.

708.8.3 Applications for re-hearing before the Board of Selectman for a License or Renewal of a License must be filed within thirty (30) days of the date of decision beginning the next working day the Administration Department is open to the public following the day the decision is rendered. The request for re-hearing will be presented to the Board of Selectmen for consideration at the next scheduled meeting.

708.8.4 Appeals and Re-hearings shall follow the same procedure as the original hearing for all notifications and fees.

#### 708.9 Pre-existing Use

If a junk yard was established prior to July 8, 1965, which is the effective date of the NH State Statute creating the municipal licensing requirement, it may be considered “grandfathered” for the purpose of the municipal license.

708.9.1 Since a license is not transferable to another owner or operator, the grandfathered status of the license exists only as long as the original applicant is the owner or operator.

708.9.2 If the land or the operation is sold to a new person, the Zoning Board of Adjustment and Board of Selectmen must hold new hearings for a Certificate of Approval and for a License to examine the qualifications of the new buyer to operate the facility.

708.10 Antique Motor Vehicle Use

The provisions of the Junk Yard Ordinance shall not apply to any noncommercial antique motor restoration activities involving antique motor vehicles over 25 years old, where the owner or lessee demonstrates that the requirements *NH RSA 236:111-a* are met.

**Amendment #12** - Amend the Windham Zoning Ordinance “Table of Requirements (Appendix A-1)” by:

Adding a reference to Footnote #15 in the Column Title line after the phrase “Max. % Bldg. Coverage of Lot”, WITH Footnote #15 reading : (15) Building coverage of lot shall only measure buildings, as defined in Section 200, which are located on the lot.

**ARTICLE 3.** To vote by ballot on the following amendments to the Windham Zoning Ordinance and Zoning District Map as submitted by Petition under RSA 675:4.

**Citizen’s Petition #1** - As proposed by Petition of Dennis C. Butterfield and others, to Amend the Windham Zoning Ordinance by changing the zoning classification of the following parcels of land on the most northern part and on Rockingham Road, also known as New Hampshire State Road 28, beginning with the properties abutting Derry New Hampshire from Neighborhood Business to Commercial A:

- 191 Rockingham Road Route 28, Lot 3-B-675
- 190 Rockingham Road Route 28, Lot 8-B-5400
- 188 Rockingham Road Route 28, Lot 8-B-5200
- 186 Rockingham Road Route 28, Lot 8-B-5100
- 184 Rockingham Road Route 28, Lot 8-B-4500
- 183 Rockingham Road Route 28, Lot 3-B-625
- 180 Rockingham Road Route 28, Lot 8-B-4550
- 159 Rockingham Road Route 28, Lot 3-B-605
- 157 Rockingham Road Route 28, Lot 3-B-603
- 140 Rockingham Road Route 28, Lot 8-B-3002 (700 Feet back from Route 28 of only)
- 6 Libbey Road Route 28, Lot 8-B-4900
- 8 Libbey Road Route 28, Lot 8-B-4400
- 10 Libbey Road Route 28, Lot 8-B-3000

***Recommended by Planning Board***

**Citizens Petition #2** - As proposed by Petition of Douglas Yennaco and others to amend the Windham Zoning Ordinance by changing the zoning classification of Parcel 8-B-5000 from Rural to Commercial Business A.

***Not Recommended by Planning Board***

**Citizens Petition #3** - As proposed by Petition of Shayne Gendron and others to amend the Windham Zoning Ordinance by changing the zoning classification of the Rural portion of Parcel 13-B-60 from Rural to Commercial Business A.

***Recommended by Planning Board***

**ARTICLE 4.** To see if the Town will vote to raise and appropriate the sum of Six Hundred Thousand, and no 100ths (\$600,000.00) Dollars for the purpose of purchasing a Fire Engine and necessary equipment and materials to place the engine into service and payment of costs associated with the financing of said purchase; any federal, state or private funds made available therefore shall be applied toward the cost of the project; and to raise the same by issuance of not more than \$391,135.00 in bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA Chapter 33) and to authorize the Selectmen to issue and negotiate such bonds or notes and to determine the rate of interest thereon, and to apply toward the cost any interest earned from the temporary investment of any bond or note; and furthermore to authorize the withdrawal of \$73,757 from the Fire Apparatus Capital Reserve Fund established for this purpose; to authorize the use of \$28,600 in accumulated Fire Impact Fees established for this type of purpose, with the balance of \$106,508 to be raised by general taxation; and to take any other action as may be necessary to carry out and complete financing of this project. This article is part of the Capital Improvement Program.

**Recommended by Board of Selectmen (4-0)**

**ARTICLE 5.** To see if the Town will vote to raise and appropriate the sum of \$30,000 to be added to the Property Maintenance Expendable Trust Fund.

**Recommended by Board of Selectmen (4-0)**

**ARTICLE 6.** To see if the Town will vote to raise and appropriate the sum of \$20,000, said amount to be withdrawn from the balance in the previously established Searles Special Revenue Fund for payment of both marketing related and maintenance related costs associated with the Searles Building. Approval of this article will have no additional impact on the tax rate.

**Recommended by Board of Selectmen (4-0)**

**ARTICLE 7.** To see if the Town will vote to raise and appropriate the sum of \$12,144, said amount to be withdrawn from the balance in the previously established Searles Special Revenue Fund for the purposes of paying the principal and interest on the outstanding loan taken to fund renovations and repairs to the West wing of the building in 2003. Should this article pass, the debt service account in the approved operating budget from Article 19 will be reduced by a sum \$12,144. Approval of this article will have no additional impact to the tax rate.

**Recommended by Board of Selectmen (4-0)**

**ARTICLE 8.** To see if the Town will vote to raise and appropriate the sum of \$200,000 representing the costs of the Engineering, Design Plans, and Construction Costs associated with the expanding the parking lot at Griffin Park as well as other expenses associated with the overall project. This will be a non-lapsing account per RSA 32:7, VI and will not lapse until the project is complete or for a period of two (2) years, whichever is less. This article is part of the Capital Improvement Program.

**Recommended by Board of Selectmen (4-0)**

**ARTICLE 9.** To see if the Town will vote to raise and appropriate the sum of \$65,000 for the purpose of completing phase three of the Windham/Salem Sewer Line Interconnection Feasibility Study which will focus on the legal, detailed engineering, costs estimates, and public education and outreach aspects of potentially constructing sewage lines to serve the watershed areas of Cobbetts Pond and Canobie Lake as well as the Wall Street area of Route 111. This will be a non-lapsing account per RSA 32:7, VI and will not lapse until the project is complete or for a period of two (2) years, whichever is less. This article is part of the Capital Improvement Program.

**Recommended by Board of Selectmen (3-2)**

**ARTICLE 10.** To see if the Town will vote to raise and appropriate the sum of \$77,970 representing the costs of the Engineering, Design Plans, and Phase One Construction Costs associated with the making improvements and renovations to the Police Station including a new training room, and further to authorize the Selectmen to use \$17,500 in accumulated Police Impact Fees established for this type of purpose, with the balance of \$60,470 to come from general taxation. This will be a non-lapsing account per RSA 32:7, VI and will not lapse until the project is complete or for a period of two (2) years, whichever is less.

**Recommended by Board of Selectmen (4-0)**

**ARTICLE 11.** To see if the Town will vote to raise and appropriate the sum of \$150,000 for the purpose of purchasing a Highway Truck (5 Ton) and necessary equipment and materials to place the vehicle into service, and further to authorize the acceptance of \$120,000 of this appropriation from the State of New Hampshire as part of an approved grant to fund 80% of the project, with the balance of \$30,000 to come from general taxation. Should this article be approved but the State reimbursement not occur, this article will be considered null and void. This will be a non-lapsing account per RSA 32:7, VI and will not lapse until the purchase is complete or for a period of two (2) years, whichever is less. This article is part of the Capital Improvement Program.

**Recommended by Board of Selectmen (4-0)**

**ARTICLE 12.** To see if the Town will vote to raise and appropriate the sum of \$2,350 for the Conservation Commission, and authorize the Selectmen to transfer all unexpended Conservation Commission funds as of December 31, 2011 to the Conservation Fund in accordance with RSA 36-A:5.

