



Meeting Minutes
Work Session
North Hampton Planning Board
Tuesday, June 21, 2016 at 6:30pm
Town Hall, 231 Atlantic Avenue

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9 These minutes were prepared as a reasonable summary of the essential content of this meeting, not as a
10 transcription.

11

12 **In attendance:** Tim Harned, Chair; Nancy Monaghan, Vice Chair; Members Dan Derby, Phil Wilson (via
13 phone connection), Josh Jeffrey, Terry Belluche, and Jim Maggiore, Select Board Representative; Jennifer
14 Rowden, RPC Circuit Rider; Rick Milner, Recording Secretary; and Nancy-Jane Luff, Sign Ordinance ad hoc
15 Committee citizen member.

16

17 Vice Chair Monaghan called the meeting to order at 6:33 pm.

18

19 **I. New Business**

20 **1. Committee Updates**

21 **a. Long Range Planning (LRP)** – Town-wide survey questions

22 Mr. Derby stated that the LRP will be meeting in the coming weeks to finalize a plan for launching the
23 Town-wide survey based on recommendations made by the entire Board at the last work session.

24 **b. Application Review Committee (ARC)** – No report.

25 **c. Rules and Regulations/Procedures** – No report.

26 **d. Sign Ordinance ad hoc Committee** – No report. Proposed Sign Ordinance revisions will be discussed
27 later in this meeting.

28 **e. Capital Improvement Plan (CIP)** – First proposed meeting in July.

29 **f. Economic Development Committee** –No report.

30 **g. Select Board** – Mr. Maggiore stated that preliminary discussions regarding a proposed cell tower on
31 Sagamore Golf property near corner of North Road and Lafayette Road have occurred with various Town
32 entities. He stated that a site plan should be submitted to the Planning Board when preliminary
33 preparations are complete.

34 **h. RPC Circuit Rider** – No report.

35

36 Ms. Monaghan asked for a Board consensus that Mr. Wilson be allowed to join the meeting by phone
37 connection. The Board came to a consensus without objection to allow Mr. Wilson to join the meeting
38 by phone connection at 6:39 pm.

39

40 **II. Other Business**

41 **1. Town of North Hampton, NH** review of 2017 zoning ordinance amendment proposals.

42 Ms. Monaghan presented the proposed revisions to the sign ordinance section of the zoning ordinance
43 to the Board. Revisions attached as Appendix A to these minutes.

44 Ms. Rowden explained that the revisions were necessitated by the Supreme Court's decision stating that
45 the content of signs cannot be regulated unless the content is deemed obscene. The manner in which
46 signs are displayed such as time, place, size, and lighting may be regulated. Ms. Rowden stated that the
47 proposed sign ordinance revisions meet the tests established by the Supreme Court decision. She
48 suggested that Town Counsel review the proposed revisions prior to the revisions being submitted for
49 inclusion on the town ballot.

50

51 Ms. Monaghan stated that the Sign Ordinance ad hoc Committee decided that revising the entire sign
52 ordinance, rather than smaller specific sections, would be the most effective way to bring the ordinance
53 into compliance with the Supreme Court decision and stay true to the vision chapter of the Town of
54 North Hampton Master Plan.

55

56 Ms. Monaghan further stated that the sign committee decided to retain the current zoning ordinance
57 ban regarding internally lit signs in the new sign ordinance proposal. She also noted the following
58 substantive changes within the new sign ordinance proposal:

- 59 a. The size of wall signs for businesses was increased from 12 square feet to 24 square feet.
- 60 b. Temporary signs for businesses have been reclassified. Permits will not be required for business
61 temporary signs in the future.
- 62 c. No regulation of temporary signs on residential properties. No permits required for temporary
63 signs on residential properties.
- 64 d. A table of key sign regulations has been created by Mr. Wilson to provide an easy reference tool
65 for the proposed sign ordinance.

66

67 Ms. Rowden suggested that the proposed sign ordinance reference table be included in the version of
68 the sign ordinance proposed for the town ballot.

