

**TOWN OF BEDFORD, NEW HAMPSHIRE
2021 MUNICIPAL WARRANT**

To the inhabitants of the Town of Bedford in the County of Hillsborough in the State of New Hampshire qualified to vote on Town affairs:

You are hereby notified to meet at the Bedford Middle/High School on Tuesday, March 9, 2021 at 7 o'clock in the forenoon to act on the following Articles 1-4. Polls are to close no later than 7:00 pm. Action on Articles 5 and 6 will be held at the Budgetary Town Meeting on Wednesday, March 10, 2021 at 7:00 pm at the Bedford Middle/High School (47 Nashua Road).

Article 1, Election of Town Officers

To elect (3) Town Councilors for three-year terms, (1) Library Trustee for a three-year term, (1) Library Trustee for a two-year term, (1) Trustee of the Trust Funds for a three-year term, (1) Supervisor of the Checklist for a five-year term

Article 2, Zoning Amendments Proposed by the Planning Board

Amendment No. 1

Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Bedford Zoning Ordinance to amend Article VIII, Section 275-62 A(1) and Table 3, Table of Dimensional Standards, as follows:

Deleting "80" in the Maximum Building Height column for properties located on U.S. Route 3 with municipal water and sewer and replacing it with "60" and by deleting "80" in the Maximum Building Height column for properties located on local roads or U.S. Route 3 when private shared access drives are used and replacing it with "60."

[This amendment reduces the maximum height for buildings located in the Performance Zone, on properties with access to water and sewer utilities, from 80 feet to 60 feet.]

Amendment No. 2

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Bedford Zoning Ordinance to amend Article XV, River Corridor Smart Growth District, by deleting the Article XV in its entirety and to amend Article II, Section 275-7, Establishment of Districts and Section 275-8, Location of Districts, to remove the River Corridor Smart Growth District.

[This amendment is intended to repeal Article XV, River Corridor Smart Growth District (RCSGD) from Bedford's Zoning Ordinance because it was never fully enacted by the Planning Board. The RCSGD is an overlay district that was intended to be an optional zoning tool to permit mixed-use development subject to certain design standards. The overlay district includes the entire Performance Zone in Bedford. At this point, the Planning Board would recommend repealing the zoning and reviewing other regulatory tools to guide development in the Performance Zone.]

Zoning Amendments Proposed by Citizen Petition:

Amendment No. 3

Are you in favor of the adoption of Amendment No. 3 as proposed by Citizens' Petition, to amend, Town of Bedford Zoning Ordinance, Article II, Section 275-7 Establishment of Districts, District Names, by deleting the words shown in the strikethrough and adding the words in bold as follows:

Performance Zone PZ - To provide areas for a variety of uses including mixed use, retail, workforce housing, office, medical office, research and development and industrial uses serving both regional and local needs. The PZ provides for flexibility in land use development in exchange for meeting certain site, layout, landscaping, parking and environmental design standards **specified in Article VIII, Performance District Zoning**. Residential uses are not permitted except by approval of a waiver by the Planning Board as noted in **Article III, Section 275-21, Table 2, Table of Uses and Article VIII, Section 275-61, Permitted Uses**. ~~This is an innovation land use control ordinance where the Planning Board serves as the land development review board for all zoning and planning matters with the exception of encroachments into the wetland set back.~~

To amend Article VIII, Performance Zoning District, Section 275-56, Statutory Authority, by adding the words in bold as follows:

§ 275-56. Statutory authority

This Article VIII is enacted by the Town of Bedford pursuant to RSA 674:21, II. This innovative land use control ordinance shall provide for all approvals associated with **Article VIII, “Performance District Zoning”**, including the granting of conditional or special use permits, by the Planning Board, **except for Section 275-61 “Use Regulations”**. Any decision made by the Planning Board under this innovative land use control ordinance may be appealed directly to Superior Court in the same manner provided by statute for appeals from the Planning Board, as set forth in RSA 676:5, III, and RSA 677:15. A waiver process from particular requirements set forth in Article VIII may be employed by the Planning Board where the applicant demonstrates substantial compliance with the standards set forth in Article VIII, Chapter 275-58, Purpose, Subsections A through E. **The Zoning Board of Adjustment shall have the power to authorize upon appeal, a variance from the terms associated with Article III, Section 275-21, “Use Regulations” and Article VIII, Section 275-61 “Permitted Uses” in accordance with RSA 674:33. Any decision made by the Zoning Board of Adjustment under this innovative land use control ordinance may seek a rehearing and appeal the decision to Superior Court as set forth in RSA 677.**

[This amendment is intended to remove the power to grant waivers of the permitted land uses in the Performance Zone (PZ) from the Planning Board and provide this authority to the Zoning Board of Adjustment.]