**Recommended by Board of Selectmen (4-0)**

**ARTICLE 13.** To see if the Town will vote to raise and appropriate the sum of \$400,000 for the purpose of purchasing the land and buildings at 47 Cobbetts Pond Road, and known as Lot 21-H-1 on the Windham Tax Map. The parcel is approximately .70 acres in size, is currently owned by Elin Grady and the estate of Margaret Gunning and is located next to the Windham Town Beach and contains two residential buildings, one of which is seasonal; and further to authorize the acceptance of \$100,000 of this appropriation from the Conservation Fund, with the balance of \$300,000 to come from general taxation.

**Recommended by Board of Selectmen (3-1)**

**ARTICLE 14.** To see if the Town will adopt an exemption from taxation for real property equipped with Solar Energy Systems as defined in RSA 72:61 and allowed by RSA 72:62, including solar heating, cooling, hot water and solar electric systems. The amount of the exemption shall be equal to the increase in assessed property tax value caused by the system. If there is no such increase in valuation, no exemption shall be granted.

**Recommended by Board of Selectmen (4-0)**

**ARTICLE 15.** To see if the Town will adopt an exemption from taxation for real property equipped with Wind-Powered Energy Systems as defined in RSA 72:65 and allowed by RSA 72:66, including any wind-powered devices which supplement or replace electrical power supplied to households or businesses at the immediate site. The amount of the exemption shall be equal to the increase in assessed property tax value caused by the system. If there is no such increase in valuation, no exemption shall be granted.

**Recommended by Board of Selectmen (4-0)**

**ARTICLE 16.** To see if the Town will adopt an exemption from taxation for real property equipped with Woodheating Energy Systems as defined in RSA 72:69 and allowed by RSA 72:70, including any wood burning appliance designed to operate as a central heating system to heat the interior of a building. The amount of the exemption shall be equal to the increase in assessed property tax value caused by the system. If there is no such increase in valuation, no exemption shall be granted.

**Recommended by Board of Selectmen (4-0)**

**ARTICLE 17.** Shall the Town vote, pursuant to the authority in RSA 72:37 - *Exemption for the Blind* and provide every inhabitant who is legally blind as determined by the blind services program, bureau of vocation rehabilitation, department of education with a \$15,000 exemption each year on the assessed value, for property tax purposes, of his or her residential real estate.

**Recommended by Board of Selectmen (4-0)**

**ARTICLE 18.** Shall the Town vote, pursuant to the authority in RSA 72:29-a - *Surviving Spouse* and provide the surviving spouse of any person who was killed or died while on active duty in the armed forces of the United States or any of the armed forces of any of the governments associated with the United States in the wars, conflicts or armed conflicts, or combat zones set forth in RSA 72:28, with a tax credit in the amount of \$2,000 for the taxes due upon the surviving spouse's real and personal property, whether residential or not, in the same municipality where the surviving spouse is a resident.

**Recommended by Board of Selectmen (4-0)**

**ARTICLE 19.** 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 \$12,029,969. Should this article be defeated, the operating budget shall be \$12,001,164 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. \* If Article 7 of this warrant passes, this article will be reduced by \$12,144 (Long Term Debt line).

Town Officers' Salaries	\$ 3,690
Administration	497,530
Town Clerk Expenses	218,090
Tax Collector Expenses	154,270
Election and Registration	17,350
Cemeteries	42,700
General Gov't Buildings	478,050
Appraisal of Properties	197,370
Information Technologies	174,465
Town Museum	5
Searles Building	15,520
Legal Expenses	52,400
Retirement	5
Insurance	272,965
Contracted Services	5
Police Department	2,407,990
Dispatching	493,940
Fire Department	2,787,200
Emergency Management	6,490
Community Development	455,805
Town Highway Maintenance	1,143,160
Street Lighting	14,320
Solid Waste Disposal	919,990
Health and Human Services	36,655
Animal Control	20,455
General Assistance	57,040
Library	968,340
Recreation	186,195
Historic Commission	1,000
Senior Center	5,840
Cable TV Expenses	88,490
Interest Expenses (TANs)	500
Long Term Debt	12,144
	<i>(Principal \$10,400 and Interest \$1,744.00)</i>
Capital Outlay – Roads (Part of CIP)	300,000

**Recommended by Board of Selectmen (4-0)**

**\*Note:** Warrant Article 19 (operating budget does not include appropriations proposed under any other warrant articles).

Given under our hands and seal, this 26<sup>th</sup> day of January, in the year of our Lord two thousand and eleven.

***Charles E. McMahon***

***Bruce R. Breton***

***Galen A. Stearns***

***Roger T. Hohenberger***

***Ross McLeod***

Board of Selectmen, Town of Windham

# BUDGET OF THE TOWN OF WINDHAM, NH

## APPROPRIATIONS AND ESTIMATES OF REVENUE JANUARY 1, 2011 TO DECEMBER 31, 2011

PURPOSES OF APPROPRIATION	Actual Appropriations Year 2010	Actual Expenditures For 2010*	Appropriations Ensuing Fiscal Year 2011
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>			
<b><u>GENERAL GOVERNMENT</u></b>			
Town Officers' Salaries	\$ 3,690.00	\$ 3,068.00	\$ 3,690.00
Administration	503,480.00	503,556.00	497,530.00
Town Clerk's Expenses	209,800.00	209,200.00	218,090.00
Tax Collector's Expenses	161,850.00	153,320.00	154,270.00
Election & Registration	19,600.00	26,642.00	17,350.00
Cemeteries	47,000.00	32,290.00	42,700.00
General Gov't Bldgs	482,370.00	470,989.00	478,050.00
Appraisal of Property	196,730.00	195,393.00	197,370.00
Information Technology	175,680.00	180,747.00	174,465.00
Town Museum	5.00	0.00	5.00
Searles Building	14,340.00	13,102.00	15,520.00
Legal Expenses	52,400.00	54,293.00	52,400.00
Retirement & Pension	2,500.00	1,669.00	5.00
Insurance	248,805.00	251,243.00	272,965.00
<b><u>PUBLIC SAFETY</u></b>			
Contracted Police Services	5.00	0.00	5.00
Police Department	2,333,740.00	2,381,788.00	2,407,990.00
Dispatching	470,690.00	473,627.00	493,940.00
Fire Department	2,699,245.00	2,729,279.00	2,787,200.00
Emergency Management	8,070.00	6,575.00	6,490.00
Community Development	448,130.00	450,473.00	455,805.00
Town Maintenance	1,177,770.00	1,081,926.00	1,143,160.00
Street Lighting	13,490.00	14,572.00	14,320.00
<b><u>SANITATION</u></b>			
Solid Waste Disposal	879,890.00	903,830.00	919,990.00
<b><u>HEALTH</u></b>			
Health & Human Services	84,295.00	80,465.00	36,655.00
Animal Control	20,455.00	17,973.00	20,455.00
<b><u>WELFARE</u></b>			
General Assistance	57,040.00	55,042.00	57,040.00
<b><u>CULTURE AND RECREATION</u></b>			
Library	975,260.00	959,838.00	968,340.00
Recreation	186,115.00	181,599.00	186,195.00
Historic Commission	1,000.00	0.00	1,000.00
Conservation Commission	2,350.00	2,350.00	2,350.00
Senior Center	6,420.00	4,981.00	5,840.00
Cable TV Expenses	89,440.00	76,110.00	88,490.00
<b><u>DEBT SERVICE</u></b>			
Long Term Notes - P & I *	12,160.00	12,160.00	12,144.00
Tax Anticipation Note - Interest	500.00	0.00	500.00

# BUDGET OF THE TOWN OF WINDHAM, NH

PURPOSES OF APPROPRIATION	Actual Appropriations Year 2010	Actual Expenditures For 2010*	Appropriations Ensuing Fiscal Year 2011
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>			
<b><u>CAPITAL OUTLAY</u></b>			
Road Improvements	300,000.00	317,572.00	300,000.00
Transfer Trailer	0.00	0.00	0.00
Transfer Trailer	0.00	0.00	0.00
Library Renovations	0.00	8,792.00	0.00
Depot Improvements	0.00	267,888.00	0.00
Salt Shed/Highway Garage Construction	960,000.00	832,682.00	0.00
Engine 3 Replacement	0.00	0.00	600,000.00
Sewage Study	0.00	0.00	65,000.00
Highway 5 Ton Truck	0.00	0.00	150,000.00
Police Station Improvement	0.00	0.00	77,970.00
Griffin Park Parking Expansion	0.00	0.00	200,000.00
<b><u>OPERATING TRANSFERS OUT</u></b>			
Salt Shed Capital Reserve	0.00	0.00	0.00
Fire Apparatus Capital Reserve	0.00	0.00	0.00
<b><u>TRUST ACCOUNTS</u></b>			
Trust - Health	0.00	0.00	0.00
Trust - Property	30,000.00	30,000.00	30,000.00
Trust - Earntime	0.00	0.00	0.00
Trust - Museum	0.00	0.00	0.00
<b><u>SPECIAL ARTICLES</u></b>			
Searles Revenue Fund/Donation/FB	20,000.00	22,872.00	20,000.00
Land Purchase	-	0.00	400,000.00
	-	0.00	-
	-	0.00	-
	-	0.00	-
<b>TOTAL APPROPRIATION</b>	<b>\$ 12,894,315.00</b>	<b>\$ 13,007,906.00</b>	<b>\$ 13,575,289.00</b>