69

70 The Board engaged in a discussion regarding the appropriate language to define and refer to dark sky
71 standards and internally lit signs.

72

73 Mr. Belluche questioned the provision prohibiting the use of excessively bright colors stated in the sign
74 ordinance. He stated that it did not seem fair that national chain businesses are allowed to use bright
75 colors in their signs but local businesses are not allowed the same right.

76

77 Mr. Maggiore left the meeting at 7:35 pm.

78

79 Ms. Luff explained the perspective of local business owners concerning the sign ordinance. She stated
80 that businesses are desperate to be seen and recognized along a busy driving corridor. Since there are
81 not a lot of walkable areas along the Route 1 corridor, business owners seek sign regulations which
82 allow increased visibility of their businesses in order to be recognized by vehicle traffic moving through
83 the area.

84

85 Mr. Wilson and Ms. Luff left the meeting at 8:03 pm.

86

87 **2. Town of North Hampton, NH** review of 2017 zoning ordinance amendment proposals.

88 Mr. Jeffrey presented a draft of a proposed Senior Services and Facilities Ordinance for inclusion in the
89 zoning ordinance. Proposed ordinance attached as Appendix B to these minutes.

90

91 The proposal included the following items:

- 92 a. Definitions for the three types of elderly care facilities – Assisted Living, Nursing Facility, and
- 93 Senior (Elder) Day Care Facility (Center)
- 94 b. Senior Services and Facilities use would be allowed only in the I-B/R District and only after the
- 95 issuance of a conditional use permit by the Planning Board
- 96 c. Site plan or change of use review to determine adequate soil for septic, need for septic reserve
- 97 area, site drainage, parking, etc.
- 98 d. Dimensional requirements of the I-B/R District will apply to this type of use

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100 Mr. Jeffrey stressed the importance of including the reserve septic leach field requirement in the
101 ordinance for this type of facility. Elderly care facilities must have adequate septic plans in place in case
102 the constructed leach field fails.

103

104 Ms. Rowden suggested that the adult day care type of facility should be allowed as a permitted use
105 instead of being required to obtain conditional use permit approval. This type of facility is similar to a
106 group day care facility which is listed as a permitted use in the zoning ordinance.

107

108 The Board came to a consensus without objection to move adult day care facilities out of the conditional
109 use permit list and into the permitted uses list.

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111 **3. Town of North Hampton, NH** review of 2017 zoning ordinance amendment proposals.

112 Mr. Milner presented proposed zoning amendments to clarify - the intention of Section 406.5, definition
113 of a lot, dumping restrictions, and security for removal of cell towers and small wind towers. Revisions
114 attached as Appendix C to these minutes.

115

116 **4. Town of North Hampton, NH** discussion of Chair and Vice Chair agenda review subcommittee
117 proposal.

118 Mr. Harned proposed for the Board's approval the establishment of a subcommittee made up of the
119 Chair and Vice Chair in order to prepare for a Planning Board meeting in a publicly noticed setting
120 without discussing the merits of a particular case. The goal of the subcommittee would be to make sure
121 all ordinances and regulations are addressed at the meeting and organize the meeting structure to
122 ensure an orderly running of a meeting.

123

124 Ms. Rowden suggested that the Board require an Application Review Committee meeting for all site
125 plans and other more involved applications.

126

127 Mr. Derby suggested that, rather than establishing a new subcommittee, the Application Review
128 Committee could expand its role to include the issues presented by Mr. Harned.

129

130 Mr. Harned stated that the meeting organization issues are not similar to the planning issues which the
131 Application Review Committee traditionally discusses. The Chair and Vice Chair would simply be looking
132 to organize meeting issues to provide an orderly structure for a meeting in advance of the meeting.

133

134 The Board came to a consensus without objection to wait for the entire Board to be in attendance at a
135 later meeting before deciding to approve the establishment of the Chair and Vice Chair's subcommittee.

