

MASON TOWN MEETING – MARCH 8, 1977

Meeting called to order at 2:00 p.m. by Moderator McCaffery. Town and school warrants read through Article 1. Polls declared open. Preview of new town map on view for corrections, questioned by citizens and land owners before final draft is made. Polls closed at 7:05 p.m. Votes cast, 173 — checklist 404.

Article 1. Elected: Selectman, 3 yrs., Harold Elliott, 150 votes; School Board, 3 yrs., Lin Robinson, 99 votes; School Auditor, 2 yrs., Lawrence Akerman, 116 votes; School Auditor, 2 yrs., Cedric Valentine, 11 votes.

RSA 72:43 b & c covering expanded exemptions on real estate for elderly (65, 75 & over 80) with certain restrictions, Yes 159, No 14.

Town Auditor: Cedric Valentine — Voice Vote.

Cemetery Trustee: Frank Newell — Voice Vote.

Trust Fund Trustee: Robert Marshall — Voice Vote.

Library Trustee: Anna Rowse — Voice Vote.

Article 2. To raise and appropriate \$122,892.00 for town charges 1977. Selectman chairman stated increase 10.9%. Causes — town off. exp., fees paid, employee retirement, Soc. Security. Fire Dept. up 5%, legal cost up \$2,000 from \$700. Discussion established fact that 3 suits were still pending. Farrey case, Police case, Bd. of Adjustment. Question — “Does Town or Selectman Farrey plan to Sue?” Answer — “Town affairs should be settled by the Town.”

Roads — good discussion — more detail desired. Rent and labor, etc. General and operational cost high. Insurance — 8 policies result in delay and guesswork. Moved to delay vote until after all discussion of warrant money articles. Lost. Question moved. Passed. Voted to appropriate and raise \$122,492.00 for 1977 budget.

Article 3. Selectmen and Treasurer authorized to borrow money in anticipation of taxes.

Article 4. Chairman Elliott submitted another motion: To see if the Town will vote to appropriate the sum of \$1,900.00 for the purchase from Robert H. Whitaker of a certain tract of land situated on the southerly side of Depot Rd. in said Mason, N. H., containing approximately 2 acres more or less and adjoining land presently of the Mason Volunteer Fire Dept., authorizing the withdrawal of \$1,500.00 for this purpose from the Revenue Sharing fund established under the provisions of the State and Local Assistance Act of 1972 and raising \$400 by taxation. Such lot to be conveyed to the Town upon the following conditions:

(1) Reserving to Robert H. Whitaker, his heirs and assigns, a right-of-way 50 feet wide from Depot Rd. to other land of Robert H. Whitaker.

(2) Reserving to Robert H. Whitaker, his heirs and assigns, for a period of 5 years from the date of the deed, such cordwood, logs and

timber upon the premises as may be cut by the Town in the course of developing and using said land, such cordwood to be cut in 4 foot lengths and logs and timber in suitable lengths for milling. Such cordwood, logs and timber shall be given free to Robert H. Whitaker. Trucking arrangements shall be made by Mr. Whitaker at his expense. The Town shall not be liable for the cost of milling.

(3) The Town shall be responsible for obtaining such subdivision approval as may be required and for all costs and expenses relative thereto, including the cost of surveying the land to be conveyed.

Discussion loud and active. Should not be in business of cutting and lumbering wood for 5 years. Elliott showed and explained map. Rowse stated approval by Financial Bd. Lot of fill required? Fire Dept. owns 1 acre of land — not the town. Land survey to support building being made? No! Question of right-of-way-Town will own land eventually. Question moved — passed. Vote on substitute motion \$1,900.00 passed with 75%.

Article 5. Voted in affirmative to use Revenue Sharing funds as outlined. "If and when Vol. Fire Dept. becomes defunct all property becomes Town property." Quote by Fire Dept. official. Is dept. audited? No.

Article 6. Voted to appropriate \$1,000.00 Revenue Sharing money to cover cost of surveying Town owned land, now or later.

Article 7. Moved to appropriate \$4,162.00 for police cruiser. \$2,070.00 from Capital Reserve Fund, \$2,092.00 from taxation. Passed. Trade value? Total cost \$5,127.00.

Article 8. Purchasing highway equipment (\$1,000.00) as outlined in Article 8 was moved, seconded and passed.