**Petitioned Articles w/ Appropriation**

None received for 2011			\$ -
<i>Totals with these articles added:</i>	\$ 12,894,315.00	\$ 13,007,906.00	\$ 13,575,289.00
<i>Total Net Budget</i>	\$ 12,512,155.00 (1)	(2)	\$ 12,812,153.00
<i>Totals including carryovers from 2009:</i>	13,444,333.00 (3)		

\* \$12,144 for use of Searles Fund to pay bond payment is reflected in the debt services line item. Assuming approval of the separate article, \$12,144 will be deducted from the operating budget.

(1) Indicates 2010 appropriations less \$12,160 withdrawn from the Searles Revenue Fund to pay for the Searles bond, \$20,000 from Searles for marketing and maintenance costs, and \$350,000 from Salt Shed/Highway Garage capital reserve fund.

(2) Indicates 2011 proposed appropriations less \$12,144 withdrawn from the Searles Revenue Fund to pay for the Searles bond, \$20,000 from Searles for marketing and maintenance costs, \$100,000 from conservation funds, \$73,757 withdrawn from Fire Apparatus Capital Reserve Fund, \$391,135 in proceeds from the issuance of bonds (Fire Equipment), \$17,500 from Police Impact Fees, and \$28,600 from Fire Impact Fees.

(3) Indicates 2010 appropriations plus \$550,018 in encumbrances and amounts carried over from 2009; representing total amount available for spending in 2010.

# BUDGET OF THE TOWN OF WINDHAM, NH

SOURCES OF REVENUE	Estimated Revenue 2010	Actual Revenue 2010	Estimated Revenue 2011
<b><u>TAXES</u></b>			
Yield Tax	\$ 1,867.00	\$ 1,867.00	\$ 1,867.00
Interest & Penalties on Taxes	190,604.00	209,770.00	190,604.00
Land Use Change Tax	0.00	0.00	0.00
Boat Taxes	14,200.00	15,010.00	12,600.00
<b><u>INTERGOVERNMENTAL REVENUES</u></b>			
Shared Revenue - Block Grant	0.00	0.00	0.00
Highway Block Grant	278,167.00	278,167.00	314,866.00
Others/Roads/EM (State)	25,000.00	24,314.00	5,000.00
Others/Grants (Federal)	0.00	0.00	0.00
Rooms and Meals	576,734.00	576,734.00	576,734.00
<b><u>LICENSES AND PERMITS</u></b>			
M V Permit Fees	2,580,000.00	2,597,627.00	2,600,000.00
Building Permits	165,000.00	191,270.00	165,000.00
Other Licenses and Permits	37,800.00	44,814.00	48,000.00
<b><u>CHARGES FOR SERVICES</u></b>			
Income from Departments	330,200.00	385,776.00	358,200.00
Cable TV Fees	192,000.00	197,033.00	200,000.00
<b><u>MISCELLANEOUS REVENUES</u></b>			
Interest on Deposits	30,000.00	28,519.00	30,000.00
Other Miscellaneous Revenues	163,928.00	186,430.00	103,030.00
Sale of Town Property	500.00	49,415.00	500.00
<b><u>OTHER FINANCING SOURCES</u></b>			
Capital Reserve Funds	350,000.00	350,000.00	73,757.00
Income from Trust Funds	560.00	560.00	560.00
Income from Revenue Funds	32,160.00	32,160.00	32,144.00
Income from Other Sources	0.00	0.00	266,100.00
Proceeds from Bond Interest	0.00	0.00	0.00
Proceeds from Bonds	0.00	0.00	391,135.00
<b>TOTAL REVENUES AND CREDITS</b>	<b>\$ 4,968,720.00</b>	<b>\$ 5,169,466.00</b>	<b>\$ 5,370,097.00</b>
<b><u>Petitioned Articles</u></b>			
None submitted for 2011	\$ -	\$ -	\$ -
<i>Totals with these articles added:</i>	<b>\$ 4,968,720.00</b>	<b>\$ 5,169,466.00</b>	<b>\$ 5,370,097.00</b>

# 2011 BUDGET DETAIL

BUDGET ITEM	Appropriations Fiscal Year 2010	2010 Actual Expenditures*	Appropriations Ensuing for Fiscal Year 2011	Incr/ (Decr)
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>				
<b><u>TOWN OFFICERS' SALARIES</u></b>	<b>(ARTICLE 19)</b>			
Selectmen	\$ 0	\$ 0	\$ 0	0
Treasurer	2,500	2,500	2,500	0
Deputy Treasurer	150	0	150	0
Trustee, Trust Funds	350	350	350	0
Social Security	560	177	560	0
Medicare	130	41	130	0
<b>TOTALS</b>	<b>3,690</b>	<b>3,068</b>	<b>3,690</b>	<b>0</b>
<b><u>ADMINISTRATION</u></b>	<b>(ARTICLE 19)</b>			
Regular Salaries	\$ 285,400	\$ 285,603	\$ 285,400	0
Overtime Salaries	4,680	2,851	2,680	(2,000)
State Retirement Municipal	26,570	26,455	29,370	2,800
Supplemental Retirement	13,260	11,804	13,250	(10)
Social Security	0	13	0	0
Group Insurance-Health	71,660	74,259	72,090	430
Group Insurance-Life & Disability	5,720	4,310	4,840	(880)
Group Insurance-Dental	4,740	4,744	4,955	215
Medicare	3,400	3,058	3,345	(55)
Audit	15,710 (1)	14,713	12,380	(3,330)
Town Report	9,500	11,636	6,500	(3,000)
Office Supplies	3,240	1,634	3,240	0
Computer Supplies	3,786 (2)	4,754	2,100	(1,686)
Mileage	600	38	600	0
Postage	16,820	18,939	15,820	(1,000)
Postage Machine	2,580	2,729	2,580	0
Legal Ads	4,000	2,191	3,500	(500)
Equipment	1,300	930	500	(800)
Equipment Maintenance	1,500	1,200	1,500	0
Dues and Meetings	15,260	14,555	14,220	(1,040)
Recruitment Expenses	0	184	0	0
Miscellaneous	4,500	3,544	4,000	(500)
Stormwater Compliance	500	0	500	0
Committee Expenses	0	0	0	0
Employee Health	590	244	590	0
Telephone	8,210	8,147	8,210	0
Electricity	3,070	3,177	3,270	200
Heat	2,470	1,844	2,090	(380)
<b>TOTALS</b>	<b>509,066</b>	<b>503,556</b>	<b>497,530</b>	<b>(11,536)</b>
(1) includes 2009 carryover of \$3,900	503,480			(5,950)
(2) includes 2009 carryover of \$1,686				