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137

138 **5. Minutes.**

139 Ms. Monaghan presented the minutes of the June 7, 2016 Planning Board meeting.

140 **Mr. Belluche moved that the Planning Board accept the minutes of the June 7, 2016 Planning Board**
141 **meeting as written. Second by Mr. Derby. The vote was 4-0-1 in favor of the motion with Mr. Harned**
142 **abstaining.**

143

144 The meeting was adjourned at 9:15 pm without objection.

145

146 Respectfully submitted,

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148

149

150 Rick Milner

151 Recording Secretary

APPENDIX A

Section 506 Signs

506.1 Purpose: Signs perform important functions essential for public safety and general welfare, including communicating messages, providing information about goods and services, and orienting and directing people. Because of potential detrimental impacts, the time, place and manner of signage must be regulated to:

- a. Prevent hazards to vehicular and pedestrian traffic,
- b. Enhance the visual quality and aesthetics of the Route 1 corridor as stated in the first principle in the Vision Statement of the town's Master Plan, which was developed from the results of multiple resident surveys;
- c. Protect and enhance the historic, scenic character of the Town of North Hampton as stated in the town's Master Plan,
- d. Provide easy recognition and legibility of permitted signs and uses and promote visual order and clarity on streets, and
- e. Protect property values and private/public investments in property and support businesses with effective, efficient opportunities for communication by reducing competing demands for visual attention.

506.2 Definitions

a. Sign. An object, including a structure, movable object, wall or image displaying any message visible to the public. Notices legally placed on public property and removed on a daily basis are not considered Signs. Letters individually painted on or attached to a face of a building that identify only the address of the occupant are not considered a Sign.

b. Abandoned Sign. Any Sign that:

1. Does not display a well-maintained message for 120 consecutive days,
2. The owner of which cannot be located after reasonable efforts are made,
3. No longer is fully supported for 120 consecutive days by the structure designed to support the sign, or
4. No longer advertises a bona fide business.

c. Conditional Use. A use that, because of special needs or characteristics, may be allowed only after the Planning Board reviews and approves an application for a Conditional Use permit for that sign.

d. Electronic Message Board. A Sign with a display/message composed of a series of lights that may be changed through electronic means.

e. Feather Flag. A lightweight portable Sign resembling a sail mounted on a pole.

f. Ground Sign. A Sign supported by one or more uprights, poles, pylons or foundation elements in or upon the ground and not attached to a building.

g. Inflatable Advertising Device. An air- or helium-filled structure intended to draw attention to a particular business.

h. Materially Altered. Any change in structure, location, lighting, dimensions, shape, proportions or construction materials for the supporting structure.

i. Monument Sign. A freestanding Sign supported primarily by an internal structure or integrated into landscaping or other solid structural features other than supporting poles.

j. Movable Sign. Any Sign (1) on any vehicle or object that moves on wheels or any other device or (2) that can be moved by picking it up and carrying it to another location.

k. Pole or Pylon Sign. A type of Ground Sign that is supported by or suspended from free-standing column(s). Such Signs shall meet all standards for Ground Signs.

l. Sandwich Board Sign. An A-frame style Sign, temporary and portable, having two sides and no more than six square feet in total surface area per side.

m. Temporary Sign. Any Sign not permanently affixed to the ground or a structure. If the Sign display area is permanent but the message displayed is subject to periodic manual changes, that Sign shall not be regarded as a Temporary Sign.

n. Wall Sign. A Sign attached to, painted upon, placed against, or supported by the exterior surface of any building.

o. Window Sign. A Sign affixed to the interior or exterior of a window or placed immediately behind a windowpane so as to attract attention from outside the building.

