

## **WARRANT FOR THE ANNUAL TOWN MEETING**

GRAFTON, SS

TOWN OF HANOVER

TO THE INHABITANTS OF THE TOWN OF HANOVER, NEW HAMPSHIRE, who are qualified to vote in Town affairs:

TAKE NOTICE AND BE WARNED, that the Annual Town Meeting of the Town of Hanover, New Hampshire, will be held as follows:

ON TUESDAY, MAY 9, 2023, IN THE GYMNASIUM OF HANOVER HIGH SCHOOL, 41 LEBANON STREET, HANOVER, NH THERE WILL BE VOTING BY OFFICIAL BALLOT FOR THE ELECTION OF TOWN OFFICERS AND ALL OTHER ARTICLES REQUIRING VOTE BY OFFICIAL BALLOT. **THE POLLS WILL OPEN AT 7:00 AM AND CLOSE AT 7:00 PM.**

ARTICLES EIGHT THROUGH THIRTY-THREE WILL BE PRESENTED, DISCUSSED AND ACTED UPON BEGINNING AT 7:00 PM IN THE GYMNASIUM OF HANOVER HIGH SCHOOL, 41 LEBANON STREET, HANOVER, NH.

### **OFFICIAL BALLOT**

**All-Day Voting 7:00 a.m. - 7:00 p.m.**

Absentee Ballots Available for Qualifying Voters

**ARTICLE ONE:** To vote (by nonpartisan ballot) for the following Town Officers:

Two Selectboard Member to serve for a term of three (3) years.

One Etna Library Trustee to serve for a term of three (3) years.

One Trustee of Trust Funds to serve for a term of three (3) years.

**ARTICLE TWO:** (to vote by ballot): To see if the Town will vote to amend the Hanover Zoning Ordinance as proposed by the Hanover Planning Board as Amendment No. 1:

The following question is on the official ballot:

*“Are you in favor of the adoption of Amendment No. 1 as proposed by the Hanover Planning Board for the Hanover Zoning Ordinance as follows?”*

Amendment No. 1 would modify Section 405.6 (B) to allow by right the renovation, replacement, or expansion of a student residence existing as of May 9, 2023, and to limit the cumulative increase of less than 35% above the May 9, 2023 building footprint. Increases above 35% footprint will require a special exception to be permitted. The amendment also reduces parking requirements for student residences.

At a public hearing on March 21, 2023, the Hanover Planning Board voted to recommend that Town Meeting **approve** this zoning amendment.

**ARTICLE THREE:** (to vote by ballot): To see if the Town will vote to amend the Hanover Zoning Ordinance as proposed by the Hanover Planning Board as Amendment No. 2:

The following question is on the official ballot:

*“Are you in favor of the adoption of Amendment No. 2 as proposed by the Hanover Planning Board for the Hanover Zoning Ordinance as follows?”*

Amendment No. 2 proposes to:

- Expand the allowable signage for buildings that have frontage and points of entry on two streets from two signs total to two signs for each frontage.
- Define Theater and allow theaters to have an electronic marquee to display information for events.

At a public hearing on February 28, 2023, the Hanover Planning Board voted to recommend that Town Meeting **approve** this zoning amendment.

**ARTICLE FOUR:** (to vote by ballot): To see if the Town will vote to amend the Hanover Zoning Ordinance as proposed by the Hanover Planning Board as Amendment No. 3:

The following question is on the official ballot:

*“Are you in favor of the adoption of Amendment No. 3 as proposed by the Hanover Planning Board for the Hanover Zoning Ordinance as follows?”*

Amendment No. 3 addresses the following: Clarifies the requirements for new building(s) situated frontmost on the lot and the percentage of the building's front wall that must be constructed in the build-to area. And exempts any additional building(s) on the lot situated behind the frontmost building from the requirement of building a front wall in the build-to area.

At a public hearing held on March 21, 2023, the Hanover Planning Board voted to recommend that Town Meeting **approve** this zoning amendment.

**ARTICLE FIVE:** (to vote by ballot): To see if the Town will vote to amend the Hanover Zoning Ordinance as proposed by the Hanover Planning Board as Amendment No. 4:

The following question is on the official ballot:

*“Are you in favor of the adoption of Amendment No. 4 as proposed by the Hanover Planning Board for the Hanover Zoning Ordinance as follows?”*

Amendment No. 4 proposes to amend Section 1002 by reducing the required minimum parking requirements for accessory dwelling units, multi-family, and Planned Residential Developments (PRD). The amendment also includes removal or revisions of use categories to link with uses permitted or use permissible with special exception in Article IV (4).

At a public hearing on February 28, 2023, the Hanover Planning Board voted to recommend that Town Meeting **approve** this zoning amendment.

**ARTICLE SIX:** (to vote by ballot): To see if the Town will vote to amend the Hanover Zoning Ordinance as proposed by the Hanover Planning Board as Amendment No. 5:

The following question is on the official ballot:

*"Are you in favor of the adoption of Amendment No. 5 as proposed by the Hanover Planning Board for the Hanover Zoning Ordinance as follows?"*

Amend Section 302 the definitions of "accessory use or building" to comply with NH Case Law and "downtown residential" to allow mixed-use buildings to include multifamily residential as a use.

At a public hearing held on February 28, 2023, the Hanover Planning Board voted to recommend that Town Meeting **approve** this zoning amendment.

**ARTICLE SEVEN:** (to vote by ballot): To see if the Town will vote to amend the Hanover Zoning Ordinance as proposed by the Hanover Planning Board as Amendment No. 6:

The following question is on the official ballot:

*"Are you in favor of the adoption of Amendment No. 6 as proposed by the Hanover Planning Board for the Hanover Zoning Ordinance as follows?"*

Amendment No. 6 would add section 519.2.1, allowing occupancy requirements for sprinklered multifamily units to be consistent with the State fire safety code (NFPA 101).

Amendment No. 2 would modify Section 702.2 C regarding the calculation of accessory dwelling unit floor area so as not to count areas with ceiling heights less than five feet.

At a public hearing held on March 1, 2022, the Hanover Planning Board voted to recommend that Town Meeting **approve** this zoning amendment.

## **BUSINESS MEETING AGENDA**

**7:00 p.m.**

**ARTICLE EIGHT:** To choose the following Town Officers to be elected by a majority vote.

One Advisory Board of Assessors for a term of three (3) years.

Three Fence Viewers, each for a term of one (1) year.

Two Surveyors of Wood and Timber, each for a term of one (1) year.

Such other Officers as the Town may judge necessary for managing its affairs.

Selectboard      For      5      Against      0      Absent      0

**ARTICLE NINE:** To see if the Town will vote to raise and appropriate the sum of Twenty-two Million Dollars (\$22,000,000) for the purpose of funding a Wastewater Treatment Facility Proposed Capital

Project, and to authorize Twenty-two Million Dollars (\$22,000,000) such sum to be raised through the issuance of bonds or notes under and in compliance with the provisions of the Municipal Finance Act (RSA 33), as amended; to authorize the Selectboard to apply for, obtain, and accept federal, state or other aid, gifts and donations if any, which may be available for said project and to comply with all laws applicable to said project; to authorize the Selectboard to issue, negotiate, sell, and deliver such bonds or notes and to determine the rate of interest thereon, and the maturity and other terms thereof; and to authorize the Selectboard to take any other action necessary to carry out this vote or to pass any other vote relative thereto. Without impairing the general obligation nature of bonds and/or notes issued to finance the project, it is the intention of the Selectboard that debt service payments shall be made from wastewater fees. This action shall be a written Yes/No ballot; polls shall remain open and ballots shall be accepted by the moderator for a period of not less than one hour following the completion of discussion of this article. (3/5 ballot vote required to pass.)

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE TEN:** To see if the Town will vote to raise and appropriate the sum of Seven Million Eight Hundred Thousand Dollars (\$7,800,000) for the purpose of funding a water distribution plan , and to authorize Seven Million Eight Hundred Thousand Dollars (\$7,800,000) to be raised through the issuance of bonds or notes under and in compliance with the provisions of the Municipal Finance Act (RSA 33), as amended; to authorize the Selectboard to apply for, obtain, and accept federal, state or other aid, gifts and donations, if any, which may be available for said project and to comply with all laws applicable to said project; to authorize the Selectboard to issue, negotiate, sell, and deliver such bonds or notes and to determine the rate of interest thereon, and the maturity and other terms thereof; and to authorize the Selectboard to take any other action necessary to carry out this vote or to pass any other vote relative thereto. Without impairing the general obligation nature of bonds and/or notes issued to finance the project, it is the intention of the Selectboard that debt service payments shall be made from water fees. This action shall be a written Yes/No ballot; polls shall remain open and ballots shall be accepted by the moderator for a period of not less than one hour following the completion of discussion of this article. (3/5 ballot vote required to pass.)

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE ELEVEN:** To see if the Town will vote to raise and appropriate the sum of One Million, Two Hundred Thousand Dollars (\$1,200,000) for the purpose of funding the purchase of a Fire Engine, and to authorize One Million, Two Hundred Thousand Dollars (\$1,200,000) to be raised through the issuance of bonds or notes under and in compliance with the provisions of the Municipal Finance Act (RSA 33), as amended; to authorize the Selectboard to apply for, obtain, and accept federal, state or other aid, gifts and donations if any, which may be available for said project and to comply with all laws applicable to said project; to authorize the Selectboard to issue, negotiate, sell, and deliver such bonds or notes and to determine the rate of interest thereon, and the maturity and other terms thereof; and to authorize the Selectboard to take any other action necessary to carry out this vote or to pass any other vote relative thereto. This action shall be a written Yes/No ballot; polls shall remain open and ballots shall be accepted by the moderator for a period of not less than one hour following the completion of discussion of this article. (3/5 ballot vote required to pass.)