# 2011 BUDGET DETAIL

BUDGET ITEM	Appropriations Fiscal Year 2010	2010 Actual Expenditures*	Appropriations Ensuing for Fiscal Year 2011	Incr/ (Decr)
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>				
<b><u>TOWN CLERK'S EXPENSES</u></b> (ARTICLE 19)				
Regular Salaries	\$ 77,120	\$ 77,708	\$ 80,860	3,740
State Retirement Municipal	7,050	7,118	8,190	1,140
Supplemental Retirement	2,960	2,094	3,110	150
Social Security	5,000	4,783	5,000	0
Group Insurance-Health	23,620	24,481	23,770	150
Group Insurance-Life & Disability	1,300	1,195	1,340	40
Group Insurance-Dental	1,300	1,304	1,360	60
Medicare	2,240	2,144	2,340	100
Elected Official Fees	77,330	75,088	77,330	0
Contracted Services	0	0	3,040	3,040
Office Supplies	2,280	2,155	2,550	270
Computer Supplies	990	1,061	990	0
Office Equipment	600	2,951	200	(400)
Dog License Fees	7,000	6,238	7,000	0
Dues and Meetings	1,010	880	1,010	0
Recruitment Expenses	0	0	0	0
Preservation of Records	0	0	0	0
<b>TOTALS</b>	209,800	209,200	218,090	8,290
<b><u>TAX COLLECTOR'S EXPENSES</u></b> (ARTICLE 19)				
Regular Salaries	\$ 96,420	\$ 91,771	\$ 96,420	0
Overtime Salaries	3,460	2,146	3,460	0
State Retirement Municipal	5,550	5,138	6,140	590
Supplemental Retirement	4,840	4,548	4,840	0
Social Security	2,220	1,994	2,220	0
Group Insurance-Health	31,500	32,642	23,770	(7,730)
Group Insurance-Life & Disability	1,610	1,443	1,610	0
Group Insurance-Dental	1,700	1,698	1,360	(340)
Medicare	1,430	1,230	1,430	0
Title Searches	2,500	2,591	2,500	0
Office Supplies	700	293	700	0
Computer Supplies	7,320	6,995	7,320	0
Registry of Deeds	1,000	761	1,000	0
Petty Cash	100	0	0	(100)
Dues and Meetings	1,500	70	1,500	0
Recruitment Expenses	0	0	0	0
<b>TOTALS</b>	161,850	153,320	154,270	(7,580)
<b><u>ELECTION AND REGISTRATION</u></b> (ARTICLE 19)				
Regular Salaries	0	0	0	0
Elected Official Fees	5,530	8,792	4,720	(810)
Ballot Clerk Fees	2,810	3,635	1,370	(1,440)
Social Security	370	553	370	0
Medicare	90	129	90	0

# 2011 BUDGET DETAIL

BUDGET ITEM	Appropriations Fiscal Year 2010	2010 Actual Expenditures*	Appropriations Ensuing for Fiscal Year 2011	Incr/ (Decr)
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>				
<b><u>ELECTION AND REGISTRATION CONT.</u></b>				
Voter Checklists	500	203	500	0
Ballots	9,000	11,773	9,000	0
Equipment	0	0	0	0
Equipment Maintenance	1,000	850	1,000	0
Miscellaneous Expenses	300	707	300	0
<b>TOTALS</b>	<b>19,600</b>	<b>26,642</b>	<b>17,350</b>	<b>(2,250)</b>
<b><u>CEMETERIES</u></b> (ARTICLE 19)				
Groundskeeping	\$ 28,000	\$ 22,000	\$ 28,000	0
Office Supplies	400	0	300	(100)
Property Maintenance	17,000	7,930	12,500	(4,500)
Patriotic Purposes	1,000	1,761	1,400	400
Miscellaneous Expenses	200	297	100	(100)
Electricity	400	302	400	0
<b>TOTAL</b>	<b>47,000</b>	<b>32,290</b>	<b>42,700</b>	<b>(4,300)</b>
<b><u>GENERAL GOVERNMENT BLDINGS</u></b> (ARTICLE 19)				
Regular Salaries	\$ 215,080	\$ 215,087	\$ 216,860	1,780
Overtime Salaries	1,720	926	1,230	(490)
State Retirement Municipal	19,860	20,126	22,140	2,280
Supplemental Retirement	10,840	11,111	10,930	90
Social Security	0	0	0	0
Group Insurance-Health	79,530	82,420	80,010	480
Group Insurance-Life & Disability	3,690	3,366	3,720	30
Group Insurance-Dental	5,200	5,199	5,430	230
Medicare	3,140	2,809	3,170	30
Groundskeeping	78,280	65,269	70,230	(8,050)
Property Maintenance	26,350	29,677	26,350	0
Clothing Allowance	2,000	2,025	2,000	0
Mileage	1,800	1,400	1,800	0
Equipment	1,750	1,116	1,750	0
Vehicle Fuel	1,500	3,012	3,170	1,670
Vehicle Maintenance	5,000	5,613	5,000	0
Equipment Maintenance	5,000	3,607	5,000	0
Recruitment Expenses	0	0	0	0
Telephone	2,210	2,091	430	(1,780)
Electricity	14,510	12,148	12,580	(1,930)
Heat	4,910	3,987	6,250	1,340
<b>TOTALS</b>	<b>482,370</b>	<b>470,989</b>	<b>478,050</b>	<b>(4,320)</b>

# 2011 BUDGET DETAIL

BUDGET ITEM	Appropriations Fiscal Year 2010	2010 Actual Expenditures*	Appropriations Ensuing for Fiscal Year 2011	Incr/ (Decr)
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>				
<b><u>APPRAISAL OF PROPERTIES</u></b>	<b>(ARTICLE 19)</b>			
Regular Salaries	\$ 122,120	\$ 121,201	\$ 122,120	0
State Retirement Municipal	11,190	11,136	12,360	1,170
Supplemental Retirement	6,110	6,019	6,110	0
Group Insurance-Health	42,520	44,066	42,780	260
Group Insurance-Life & Disability	2,100	1,926	2,100	0
Group Insurance-Dental	2,860	2,859	2,990	130
Medicare	1,770	1,637	1,770	0
Contracted Services	1,040	1,072	600	(440)
Office Supplies	1,280	802	800	(480)
Computer Supplies	1,500	1,458	1,500	0
Training	1,200	625	1,200	0
Mileage	300	344	300	0
Registry of Deeds	1,000	660	1,000	0
Equipment	250	125	250	0
Dues & Meetings	1,090	1,070	1,090	0
Recruitment Expenses	0	0	0	0
Telephone	400	393	400	0
<b>TOTALS</b>	196,730	195,393	197,370	640
<b><u>INFORMATION TECHNOLOGY</u></b>	<b>(ARTICLE 19)</b>			
Regular Salaries	\$ 81,250	\$ 81,254	\$ 81,250	0
State Retirement Municipal	7,440	7,443	8,230	790
Supplemental Retirement	4,060	4,063	4,060	0
Group Insurance-Health	21,260	22,033	21,390	130
Group Insurance-Life & Disability	1,400	1,277	1,400	0
Group Insurance-Dental	1,430	1,430	1,490	60
Medicare	1,180	1,082	1,180	0
Service Agreements	44,660	42,010	46,670	2,010
Equipment/Software	3,200	4,166	3,875	675
Equipment Maintenance	3,000	1,835	1,600	(1,400)
Recruitment Expenses	0	0	0	0
GIS	11,050 (1)	9,222	2,900	(8,150)
Miscellaneous	480	4,561	0	(480)
Telephone	420	371	420	0
<b>TOTALS</b>	180,830	180,747	174,465	(6,365)
(1) includes 2009 carryovers of \$5,150	175,680			(1,215)
<b><u>TOWN MUSEUM</u></b>	<b>(ARTICLE 19)</b>			
Equipment	5	0	5	0
<b>TOTALS</b>	5	0	5	0

# 2011 BUDGET DETAIL

BUDGET ITEM	Appropriations Fiscal Year 2010	2010 Actual Expenditures*	Appropriations Ensuing for Fiscal Year 2011	Incr/ (Decr)
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>				
<b><u>SEARLES BUILDING</u></b> (ARTICLE 19)				
Social Security	\$ 0	\$ 0	\$ 0	0
Medicare	0	0	0	0
Property Maintenance	2,500	4,273	2,500	0
Telephone	1,680	1,719	1,680	0
Electricity	2,970	3,254	3,690	720
Heat	7,190	3,856	7,650	460
<b>TOTALS</b>	14,340	13,102	15,520	1,180
<b><u>LEGAL EXPENSES</u></b> (ARTICLE 19)				
Other Lawfirms	\$ 47,400	\$ 50,895	\$ 47,400	0
Union Legal Fees	5,000	3,398	5,000	0
<b>TOTALS</b>	52,400	54,293	52,400	0
<b><u>CONTRACTED POLICE SERVICES</u></b> (ARTICLE 19)				
Regular Contracted	\$ 5	\$ 0	\$ 5	0
<b><u>POLICE DEPARTMENT</u></b> (ARTICLE 19)				
Regular Salaries	\$ 1,266,005	\$ 1,167,348	\$ 1,300,295	34,290
Overtime	114,160	230,741	110,910	(3,250)
Holiday Pay	59,420	57,427	65,325	5,905
State Retirement Municipal	10,170	10,181	11,245	1,075
State Retirement Police	190,620	194,192	216,235	25,615
Supplemental Retirement	7,010	6,980	7,015	5
Social Security	1,810	1,799	1,810	0
Group Insurance-Health	355,800	343,482	352,890	(2,910)
Group Insurance-Life & Disability	19,925	18,056	19,760	(165)
Group Insurance-Dental	22,150	21,429	23,665	1,515
Medicare	21,810	21,087	21,775	(35)
Office Supplies	4,000	4,214	4,000	0
Computer Supplies	2,585 (1)	2,979	1,500	(1,085)
Property Maintenance	24,167 (2)	25,079	4,000	(20,167)
Investigations	3,760	1,919	7,010	3,250
Training	35,080	29,768	29,520	(5,560)
Firearm Training/Ammunition	30,870	35,830	31,865	995
Clothing Allowance	15,750	20,441	15,750	0
Vehicle Equipment	44,170	44,173	46,530	2,360
Equipment	14,162 (3)	10,951	8,690	(5,472)
Vehicle Fuel	32,060	37,707	37,080	5,020
Vehicle Maintenance	13,330	20,564	14,600	1,270
Equipment Maintenance	11,900	10,924	12,690	790
Radio Commun/Maint.	21,650	18,947	21,650	0
Safety Division	2,000	492	2,000	0
Recruitment Expenses	0	3,705	0	0