506.3 General Provisions: Signs shall be permitted as designated below or in other portions of the ordinance but all Signs shall be subject to the following regulations:

a. No Sign shall be placed in a manner that will endanger traffic by obscuring sightlines, by confusion with safety and directional signs, by glare, or in the state or town right of way.

b. No Sign with flashing electric lights or movement shall be permitted.

c. No internally lit Sign shall be permitted in any district. Illuminated Signs shall be lit by steady, white light through the use of full cutoff fixtures and top-down lighting.

d. Unless used to identify public safety facilities, illuminated Signs shall be turned off when the business or facility is closed.

e. No Sign using an electronic message board shall be permitted.

f. No Sign that does not comply with Section 515 – Outdoor Lighting (the Town’s Dark Sky Standard) shall be permitted.

g. No Sign with excessively bright colors shall be permitted. All Sign colors shall be muted and unobtrusive.

h. Businesses shall be permitted to post Signs only on the lot upon which they operate.

i. Feather Flags of any design, including the American or any other official flag, shall not be permitted, nor shall an array of any such flags.

j. Movable Signs such as those on wheels or vehicles shall not be permitted. Signs on a vehicle or trailer located for the purpose of advertising the business on site shall not be permitted. The only Movable Signs permitted are those in Section 506.5(c).

k. Signs erected, constructed or maintained upon or which project above the roofline shall not be permitted.

l. Inflatable Advertising Devices of any kind shall not be permitted. Individual balloons or a group of balloons are allowed if when inflated they have a dimension no greater than two feet collectively and are placed at a height no greater than 12 feet above ground level so long as said balloons do not become a safety hazard by obstructing the view of motorists. Such balloons may not be displayed longer than seven days.

m. All Signs authorized and/or regulated by federal, state or local law shall be exempt from this ordinance.

n. Warning Signs and traffic control Signs intended to protect the public health and safety are exempt from this ordinance so long as the number and placement are reasonable.

o. No trespassing Signs may be posted pursuant to RSA 635:4 and shall not exceed one square foot in size.

p. A Sign designed to display the address of the parcel is not considered a Sign within the definition in this ordinance.

q. Mixed-use lots shall be entitled to signage based on the zone in which the conforming frontage lies.

r. Lots that cross zoning districts shall be entitled to signage applicable to each district in which conforming street frontage lies, and these lots shall be restricted to residential use signage only on conforming residential frontage and to commercial signage only on conforming commercial frontage.

506.4 Residential Lots in All Districts: Each parcel shall be entitled to one permanent Sign not to exceed four square feet to be (1) placed on the front of any building or structure, (2) attached to a post not to exceed four feet in height, or (3) placed on the ground.

506.5 Commercial Lots in the Industrial-Business/Residential (“I-B/R”) District: Each business shall be entitled to:

a. **One Wall Sign** per storefront not to exceed 24 square feet,

b. **Window signage** not to exceed 50% of total window space,

c. **Two Movable Signs:** One sandwich board, not to exceed six square feet, and/or one flag (except a Feather Flag, which is not permitted), not to exceed nine square feet. Movable Signs must be taken in when the business is closed.

d. **One Temporary Sign**, for example, a banner, not to exceed 30 square feet, to be displayed for a maximum of 30 days. These Signs are limited to one per year.

e. **One additional Temporary Sign** not to exceed six square feet (or two additional temporary signs not to exceed three square feet each) is allowed for any property that is for sale or rent or under construction. These signs are permitted for 180 days.

f. **One Ground Sign** per lot which may be either:

i. A Pole or a Pylon Sign, not to exceed 32 square feet, which shall be no greater than 12 feet nor less than six feet in height as measured from the top of the Sign, or

ii. A Monument Sign, not to exceed 60 square feet, which shall be no greater than 10 feet in height as measured from the top of the Sign, including the base, and shall be located at least 10 feet back from the property line. The maximum Sign size of 60 square feet does not include the structural support. The structural support may not be larger than 50% of the Sign. The width of the Sign shall not be greater than the width of the base. The base shall be on the ground, and the top of the base shall be no more than 12 inches above the adjacent grade.

iii. If the commercial lot is a multitenant facility, it shall be entitled to only one multitenant Sign (as defined in (i) and (ii) above) for the entire parcel. This Sign shall be either a Pole or a Pylon Sign not to exceed 32 square feet, or a Monument Sign, not to exceed 60 square feet, for a listing of all the businesses on that lot.