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE TWELVE:** To see if the Town will vote to adopt the provisions of RSA 72:28, Standard and Optional Veterans' Tax Credit. If adopted, the credit will apply to every resident of this state who is any person who is a veteran, as defined in RSA 21:50, and served not less than 90 days on active service in the armed forces of the United States in any qualifying war or armed conflict listed in this section, and continues to serve or was honorably discharged or an officer who continues to serve or was honorably separated from service; or the spouse or surviving spouse of such resident, provided that training for active duty by a member of the national guard or reserve shall be included as service under this subparagraph; (b) Every resident of this state who was terminated from the armed forces because of service-connected disability; or the surviving spouse of such resident; and (c) the surviving spouse of any resident who suffered a service-connected death. If adopted the credit granted will be **\$500.00**, which is the amount adopted by the Town in 2012.

NOTE: This Article is required because the legislature expanded the eligibility criteria for this credit to include individuals who have not yet been discharged from service in the armed forces.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE THIRTEEN:** To see if the town will vote to readopt the provisions of RSA 72:62, an exemption from the assessed value for property tax purposes for person owning real property which is equipped with a solar energy system as defined in RSA 72:61. Such solar property tax exemption shall be in the amount equal to 100% of the assessed value of qualifying equipment as defined in RSA 72:61 and as may be amended, but not until such equipment is demonstrated to add to the value of real property based on the determination of the Town Assessor. This readoption is required because in 2020 the legislature voted to expand the definition of solar energy system to include systems which utilize solar energy to produce electricity for a building, including all photovoltaics, inverters, and storage. Such systems may be off grid or connected to the grid in a net metered or group net metered arrangement pursuant to RSA 362-A:9 or in a direct retail sale arrangement pursuant to RSA 362-A:2-a.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE FOURTEEN:** To see if the Town will vote to adopt RSA 41:14-a, to allow the Selectboard to acquire or sell land, buildings, or both; provided, however, they shall first submit any such proposed acquisition or sale to the Planning Board and the Conservation Commission for review, two public hearings, and recommendation by those bodies as required by RSA 41:14-a. This article will remain in effect until rescinded by a majority vote.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE FIFTEEN:** To see if the Town will vote to authorize the conveyance of Tax Map 1, Lot 11-2 (5 acres of the 265 acre former Leavitt property) located on the north side of Greensboro Road, acquired by the Town in 2020, to Twin Pines Housing Trust, or another nonprofit organization, to be developed as workforce housing; on such terms and conditions as the Selectboard may negotiate.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE SIXTEEN:** To see if the Town will vote to adopt a Rental Housing Ordinance #42 pursuant to RSA 48-A, as prepared, reviewed, and approved by the Selectboard to establish standards governing the condition and maintenance of dwelling units offered for rent with the goal of ensuring that they are safe, sanitary and fit for human habitation; to authorize the inspection of such dwellings and the imposition of penalties for violation of the Ordinance; and to define certain responsibilities and duties of owners and occupants of such dwellings.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE SEVENTEEN:** To see if the Town will vote to raise and appropriate \$10,000 for deposit into the Land and Capital Improvements Fund, an expendable trust, and to fund this appropriation by authorizing the withdrawal of this amount from the Unassigned Fund Balance. The amount appropriated is the equivalent of 50% of the total Land Use Change Tax collected in the fiscal year 2021-2022.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE EIGHTEEN:** To see if the Town will vote to raise and appropriate \$10,000 for deposit into the Conservation Fund, and to fund this appropriation by authorizing the withdrawal of this amount from the Unassigned Fund Balance. The amount appropriated is the equivalent of 50% of the total Land Use Change Tax collected in the fiscal year 2021-2022.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE NINETEEN:** To see if the Town will vote to raise and appropriate \$33,353 for deposit into the Land and Capital Improvements Fund, an expendable trust, and to fund this appropriation by authorizing the withdrawal of this amount from the Unassigned Fund Balance. This corrects the amount appropriated at the 2022 Town Meeting and is the balance of the equivalent of 50% of the total Land Use Change Tax collected in the fiscal year 2020-2021.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE TWENTY:** To see if the Town will vote to raise and appropriate \$33,353 for deposit into the Conservation Fund, and to fund this appropriation by authorizing the withdrawal of this amount from the Unassigned Fund Balance. This corrects the amount appropriated at the 2022 Town Meeting and is the balance of the equivalent of 50% of the total Land Use Change Tax collected in the fiscal year 2020-2021.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE TWENTY-ONE:** To see if the Town will vote to raise and appropriate \$34,065 for deposit into the Municipal Transportation Improvement Fund, a capital reserve fund, and to fund this appropriation by authorizing the withdrawal of this amount from the Unassigned Fund Balance. This amount is equivalent to the total Transportation Fee surcharge for each motor vehicle registered in the Town of Hanover (\$5.00 per vehicle) during fiscal year 2021-2022.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE TWENTY-TWO:** To see if the Town will vote to raise and appropriate the sum of \$2,093,451 and authorize payment into existing capital reserve funds in the following amounts for the purposes for which such funds were established:

<b>Ambulance Equipment Capital Reserve Fund with funding to come from the Ambulance Fund</b>	\$105,567
<b>Building Maintenance and Improvement Capital Reserve Fund with funding to be raised through taxation</b>	\$199,600
<b>Dispatch Equipment and Dispatch Center Enhancements Capital Reserve Fund with funding to be raised through taxation</b>	\$ 17,981
<b>Fire Department Vehicle and Equipment Capital Reserve Fund with funding to come from the Fire Fund</b>	\$160,000
<b>Highway Construction and Maintenance Equipment Capital Reserve Fund with funding to be raised through taxation</b>	\$471,840
<b>Parking Operations Vehicles and Parking Facility Improvements Capital Reserve Fund with funding to come from the Parking Fund</b>	\$174,955
<b>Police Vehicles and Equipment Capital Reserve Fund with funding to be raised through taxation</b>	\$120,000
<b>Road Construction and Improvements Capital Reserve Fund with funding to be raised through taxation</b>	\$ 55,300
<b>Sewer Equipment and Facilities Improvements Capital Reserve Fund with Funding to come from the Wastewater Treatment Facility Fund</b>	\$307,000
<b>Water Treatment and Distribution Equipment and System Capital Reserve Fund with funding to come from the Water Utility Fund</b>	\$481,208

For 5 Against 0 Absent 0

**ARTICLE TWENTY-THREE:** To see if the Town will vote to raise and appropriate \$2,495,500 for the purposes listed below, and to authorize funding these amounts by withdrawal from the listed capital reserve funds in the following amounts:

<b>Building Maintenance and Improvement Capital Reserve Fund: Howe roof replacement</b>	\$200,000
<b>Fire Department Vehicle and Equipment Capital Reserve Fund: Metal door replacement, phase II</b>	\$ 15,500
<b>Highway Construction and Maintenance Equipment Capital Reserve Fund: DPW Fleet 12-6 wheel dump with plow, 14-6-wheel dump with plow, 3 sidewalk tractors, 20-ton equipment trailer</b>	\$673,000
<b>Parking Operations Vehicles and Parking Facility Improvements Capital Reserve Fund: parking facility lighting conversion, membrane repair</b>	\$520,000
<b>Police Vehicles and Equipment Capital Reserve Fund: police cruiser replacements (4), mobile data terminals</b>	\$296,000
<b>Water Treatment and Distribution Equipment and System Capital Reserve Fund: Greensboro Rd lead abatement, water meter phase 1, F550 dump truck</b>	\$487,000
<b>Sewer Equipment and Facilities Improvements Capital Reserve Fund water meter phase 1, Truck 16222</b>	\$304,000

This will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until these specified purchases are complete or June 30, 2028, whichever occurs sooner.

Selectboard      For 5      Against 0      Absent 0

**ARTICLE TWENTY-FOUR:** To see if the Town will vote to approve the cost items included in the collective bargaining agreement reached between the Selectboard and the American Federation of State, County and Municipal Employees Council 93, Local 1348 (Public Works Department employees) on March 6, 2023, which calls for the following increases in salaries and benefits at the current staffing level:

<u>Year</u>	<u>Estimated Increase</u>
2023-2024	\$202,503

And further to raise and appropriate the sum of \$202,503 for the 2023-2024 fiscal year, such sum representing additional costs attributable to the increase in the salaries and benefits required by the proposed agreement over those that would be paid at current staffing levels in accordance with the most recent collective bargaining agreement.

Selectboard      For 5      Against 0      Absent 0

**ARTICLE TWENTY-FIVE:** To see if the Town will vote to approve the cost items included in the collective bargaining agreement reached between the Selectboard and the International Association of Fire Fighters, Local 3288 on March 6, 2023, which calls for the following increases in salaries and benefits at the current staffing level:

<u>Year</u>	<u>Estimated Increase</u>
2023-2024	\$175,226

And further to raise and appropriate the sum of \$175,226 for the 2023-2024 fiscal year, such sum representing additional costs attributable to the increase in the salaries and benefits required by the proposed agreement over those that would be paid at current staffing levels in accordance with the most recent collective bargaining agreement.

Selectboard      For 5      Against 0      Absent 0

**ARTICLE TWENTY-SIX:** To see if the Town will vote to approve the cost items included in the collective bargaining agreement reached between the Selectboard and the American Federation of State, County and Municipal Employees Council 93, Local 3657 (Police Department employees) on March 6, 2023, which calls for the following increases in salaries and benefits at the current staffing level:

<u>Year</u>	<u>Estimated Increase</u>
2023-2024	\$170,176

And further to raise and appropriate the sum of \$170,176 for the 2023-2024 fiscal year, such sum representing additional costs attributable to the increase in the salaries and benefits required by the proposed agreement over those that would be paid at current staffing levels in accordance with the most recent collective bargaining agreement.