Article 9. Recreation area article. Why spend money if land not owned? No money until Town holds clear and undisputed title to land. Article amended as follows: To see if the Town will vote to raise and appropriate the sum of \$2,000.00 by taxation to develop, improve and equip the town recreation area; subject to the Town receiving clear title to the Baldwin Lot. Use of money? Level, cultivate and seed. Open to public. Question moved and passed. Estimated time to clear title, 90 days. Question voted and passed.

Article 10. \$3,000.00 voted for Town Library & Town Officers Bldg. from Revenue Sharing and to appoint Bldg. Committee as agents to carry out purpose as expressed in article as amended: To see if the Town will vote to raise and appropriate the sum of \$3,000.00 for the purpose of constructing and equipping a building or buildings to house the Town Library and the Town Offices and authorize the withdrawal of that sum for this purpose from the Revenue Sharing Fund established under the provisions of the State and Local Assistance Act of 1972: to place said sum in a Capital Reserve Fund established for the purpose herein stated, and to appoint the Library and Town

Office Building Committee as the agents to carry out the purposes of this Fund with authority to withdraw a sum not to exceed \$3,000 for the above stated purpose.

Article 11. Voted and passed to pay \$5,000.00 Fire Truck Note — Revenue Sharing.

Article 12. Voted and passed to pay \$3,000 Dump Truck Note — Revenue Sharing.

Article 13. Moved and passed for purchase of window drapes and shades for Town Hall, \$340.00.

Article 14. Voted and passed acceptance of and appreciation for gift of land by James and Anna Rowse.

Article 15. Voted and passed acceptance of and appreciation for gift of land by Carl Hageman and Howard and Barbara Cumback.

Article 16. Voted and passed acceptance of and appreciation for furnishings and money (approx. \$400) by Fruitdale Grange.

Article 17. Voted and passed — Selectmen need authority to accept.

Article 18. Town voted and passed to change name and purpose of "Cemetery Land Purchase Fund" to "Cemetery Land Improvement Fund." (\$1,270.81)

Article 19. Discontinuing Old Brookline Rd. tabled.

Motion by James Rowse for a show of appreciation for the 25 years of service that the Town Clerk has given to the Town. Passed by a standing vote.

Motion to adjourn was moved, seconded and passed at 11:25 p.m.

CHARLES F. H. CRATHERN, Town Clerk

Special Town Meeting — September 13, 1977

To see if the Town will vote to adopt the amendments to the Zoning ordinance for the Town of Mason as suggested in the Superior Court action in the case of Richard Berke et. al. vs Town of Mason, Michael Farrey, Intervenor.

Meeting called to order by Moderator McCaffery at 12:00. Warrant read. 369 on check list. Polls declared open. Slow dreary afternoon. Polls closed 8:00 p.m. Votes cast 166 - Votes counted.

Affirmative 112
Meeting Adjourned 8:15.

Negative 54

CHARLES F. H. CRATHERN
Town Clerk

Amend Article V, Section A4 by deleting the entire section and substituting the following: Uses by Special Exception as outlined in Article VIII, Section A2.

Add to Article VIII, Section A the following:

2. Special Exceptions: The following uses may be permitted as special exceptions in the districts designated, subject to the satisfaction of the requirements and standards set forth herein in addition to all other requirements and standards of this Ordinance. The Board of Adjustment shall have the power to grant special exceptions after due notice and hearing, and each case shall be deemed to be unique and shall be considered individually.

a. Uses Permitted by Special Exception in the Historic Preservation District: church, school and municipal facility.

b. Uses Permitted by Special Exception in the Village Residential District: any use permitted in the Historic Preservation District plus inn, motel, tourist home or lodging house (including such retail business within these permitted buildings as are conducted exclusively for the convenience of the residents or guests), retail store or service establishment (the principal activities of which shall be the offering within the building or on the premises of goods or services at retail for the use or consumption within the building or off the premises), restaurant, a business or professional office, bank, indoor live theatre or hall, health care facility.

c. Uses Permitted by Special Exception in the General Residential, Agricultural and Forestry District: any use permitted in the Village Residential District plus light manufacturing enterprise, automobile repair shop, service station, recycling center, office building, public utilities (e.g. telephone exchange, transformer station and pumping station).

d. Standards

(A) Before such approval shall be given, the Board of Adjustment shall determine:

1. that the use will be in harmony with and promote the general purposes and intent of this ordinance;

