



Meeting Minutes
North Hampton Planning Board
Tuesday, December 5, 2017 at 6:30pm
Town Hall, 231 Atlantic Avenue

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

In attendance: Tim Harned, Chair; Nancy Monaghan, Vice Chair; Members Phil Wilson, Dan Derby, and Jim Maggiore, Select Board Representative; Jennifer Rowden, RPC Circuit Rider; and Rick Milner, Recording Secretary.

Chair Harned called the meeting to order at 6:35pm.

I. Public Hearing

Town of North Hampton, NH review of amendments to zoning ordinances for inclusion on the 2018 Town Warrant.

Town of North Hampton, NH: Section 302 Definitions and Section 505 Temporary Structures. Revisions intended to clarify the definition of and the permitting process for temporary structures.

Mr. Harned presented the proposed revisions to the Town of North Hampton Zoning Ordinance Section 302 Definitions and Section 505 Temporary Structures. Proposed revisions attached as Appendix A to these minutes. Mr. Harned opened the public hearing at 6:41pm. No comments were made. Mr. Harned closed the public hearing at 6:42pm.

Ms. Monaghan moved that the Planning Board place the proposed revisions language to the Town of North Hampton Zoning Ordinance Section 302 Definitions and Section 505 Temporary Structures on the 2018 Town Warrant as presented. Second by Mr. Maggiore. The vote was unanimous in favor of the motion (5-0).

II. Old Business

- 1. Case #17:18 – Applicants, James Buchanan and Michael Oiler, 27 Birch Road, North Hampton, NH 03862.** The Applicants request a Site Plan Review to construct a 40 foot by 100 foot commercial building. The Applicants also request a Conditional Use Permit to allow construction of building and other site improvements within the Aquifer Protection District. Property Owners: James Buchanan and Michael Oiler, 27 Birch Road, North Hampton, NH 03862; Property Location: 5 Birch Road, North Hampton, NH 03862; M/L: 013-021-000; Zoning District: I-B/R, Industrial - Business/Residential District.

In attendance for this application:

James Buchanan, applicant; Christian Smith, engineer for the applicant.

Mr. Smith addressed the Board. Based on Board comments at the previous meeting and Town Engineer comments, Mr. Smith presented a revised plan to construct a 40 foot by 100 foot commercial building and associated site improvements at 5 Birch Road. A special exception has been granted by the Zoning

Board of Adjustment (ZBA) to allow the light manufacturing use (HVAC duct work) proposed for the site. Mr. Smith noted the following updates to the applicants' proposal previously presented to the Board:

- a. Most of the Town Engineer comments have been addressed.
- b. The proposed building has been moved away from the slope slightly and rotated slightly.
- c. The sand and stone stockpile area and the paved truck parking area locations have been moved closer to the southern corner of the site.
- d. Drainage issues associated with the paved truck parking area have been addressed to the satisfaction of the Town Engineer.
- e. Deputy Fire Chief letter states that there are no restrictions for emergency access or egress associated with the gravel access drive to the site. The previously proposed paved apron off of Birch Road will only be added if the access way needs repair in the future.
- f. There are three minor plan details noted by the Town Engineer that will be addressed on the final version of the plan submitted for recording.
- g. Aquifer Protection District conditional use permit standards have been met to the satisfaction of the Town Engineer.

Ms. Rowden asked for clarification regarding the removal of the wetland area and the wetland buffer zone indications on the revised plan.

Mr. Smith stated that a wetlands scientist confirmed that the area was a small, isolated wetland less than 700 square feet in area. The area was most likely a man-made drainage ditch created for the site prior to the 1950's. A note indicating the appropriate zoning ordinance wetlands classification has been added to the plan.

Mr. Harned asked the applicant to address the Town Engineer's comment whether the proposed second floor office space in the building will satisfy applicable building codes regarding safe egress.

Mr. Smith stated that the safe egress issue will be addressed with the Building Inspector when the building permit application is submitted.

Mr. Harned presented the Conditional Use Permit application to allow construction of the building and associated improvements within the Aquifer Protection District to the Board. Mr. Harned opened the public hearing at 6:52pm. No comments were made. Mr. Harned closed the public hearing at 6:53pm.

Ms. Monaghan moved that the Planning Board grant the Conditional Use Permit to allow industrial and commercial uses within the Aquifer Protection District associated with the site plan application for construction of a 40 foot by 100 foot commercial building and associated site improvements at 5 Birch Road site. Second by Mr. Maggiore. The vote was unanimous in favor of the motion (5-0).

Mr. Harned opened the public hearing for discussion of the entire site plan application at 6:54pm. No comments were made. Mr. Harned closed the public hearing at 6:55pm.