Selectboard      For 5      Against 0      Absent 0

**ARTICLE TWENTY-SEVEN:** To see if the Town, per RSA 31:98a, will vote to raise and appropriate \$25,000 into the Town's Annual Contingency Fund for fiscal year 2023-2024, this sum to come from taxation.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE TWENTY-EIGHT** To see if the Town will vote to raise and appropriate \$28,555,313 to pay the operating expenses of the Town for the 2023-2024 fiscal year, for the purposes set forth in the Town budget. This sum does not include any of the preceding or succeeding articles.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE TWENTY-NINE:** To see if the Town, pursuant to RSA 31:9-b will vote to increase the meeting stipend for the Town Moderator from \$100.00 per local election/meeting to \$125 per local election/meeting and from \$500 per state election to \$550 per state election.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE THIRTY:** To see if the town, pursuant to RSA 41:25 will vote to authorize the Selectboard to increase the Town Clerk's compensation from \$11.51 per hour to \$15.00 per hour.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE THIRTY-ONE:** To see if the town, pursuant to RSA 31:9-b. will vote to authorize the Selectboard to increase the hourly rate for the Supervisors of Checklist from \$11.51 per hour to \$15.00 per hour.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE THIRTY-TWO:** To see if the town, pursuant to RSA 674:5, will authorize the Selectboard to appoint a Capital Improvement Program Committee, including at least one member of the planning board, to discuss, prepare and amend a recommended program of municipal capital improvement projects projected over a period of at least 6 years.

Selectboard	For	5	Against	0	Absent	0
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**ARTICLE THIRTY-THREE:** To transact any other business that may legally be brought before this Town Meeting.

Given under our hands and seal of the Town of Hanover this 10th day of April 2023.

**TOWN OF HANOVER  
SELECTBOARD**

*Peter L. Christie, Chair  
Athos J. Rassias, Vice Chair  
Nancy A. Carter  
William V. Geraghty  
Joanna Whitcomb, Secretary*

# Part II

# Explanatory Information

## CHAPTER 1: INFORMATION FOR TOWN MEETING

### PART II: EXPLANATORY INFORMATION

**What is Town Meeting?** All Hanover citizens are encouraged to participate in the yearly Town Meeting, a living example of direct democracy. Town Meeting is a meeting of citizens who come together to form the legislative body of the town. It is held yearly, the second Tuesday in May, to elect town officers, adopt the town budget, and consider other issues that require Town Meeting approval. This year, Town Meeting will be held on Tuesday, May 9, 2023.

**What is the Warrant?** The Town Meeting agenda is called "the Warrant"; each agenda item is called an "article." The official Warrant precedes this document in Part I. The Warrant includes two sets of articles:

1. **Ballot voting** (Articles One through Seven): Voting on Articles One through Seven - which includes voting for candidates for office, six amendments to the Hanover Zoning Ordinance proposed by the Hanover Planning Board - is conducted by ballot during the day of Town Meeting (Tuesday, May 9, 2023) from 7:00 am to 7:00 pm, in the Hanover High School gym. The daytime ballot voting is held by secret ballot, referred to as the "Australian Ballot" or the "Official Ballot."
2. **Business meeting** (Articles Eight through Thirty-Three): Discussion of and voting on Articles Eight through Thirty-Three - including the proposed budget in Article Twenty-Eight- takes place at an open meeting, called the "Business Meeting," which begins at 7:00 p.m. on Tuesday, May 9th, in the Hanover High School gym. At the Business Meeting portion of Town Meeting, citizens sit down together and discuss, modify, and vote.

**What if you cannot attend?** *If you cannot attend Town Meeting:*

1. **Ballot items:** You may vote by absentee ballot on the items decided by Australian or Official Ballot voting by requesting an absentee ballot from the Town Clerk's office at Town Hall and delivering it in person by 5:00 p.m. the day before Town Meeting or postmarked by mail by 5:00 p.m. on the day of Town Meeting.
2. **Business Meeting items:** You must be present, however, to vote on or contribute to discussion of any Warrant items to be discussed at the Business Meeting. By state law, no absentee balloting is allowed on these items.

**How can you register to vote?** To become a registered voter, you must be a U.S. citizen, eighteen years or older, and a Hanover resident. Information that must be provided at registration includes name, address (mailing and legal residence), place and date of birth, and proof of citizenship. You may register: (1) in advance at the Town Clerk's Office in Town Hall during regular business hours through Friday, April 28th; or (2) with the Supervisors of the Checklist whose public voter registration sessions are advertised before any election; or (3) at the polls on Town Meeting Day.

**What is explained in the rest of this chapter?** The rest of this chapter, prepared by the Town staff, provides an explanation of all articles in the Warrant. The official Warrant precedes this document.

## **BALLOT VOTING ARTICLES ONE - ELEVEN**

Voting on Articles One through Seven will be conducted by official ballot on Tuesday, May 9, 2023, from 7:00 am to 7:00 pm in the Hanover High School gym.

### **Article One: Election of Town Officers**

The **Selectboard**, so named because members are selected on Town Meeting Day, govern the Town and perform most of the Town's legislative functions as prescribed in the Town Charter, outside the legislative role granted voters at Town Meeting by state law. Two three-year term positions, currently held by Peter L. Christie and William V. Geraghty, are up for election in 2023. Peter Christie, Carey Callaghan, and Jennie Chamberlain have filed to run for the two available seats.

Both the Howe Library and the Etna Library are Town-supported. Each has a Board of Trustees that governs the respective library in areas of fundraising and some program functions, but they are elected differently based on the type of organization originally established. The **Howe Library Trustees** are elected by members of the Howe Corporation, which is a private, non-profit corporation. The Etna Library, which is the original Town Library, is governed by the **Etna Library Trustees**, elected by Town Meeting for a three-year term. One Etna Library Trustee is up for election, Elizabeth Storrs has filed to run for a three-year term.

The **Trustees of Trust Funds** oversee the funds reserved for special purposes, and their responsibilities are governed by state statute. One Trustee position is up for election, Kari Asmus has filed to run for a three-year term.

*Note: The following Articles Two through Seven are Amendments No. 1-6 to the Hanover Zoning Ordinance which have been **approved** by the Planning Board.*

### **Article Two: Amendment No. 1 to the Hanover Zoning Ordinance**

To see if the Town will vote to amend the Hanover Zoning Ordinance as proposed by the Hanover Planning Board as Amendment No. 1:

Amendment No. 1 permits student residences in existence as of May 9, 2023, to be renovated, replaced, or expanded and to limit the cumulative increase to less than 35% above the May 9, 2023, building footprint. Increases above 35% footprint will require a special exception to be permitted. The amendment also reduces parking requirements for student residences.

Appendix A has the full text of the amendment as it would appear in the Zoning ordinance if adopted.

### **Article Three: Amendment No. 2 to the Hanover Zoning Ordinance**

Signage for Theatres and Places of Assembly with frontage on two or more public streets as proposed by the Hanover Planning Board as Amendment No. 2:

Amendment No. 2 adds a new provision for signage for Theatres and Places of Assembly with frontage on two or more public streets and allows for electronic marquees.

Amendment No. 2 adds language to Section 715.2(C) to increase the number of signs permitted for places of assembly and theaters having frontage and points of entry from more than one public street. A definition of theater is also added in Section 302.

Also, this amendment adds a new section under “Article VII, Accessory Uses” to add electronic marquees with a principal use as a theater.

Finally, this amendment adds a new definition of “Theater” and adds Theater as a permitted use in the I and D districts.

Appendix A contains the full text of the amendment as it would appear in the Zoning ordinance if adopted.

### **Article Four: Amendment No. 3 to the Hanover Zoning Ordinance**

Allows amendment of provisions within the Main Wheelock District (MWD) to simplify interpretation for developers and administrators as proposed by the Hanover Planning Board Amendment No. 3.

Amendment No. 3 modifies provisions within the Main Wheelock District (MWD) to simplify interpretation for developers and administrators.

Amendment No. 3 Clarifies the requirements for new building(s) situated frontmost on the lot and the percentage of the building’s front wall that must be constructed in the build-to area. And exempts any additional building(s) on the lot situated behind the frontmost building from the requirement of building a front wall in the build-to area.

Appendix A contains the full text of the amendment as it would appear in the Zoning Ordinance if adopted.

### **Article Five: Amendment No. 4 to the Hanover Zoning Ordinance**

Allows for amendments to minimum parking standards to ease the development of additional housing units with reduced impacts to the land as proposed by the Hanover Planning Board as Amendment No. 4.

Amendment No. 4. reduces the parking requirements for residential, downtown, and institutional uses. The benefits of the proposed reduction are the removal of housing development barriers, higher and better uses of land, and reduced impacts on ecological resources.

Appendix A contains the full text of the amendment as it would appear in the Zoning ordinance if adopted.

At a public hearing held on February 28, 2023, the Hanover Planning Board voted to recommend that Town Meeting **approve** this zoning amendment.

## **Article Six: Amendment No. 5 to the Hanover Zoning Ordinance**

Revise definitions to improve consistency with case law and allow mixed use residential in the Downtown District by modifying the appropriate definitions.

Amendment # 5 revises definitions to improve consistency with case law and allows mixed use residential in the Downtown District by modifying the appropriate definitions.

Accessory use or building is a use by right in all districts with principal uses. This amendment updates the definition to be consistent with current case law to avoid legal issues and misinterpretation when issuing permits or making decisions.