506.6 Businesses outside the I-B/R District shall comply with the provisions of Section 506.4.

506.7 Change of Tenant

A proposed Ground, Monument, Pole, Pylon or Wall Sign that is a material alteration of an existing Sign shall require either approval of (1) the Building Inspector if the proposed Sign fully conforms to the provisions of this ordinance or (2) the Planning Board if the proposed Sign requires a waiver from any section of this ordinance. A new tenant's re-use of the same supporting structure and replacement with a new Sign of the same dimensions, construction materials, location, lighting or form shall not be considered materially altered.

506.8 Conditional Use Permit, Waivers and Appeals

The Building Inspector may approve permits for all Sign applications that fully comply with this ordinance.

a. Applications for a Sign permit shall include dimensions, lighting and a photograph or to-scale rendering of the proposed Sign. Records of approved permits with the application documents shall be submitted monthly to the Planning Board.

b. Any proposed Sign that does not fully comply with this ordinance shall require the issuance of a Conditional Use permit by the Planning Board as authorized in RSA 674:21.

i. As part of the Conditional Use permitting process, applicants shall submit waiver requests for noncompliant Sign characteristics they believe are necessary to satisfy their needs.

ii. No waiver shall be approved unless a majority of Planning Board members present and voting shall find that all of the following apply:

- (1) It will not be detrimental to the public safety, health or welfare or injurious to other property nor contrary to the public interest.
- (2) Approving the waiver will substantially secure the objectives, standards and requirements of this sign ordinance.
- (3) A particular and identifiable hardship exists with respect to the applicant's premises or property that indicates the waiver should be approved.

iii. The Planning Board reserves the right to approve applications for waivers as presented or with conditions the Board deems necessary.

c. Any person aggrieved by a Planning Board decision on a Conditional Use permit may appeal to the Superior Court as provided in RSA 677:15. These decisions cannot be appealed to the Zoning Board of Adjustment (RSA 676:5.III).

506.9 Inspection, Compliance, Notice

The Code Enforcement Officer shall enforce compliance with this ordinance. The Code Enforcement Officer, upon finding any Sign not in compliance with this ordinance or one that is abandoned, unsafe or in disrepair, shall immediately notify the owner to correct the improper condition. Anyone violating any provision of the zoning ordinance shall be subject to a fine as authorized by RSA 676:17 and may also be subject to other enforcement procedures as authorized by RSA 676. If the town prevails in any legal

action brought to enforce this ordinance by way of injunctive relief or to seek the payment of any fine per RSA 676:17, the Town shall recover its costs and reasonable attorney's fees.

506.10 Nonconforming structure. All legally existing Signs that did not conform to the provisions of this ordinance on March 7, 2017, shall be considered nonconforming.

506.11 Conflict. When the regulations of this ordinance differ from those prescribed by statute, ordinance or other regulation, that provision that imposes the greater restriction or the higher standard shall govern.

506.12 Invalidity. The invalidity of any section or provision of this ordinance shall not invalidate any other section or provision thereof.

506.13 Message Substitution. The owner of any sign that is allowed under this ordinance may substitute noncommercial copy in lieu of any other commercial or noncommercial copy.

506.14 Permits Required

All permanent Signs regulated by this ordinance shall require a Sign permit issued by the Code Enforcement Officer. Applications for a permit are available at the Town Offices, 233 Atlantic Avenue, Second Floor. The Code Enforcement Officer shall promptly process the permit application and approve or reject it and notify the applicant of the approval or the deficiencies in the application. Any application that complies with all provisions of this ordinance shall be approved.

pbsignnewordinance

12th draft 5-5-16

302. Definitions

36. Seasonal sign *Remove this section, we no longer have seasonal signs*

37. Sign *Remove this section from 1973, and replace with the definition of Sign in the sign ordinance as follows:*

37. Sign. An object, including a structure, movable object, wall or image displaying any message visible to the public. Notices legally placed on public property and removed on a daily basis are not considered Signs. Letters individually painted on or attached to a face of a building that identify only the address of the occupant are not considered a Sign.