# 2011 BUDGET DETAIL

BUDGET ITEM	Appropriations Fiscal Year 2010	2010 Actual Expenditures*	Appropriations Ensuing for Fiscal Year 2011	Incr/ (Decr)
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>				
<b><u>POLICE DEPARTMENT CONT.</u></b>				
Miscellaneous	2,000	1,510	500	(1,500)
Employee Health	550	1,626	550	0
Telephone	10,400	10,305	10,400	0
Electricity	20,020	20,150	20,670	650
Heat	6,760	7,782	8,060	1,300
<b>TOTALS</b>	<b>2,364,094</b>	<b>2,381,788</b>	<b>2,407,990</b>	<b>43,896</b>
(1) includes 2009 carryover of \$1,085	2,333,740			74,250
(2) includes 2009 carryovers of \$21,667				
(3) includes 2009 carryover of \$7,602				
<b><u>DISPATCHING</u></b> (ARTICLE 19)				
Regular Salaries	\$ 225,020	\$ 227,434	\$ 226,110	1,090
Overtime	30,450	29,564	30,450	0
Holiday	18,800	15,983	18,800	0
Extra Shift	16,820	17,664	19,490	2,670
State Retirement Municipal	25,360	25,075	28,030	2,670
Supplemental Retirement	13,840	13,801	13,840	0
Social Security	1,050	1,152	1,050	0
Group Insurance-Health	60,640	64,437	68,920	8,280
Group Insurance-Life & Disability	3,800	3,344	3,740	(60)
Group Insurance-Dental	3,640	3,758	4,220	580
Medicare	4,190	4,077	4,210	20
Contracted Services	56,200	56,200	61,820	5,620
Training	6,080	8,046	7,280	1,200
Clothing Allowance	2,500	2,000	2,500	0
Equipment	1,400	222	2,580	1,180
Recruitment Expenses	0	0	0	0
Telephone	900	870	900	0
<b>TOTALS</b>	<b>470,690</b>	<b>473,627</b>	<b>493,940</b>	<b>23,250</b>
<b><u>FIRE DEPARTMENT</u></b> (ARTICLE 19)				
Regular Salaries	\$ 1,378,110	\$ 1,350,361	\$ 1,410,180	32,070
Overtime	244,470	268,599	244,470	0
Holidays	58,160	58,617	60,510	2,350
Callmen	20,000	19,983	20,000	0
State Retirement Municipal	3,710	3,900	4,100	390
State Retirement Fire	296,030	303,279	327,720	31,690
Supplemental Retirement	2,020	2,274	2,020	0
Social Security	2,325	1,517	2,325	0
Group Insurance-Health	390,330	412,617	401,830	11,500
Group Insurance-Life & Disability	22,560	20,222	22,700	140
Group Insurance-Dental	25,540	25,712	27,110	1,570

## 2011 BUDGET DETAIL

BUDGET ITEM	Appropriations Fiscal Year 2010	2010 Actual Expenditures*	Appropriations Ensuing for Fiscal Year 2011	Incr/ (Decr)
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>				
<b><u>FIRE DEPARTMENT CONT.</u></b>				
Medicare	21,860	21,015	22,090	230
Accident Insurance for Call Firefighters	1,125	1,013	1,125	0
Contracted Services	0	0	0	0
Property Maintenance	7,700	11,080	3,500	(4,200)
Training	39,140	18,582	39,380	240
Clothing Allowance	16,600	14,469	16,600	0
Prevention/Investigation	5,000	3,727	5,000	0
Ambulance Operation	17,550	16,158	16,710	(840)
Vehicle Equipment	21,130	21,125	13,510	(7,620)
Office Equipment	3,400	2,208	3,400	0
Fire Equipment	40,818 (1)	40,102	7,980	(32,838)
Equip. - Radios/Pagers	1,000	372	1,000	0
Ambulance Equipment	750	753	750	0
Vehicle Fuel	22,800	27,602	29,940	7,140
Vehicle Maintenance	31,130 (2)	27,813	35,670	4,540
Equipment Maintenance	0	0	4,200	4,200
Hydrant / Water Supply	2,000	270	2,000	0
Communication Maintenance	6,280	5,955	6,350	70
Dues and Meetings	1,200	390	1,650	450
Recruitment Expenses	0	0	0	0
Miscellaneous	500	216	0	(500)
Employee Health	3,340	3,177	3,400	60
Hazardous Materials District	6,125	6,292	6,300	175
Telephone	6,590	6,217	6,590	0
Electricity	23,560	23,777	23,870	310
Heat	12,360	9,885	13,220	860
<b>TOTALS</b>	2,735,213	2,729,279	2,787,200	51,987
(1) includes 2009 carryovers of \$35,338	2,699,245			87,955
(2) includes 2009 carryover of \$630				
<b><u>EMERGENCY MANAGEMENT</u></b>				
	<b>(ARTICLE 19)</b>			
Social Security	\$ 130	\$ 49	\$ 130	0
Medicare	30	11	30	0
Emergency Operations Center Exp	3,040	3,571	2,590	(450)
Field Expenses	1,000	700	750	(250)
Shelter Expenses	750	190	500	(250)
Administrative Expenses	3,120	2,054	2,490	(630)
<b>TOTALS</b>	8,070	6,575	6,490	(1,580)

# 2011 BUDGET DETAIL

BUDGET ITEM	Appropriations Fiscal Year 2010	2010 Actual Expenditures*	Appropriations Ensuing for Fiscal Year 2011	Incr/ (Decr)
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>				
<b><u>COMMUNITY DEVELOPMENT</u></b>	<b>(ARTICLE 19)</b>			
Regular Salaries	\$ 299,630	\$ 289,398	\$ 299,880	250
Overtime Salaries	6,990	3,445	2,470	(4,520)
State Retirement Municipal	21,710	19,816	20,080	(1,630)
Supplemental Retirement	12,970	10,301	13,500	530
Social Security	4,390	4,684	6,460	2,070
Group Insurance-Health	52,760	54,674	53,080	320
Group Insurance-Life & Disability	3,930	3,599	3,920	(10)
Group Insurance-Dental	3,190	3,189	3,330	140
Medicare	4,460	4,030	4,430	(30)
Regional Planning	10,620	10,613	10,695	75
Contracted Services	14,000 (1)	18,228	7,500	(6,500)
Office Supplies	3,000	3,513	3,000	0
Property Maintenance	1,000	18	500	(500)
Training	3,500	2,000	4,000	500
Clothing Allowance	500	140	0	(500)
Legal Ads	3,500	3,844	3,500	0
Vehicle Equipment	0	0	0	0
Office Equipment	1,000	2,807	1,300	300
Vehicle Fuel	1,360	2,408	2,100	740
Recruitment Expenses	0	445	0	0
Committee Expenses	0	0	2,000	2,000
Miscellaneous	400	599	0	(400)
Employee Health	150	80	0	(150)
Telephone	3,830	3,808	3,430	(400)
Electricity	5,000	5,234	5,330	330
Heat	4,240	3,600	5,300	1,060
<b>TOTALS</b>	462,130	450,473	455,805	(6,325)