The downtown residential definition amendment adds multi-family units as part of downtown commercial use and deletes single-family and duplexes as a permitted use in the Downtown District. The benefit of this amendment is that it allows additional workforce and market-rate residential units in the Downtown District.

Appendix A contains the full text of the amendment as it would appear in the Zoning ordinance if adopted.

At a public hearing held on February 28, 2023, the Hanover Planning Board voted to recommend that Town Meeting **approve** this zoning amendment.

## **Article Seven: Amendment No. 6 to the Hanover Zoning Ordinance**

Add language to Section 519 Rentals to be consistent with the State adopted fire safety code.

The amendment modifies the occupancy standards by separating un-sprinklered multifamily units from sprinklered multifamily units.

The additional language is shown below:

### **519 Rentals**

519.1 The owner of record of a property containing one or more rental units is solely responsible for compliance with the provisions of this section.

519.2.1 A non-owner-occupied one-family and two-family dwelling and unsprinklered multifamily unit(s) may be rented as a residence for an unrelated family limited to three persons or a related family. No tenant may rent any space to additional roomers.

519.2.2 Fully sprinklered multifamily units may be rented as a residence with a maximum occupancy load of one person per 200 gross square feet, as defined in the current NFPA 101, of unit space. No tenant may rent any space to additional roomers. (Chapters 30 and 31 of NFPA 101)

Appendix A contains the full text of the amendment as it would appear in the Zoning ordinance if adopted.

At a public hearing held on February 28, 2023, the Hanover Planning Board voted to recommend that Town Meeting **approve** this zoning amendment.

**BUSINESS MEETING VOTING**  
**ARTICLES EIGHT THROUGH THIRTY-FOUR**

**Article Eight: Election of Additional Town Officers**

This article includes the election of additional Town Officers that do not need to be elected by official ballot. The officials are:

One member of the **Advisory Board of Assessors** for a term of three (3) years. The Advisory Board of Assessors reviews requests for property abatements and makes recommendations for resolution to the Selectboard.

Three **Fence Viewers**, each for a term of one (1) year. The Fence Viewers, dating back to the colonial era, are available to adjudicate property line disputes. While no longer utilized, many New Hampshire towns still elect Fence Viewers to maintain this colonial tradition.

Two **Surveyors of Wood and Timber**, each for a term of one (1) year. The Surveyors of Wood and Timber also date back to the colonial era and are elected to adjudicate disputes regarding the sufficiency of a delivered cord of wood. While no longer utilized, many New Hampshire towns still elect Surveyors to maintain this colonial tradition.

**Article Nine: Why is the Town asking to borrow \$22,000,000 to upgrade the Water Reclamation Facility (WRF)?**

The Town's WRF discharges treated sewage to the Connecticut River at a quality and flow allowed by a National Pollution Discharge Elimination System (NPDES) Permit which is administered by the US Environmental Protection Agency (EPA). The EPA will be issuing a new permit in 2023 which will require the removal of Total Nitrogen (TN) to a limit the WRF is not capable of achieving. Additionally, some of the facility's equipment has reached the end of their useful lives and are at risk of failure. There are also several life safety issues that need to be addressed. The project will take several years to complete with expected completion in 2028. The first bond payment will be due in FY29, the year after current bonds which have an annual payment of \$606,000 are paid off. Additional funding of approximately \$2,000,000 from outside sources will also be utilized. Sewer rates are expected to increase between 12-18% over approximately the next five years to pay for the project. A summary of the facility plan summary is available

at:

[https://www.hanovernh.org/sites/g/files/vyhlif3226/f/uploads/2022\\_hanover\\_wrf\\_selectboard\\_presentation-final\\_summary.pdf](https://www.hanovernh.org/sites/g/files/vyhlif3226/f/uploads/2022_hanover_wrf_selectboard_presentation-final_summary.pdf)

The Selectboard voted 5-0 to support this warrant article during the Pre-Town Meeting public hearing held on April 10, 2023.

**Article Ten: Why is the Town asking to borrow \$7,800,000 to replace water distribution lines?**

When the Town municipalized the Hanover Water Works Company (HWWCo) in 2010, it did so to be

able to make needed infrastructure improvements. HWWCo had two State Revolving Fund (SRF) loans which the Town assumed. The first loan was paid off in FY22 opening up new bonding capacity to undertake the first phase of water distribution system replacements without impacting current water rates. The current system consists of over 197,000 feet of pipes with 70% over 60 years old and 33% installed prior to WW2. The water project will target areas in the system with failing mains, poor hydraulics, and areas where lead may be present. In addition to the requested bond funding, project funding will include approximately \$2,600,000 from additional outside sources. The first payment on the new bond is expected to be in FY27. Details are available at: [https://www.hanovernh.org/sites/g/files/vyhlif3226/f/uploads/water\\_system\\_capital\\_replacementplan.pdf](https://www.hanovernh.org/sites/g/files/vyhlif3226/f/uploads/water_system_capital_replacementplan.pdf)

The Selectboard voted 5-0 to support this warrant article during the Pre-Town Meeting public hearing held on April 10, 2023.

#### **Article Eleven: Why is the Town asking to borrow \$1,200,000 to purchase a Fire Truck?**

The Town is scheduled to replace Engine #4 in fiscal year 2026. Currently the manufacturer, Emergency One, is experiencing a 29 month backlog in production. Emergency One offers a program that allows towns to lock in a future delivery date at the current price. As fire apparatus have been averaging approximately a 7.5% per year increase, executing a contract this spring will not only get the Town in the que for 2026 but also save the Town approximately \$250,000.

The Selectboard voted 5-0 to support this warrant article during the Pre-Town Meeting public hearing held on April 10, 2023.

#### **Article Twelve: Standard and Optional Veterans' Tax Credit**

In 2012 the Town voted to increase the veterans tax credit from \$50 to \$500, the maximum allowed by State statute at that time. In 2022 the State legislature passed HB 1667 which added additional eligibility requirements for "active duty members" and requires all cities and towns to re-adopt RSA 72:28, II if a credit of more than \$50 is desired. If this warrant article passes, qualifying veterans will continue to receive the current \$500.00 credit.

The Selectboard voted 5-0 to support this warrant article during the Pre-Town Meeting public hearing held on April 10, 2023.

#### **Article Thirteen: Re-adoption of RSA 72:62 for Solar Energy Exemption**

In 2019 the Town voted to exempt the value of solar arrays from taxation. It is necessary to re-adopt the provisions in RSA 72:62 because of new legislation in 2020 that expanded the definition of solar energy systems to include systems which utilize solar energy to produce electricity for a building, including all photovoltaics, inverters, and storage. Such systems may be off grid or connected to the grid in a net metered or group net metered arrangement pursuant to RSA 362-A:9 or in a direct retail sale arrangement pursuant to RSA 362-A:2-a.

The Selectboard voted 5-0 to support this warrant article during the Pre-Town Meeting public hearing held on April 10, 2023.

## **Article Fourteen: Non-tax Deeded Acquisition and Sale of Land**

This is a common tool that most towns in New Hampshire have had in place for many years. It enables the Town to more effectively navigate the development of housing or other economic or community uses by allowing certain decisions to be made more frequently than once per year at Town Meeting.

Because of the goals being drafted through the Sustainable Master Plan Advisory Committee, for example that call for the Town to build or facilitate the construction of more affordable housing units, staff are proposing that this article be adopted so that the Town is better able to meet these important goals.

The RSA mandates a public process that requires the review and approval of the Planning Board and Conservation Commission, two noticed public hearings, and the ability for 50 voters by petition to add the decision the Selectboard is considering to a warrant article at the next Town Meeting for approval. Beyond that, the Selectboard has identified a commitment to ensure transparency and public engagement in any processes carried out such that interested parties, such as abutters, are aware able to participate in the mandated public processes before any decision is finalized, as well as distributing information broadly through other platforms as appropriate.

If the Town adopts RSA 41:14-a as proposed in the Warrant Article, the selectboard would be allowed to purchase or sell a property via the process described above. This would also allow the Selectboard to execute easements.

### **41:14-A Acquisition or Sale of Land, Buildings, or Both; Demolition or Disposal of Buildings. –**

I. If adopted in accordance with RSA 41:14-c, the select board shall have the authority to acquire or sell land, buildings, or both, and to demolish or otherwise dispose of buildings, provided, however, they shall first submit any such proposed acquisition, sale, demolition, or disposal to the planning board, the conservation commission, the heritage commission, and the historic district commission if the building lies within a defined district for review and recommendation by those bodies, where such board or commissions exist. After the select board receives the recommendation of the planning board, the conservation commission, the heritage commission, and the historic district commission if the building lies within a defined district, where such board or commissions exist, they shall hold 2 public hearings at least 10 but not more than 14 days apart on the proposed acquisition, sale, demolition, or disposal; provided, however, upon the written petition of 50 registered voters presented to the select board, prior to the select board's vote, according to the provisions of RSA 39:3, the proposed acquisition, sale, demolition, or disposal shall be inserted as an article in the warrant for the town meeting. The select board's vote shall take place no sooner than 7 days nor later than 14 days after the second public hearing which is held.

II. The provisions of this section shall not apply to the sale of and the selectmen shall have no authority to sell:

- (a) Town-owned conservation land which is managed and controlled by the conservation commission under the provisions of RSA 36-A.
- (b) Any part of a town forest established under RSA 31:110 and managed under RSA 31:112.
- (c) Any real estate that has been given, devised, or bequeathed to the town for charitable or community

purposes except as provided in RSA 498:4-a or RSA 547:3-d.

III. The provisions of this section shall not apply to the demolition or disposal of, and the select board shall have no authority to demolish or dispose of, any real estate that has been given, devised, or bequeathed to the town for charitable or community purposes except as provided in RSA 498:4-a or RSA 547:3-d.