THE PLANNING BOARD DOES NOT SUPPORT PASSAGE OF THIS AMENDMENT

Article 3. Charter Amendment Proposed by the Town Council

Amendment No. 1

Shall the voters of Bedford approve the charter amendment as shown below? Items to be deleted shown in ~~strikethrough~~ and items to be added shown in **bold**:

Article XI, Section C11-1, Administrative Committees

A. Planning Board.

- (1) Membership. There shall be a Planning Board consisting of ~~nine~~ **seven (7) members** as provided by state statute. Six of these members shall be appointed by the Council for terms of three years, such terms to be staggered.
- (2) Ex officio members. ~~The Town Manager and the Town of Bedford Public Works Director shall serve as ex officio members, and~~ Two (2) Town Council members shall be appointed annually at the Council’s first meeting to serve, respectively, as primary and alternate. These representatives shall have all the rights of membership including the right to hold office.

PURPOSE: *This Amendment would remove the Town Manager and Public Works Director as voting members of the Planning Board making it solely comprised of citizen members. The Town Manager and Public Works Director would attend Planning Board meetings to advise them as needed.*

THE TOWN COUNCIL RECOMMENDS PASSAGE OF THIS ARTICLE

Amendment No. 2

Shall the voters of Bedford approve the charter amendment as shown below? Items to be deleted shown in ~~strikethrough~~ and items to be added shown in **bold**:

Article III, Town Council, Section C3-3, Selection of Chairman and Vice Chairman

The Council shall, by the affirmative vote of at least four of its members, at its first regular meeting in March following each election, choose one of its members Chairman for a term of one year. The Council shall choose one of its members Vice Chairman for a term of one year, who shall act in the absence or disability of the Chairman. In the event of a vacancy occurring in the office of Chairman, the Vice Chairman shall serve out the unexpired term. The Chairman shall be the official head of the Town for all ceremonial purposes; ~~he~~ **and** shall preside at all meetings of the Council and may speak and vote at such meetings.

PURPOSE: *This Amendment would remove the assumption that the Chairman of the Town Council is male*

THE TOWN COUNCIL RECOMMENDS PASSAGE OF THIS ARTICLE

Amendment No. 3

Shall the voters of Bedford approve the charter amendment as shown below? Items to be deleted shown in ~~strike through~~ and items to be added shown in **bold**:

Article III, Town Council, Section C3-4, Qualifications of Councilors

Only voters who at all times during the term of office are and remain residents of the Town shall be eligible to hold the office of Councilor. To be eligible for election to the office of Councilor a candidate must be of voting age and must have been a resident of the Town for at least ~~30~~ **90** days immediately before the election. The Council is the sole judge of qualification for office. The Council shall declare a vacancy in the event that a member is convicted of committing a federal or state crime punishable by imprisonment for more than one year.

PURPOSE: *This Amendment would increase the residency requirement for someone to serve on the Town Council from 30 to 90 days.*

THE TOWN COUNCIL RECOMMENDS PASSAGE OF THIS ARTICLE

Amendment No. 4

Shall the voters of Bedford approve a charter amendment to add a new section as shown below?

Article XI, Administrative and Judicial Boards, Section C11-5, Eligibility

To be eligible for a non-ex officio board or commission appointment the applicant must be a resident of the Town.

PURPOSE: *This Amendment would require that you must be a resident of Bedford to be appointed to an administrative or judicial board.*

THE TOWN COUNCIL RECOMMENDS PASSAGE OF THIS ARTICLE

Article 5. – Capital Reserve Fund-Projects and Equipment

To see if the Town will vote to raise and appropriate \$3,049,050 to be deposited into various Capital Reserve Funds. \$947,050 to come from new taxation, \$2,000,000 to come from Fund Balance Reserves and \$102,000 to come from the Sewer fund.