416.5 Signage

A. Signage shall comply in all respects with all ordinances, codes or regulations governing signs, except that notwithstanding any other Town of North Hampton ordinance, code or regulation to the contrary, it shall be un lawful for the operator of any Sexually Oriented Business or any other person to erect, construct or maintain any Sign for the Sexually Oriented Business other than the one primary sign and one secondary sign, as provided herein.

B. *Replace the existing section with the following:*

B. No sign containing obscene material shall be permitted. Material is “obscene” if, considered as a whole, to the average person:

1. When applying the contemporary standards of the county within which the obscenity offense was committed, the predominant appeal is to the prurient interest in sex, that is, an interest in lewdness or lascivious thoughts,

2. It depicts or describes sexual conduct in a manner so explicit as to be patently offensive, and

3. It lacks serious literary, artistic, political or scientific value.

508.5.E.5 Farm Stand Signage

Existing language:

Farm stand signage shall comply with North Hampton Zoning Ordinance Section 506.6M Seasonal Sign but is exempt from the one-month time frame limitation. Signs that advertise harvested products or agricultural events or activities may be displayed as long as the products are available for purchase or the events or activities are in current occurrence.

Proposed change:

508.5.E.5 Agricultural Signage

Agricultural signage shall comply with North Hampton Zoning Ordinance Section 506.4 if displayed on residential lots or Section 506.5 if displayed on commercial lots.

Sign Regulations for R1 & R2 Districts

Internally illuminated signs are prohibited in all districts.

Sign Type	Maximum Number	Maximum Size per Sign	Duration	Other Restrictions
Permanent Sign*	One per lot	Four square feet	No limit	Placed on the front of a building or structure, on a post not to exceed four feet in height, or on the ground.

*** A permit is required.**

Sign Regulations for the I-B/R District

Internally illuminated signs are prohibited in all districts.

Sign Type	Maximum Number	Maximum Size per Sign	Duration	Other Restrictions
Wall Sign*	One per storefront	24 square feet	No limit	
Window Signage*	No limit	Not to exceed 50% of total window area in aggregate	No limit	
Movable Signs	Two per storefront (sandwich board and/or flag)	Sandwich board - six square feet	Movable signs must be taken in when the business is closed.	"Flag" does not include "Feather Flag."
		Flag - nine square feet		
Temporary Signs	One per storefront	30 square feet	30 days	No more than one sign per year, per storefront.
	On a lot for sale or with property for rent or which is under construction, EITHER	One sign not to exceed six square feet, OR Two signs not to exceed three square feet each	180 days	
Ground Signs*	Either one Pole Sign* or one Monument Sign* per lot	Pole Sign - 32 square feet & six-12 feet in height	No limit	The total area of structural support may not exceed 50% of the area of the sign. Width of the sign shall not exceed the width of the base. The base of the sign shall be on the ground, and its top shall be no more than 12 inches above the adjacent grade.
		Monument Sign - 60 square feet & no greater than 10 feet in height	No limit	

*** A permit is required.**

APPENDIX B

1 North Hampton NH – “Adult and Senior Services or Facilities” Ordinance Proposal - Draft:

8 Section 518 “Adult and Senior Services or Facilities”

9 518.1 Purpose: The purpose of this section is to define the process required to develop a lot as one or
10 more of the three uses listed under Adult and Senior Facilities or Services defined in Section cf.302.41.

11 518.2: Conditional Use Permit Criteria and Requirements

12 518.2.a: An application to build one or more of the definitions under Adult and Senior Facilities
13 or Services requires approval of a conditional use permit by the planning board.