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***Note: Although the Selectboard considered language for the warrant that added additional public outreach activities, the Town's legal counsel advised that the inclusion in the warrant itself of language not consistent with the RSA may create legal exposure, invalidate the vote, and/or make re-adoption necessary if the RSA is updated. All of the discussed public outreach components can be done by the Selectboard even if not included in the warrant. Some are identified below.***

The Selectboard voted 5-0 to support this warrant article during the Pre-Town Meeting public hearing held on April 10, 2023.

**Article Fifteen: Conveyance of 5 acres of the 265 acre former Leavitt Property to Twin Pines Housing for workforce housing**

The Town of Hanover has the opportunity to add much-needed inventory to the workforce housing stock by moving forward with the transfer of ownership to a nonprofit for the development of the Mink Brook Community Forest workforce housing parcel that was approved at Town Meeting in May of 2020. The parcel was acquired as part of the overall Mink Brook Community Forest project and its transfer requires town meeting approval.

The language on the 2020 warrant includes, “approximately four (4) acres will be transferred to Twin Pines Housing Trust for future development of a small cluster of cottage homes for workforce housing, subject to future approval at Town Meeting.”

Now, in accordance with the 2020 vote, the Town is seeking Town Meeting approval to transfer the land to Twin Pines, or any other developer. Changes since the 2020 vote include the parcel being 5 rather than 4 acres, and due to zoning changes in 2021, the parcel has the potential for approximately up to 29 units rather than approximately up to six units that would have been allowable previously. This is not an expression of intent of the number of units to build, but to be as transparent as possible by providing an update on the allowable units based on zoning changes since this was last discussed.

As part of the transfer, Twin Pines (or any other developer) will be required to present the development plans at Public Hearings and the final plan will be subject to the normal Planning Board and Zoning Board review and approval as well as Selectboard approval.

The Selectboard voted 5-0 to support this warrant article during the Pre-Town Meeting public hearing held on April 10, 2023.

**Article Sixteen: Rental Housing Ordinance #42**

In 2020 voters approved zoning Article 14 that allowed short-term rentals which “... shall become effective only upon the Selectboard adoption of a rental housing inspection ordinance that establishes

occupancy standards, and a registration and inspection process for all rental properties.”

Throughout 2022, the Town hosted a series of public meetings and hearings to discuss a possible housing ordinance to improve the safety of rental units in Hanover by creating a basic inspection program that would allow all rental units to be inspected once every three years. The goal of the ordinance, in addition to enabling short term rentals, is to minimize the chance of a loss of property or life due to unsafe rental housing units.

The Selectboard adopted Ordinance #42 on October 17, 2022 only to later determine that under New Hampshire law this ordinance needs to be adopted by Town Meeting. The program is self-funded through a charge to landlords.

You can find the full text of the ordinance in Appendix B of the Town Report. And you can find records of the public meetings, public feedback, earlier drafts of the ordinance, FAQs, and more at: <https://www.hanovernh.org/rentalhousing>.

The Selectboard voted 5-0 to support this warrant article during the Pre-Town Meeting public hearing on April 10, 2023.

#### **Articles Seventeen, Eighteen, Nineteen, Twenty: Land and Capital Improvement Fund and Conservation Fund**

The 1999 Town Meeting voted to create a Land and Capital Improvements Fund and a Conservation Fund, and then annually to consider taking the proceeds from the preceding fiscal year's Land Use Change Tax and distributing one-half to the Land and Capital Improvements Fund and one-half to the Conservation Fund.

Article Eighteen distributes \$10,000, equal to one-half of the Land Use Change Tax revenue from the fiscal year 2021-2022 (total of \$10,000) into the Land and Capital Improvements Fund. The Land and Capital Improvements Fund can be utilized to purchase land for Town facilities or to assist in the construction or renovation of Town facilities and has a current balance of roughly \$30,800 prior to action on this or any other article on this warrant.

Article Nineteen distributes \$10,000, equal to one-half of the Land Use Change Tax collected in fiscal year 2021-2022 for deposit into the Conservation Fund. The Conservation Fund has a balance of roughly \$151,000 prior to action on this or any other article on this warrant.

Articles Twenty and Twenty-One correct seek to deposit \$33,353 each into the Land and Capital Improvement Fund and Conservation Fund to correct the amounts of \$5,000 for each fund appropriated at the 2022 Town Meeting and is the balance of the equivalent of 50% of the total Land Use Change Tax collected in fiscal year 2020-2021.

The Selectboard voted 5-0 to support this warrant article during the Pre-Town Meeting public hearing on April 10, 2023.

#### **Article Twenty-One: Transfer of Funds Collected into the Municipal Transportation Improvement Fund**

State statute enables New Hampshire communities to establish a Municipal Transportation Improvement

Fund, pursuant to RSA 261:153 VI. Such a fund is created by adopting a motor vehicle registration surcharge of up to \$5.00, which is collected each time a motor vehicle is registered within the municipality. Town Meeting voted to collect the additional \$5.00 surcharge at the May 2000 Town Meeting, as well as to establish the Municipal Transportation Improvement Fund. Proceeds from the Fund are to be used to support eligible local transportation improvement projects such as public transportation initiatives, roadway improvements, signal upgrades, and the development of bicycle and pedestrian paths. This article authorizes the transfer of this surcharge collected in fiscal year 2021-2022 totaling \$34,065 into the Municipal Transportation Improvement Fund. The projected balance in this fund at June 30, 2022 is approximately \$49,600.

The Selectboard voted 5-0 to support this warrant article during the Pre-Town Meeting public hearing held on April 10, 2023.

#### **Article Twenty-Two: Payment into Capital Reserve Funds**

The Town of Hanover has made a serious commitment to properly funding the capital budget on an annual basis to ensure that Town facilities, infrastructure and equipment are properly maintained, replaced, and improved as required by the needs of the community. Maintaining the discipline to contribute to the Town's various capital reserve funds annually helps to insure a stable growth in the tax rate over time. This article appropriates and authorizes the payment of \$2,093,451 into various Capital Reserve Funds. This action is taken as part of the recommended budget for fiscal year 2023-2024, after a careful review of the current funding status and the projected disbursements from each of the Capital Reserve Funds.

The Selectboard voted to support this warrant article during the Pre-Town Meeting public hearing held on April 10, 2023.

#### **Article Twenty-Three: Withdrawals from Capital Reserve Funds**

As noted above, there are several Capital Reserve Funds established to smooth out the budget impact of purchases of significant pieces of equipment and vehicles. Over the past few years, Town staff has made significant progress on the Capital Improvement Plan which now provides a more comprehensive view of future Town capital needs. These purchases are recommended as part of this Capital Improvement Plan. The previous warrant article authorizes the deposit into these several funds while this warrant article authorizes the withdrawal of \$2,495,500 from the specified Capital Reserve Funds for purchases of equipment and vehicles, or for other stipulated purposes of the Fund.

The Selectboard voted to support this warrant article during the Pre-Town Meeting public hearing held on April 10, 2023.

#### **Articles Twenty-Four, Twenty-Five and Twenty-Six: Bargaining Unit One-Year Contracts with Public Works, Police and Fire Union Employees**

The Town has three collective bargaining units. Employees of the Public Works Department are represented by Local 1348 of the American Federation of State, County, and Municipal Employees (AFSCME), the Police Department by Local 3657 of AFSCME, and the Fire Department by Local 3288 of the International Association of Fire Fighters (IAFF).

This year, the Town reached agreement with AFSCME Local 1348, AFSCME Local 3657 and IAFF

Local 3288 on one-year collective bargaining agreements for the period beginning July 1, 2023, and ending June 30, 2024. The proposed contracts call for a 5% cost of living adjustment, existing 2% step for those eligible, one-time payments for most staff, as well as several new programs, including paid Family Medical Leave (through the State), merit-based grants for exceptional work, critical staffing payments, vacation sell-back option, hiring and referral bonuses. The IAFF Local 3288 contract also includes a 4% step correction.

These warrants may appear different from prior years due to the assumptions of which costs are associated with the warrant. In the 2022-2023 Collective Bargaining Unit Warrants, only the 3% COLA was included. Based on feedback from counsel and key stakeholders in the 2023-2024 budget process, these warrants now capture all related costs, which include:

- 5% COLA
- 2% Step
- 4% Step Correction – Fire Only
- One-time Payments
- Licensure and Stipends
- Critical Shortage Pay\*
- Hiring/Referral Bonuses\*
- Vacation Sell-back Pilot\*
- 50% NH Paid Family Leave Premium\*
- Associated Payroll Taxes and Retirement burden

\* These cost items require assumptions of how many employees may participate in a future program that must be estimated.

You can find the complete list of all compensation changes in this year's Town Report or at [hanovernh.org/budget](http://hanovernh.org/budget) in the "Summary Slides."

The Selectboard voted 5 - 0 to support all three warrant articles at the March 6<sup>th</sup> Selectboard meeting and 5-0 at the April 10, 2023 Pre-Town Meeting public hearing.

**Article Twenty-Seven:** To see if the Town, per RSA 31:98a, will vote to raise and appropriate \$25,000 into the Town's Annual Contingency Fund for fiscal year 2023-2024.

Many cost savings were found in this year's budget. Some of that was found by rebuilding dozens of large budget lines (especially in employee benefits) from scratch rather than using last year as a "starting point." Losing the cushion in those overbudgeted accounts means that we are running much leaner than in the past. Town staff and the Selectboard believe that the most appropriate and transparent way to address potential cost overruns is to establish a contingency fund, which can only be used if there are overruns, and the overruns must be reported in the following year's Town Report.