2. that the safety, the health, the welfare and the order of the Town will not be adversely affected by the proposed use and its location;
 3. that the use will not prevent the orderly and reasonable use of permitted or legally established uses in the district wherein the proposed use is to be located or of permitted or legally established uses in adjacent use districts; and,
 4. that the use will not prevent the orderly and reasonable use of adjacent properties or of properties in adjacent use districts.
- (B) In making a decision, the Board of Adjustment shall determine:
1. that the intent of the preamble is upheld;
 2. the character of the existing and probable development of uses in the district, and the peculiar suitability of such district for the location of any of such permissive uses;
 3. that the most appropriate use of the land is encouraged and that there will be no devaluation of surrounding properties;
 4. that the location of the proposed use will not overburden the public streets or highways;
 5. that there will be adequately surfaced space for purposes of off-street parking of vehicles incidental to the use, and whether such space is reasonably adequate and appropriate and can be furnished by the owner of the plot sought to be used within or adjacent to the plot wherein the use shall be had;
 6. that there will be adequate and proper facilities for the treatment, removal or discharge of sewage, refuse or other effluent (whether liquid, solid, gaseous or otherwise) that may be caused or created by or as a result of the use;
 7. that the use or materials incidental thereto, or produced thereby, will not give off obnoxious gases, odors, smoke or soot;
 8. that the use will not cause excessive emission of electrical discharges, dust, light, vibration or noise;
 9. that no hazard to life, limb or property because of fire, flood, erosion or panic will be created by reason of, or as a result of the use, or by the structures to be used therefore, or by the inaccessibility of the property or structures thereon for the convenience of entry and operation of fire and other emergency apparatus or by the undue concentration or assemblage of persons upon such plot;
 10. that the use, or the structures to be used therefore, will not cause an overcrowding of land or undue concentration of population;
 11. that the plot area is sufficient, appropriate and adequate for the use and the reasonably anticipated operation and expansion thereof;
 12. that the use to be operated is not unreasonably near to a church, school, theatre, recreational area or other place of public assembly; and,
 13. that the use will be adequately landscaped, including greenbelts and or setbacks as necessary to preserve the rural charm.

Amend Article XIII, Section A 12 (Definitions) by substituting for the definition of Public Hearing the following: a hearing as defined by New Hampshire Revised Statutes Annotated, 1955, Chapter 31, Article 71, and as amended.

Amend Article XIII by deleting Section A 19 and substituting the following: Inn, Motel, Tourist Home or Lodging House - a building, or portion thereof, or a group of buildings on a single lot, intended to be used for temporary accommodation, consisting of not more than six (6) lodging units, with or without meals and which major provision for cooking may be made in a central kitchen, but may not be in the individual rooms or suites.

Amend Article XIII by deleting Section A 20 and substituting the following: Rooming or Boarding House - a building or premises, other than an inn, motel, tourist court or lodging house, where rooms are let and where meals may be regularly served by prearrangement for compensation; not open to transient guests, in contrast to restaurants and tourist homes, which are open to transients.

Amend Article XIII by adding Section A 24: Service Station - a structure or lot used for the sale of gasoline and minor servicing. No storage beyond seventy two (72) hours of such motor vehicles on the premises other than those in process or awaiting repair or pickup after repair.

Amend Article XIII by adding Section A 25: Auto Repair Shop - a shop or garage for major repair of motor vehicles and sale of gasoline. All vehicles in storage shall be screened from public view.

Amend Article XIII by adding Section A 26: Store - an establishment where merchandise is sold.

Amend Article XIII by adding Section A 27: Establishment - a place of business together with its employees, merchandise, etc.

Amend Article XIII by adding Section A 28: Recycling Center - a structure or area, singular or in combination, devoted to the collection, packaging and dispersal of refuse (excluding garbage). It must be enclosed by a fence not less than ten (10) feet high, surrounded by a natural buffer zone not less than two hundred (200) feet in depth on all sides and situated on a minimum ten (10) acre site. The operating equipment shall not exceed the height of the buffer zone.

Amend Article XIII by adding Section A 29: Light Manufacturing Enterprise - A facility limited to six (6) employees, not greater than 2,500 enclosed square feet, subject to all aforementioned standards; e.g. noise, pollution, waste generation.

THE PLANNING BOARD

Raymond B. Parker, Chairman