Mr. Wilson moved that the Planning Board approve the Site Plan Review application for Case #17:18 to construct a 40 foot by 100 foot commercial building with associated site improvements for proposed light manufacturing, commercial, and outside storage uses at 5 Birch Road subject to the following conditions:

1. The applicant submits a letter from the Building Inspector indicating that he is satisfied with the egress from the second floor or mezzanine portion of the proposed building.
 2. A note shall be added to the recorded page of the plan indicating the issuance of a Conditional Use Permit in accordance with Town of North Hampton Zoning Ordinance Section 414.5 Aquifer Protection District Ordinance with the date of issuance included.
 3. The project plans shall be stamped by the Certified Soil Scientist who prepared the high intensity soil survey mapping information shown thereon.
 4. Sheet 2 shall be expanded to specify dimensions of the series of proposed striped parking spaces and drive aisle to be situated between the parking spaces shown and the southerly façade of the proposed building.
 5. Sheet 2 shall be expanded to illustrate finish grade contours to the north of the proposed building.
 6. Applicant shall submit a clean letter from the Town Engineer.
 7. Applicant shall submit a recordable Mylar of the approved plan with signatures and seals affixed of all licensed professionals whose names appear on the plan. All conditions of approval shall be listed on the Mylar pursuant to NH RSA 676:3.III.
 8. Applicant shall submit a Certificate of Monumentation, stamped and signed by a NH Licensed Land Surveyor, certifying that all monuments depicted on the plan have been properly set.
 9. Applicant shall submit evidence of receipt of all required federal, state, and local permits including, but not limited to, NHDOT driveway and NHDES subsurface system approvals and shall note their numbers, as appropriate, on the recorded page of the plan.
 10. Applicant shall submit a check made payable to the Rockingham County Registry of Deeds in the amount of \$25.00 for mandatory state fee to fund the Land and Community Heritage Investment Program (LCHIP).
 11. All fees incurred by the Planning Board including, but not limited to, consulting, engineering and legal fees, have been paid by the applicant.
 12. There shall be no changes to the approved site plan on the recordable Mylar except to meet these conditions of approval.
- Second by Mr. Derby. The vote was unanimous in favor of the motion (5-0).

III. New Business

1. **Case #17:19 – Applicant, Jennifer Kutt, 229 Atlantic Avenue, North Hampton, NH 03862.** The Applicant requests a two (2) lot subdivision of property. The Applicant also requests a waiver to the requirements of the Town of North Hampton Subdivision Regulations: Section IX.D.3 – Distance between monuments. Property Owner: Kutt and LeClaire Property Management, LLC, 229 Atlantic Avenue, North Hampton, NH 03862. Property Location: 149 Post Road, North Hampton, NH 03862; M/L: 018-008-000; Zoning District: R-1, High Density District.

In attendance for this application:

Jennifer Kutt, applicant; Dennis Quintal, engineer for the applicant.

Mr. Quintal addressed the Board. The property at 149 Post Road has approximately 13 acres of area with 226 feet of frontage along the roadway. Knowles Pond takes up a large portion of the property. There is a considerable amount of poorly drained and very poorly drained soils that restrict the amount of area available for any proposed construction on the property. There is an existing home on the property with a long access drive around the pond and wetlands to the home in the back of the property. The applicant wishes to subdivide the property and create a second approximately three acre lot with 80 feet of frontage using the backlot provisions of the zoning ordinance.

Mr. Quintal presented easement documents that would provide access for use and maintenance of a shared driveway and water/utility lines on both proposed new lots.

Ms. Rowden suggested that Town Counsel review the proposed easement documents to ensure the access rights of any future property owners is adequately protected.

Mr. Harned suggested that the property line subdividing the two proposed lots be labelled on the plan to indicate that it is a newly created property line.

Mr. Harned suggested that the waiver request be discussed.

Waiver from requirements of Subdivision Regulations Section IX.D.3 – Distance between monuments. Applicant reasoning – The placement of rods or pipes at 200 foot intervals as stated in the regulations would result in monuments being placed in water or very poorly drained soils.

Mr. Harned opened the public hearing at 7:19pm. No comments were made. Mr. Harned closed the public hearing at 7:20pm.

Mr. Wilson moved that the Planning Board grant a waiver from the requirements of Subdivision Regulations Section IX.D.3 – Distance between monuments subject to the condition that all Subdivision Regulations for the setting of monuments are complied with except where made impractical by location of water bodies or wetlands. Second by Ms. Monaghan. The vote was unanimous in favor of the motion (5-0).

Mr. Wilson moved that the Planning Board take jurisdiction of the Subdivision application associated with Case #17:19 for property located at 149 Post Road. Second by Ms. Monaghan. The vote was unanimous in favor of the motion (5-0).