This amount requested is not enough of a cushion to provide the full support needed, and because of the high tax burden in this year's budget, staff and the Selectboard did not feel it was the right year to "fully" fund it - the State allows up to 1% of the operating budget to be set aside as a contingency. But at least including it this year starts to build it into the tax rate, which will make bringing it to needed levels in the future easier and provide a necessary and transparent cushion to the Town's operations.

31:98-a Contingency Fund. – Every town annually by an article in the warrant may establish a contingency fund to meet the cost of unanticipated expenses that may arise during the year. Such fund shall not exceed one per cent of the amount appropriated by the town for town purposes during the preceding year excluding capital expenditures and the amortization of debt. A detailed report of all expenditures from the contingency fund shall be made annually by the selectmen and published with their report.

The Selectboard voted 5-0 to support this warrant article at the April 10, 2023 Pre-Town Meeting public hearing.

#### **Article Twenty-Eight: Proposed Municipal Budget for Fiscal Year 2023-2024**

The table below outlines the net appropriation required by this warrant article, which when added to all the additional appropriation warrant articles outlined above, funds the Town's total budget for the fiscal year 2023-2024.

Appropriation for the Proposed Municipal Budget for FY 2022-2023	\$28,555,313
Appropriation for Payments into the Land and Capital Improvements Fund For FY 2023-2024 and correction of FY 2022-2023 (Articles #17 & 19)	\$ 43,353
Appropriation for Payments into the Conservation Fund For FY 2023-2024 and correction of FY 2022-2023 (Articles #18 & 20)	\$ 43,353
Appropriation for Purchases to be Funded from Municipal Transportation Improvements Fund (Article #21)	\$ 34,065
Appropriation for Payment into Various Capital Reserve Funds (Article #22)	\$ 2,093,451
Appropriation for Purchases to be Funded from Withdrawals from Various Capital Reserve Funds (Article #23)	\$ 2,495,500
Appropriation to Cover Impact of Public Works Department Union Contract (Article #24)	\$ 202,503
Appropriation to Cover Impact of Fire Department Union Contract (Article #25)	\$ 175,226
Appropriation to Cover Impact of Police Department Union Contract (Article #26)	\$ 170,176
Appropriation to Cover Establishing Town Annual Contingency Fund (Article #27)	\$ 25,000
<hr/>	<hr/>
Grand Total Appropriations All Funds – See Budget Overview	\$33,837,940

In addition to these warrants, there are three bond articles. There are no payments due in FY 2024 for these bonds and therefore have no impact on the tax rate. For reference they are:

Appropriation for Bond Issue to Upgrade Water Reclamation Facility (Article #9)	\$22,000,000
Appropriation for Bond Issue to Replace Water Distribution Lines (Article #10)	\$ 7,800,000
Appropriation for Bond Issue to Purchase Fire Truck (Article #11)	\$ 1,200,000

You can find an overview summary, Excel spreadsheets, and other documents that explain and support this year's budget in the Town Report or at [hanovernh.org/budget](http://hanovernh.org/budget).

The Selectboard voted 5-0 to support this warrant article at the April 10, 2023 Pre-Town Meeting public hearing.

**Articles Twenty-Nine, Thirty, Thirty-One:** Compensation changes for Town Moderator, Town Clerk, and Supervisors of Checklist

It has been over fifteen years since the compensation rate for our election officials has been adjusted at Town Meeting. Although no election official in Hanover seeks the position for the compensation itself, it is important to properly compensate those who incur expenses and perform such vital roles in our government and democracy as our Moderator, Clerk, and Supervisors.

In a recent survey of several towns in New Hampshire, Hanover had one of the lowest pay rates for election officials. Additionally, to ensure that citizens of any financial background may access these public positions, it is key to ensure that the compensation rates are at least updated consistently over time so they don't lose value because of inflation.

Like staff compensation, this may be another area that would benefit from further review to make sure we are best meeting our needs. However, in the meantime, to prevent falling further behind in compensation, we are proposing pay rate increases. Even though the Town Clerk, per RSA 41:25 is the only position that needs its own warrant article at Town Meeting, we would like to help create some more transparency and fairness going forward and propose listing them together here.

The proposed changes are:

- Town Moderator: from \$100 per local election to \$125 per local election, and from \$500 per state election to \$550 per state election.
- Town Clerk: From \$11.51 per hour to \$15 per hour.
- Supervisor of Checklist: From \$11.51 per hour to \$15 per hour

The monies to fund these increases are included in the budget as proposed.

The Selectboard voted 5-0 to support this warrant article at the April 10, 2023 Pre-Town Meeting public hearing.

**Article Thirty-Two:** Capital Improvement Program Committee

State statute requires that a CIP Committee be formed to create and review capital plans if it is not done by the Planning Board. The Planning Board does not do the CIP in Hanover, and in the past, the DPW Director bore the full weight of preparing this plan without broader interaction or support. We would like to create a multi-stakeholder committee that will improve representative feedback/input, alleviate undue burden on this one staff member, and help create more thorough and long-term integrated plans as part of our broader goals of creating a more interactive and open budget process in the following years.

The Selectboard voted 5-0 to support this warrant article at the April 10, 2023 Pre-Town Meeting public hearing.

**Article Thirty-Three:** Other Items

This warrant article allows attendees at Town Meeting to raise any other items for consideration.

## APPENDIX A

### Key Guide:

- Additions of existing text are indicated by ***bold italics***.
- Deletions to existing text are indicated by ~~strickethrough~~.

### Full Text of Article Two, Amendment No. 1

#### **405.6 Institution (I)**

...

B. **Uses:** all uses in the I district, whether permitted or allowed only by special exception, must relate to the uses of the institution having ownership interest in land in the district.

##### Permitted uses:

1. Accessory dwelling unit, pursuant to 702.1
2. Child day care agency
3. Education
4. Governmental use: limited to office, public safety, education, recreation, parking
5. Hospital
6. Medical center
7. Office
8. Place of assembly
9. Recreation, outdoor
10. Residential institution

##### ***11. Student Residence<sup>1</sup>***

12. Warehouse
13. Use accessory to permitted use

##### Uses allowed by special exception:

1. Auto storage
2. Care and treatment of animals
3. Commercial service
4. Communication/tele-communication facility
5. Essential service
6. Forestry
7. Governmental use: limited to service
8. Ground-mounted solar energy system
9. Hotel
10. Institutional dining facility
11. One-family dwelling
12. Two-family dwelling
13. Multi-family dwelling
14. Park and ride facility

15. Parking facility
16. Passenger station
17. Publishing
18. Research laboratory
19. Restaurant
20. Retail sales
21. Sawmill, temporary
22. Structure associated with outdoor recreation
- 23. *Student residence*<sup>2</sup>**
24. Use accessory to special exception

*<sup>1</sup>Use is permitted only for renovation, replacement, or expansion of a student residence existing as of May 9, 2023. Expansion(s) under this category shall be limited to a cumulative increase of less than 35% above the May 9, 2023 building footprint. Applications under this category shall include the lesser of the number of parking spaces existing prior to the renovation, replacement, or expansion of the student residence OR sufficient parking spaces to satisfy the requirements set forth in Article X*

*<sup>2</sup>Use is allowed by special exception for new development and expansions resulting in a 35% or more increase in building footprint.*

...

### **Full Text of Article Three, Amendment No. 2**

#### **Modify Section 715.2(C):**

C. For places of assembly and institutional buildings not more than two signs are permitted, none of which may exceed thirty square feet in area on each of two sides and not located nearer to a street line than one-half the depth of the required front setback.  
*For places of public assembly having frontage and points of entry from more than one public street, two signs for each public street frontage shall be permitted.*

Add Section 715.7

#### ***715.7 Electronic marquees***

*Electronic marquees are an accessory use permitted by special exception in connection with a principal use as a theatre, whereby the use of a marquee to announce programming and events is customarily incidental to such use. Use of an electronic marquee shall be limited to displaying static text or images. Scrolling, flashing or animation effects shall be prohibited. Not more than one electronic marquee shall be permitted per principal use and shall be in addition to the two signs permitted under 715.2 C. The size of the marquee shall comply with the dimensional requirements of Section 715.2 C, except that lawfully existing signs used for this same purpose shall be grandfathered with respect to the dimensional requirements.*

Add to Section 302 the following definitions:

*Electronic marquee: a sign used to announce programming and events for a theater, the contents of which are created by the use of electronic, remote-controlled display.*

*Theater: a building or a portion of a building approved for use for motion pictures, dramatic, operatic, or other artistic or cultural performances, and may include food and beverage concessions.*

Add Theater to Permitted Uses as follows:

**Section 405.2 (B) Downtown (D)**

...

**B. Uses:**

**D-1 Downtown Center district:**

Permitted uses:

1. Accessory dwelling unit, pursuant to Section 702.1
2. Downtown civic
3. Downtown commercial
4. Downtown lodging
5. Downtown residential
6. **Theater**
7. Use accessory to permitted use

Uses allowed by special exception:

1. Auto service station
2. Child day care agency
3. Drive-in facility, other
4. Essential service
5. Parking facility
6. Passenger station
7. Use accessory to special exception

## **D-2 Downtown Edge district:**

### Permitted uses:

1. Accessory dwelling unit, pursuant to Section 702.1
2. Downtown civic
3. Downtown commercial<sup>1</sup>
4. Downtown lodging<sup>1</sup>
5. Downtown residential
6. **Theater**
7. Use accessory to permitted use

### Uses allowed by special exception:

1. Child day care agency
2. Drive-in facility, other
3. Essential service
4. Parking facility
5. Passenger station
6. Use accessory to special exception

<sup>1</sup>Downtown commercial and Downtown lodging and uses accessory thereto are not allowed above the ground floor in any building in this district.