(1) includes 2009 carryover of \$14,000 448,130 7,675

<b><u>HIGHWAYS, STREETS &amp; BRIDGES</u></b>	<b>(ARTICLE 19)</b>			
Regular Salaries	\$ 161,720	\$ 144,280	\$ 153,980	(7,740)
Overtime	9,370	8,710	8,060	(1,310)
State Retirement Municipal	15,660	15,256	13,610	(2,050)
Supplemental Retirement	8,550	8,036	8,165	(385)
Social Security	220	471	2,030	1,810
Group Insurance-Health	42,010	43,346	37,230	(4,780)
Group Insurance-Life & Disability	2,760	2,537	2,150	(610)
Group Insurance-Dental	3,710	3,708	2,385	(1,325)
Medicare	2,790	2,435	2,690	(100)
Contracted Services - Summer	628,060 (1)	486,211	544,680	(83,380)
Contracted Services - Winter	168,000	108,053	175,000	7,000
Materials	97,190	99,409	97,920	730
Clothing Allowance	1,200	1,200	1,200	0

## 2011 BUDGET DETAIL

BUDGET ITEM	Appropriations Fiscal Year 2010	2010 Actual Expenditures*	Appropriations Ensuing for Fiscal Year 2011	Incr/ (Decr)
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>				
<b><u>HIGHWAYS, STREETS &amp; BRIDGES CONT.</u></b>				
Vehicle Equipment	81,911 (2)	79,025	43,330	(38,581)
Equipment	6,000	9,710	6,000	0
Vehicle Fuel	17,670	17,910	18,230	560
Vehicle Maintenance	18,000	13,037	18,000	0
Dues and Meetings	0	0	300	300
Recruitment Expenses	0	0	-	0
Miscellaneous	32,930 (3)	34,128	-	(32,930)
Telephone	1,560	1,137	1,560	0
Electricity	960	712	5,150	4,190
Heat	0	2,615	1,490	1,490
<b>TOTALS</b>	1,300,271	1,081,926	1,143,160	(157,111)

(1) includes 2009 carryover of \$83,380 1,177,770 (34,610)  
 (2) includes 2009 carryover of \$7,191  
 (3) includes 2009 carryover of \$31,930

<b><u>STREET LIGHTS</u></b>	<b><u>(ARTICLE 19)</u></b>			
Granite State Electric	\$ 3,170	\$ 3,131	\$ 3,050	(120)
Public Service Company	10,020	11,441	10,970	950
Installations	300	0	300	0
<b>TOTALS</b>	13,490	14,572	14,320	830

<b><u>SOLID WASTE DISPOSAL</u></b>	<b><u>(ARTICLE 19)</u></b>			
Regular Salaries	\$ 270,890	\$ 271,251	\$ 275,690	4,800
Overtime	10,230	8,403	9,900	(330)
Holiday	4,390	3,977	5,200	810
State Retirement Municipal	26,130	26,200	29,460	3,330
Supplemental Retirement	12,230	10,193	12,480	250
Social Security	0	19	0	0
Group Insurance-Health	76,660	81,363	77,090	430
Group Insurance-Life & Disability	4,630	4,188	4,670	40
Group Insurance-Dental	4,740	5,113	5,840	1,100
Medicare	4,130	3,892	4,210	80
Employee Health	500	70	300	(200)
Contracted Services	0	0	0	0
Site Monitoring	5,580	5,669	5,220	(360)
Tire Removal	3,150	2,676	2,100	(1,050)
Scrap Metal	1,650	3,473	1,610	(40)
Waste Removal	275,230	277,940	303,990	28,760
Demolition Removal	63,530	76,499	80,660	17,130
Expendable Supplies	5,899 (1)	4,237	4,000	(1,899)
Property Maintenance	2,500	5,611	1,200	(1,300)
Training	200	0	150	(50)

## 2011 BUDGET DETAIL

BUDGET ITEM	Appropriations Fiscal Year 2010	2010 Actual Expenditures*	Appropriations Ensuing for Fiscal Year 2011	Incr/ (Decr)
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>				
<b><u>SOLID WASTE DISPOSAL CONT.</u></b>				
Clothing Allowance	2,000	2,000	2,000	0
Mileage	250	33	150	(100)
Vehicle Equipment	50,000	49,553	40,480	(9,520)
Equipment	0	0	0	0
Vehicle Fuel	15,630	16,002	15,630	0
Vehicle Maintenance	13,500	18,084	12,050	(1,450)
Equipment Maintenance	3,350	694	2,000	(1,350)
Dues and Meetings	9,440	8,386	8,260	(1,180)
Recruitment Expenses	0	0	0	0
Site Improvements	3,610 (2)	5,864	3,000	(610)
Miscellaneous Expenses	1,000	889	500	(500)
Telephone	2,650	2,742	2,810	160
Electricity	6,830	7,254	7,690	860
Heat	1,370	1,555	1,650	280
<b>TOTALS</b>	<b>881,899</b>	<b>903,830</b>	<b>919,990</b>	<b>38,091</b>

(1) includes 2009 carryover of \$399 879,890 40,100

(2) includes 2009 carryover of \$1,610

<b><u>HEALTH AND HUMAN SERVICES</u></b>	<b>(ARTICLE 19)</b>			
Visting Nurse/Hospice	\$ 20,640	\$ 20,640	\$ 0	(20,640)
Center for Life Management	4,400	4,400	4,400	0
Community Caregivers	500	500	500	0
AIDS Response/Seacoast	525	525	525	0
A Safe Place	1,500	1,500	1,500	0
Rape & Assault Services	1,000	1,000	1,000	0
Community Health Services	3,500	3,500	3,500	0
Big Brothers/Sisters of Gr. Nashua	500	500	500	0
Greater Derry Transportation	0	0	0	0
Regional Transit Initiative	12,900	12,900	12,900	0
Suzdal Sister City Support	500	500	500	0
Meals on Wheels	2,565	2,565	2,565	0
Windham's Helping Hands	3,500	3,500	4,500	1,000
American Red Cross	1,000	1,000	0	(1,000)
Water Testing	2,500	815	2,500	0
Mosquito Control Program	27,000	25,000	0	(27,000)
Dues and Meetings	150	120	150	0
Miscellaneous	1,615	1,500	1,615	0
<b>TOTALS</b>	<b>84,295</b>	<b>80,465</b>	<b>36,655</b>	<b>(47,640)</b>

# 2011 BUDGET DETAIL

BUDGET ITEM	Appropriations Fiscal Year 2010	2010 Actual Expenditures*	Appropriations Ensuing for Fiscal Year 2011	Incr/ (Decr)
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>				
<b><u>ANIMAL CONTROL</u></b>	<b>(ARTICLE 19)</b>			
Regular Salaries	\$ 14,645	\$ 13,455	\$ 14,645	0
Social Security	950	844	950	0
Medicare	220	197	220	0
Kennel Fees	400	0	400	0
Office Supplies	300	0	300	0
Mileage	3,000	2,916	3,000	0
Miscellaneous Expense	150	0	150	0
Telephone	790	561	790	0
<b>TOTALS</b>	20,455	17,973	20,455	0
<b><u>GENERAL ASSISTANCE</u></b>	<b>(ARTICLE 19)</b>			
Community Action Program	\$ 6,540	\$ 6,540	\$ 6,540	0
Welfare Assistance	42,500	48,462	42,500	0
Hardship Abatements	7,500	0	7,500	0
Miscellaneous Expenses	500	40	500	0
<b>TOTALS</b>	57,040	55,042	57,040	0
<b><u>LIBRARY</u></b>	<b>(ARTICLE 19)</b>			
Regular Salaries	\$ 584,360	\$ 573,590	\$ 587,020	2,660
State Retirement Municipal	39,410	39,255	43,560	4,150
Supplemental Retirement	24,400	22,326	24,400	0
Social Security	9,560	9,265	9,560	0
Group Insurance-Health	94,500	96,564	87,140	(7,360)
Group Insurance-Life & Disability	7,420	6,738	7,420	0
Group Insurance-Dental	5,610	5,544	5,860	250
Medicare	8,440	8,011	8,480	40
Office Supplies	3,440	2,306	3,440	0
Computer Supplies	3,200	11,440	3,200	0
Property Maintenance	13,000	10,930	13,000	0
Mileage	1,000	818	1,000	0
Office Equipment	2,500	747	2,500	0
Equipment Maintenance	3,500	3,089	3,500	0
Books and Magazines	68,000	68,000	64,000	(4,000)
Other Library Materials	22,000	20,334	22,000	0
Library Computer Services	14,400	14,619	14,400	0
Electronic Cataloging	9,500	9,500	9,500	0
Programs and Films	8,500	8,734	8,500	0
Petty Cash	1,000	675	1,000	0
Dues and Meetings	2,000	2,000	2,000	0
Professional Development	500	148	500	0
Telephone	6,000	5,230	6,000	0
Electricity	24,270	24,423	24,270	0
Heat	18,750	15,552	16,090	(2,660)
<b>TOTALS</b>	975,260	959,838	968,340	(6,920)