14 518.2.b: Criteria for approval of conditional use permit are:

15 518.2.b.1: A Site Plan review or Change of Use is required, as determined by the
16 planning board

17 518.2.b.2: Proposals must adhere to dimensional requirements of the IBR district

18 518.2.b.3: The application shall not be detrimental to public health, welfare and safety

19 518.2.b.4: The proposed development shall be consistent with the character of the
20 architectural standards.

21 518.2.b.5: The application shall not diminish neighboring property values

22 518.2.b.6: The requirements for parking shall be consistent with the applicable building
23 code under Section 701 of the Zoning Ordinance.

24 518.2.b.7: The application must demonstrate that the soils are suitable for the proposed
25 septic system and the applicant shall provide evidence of approval of the septic system
26 design.

27 518.2.b.8: The application must provide for a reserve septic leach field area providing
28 the same capacity as the initially proposed system, and shall not be utilized in the future
29 to increase the capacity of the initial system.

30 518.2.b.9: The proposed emergency services access design must be approved by the fire
31 chief and chief of police.

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33 518.2.b.10: The criteria listed above are minimum requirements; the Planning board can
34 approve applications as presented or with conditions deemed necessary.
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INDUSTRIAL-BUSINESS/RESIDENTIAL DISTRICT (“I-B/R”)

Permitted Uses

- 1. Agriculture
- 2. Motels
- 3. Eating & Drinking Establishments
- 4. Research and Testing Laboratories
- 5. Offices

- 6. Hospitals and Clinics for Humans or Animals
- 7. Public Utility Buildings *3/6/1973
- 8. Accredited Commercial Schools *3/9/1982
- 9. Essential Services *3/13/1990
- 10. Retail Uses *3/6/1973

- 11. Wholesale Uses *3/6/1973

- 12. Accessory Uses *3/6/1973
- 13. Single Family Dwellings
- 14. Group Day Care *3/13/1990
- 15. Duplexes *3/10/1992

- 16. Manufactured Housing on Individually Owned Lots, as defined in Section 302.28 of the Zoning Ordinance *3/8/1994

- 17. Manufactured Housing Parks *3/13/1984
- 18. Places of Worship *5/11/2010

Special Exceptions

- 1. Water Recreation & Storage
- 2. Municipal Buildings & Libraries
- 3. Multiple-Family Dwelling *3/6/1973
- 4. Light Manufacturing *3/6/1973
- 5. Public & Private Recreational Facilities *3/6/1973
- 6. Planned Unit Industrial & Business Projects
- 7. Accessory Apartments *3/13/1990
- 8. Family Day Care *3/13/1990
- 9. Home Occupations
- 10. Motor-Vehicle Refueling Facilities *3/9/2004
- 11. Motor-Vehicle Service Facilities, including without limitation lubrication centers, repair shops, detail and washing facilities, body shops, and tire and battery shops *3/9/2004

Conditional Use

- 1. Adult and Senior Facilities or Services

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SECTION 302 DEFINITIONS

*3/08/2005

41. Adult and Senior Facilities or Services:

a. ASSISTED LIVING FACILITY: A State licensed facility which combines apartment living (including studio apartments) with a variety of support services including meals, assistance with personal care, housekeeping, laundry, social and recreational programs, oversight of residents medication, 24 hour security, on-site staff to respond to emergencies. These facilities may also offer specialized care for persons with dementia or Alzheimer's Disease. See RSA 151-E:2.I.

b. NURSING FACILITY: A State licensed facility which is primarily engaged in providing 24-hour care for residents needing: (a) skilled nursing care, medical monitoring, and related services; (b) rehabilitation services for the rehabilitation of injured chronically disabled or sick; (c) medication administration or instruction and supervision; or (d) on a regular basis, health-related care and services (above the level of room and board) which can be made available to them only through facilities which provide 24 hour care. See RSA 151-E:2, V.

c. Senior (Elder) Day Care Facility or Senior (Elder) Day Care Center: definition : non-residential facility that support one or more of the following services including but not limited to: health, nutritional, (day time; ~~non-overnight; part time~~) living needs of adults 55 years of age and older, in professionally staffed group settings, and may also provide for social needs these adults.