## **Section 405.6 (B) Institution (I)**

...

B. **Uses:** all uses in the I district, whether permitted or allowed only by special exception, must relate to the uses of the institution having ownership interest in land in the district.

### Permitted uses:

1. Accessory dwelling unit, pursuant
2. Child day care agency
3. Education
4. Governmental use: limited to office, public safety, education, recreation, parking

### Uses allowed by special exception:

1. Auto storage
2. Care and treatment of animals
3. Commercial service
4. Communication/tele-communication facility

5. Hospital	5. Essential service
6. Medical center	6. Forestry
7. Office	7. Governmental use: limited to service
8. Place of assembly	8. Ground-mounted solar energy system
9. Recreation, outdoor	9. Hotel
10. Residential institution	10. Institutional dining facility
11. Student Residence <sup>1</sup>	11. One-family dwelling
<b>12. <i>Theater</i></b>	12. Two-family dwelling
13. Warehouse	13. Multi-family dwelling
14. Use accessory to permitted use	14. Park and ride facility
	15. Parking facility
	16. Passenger station
	17. Publishing
	18. Research laboratory
	19. Restaurant
	20. Retail sales
	21. Sawmill, temporary
	22. Structure associated with outdoor recreation
	23. Student residence <sup>2</sup>
	24. Use accessory to special exception

### **Full Text of Article Four, Amendment No. 3**

#### **Amend Article IV, Section 405.13 (C) (5)**

...

(5) Building front wall in build-to area: ~~For every building, there is a requirement that part of the building front wall be constructed in the build-to area. Existing buildings within the front setback are not required to comply with build-to area provisions set forth below. For new building(s) situated frontmost on the lot, there is a requirement that a percentage of the building's front wall, as detailed in the table below, be constructed in the build-to area. Any additional building(s) on the lot situated behind the frontmost building shall be exempt from the requirement of building a front wall in the build-to area.~~ The difference in the distance between the part of the building front wall in the build-to area and the part of the building front wall out of the build-to area must be at least six feet.

Subsection 5 continued next page

**Length of Building Front in Build-to Area**

<b>Building Length</b>	<b>Minimum</b>	<b>Maximum</b>
Less than or equal to 30 feet	75%	100%
Over 30 feet long		
With <u>3 or 4</u> stories in Build-to area	50%	60%
With 3 stories in Build-to area & 4 <sup>th</sup> story not in Build-to area	50%	70%
With 4 stories:		
Entire 1 <sup>st</sup> story in Build-to area;		
No portion of 4 <sup>th</sup> story in Build-to area;	60%	80%
Lengths of 2 <sup>nd</sup> & 3 <sup>rd</sup> stories in Build-to area		

### **Full Text of Article Five, Amendment No. 4**

**Modify the Schedule of minimum requirements for off-street parking spaces as follows:**

#### **1002 Schedule of minimum requirements for off-street parking spaces**

**1002.1 In all districts off-street parking spaces must be provided as follows:**

<b>Use categories</b>	<b>Minimum number of off-street parking spaces required</b>
Accessory dwelling unit	<del>None required</del> + additional parking space
Bed & breakfast	2 for the dwelling unit plus 1 for each bedroom for guests
Downtown civic	1 for each 600 square feet of gross floor area
Downtown commercial	1 for 400 square feet of gross floor area
Downtown lodging	0.75 for each living accommodation
Downtown residential	+ <u>0.5</u> for each dwelling unit
<b><i>Student Residence</i></b>	<del>1 for each 4 beds</del> <b><i>1 for each 8 beds</i></b>
Eating and drinking establishments	1 for 400 square feet of gross floor area plus 1 for every 10 restaurant seats; additional spaces are not required for outdoor seating that does not exceed 50% of the permitted indoor seating.
Institutional dining facility	1 for each 2 persons to be employed in the institutional dining facility
Restaurant in MWD	1 space per business <sup>△</sup>
Fraternities and sororities	<del>1 for each 2 beds</del>
<b><i>Residential buildings for students or personnel of an institution</i></b>	1 for each 4 beds
Funeral homes	1 for each 75 square feet of public floor space
Hospitals, nursing, and convalescent homes	1 per 3 beds and 1 for each 1.5 employees based on the highest expected average employee occupancy

<b>Use categories</b>	<b>Minimum number of off-street parking spaces required</b>
Industrial, manufacturing, storage, wholesale, nursery, kindergarten, elementary and middle schools	1 for each 1.5 employees, based on the highest expected average employee occupancy
Laundromat in MWD	1 space per business
Medical center	1 for each employee
Multi-family in MWD	<p>.5 space per efficiency/studio/one bedroom unit;</p> <p>1 space per two bedroom or larger units; and</p> <p>1 space assigned to a vehicle available for rent from a vehicle sharing service may replace any 4 required spaces</p>
Multi-family, PRD	<p><i>.5 space per efficiency/studio/one bedroom unit;</i></p> <p><i>1 space per two bedroom or larger unit</i></p> <p><i>1 space assigned to a vehicle available for rent from a vehicle sharing service may replace any 4 required spaces</i></p> <p><del>1.5 per dwelling unit for the first bedroom and 0.5 spaces for each additional bedroom with total spaces equaling the next highest full space</del></p>
Neighborhood retail sales in MWD	1 space per business <sup>△</sup>
One-family dwelling unit	2 per unit
Places of assembly, the capacity of which cannot be measured in terms of seats (covered skating rinks, bowling alleys, etc.)	1 for 500 square feet of gross floor area exclusive of storage areas
Property management office in MWD	1 space per business <sup>△</sup>
Retail sales, commercial services, and office	1 for 400 square feet of gross floor area

Retail sales of furniture, automobiles, of nursery stock and such other goods in such use as usually involve extensive display areas in relation to customer traffic	1 for 500 square feet of gross floor area and of display area outside the building
Rooming house, motel, hotel	1 for each living accommodation

<sup>△</sup> This is also the maximum number of spaces that are allowed per business

### **Full Text of Article Six, Amendment No. 5**

Amend definitions found within Section 302 as follows:

#### **accessory use or building**

A building or use subordinate, and ~~or, in light of the general and specific purposes of the ordinance, reasonably incidental and customarily associated with the principal use and building on the same lot.~~ The term “accessory building”, when used in connection with a farm, shall include all buildings customarily used for farm purposes (see Section 707).

#### **downtown residential**

Residential uses in the Downtown district, which include ~~and are limited to one family dwelling, two family dwelling, multi-family dwellings, and multi-family units as part of downtown commercial use.~~

### **Full Text of Article Seven, Amendment No. 6**

Amend Subsection 519.2.1 Rentals as follows:

...

519.2.1 A non-owner-occupied *one-family and two-family dwelling and un-sprinklered multifamily* unit(s) may be rented as a residence for an unrelated family limited to three persons or a related family. No tenant may rent any space to additional roomers.

Add new subsection 519.2.2:

**519.2.2 Fully sprinklered multifamily units may be rented as a residence with a maximum occupancy load of one person per 200 square feet gross floor area. No tenant may rent any space to additional roomers. (Chapters 30 and 31 of NFPA 101)**

## APPENDIX B

### ORDINANCE # 42

### TOWN OF HANOVER

### ORDINANCE OF THE SELECTBOARD ESTABLISHING RENTAL HOUSING ORDINANCE

The Selectboard of the Town of Hanover ordains as follows:

- I. **DECLARATION OF PURPOSE:** the Purpose of this Ordinance is:
  - 1) to establish the minimum standards governing the condition and maintenance of dwelling units offered for rent with the goal of ensuring that they are safe, sanitary, and fit for human habitation,
  - 2) to authorize the inspection of such dwellings and if necessary the condemnation of dwellings unfit for human habitation and citing penalties for violations, and
  - 3) to define certain responsibilities and duties of owners and occupants of such dwellings.
- II. **TITLE:** This Ordinance shall be known and shall be cited as the **“Rental Housing Ordinance of Hanover, New Hampshire.”**
- III. **AUTHORITY:** RSA 48-A:1-13
- IV. **DEFINITIONS:** Any term not specifically defined in this Ordinance shall have the meaning implied by its context in the Ordinance or the ordinarily accepted meaning.

**Responsible Party:** an individual identified as the primary contact for the safe operation of a Unit. The Responsible Party will either be the owner or an individual authorized to act on behalf of the owner.

**Unit:** The following are considered Units for the purposes of this ordinance:

- 1) a “Dwelling Unit(s)” as defined by Town of Hanover Zoning Ordinance Chapter III:

A single room or group of connected rooms constituting a separate and independent housekeeping establishment for occupancy by an individual or a family, physically separated from any other rooms or dwelling units that may be in the same structure and containing independent and dedicated cooking, sanitary, and sleeping facilities, including prefabricated and modular units that meet all pertinent building code standards and excluding housing for transient occupancy such as a motel, hotel, or rooming house.

OR

- 2) An owner-occupied dwelling which is renting a room(s) “without separate cooking

facilities..." as regulated by Town of Hanover Zoning Ordinance Chapter V. Section 519.

**V. APPLICABILITY:** The "Rental Housing Ordinance of Hanover, New Hampshire." shall apply to any rented Unit within the Town.

**VI. OTHER ORDINANCES:** This Ordinance shall not interfere with or annul any ordinance, rule, regulation, permit, or any other more restrictive code. All rental units shall comply with all applicable state, federal and local ordinances, and regulations, including but not limited to the Hanover Zoning Ordinance, the Hanover Site Plan Review Regulations, RSA 48-a, 153-a, and RSA 155-A, which includes, but is not limited to compliance with the State Fire Code.