# 2011 BUDGET DETAIL

BUDGET ITEM	Appropriations Fiscal Year 2010	2010 Actual Expenditures*	Appropriations Ensuing for Fiscal Year 2011	Incr/ (Decr)
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>				
<b><u>RECREATION</u></b>	<b>(ARTICLE 19)</b>			
Regular Salaries	\$ 91,830	\$ 82,419	\$ 86,830	(5,000)
State Retirement Municipal	4,800	4,800	5,300	500
Supplemental Retirement	2,620	2,620	2,620	0
Social Security	2,625	2,048	2,625	0
Group Insurance-Health	7,870	8,160	7,920	50
Group Insurance-Life & Disability	900	775	870	(30)
Group Insurance-Dental	1,430	455	1,490	60
Medicare	1,370	1,136	1,330	(40)
Chemical Toilets	7,190	6,500	6,750	(440)
Office Supplies	500	346	500	0
Mileage	500	649	500	0
Rec. Sportsfields	24,500 (1)	27,092	24,000	(500)
Recreational Activities	14,050	13,111	17,150	3,100
Senior Rec. Activities	12,000	13,650	12,000	0
Equipment Maintenance	4,300	4,696	4,300	0
Petty Cash / Mileage	200	0	0	(200)
Recruitment Expenses	480	215	480	0
Committee Expenses	200	273	200	0
Employee Health	200	0	100	(100)
Telephone	860	1,067	960	100
Electricity	8,190	11,587	10,270	2,080
<b>TOTALS</b>	186,615	181,599	186,195	(420)
(1) includes 2009 carryover of \$500	186,115			80
<b><u>HISTORIC COMMISSION</u></b>	<b>(ARTICLE 19)</b>			
Regular Salaries	\$ 0	\$ 0	\$ 0	0
Social Security	0	0	0	0
Medicare	0	0	0	0
Contracted Services	1,000	0	1,000	0
Miscellaneous Expense	0	0	0	0
<b>TOTALS</b>	1,000	0	1,000	0
<b><u>CONSERVATION COMMISSION</u></b>	<b>(ARTICLE 12)</b>			
Dues and Meetings	850	511	850	0
Miscellaneous Expenses	1,500	1,839	1,500	0
<b>TOTALS</b>	2,350	2,350	2,350	0
<b><u>SENIOR CENTER</u></b>	<b>(ARTICLE 19)</b>			
Senior Volunteer Program	\$ 0	\$ 0	\$ 0	0
Property Maintenance	500	313	500	0
Telephone	540	591	540	0
Electricity	3,580	2,960	3,000	(580)
Heat	1,800	1,117	1,800	0
<b>TOTALS</b>	6,420	4,981	5,840	(580)

# 2011 BUDGET DETAIL

BUDGET ITEM	Appropriations Fiscal Year 2010	2010 Actual Expenditures*	Appropriations Ensuing for Fiscal Year 2011	Incr/ (Decr)
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>				
<b><u>CABLE TELEVISION</u></b>	<b>(ARTICLE 19)</b>			
Regular Salaries	\$ 47,830	\$ 44,232	\$ 43,530	(4,300)
Overtime Salaries	1,370	866	1,240	(130)
State Retirement Municipal	4,510	4,245	4,540	30
Supplemental Retirement	2,440	1,990	2,220	(220)
Group Insurance-Health	15,090	6,992	15,840	750
Group Insurance-Life & Disability	820	691	800	(20)
Group Insurance-Dental	850	680	890	40
Medicare	710	686	640	(70)
Contracted Support	300	0	300	0
Office Supplies	400	401	400	0
Service Agreements	0	0	4,000	4,000
Property Maintenance	500	232	500	0
Equipment	12,000	11,985	10,000	(2,000)
Dues and Meetings	900	979	1,030	130
Recruitment Expenses	0	485	0	0
Miscellaneous Expenses	1,000	969	1,000	0
Telephone	720	677	1,560	840
<b>TOTALS</b>	<b>89,440</b>	<b>76,110</b>	<b>88,490</b>	<b>(950)</b>
<b><u>DEBT SERVICE</u></b>	<b>(ARTICLE 7, 19)</b>			
Long Term Notes P & I *	\$ 12,160	\$ 12,160	\$ 12,144	(16)
TANS - Interest	500	0	500	0
<b>TOTALS</b>	<b>12,660</b>	<b>12,160</b>	<b>12,644</b>	<b>(16)</b>
Less Use of other Revenue Sources	500		500	0
<b><u>CAPITAL OUTLAY</u></b>	<b>(ARTICLE 19, 4,9,11,10,8)</b>			
Road Improvements	\$ 356,700 (1)	\$ 317,572	\$ 300,000	(56,700)
Library Renovations	32,800 (1)	8,792	0	(32,800)
Castle Hill Bridge Improvements	0	0	0	0
Lowell Road Bike Path	68,104 (1)	0	0	(68,104)
Depot Improvements	163,421 (1)	267,888	0	(163,421)
Salt Shed/Highway Garage Construction	960,000	832,682	0	(960,000)
Engine 3 Replacement	0	0	600,000	600,000
Sewer Study	0	0	65,000	65,000
Highway 5 Ton Truck	0	0	150,000	150,000
Police Station Improvement	0	0	77,970	77,970
Griffin Park Parking	0	0	200,000	200,000
<b>TOTALS</b>	<b>1,581,025</b>	<b>1,426,934</b>	<b>1,392,970</b>	<b>(188,055)</b>
Less Carryovers from 2009	1,260,000		1,392,970	132,970
Less Use of other Revenue Sources	910,000		761,978	(148,022)

(1) includes carryovers from 2009 (\$56,700-32,800-68,104-163,421)

# 2011 BUDGET DETAIL

BUDGET ITEM	Appropriations Fiscal Year 2010	2010 Actual Expenditures*	Appropriations Ensuing for Fiscal Year 2011	Incr/ (Decr)
<i>* 2010 Expenditures do not reflect encumbrances to 2011.</i>				
<b><u>OPERATING TRANSFERS OUT</u></b>	<b>(ARTICLE --)</b>			
Salt Shed	\$ 0	\$ 0	\$ 0	0
Fire Apparatus	\$ 0	\$ 0	\$ 0	0
<b>TOTALS</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b><u>RETIREMENT</u></b>	<b>(ARTICLE 19)</b>			
MONY Service Charge	\$ 2,500	\$ 1,669	\$ 5	(2,495)
<b>TOTALS</b>	<b>2,500</b>	<b>1,669</b>	<b>5</b>	<b>(2,495)</b>
<b><u>INSURANCE</u></b>	<b>(ARTICLE 19)</b>			
Workers Compensation	\$ 134,805	\$ 134,801	\$ 141,705	6,900
Health Insurance	0	0	0	0
Unemployment Comp.	2,220	2,218	10,150	7,930
Miscellaneous	2,000	1,000	2,000	0
N.H. Liability Trust	109,780	113,224	119,110	9,330
<b>TOTALS</b>	<b>248,805</b>	<b>251,243</b>	<b>272,965</b>	<b>24,160</b>
<b><u>TRUST ACCOUNTS</u></b>	<b>(ARTICLE 5)</b>			
Health Trust	\$ 0	\$ 0	\$ 0	0
Property Trust	30,000	30,000	30,000	0
Earn time Trust	0	0	0	0
Museum Trust	0	0	0	0
<b>TOTALS</b>	<b>30,000</b>	<b>30,000</b>	<b>30,000</b>	<b>0</b>
<b><u>SPECIAL ARTICLES</u></b>	<b>(ARTICLE 6, 13)</b>			
Use of Searles Revenue Fund	20,000	\$ 9,947	\$ 20,000	0
Use of Fund Balance-Searles	7,725 (1)	7,725	0	(7,725)
Searles Donation	5,200 (1)	5,200	0	(5,200)
Land Purchase	0	0	400,000	400,000
<b>TOTALS</b>	<b>32,925</b>	<b>22,872</b>	<b>420,000</b>	<b>387,075</b>
Less Carryovers from 2009	20,000			400,000
Less Use of other Revenue Sources	12,925		300,000	287,075
(1) includes carryovers from 2009 (\$7,725-5,200)				
<b>GRAND TOTAL</b>	<b>\$ 13,444,333</b>	<b>\$ 13,007,906</b>	<b>\$ 13,575,289</b>	
	<b>12,894,315</b> (b)		13,575,289 (a)	
	12,512,155 (c)		12,812,153 (e)	299,998
	13,444,333 (d)		13,189,264 (f)	2.398%

# 2011 BUDGET DETAIL

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(a) total proposed appropriations including petitioned articles below (Article)

None received for 2011                      0

\* the article for Use of the Revenue Fund for Searles Bond request \$12,144. If this is approved, The Operating Budget Sweep Article will be reduced by \$12,144. For purposes of the budget detail, only one occurrence of the \$12,144 is reflected in (a) , (e)

(b) 2010 appropriation less carryovers of \$550,018 from 2009

(c) 2010 appropriation less carryovers of \$550,018, \$32,160 from the Searles Revenue Fund and \$350,000 from Salt Shed CRF.