Assessment/Revaluation Reserve.....	\$15,000
Fire Equipment Reserve.....	45,000
Ambulance Reserve.....	85,000
Fire Engine Reserve.....	10,000
Fire Light Vehicle Reserve.....	37,000
Rec Tractor with Backhoe Reserve.....	4,500
Rec Tractor Heavy Duty Reserve.....	18,200
Rec Skid Steer Reserve.....	8,500
PW Solid Waste Backhoe Reserve.....	18,250
PW Ten Wheel Dump Truck Reserve.....	33,000
PW All Purpose Tractor Reserve.....	27,600
PW Front End Loader Reserve.....	32,000
PW Loader Backhoe Reserve.....	20,625
PW Sweeper Reserve.....	25,000
PW Roadside Mower Reserve.....	40,000
PW Chipper Reserve.....	4,000
PW Grader Reserve.....	3,000
PW Pickup/Utility Truck Reserve.....	25,000
PW One Ton Truck Reserve.....	80,000
PW Sewer Catch Basin Cleaner Reserve.....	12,600
PW Hot Box Reserve.....	3,600
PW Radio Communications Reserve.....	35,000
Facilities Safety Complex Reserve.....	5,000
Facilities Pool Complex Reserve.....	10,000
Facilities Safety Complex Generator Reserve	10,000
Municipal Facility Improvements Reserve.....	15,000
Facilities Transfer Station Improvements Reserve.....	10,000
Facilities Hwy Building Addition Reserve	10,000
Facilities Sand Storage Building Reserve	45,000

Facilities Design/Build	2,000,000
PW Traffic Signal Reserve.....	4,500
IT Infrastructure Reserve.....	14,000
PD Radio Console Reserve.....	63,625
PD Mobile Radios Reserve.....	15,000
PD Communications Network Reserve.....	47,000
PD Weapon Replacement Reserve.....	4,500
PD Taser Equipment Reserve.....	4,500
PD Command Vehicle Reserve.....	13,350
PD Records Management Reserve.....	30,000
Voting Machines (NEW 2021).....	34,200
IT Phone Replacement (NEW 2021).....	15,000
PD Digital Evidence Platform (NEW 2021).....	13,500
SEWER Catch Basin Cleaner Reserve.....	25,500
SEWER System Improvement Reserve.....	67,500
SEWER Light Vehicles Reserve.....	9,000
Total Appropriations for Capital Reserve Deposit.....	\$3,049,050

THE TOWN COUNCIL RECOMMENDS PASSAGE OF THIS ARTICLE.

NOTE: *The specific equipment and projects are identified in the report on the following page and detailed in the Town’s written Capital Improvement Plan. Funding for the Capital Improvement Plan has been appropriated annually and has been included in the recommended budget as a result of estimates made during the budget preparation process. The Town voted in 2004 to establish the Town Council as authorized agents for the purpose of expending the funds. The agents have authorized the Town Manager to expend Funds for approved projects.*

PURPOSE OF TOWN MEETING VOTE: *In accordance with NH RSA 35:3; 35:5, town meeting action is needed to appropriate a specific dollar amount into the Capital Reserve Fund by Town vote.*

Article 6: Town Operating Budget

To see if the Town will vote to raise and appropriate such sums of money for municipal operations in the ensuing year. This article does not include appropriations contained in special or individual articles addressed separately.

General Fund.....	\$30,671,056
Recreation Day Camp.....	83,025
BCTV.....	456,073
Sewer Fund.....	2,262,769
Total Appropriation	\$33,472,923*

RSA 35:5 dictate that capital reserve deposits must be raised and appropriated under a special warrant article. The sum of articles 5 and 6 is \$36,521,973, the total 2021 proposed appropriations.

THE TOWN COUNCIL RECOMMENDS PASSAGE OF THIS ARTICLE.

Give under our hands and seal this 22nd day of February 2021

David Gilbert, Chairman

Denise Ricciardi, Vice Chairwoman