**VII. CERTIFICATES OF COMPLIANCE:** It shall be unlawful for anyone to rent, or offer for rent, any Unit without a Certificate of Compliance ("COC"), Interim COC, or Transfer Permit.

A. The Hanover Planning, Zoning & Codes Department (the "Department") will use its best efforts to notify all known owners of Units of the COC requirements as set forth in this Ordinance, including the requirement to complete an application for an Interim COC within 30 days of receipt of the notice. An Interim COC will be automatically issued by the Department and be valid until there is a transfer of property or a COC is issued.

The failure of the Department to notify an owner of an applicable property of the COC requirements shall not excuse the owner from complying with this Ordinance.

B. Following the issuance of an Interim COC or receipt of a renewal application, the Department will inspect the Unit including all areas that impact egress and common areas where applicable. Inspections will be based on the following to determine compliance with the provisions of this Ordinance:

1. 2018 NFPA 101, Life Safety Code as amended by Saf-FMO 300
2. 2016 NFPA 211, Standard for Chimneys, Fireplaces, Vents, and Solid Fuel-Burning Appliances
3. 2015 NFPA 720, Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment
4. 2018 International Building Code (IBC) with NH Amendments (IRC Ex)
5. NH RSA 48-A

C. Following the inspections the Department shall:

1. Issue a COC if the Unit complies with all provisions of this Ordinance; or
2. Issue a violation notice if the Unit does not comply with all provisions of this Ordinance. The notice shall list all violations, order their correction, and establish re-inspection requirements and a date for re-inspection.

- D. On or before the date specified in a violation notice, the Responsible Party shall correct all violations. If the Unit complies with all provisions of this Ordinance on re-inspection, a COC shall be issued. If the Unit does not comply with all provisions of this Ordinance on re-inspection, the Department may schedule a subsequent inspection or initiate enforcement action.
- E. The initial and renewal COC will be issued for a period of three (3) years from the date of inspection.

- F. Nine months prior to the expiration of a COC, the Department will notify Responsible Party of the requirement to submit an application to renew their COC. Such application is required to be submitted six months prior to the expiration of a COC.
- G. If the Department does not complete the required compliance inspection prior to the termination date of the existing COC, the existing COC will be extended by the Department by issuing an Interim COC until the required inspection has been completed.
- H. In the case of newly constructed rental property for which a Certificate of Occupancy has been issued, the Certificate of Occupancy will serve as the COC and will be good for three (3) years from the date of issuance.
- I. Upon conveyance of a property, an application for a Transfer Permit shall be made to the Department and shall be signed by all sellers and buyers. A Transfer Permit will be issued by the Department and require no additional inspections.
- J. On the request of Responsible Party, prospective purchasers, real estate brokers, financial institutions, housing agencies, or others with a legitimate interest, the Department will inspect the Unit.
- K. The following fees shall be charged:
  - 1. Application: \$50 per Unit\*
  - 2. Inspection: \$250 per Unit.
  - 3. Reinspection: \$75 per Unit
  - 4. Transfer Permit: \$25 per Unit.\*
  - 5. Replacement of COC \$25.

\*a single application and transfer permit is permissible for each multiple unit site.

## **VIII. ADMINISTRATION AND ENFORCEMENT**

- A. Staff from the Department, or their designees are hereby authorized to enter and inspect the Unit for compliance. Such inspection shall be made at reasonable times with no less than a 24-hour notice to the Responsible Party, who then shall notify the occupant.
- B. In the event that such entry is denied or resisted, the Town of Hanover may seek an Administrative Inspection Warrant or other order from a court of competent jurisdiction for the purpose of making such entry.
- C. The Department and its designees shall exercise the powers necessary or convenient

to carry out the provisions of this Ordinance, including but not limited to the following:

1. To inspect the Unit in order to determine if the Unit is unfit for human habitation.
2. To administer affirmations, examine witnesses, and receive evidence.

D. The Department may determine that a Unit is unfit for human habitation if it finds that conditions exist in the Unit which are unreasonably dangerous or injurious to the health or safety of the occupants of the Unit, the occupants of neighboring dwellings or other residents of Hanover.

Such conditions may include the following:

1. Defects which increase beyond normal the hazards of fire, accident, or other calamities.
2. Lack of adequate ventilation, light, or sanitary facilities.
3. Dilapidation, disrepair, or dangerous structural defects.
4. Uncleanliness.
5. Overcrowding.
6. Inadequate ingress and egress.
7. Inadequate drainage.
8. Any violation of other health, fire, or safety regulations.

(RSA 48-A:7)

E. If the Department determines that a Unit is unfit for human habitation, it shall state in writing its findings of fact in support of such determination and shall issue and cause to be served upon the owner and Responsible Party thereof an order which requires the owner, within the time specified in the order, to repair, alter, or improve such Unit to render it fit for human habitation and/or to vacate the Unit.

F. If, during the term of a COC, a petition is filed with the Department by at least ten residents of Hanover charging that any Unit is unfit for human habitation or if the Department has reason to believe that the Unit is unfit for human habitation, the owner and Responsible Party will be notified of the requirement for a new inspection. Such notice will be delivered by certified mail at least ten days prior to the date of inspection.

G. If an Responsible Party is aggrieved by any order of the Department made pursuant to this Ordinance, they may appeal to the Selectboard. The Selectboard shall hold a public hearing upon the appeal, due notice of the hearing having first been given to the Department and to the Responsible Party.

The Selectboard may affirm or revoke the order of the Department, or it may modify it in accordance with its findings. If it shall affirm or modify the order, the Department shall proceed to enforce the order as affirmed or so modified. If the

Selectboard revokes said order, the proceedings shall be terminated.

Within thirty (30) days after the Selectboard has given the appellant notice of its decision, as provided by this Ordinance, such appellant or any person aggrieved by such decisions may appeal by petition to the superior court. The burden of proof shall be upon the party seeking to set aside any order or decision of the Department to show that the same is unreasonable or unlawful, and all findings of the Department upon all questions of fact properly before it shall be deemed to be prima facie lawful and reasonable; and the order or decision appealed from shall not be set aside or vacated, except for errors of law, unless the court is persuaded by the balance of probabilities, on the evidence before it, that such order or decision is unjust or unreasonable.

H. Where the Department determines that extreme danger or menace to the occupants or the public health exists, the Department may order immediate correction of such condition to be made or, if the circumstances warrant, may order the occupants to vacate the Unit. If any person so notified, neglects or refuses to comply with an order of the Department, the Department may then declare the Unit unfit for human habitation by issuing to the occupants and the Responsible Party a written order to vacate the Unit within such time as the Department may deem reasonable, and a placard prohibiting continued occupancy or re-occupancy may be conspicuously posted on the Unit.

## **IX. RESPONSIBILITIES OF RESPONSIBLE PARTY AND OCCUPANTS**

A. All Units must be registered with the Department and have a valid and current COC or Temporary COC as required in this Rental Housing Code in order to be occupied.

B. No Responsible Party or occupant shall cause any heating, electrical, hot water equipment or utility to be removed, shut off, or discontinued for any occupied Unit except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies.

C. No Responsible Party or occupant shall cause or let a Unit become a Public Nuisance. For purposes of this Ordinance, "public nuisance" shall mean the following:

1. The physical condition or use of any Unit regarded as a public nuisance at common law.
2. Any physical condition, use or occupancy of any Unit or its appurtenances considered an accessible nuisance to children, including, but not limited to abandoned wells, shafts, basements, excavations, and unsafe fences, structures or improperly secured buildings.
3. Any Unit which has unsanitary sewerage or plumbing facilities.
4. Any Unit designated as unsafe for human habitation or use.
5. Any Unit which is manifestly capable of being a fire hazard or is manifestly

unsafe or unsecure as to endanger life, limb, or property.

6. The interior or exterior of any unit which is unsanitary, or which is littered with rubbish, garbage, tires or appliances.
7. Any Unit that is in a state of dilapidation, deterioration, or decay, is in danger of collapse or failure, or is dangerous to anyone in or near the Unit.
8. Any Unit with occupancy exceeding limits for the approved use class as established in the State adopted National Fire Protection Association (NFPA) 101, Life Safety Code. The Responsible Party shall advise the occupant in writing by insertion in the lease between the parties, or otherwise, of the maximum number of occupants permitted in the leased Unit.

D. It will be the responsibility of the Responsible Party to abide by the requirements of the New Hampshire Lead Paint Poisoning Prevention and Control Act (R.S.A. 130-A et seq.)

E. It shall be the duty of every Responsible Party to keep the Unit in good and safe condition and in compliance with all applicable codes and provisions of all applicable state laws, regulations and local ordinances.

F. It shall be the responsibility of every Responsible Party to display a copy of the issued COC in the Unit, along with the following information:

1. The name, mailing address and telephone number of the Responsible Party, who must be available to be reached twenty-four (24) hours per day, seven (7) days per week.
2. Solid waste and recycling protocol.
3. The telephone number to call to register complaints regarding the physical condition of the dwelling unit.
4. Maximum occupancy limit

G. Any person, firm or corporation who violates any provision of this ordinance for which another penalty is not specifically provided shall, upon conviction, be subject to a fine not exceeding the \$1,000.00 per RSA 31:39-d. Each day a violation occurs or continues shall constitute a separate offense.

**EFFECTIVE DATE**

Having held a public hearing, the Selectboard voted to adopt this Ordinance on the \_\_\_\_\_ day of \_\_\_\_\_, 2022, which shall be the effective date hereof.

**IN WITNESS WHEREOF**, a majority of the Selectboard have hereunder set their hands.

**TOWN OF HANOVER SELECTBOARD**

\_\_\_\_\_  
**Chair**

\_\_\_\_\_  
**Vice Chair**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_