(d) 2010 appropriations including bonds, use of other funds, CRF's, grants and carryovers to show total available for 2010

(e) 2011 proposed appropriations less CRF withdrawals (\$73,757), bond or lease/purchase (\$391,135) and use of other funds (\$32,144 searles, and \$120,000 Grant, \$17,500 Police Impact Fees, \$28,600 Fire Impact fees, \$100,000 Conservation funds). Total of \$763,136. This figure is used for 2011 to compare with 2010 to determine the increase or decrease in actual appropriations.

(f) 2011 proposed appropriations, less any funds reduced as noted above, plus any carryovers from 2010 to show total monies to be available. (\$377,111 carried over from 2010)

## BALLOT RESULTS – MARCH 8, 2011

On March 8th 2011 at 7:00am, Peter J Griffin, Moderator opened the Election polls at Windham High School's Gymnasium.

Those Election Officials present included Town Moderator Peter Griffin, School Moderator Betty Dunn, Selectmen Galen Stearns and Roger Hohenberger, Town Clerk Nicole Merrill, School Clerk Mary-Ann Horaj, Supervisors of the Checklist and Ballot Clerks.

At 1:00 p.m the Town Moderator, Peter Griffin publically announced that the Absentee ballots were being checked off the checklist, opened, inserted and counted in the ballot machines. Those that witnessed and helped with the process were Moderator Griffin, Ballot Clerks, and Selectmen Stearns and Hohenberger. There were 89 Absentee Ballots.

The following were duly elected:

Board of Selectmen ( 2 positions for 3 years )

Charles E. McMahon	1069
<b>KATHLEEN SULLIVAN DIFRUSCIA</b>	<b>*1251</b>
<b>PHIL LOCHIATTO</b>	<b>*1097</b>

Supervisors of the Checklist ( 1 position for 5 years )

<b>CHARLES RUSSO</b>	<b>*1544</b>
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Trustees of the Trust Fund ( 1 position for 3 years )

<b>ALPHONSE J. MARCIL JR.</b>	<b>*1505</b>
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Trustees of the Trust Fund ( 1 position for 2 years )

<b>DONNA MAURO</b>	<b>*1535</b>
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Trustees of the Library ( 2 positions for 3 years )

<b>PETER TOUSIGNANT</b>	<b>*810</b>
<b>MARK BRANOFF</b>	<b>*920</b>
Jeff "J.R." Siegel	676

Trustees of the Library ( 1 position for 1 year )

<b>KAREN MARCIL</b>	<b>*1480</b>
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Planning Board ( 2 positions for 3 years )

<b>JONATHAN SYCAMORE</b>	<b>*967</b>
Bruce R. Breton	921
<b>MARGARET MCKEE CRISLER</b>	<b>*1401</b>

Planning Board ( 1 position for 1 year )

<b>CAROLYN B. WEBBER</b>	<b>*1146</b>
Bruce Richardson	732

Board of Adjustment ( 1 position for 3 years )

<b>MARK SAMSEL</b>	<b>*1481</b>
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Trustees of the Cemetery ( 1 position for 1 year )

Gail N. Webster	783
<b>BRUCE MOECKEL</b>	<b>*938</b>

Trustees of the Cemetery ( 1 position for 3 years )

<b>BARBARA A. COISH</b>	<b>*1569</b>
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## BALLOT RESULTS – MARCH 8, 2011

The following Town Articles were voted on as follows:

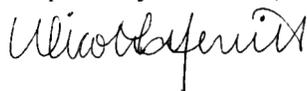
ARTICLE 4.	<b>YES:</b>	<b>*1111</b>	<b>NO:</b>	708
ARTICLE 5.	<b>YES:</b>	<b>*1175</b>	<b>NO:</b>	839
ARTICLE 6.	<b>YES:</b>	<b>*1555</b>	<b>NO:</b>	497
ARTICLE 7.	<b>YES:</b>	<b>*1669</b>	<b>NO:</b>	396
ARTICLE 8.	<b>YES:</b>	<b>*1092</b>	<b>NO:</b>	990
ARTICLE 9.	<b>YES:</b>	789	<b>NO:</b>	<b>*1249</b>
ARTICLE 10.	<b>YES:</b>	690	<b>NO:</b>	<b>*1356</b>
ARTICLE 11.	<b>YES:</b>	<b>*1335</b>	<b>NO:</b>	712
ARTICLE 12.	<b>YES:</b>	<b>*1402</b>	<b>NO:</b>	625
ARTICLE 13.	<b>YES:</b>	717	<b>NO:</b>	<b>*1361</b>
ARTICLE 14.	<b>YES:</b>	<b>*1339</b>	<b>NO:</b>	718
ARTICLE 15.	<b>YES:</b>	<b>*1327</b>	<b>NO:</b>	733
ARTICLE 16.	<b>YES:</b>	<b>*1206</b>	<b>NO:</b>	877
ARTICLE 17.	<b>YES:</b>	<b>*1640</b>	<b>NO:</b>	443
ARTICLE 18.	<b>YES:</b>	<b>*1892</b>	<b>NO:</b>	235
ARTICLE 19.	<b>YES:</b>	<b>*1561</b>	<b>NO:</b>	544

The following Town Zoning Articles were voted on as follows:

Article #2. - Planning Board Amendment #1.	<b>YES:</b>	<b>*1067</b>	<b>NO:</b>	732
Planning Board Amendment #2.	<b>YES:</b>	<b>*1090</b>	<b>NO:</b>	684
Planning Board Amendment #3.	<b>YES:</b>	<b>*1007</b>	<b>NO:</b>	818
Planning Board Amendment #4.	<b>YES:</b>	712	<b>NO:</b>	<b>*1201</b>
Planning Board Amendment #5.	<b>YES:</b>	<b>*1097</b>	<b>NO:</b>	827
Planning Board Amendment #6.	<b>YES:</b>	<b>*1139</b>	<b>NO:</b>	732
Planning Board Amendment #7.	<b>YES:</b>	<b>*1218</b>	<b>NO:</b>	662
Planning Board Amendment #8.	<b>YES:</b>	<b>*1344</b>	<b>NO:</b>	465
Planning Board Amendment #9.	<b>YES:</b>	<b>*1162</b>	<b>NO:</b>	660
Planning Board Amendment #10.	<b>YES:</b>	<b>*1015</b>	<b>NO:</b>	817
Planning Board Amendment #11.	<b>YES:</b>	<b>*1456</b>	<b>NO:</b>	399
Planning Board Amendment #12.	<b>YES:</b>	<b>*1296</b>	<b>NO:</b>	456
Article #3. - Citizen Petition #1.	<b>YES:</b>	<b>*1127</b>	<b>NO:</b>	755
Citizen Petition #2.	<b>YES:</b>	752	<b>NO:</b>	<b>*1123</b>
Citizen Petition #3.	<b>YES:</b>	<b>*1113</b>	<b>NO:</b>	768

The Election polls were closed at 8:15pm, giving that there were voters still in the booths. Selectmen Roger Hohenberger, Galen Stearns, Town Clerk Nicole Merrill, and Deputy Town Clerk Nancy Charland tallied up the results for the Town Ballot. Moderator Peter Griffin announced the results at 9:30pm. There were 2221 casted votes. There were 43 new voters, bringing the total for the Voter checklist to 10,233.

Respectfully submitted,



Nicole Merrill, Town Clerk