Section 517 Demolition Review.....87
Section 518 Adult and Senior Facilities or Services:.....87

Re-number everything past #41:

-
41. Adult and Senior Facilities and Services -xxxxxxx

APPENDIX C

PROPOSED ZONING ORDINANCE CHANGES – ADMINISTRATOR

A. ITEMS THAT REQUIRE TOWN BALLOT APPROVAL

1. Section 406.5 (page 11) – “~~406.5~~ – A lot in the I-B/R District that is presently utilized for business purposes shall not be used for residential purposes. ~~Lots within the I-B/R District may not be used for both residential and business purposes unless both uses existed prior to March 12, 1985. Any existing undeveloped lot may be used for either a business or residential purpose, but not both.~~ *3/12/1985
2. Definitions #23 Lot (page 3) – “~~23. Lot: A parcel of land intended for occupancy by a main building, together with its accessory buildings.~~ A measured parcel of land having fixed boundaries and designated on a plot or survey.”
3. Section 510 Dumping (page 71) – “Dumping or disposing of garbage ~~or refuse or glass without burying or covering the same~~ is prohibited except ~~in a municipal dump duly regulated.~~ in accordance with the provisions of NH RSA 149-M and NHDES solid waste management rules.”
4. Section 415.8 (page 32) – Security for cell towers.
“Recognizing the extremely hazardous situation presented by abandoned and unmonitored towers, the Planning Board shall set the form and amount of security that represents the cost for removal and disposal of abandoned towers in the event that the tower is abandoned and the tower owner is incapable ~~and~~ or unwilling to remove the tower in accordance with Section 415.9. ~~The Planning Board shall require the applicant to post the security with the Town.~~ Upon construction of the tower, the Planning Board shall also require a certificate of appropriate insurance covering the constructed facilities, with ten-day notice of any changes in coverage.”
5. Section 415.9 (page 32) – Removal of abandoned cell towers.
“If the abandoned tower is not removed within 90 days, the Town may ~~execute the security and~~ have the tower removed. ~~“The tower owner shall be responsible for payment of the costs associated with the tower removal.”~~”
6. Section 516.E.4 & 5 (page 86) – Abandonment/removal of small wind towers.
“4. If the owner fails to respond to the Notice of Abandonment or if, after review by the Building Inspector, it is determined that the small wind energy system has been abandoned or discontinued, the owner of the small wind energy system shall remove the wind generator and tower at the owner’s sole expense within 3 months of receipt of the Notice of Abandonment. If the owner fails to physically remove the small wind energy system after the Notice of Abandonment procedure, the Building Inspector may ~~pursue legal action to~~ have the small wind energy system removed at the owner’s expense.”

~~“5. The Building Inspector, with the approval of the Planning Board, The Planning Board shall may require the applicant to provide a form and amount of surety security acceptable to the Planning Board (i.e., post a bond, letter of credit or establish an escrow account or other) at the time of construction prior to the issuance of building permits to cover costs of the removal in the event the town must remove the facility. The applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism to accommodate the rate of inflation over 15 years.”~~

7. 505.6 & 505.7 (page 58) – “**505.6** If a temporary structure becomes unsafe or obnoxious and the public health, welfare or safety is endangered, the Building Inspector shall immediately revoke the permit. The unsafe structure will then be removed from the site or the unsafe conditions eliminated and/or repaired. A new permit will then be issued but only after all provisions of Section 505.5 have been complied with.” *3/10/1981, 3/11/1997

~~**505.7**— If a temporary structure becomes unsafe and the public safety is endangered, the Building Inspector shall immediately revoke the permit. The unsafe structure will then be removed from the site or the unsafe conditions eliminated and/or repaired. A new permit will then be issued but only after all provisions of Section 505.5 have been complied with.
*3/10/1981~~