Mr. Harned opened the public hearing at 7:22pm. An abutter reviewed the plan set without comment. Mr. Harned closed the public hearing at 7:24pm.

Mr. Maggiore moved that the Planning Board approve the Subdivision application associated with Case #17:19 for a two (2) lot subdivision of property at 149 Post Road subject to the following conditions:

- 1. The applicant submits a letter from Town Counsel finding that the easement and maintenance document language is acceptable.**
- 2. A note indicating the NHDES subdivision approval number shall be added to the recorded page of the plan.**
- 3. A note indicating the granting of a waiver from Subdivision Regulations Section IX.D.3 – Distance between monuments shall be added to the recorded page of the plan.**
- 4. Applicant shall submit a recordable Mylar of the approved plan with signatures and seals affixed of all licensed professionals whose names appear on the plan. All conditions of approval shall be listed on the Mylar pursuant to NH RSA 676:3.III.**
- 5. Applicant shall submit a Certificate of Monumentation, stamped and signed by a NH Licensed Land Surveyor, certifying that all monuments depicted on the plan have been properly set in a manner consistent with the granted waiver from Subdivision Regulations Section IX.D.3 – Distance between monuments.**

6. Applicant shall submit evidence of receipt of all required federal, state, and local permits including, but not limited to, NHDOT driveway and NHDES subsurface system approvals and shall note their numbers, as appropriate, on the recorded page of the plan.

7. Applicant shall submit a check made payable to the Rockingham County Registry of Deeds in the amount of \$25.00 for mandatory state fee to fund the Land and Community Heritage Investment Program (LCHIP).

8. All fees incurred by the Planning Board including, but not limited to, consulting, engineering and legal fees, have been paid by the applicant.

9. There shall be no changes to the approved site plan on the recordable Mylar except to meet these conditions of approval.

Second by Mr. Wilson. The vote was unanimous in favor of the motion (5-0).

2. **Case #16:18 – Applicant: Dmitry Bykhovsky, 108 Lafayette Road, North Hampton, NH 03862.** The Applicant requests a one year extension to the conditional approval granted on December 6, 2016 for the site plan review to amend previous site plan approval by demolishing an existing vehicle dealership building and constructing a new 9,705 square foot vehicle dealership building with associated site improvements. Property Owner: Logic Enterprises, LLC, 108 Lafayette Road, North Hampton, NH 03862; Property Location: 108 Lafayette Road, North Hampton, NH 03862; M/L: 013-028-000; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

Dmitry Bykhovsky, applicant.

Mr. Bykhovsky addressed the Board. Mr. Bykhovsky requested that the amended site plan conditional approval granted on December 6, 2016 to construct a new vehicle dealership building at 108 Lafayette Road be extended for one year. Due to various business concerns, the company is not ready to proceed with the proposed demolition and new construction at this time.

Mr. Wilson asked if there were any changes to the approved site plan contemplated.

Mr. Bykhovsky responded that there were no intentions to change the approved site plan.

Ms. Monaghan asked if new light fixtures had been installed on the property.

Mr. Bykhovsky responded that the original light fixtures are being used. Some bulbs have been changed.

Mr. Derby moved that the Planning Board grant a one year extension to December 6, 2018 of the Conditional Approval for Case #16:18 to demolish an existing vehicle dealership building and construct a new 9,705 square foot vehicle dealership building with associated site improvements. Second by Mr. Wilson. The vote was unanimous in favor of the motion (5-0).

3. **Case #17:20 – Applicant: Ryan Hayes, 249 Canaan Back Road, Barrington, NH 03825.** The Applicant requests a Site Plan Review to place an auto repair business on the property. Site Plan Regulations waiver requests:

- a. Section X.B.1 – Parking area paving
- b. Section X.C.5 – Parking area landscaping
- c. Section X.F – Stormwater Management

The applicant also requests a Conditional Use Permit for signage associated with the auto repair business. Zoning Ordinance waiver request: Section 506.6.A - Wall sign in excess of 24 square feet. Property Owner: ZJBV Properties, LLC, 300 Gay Street, Manchester, NH 03103; Property Location: 68 Lafayette Road; M/L: 007-122-000; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

Ryan Hayes, applicant; John Chagnon, engineer for the applicant.

Mr. Chagnon addressed the Board. Mr. Chagnon stated that the applicant wished to install a Mercedes-Benz automobile repair shop in the existing 5,045 square foot building on the property at 68 Lafayette Road. The business would perform routine service, full engine replacements, advanced computer diagnosis, and various systems servicing. The business would not perform tire servicing, painting, body repair, or rust repair. The business received a special exception from the ZBA to allow the proposed use.

Mr. Chagnon presented a plan which showed parking areas around the building site, proposed installation area for new septic system, and proposed landscaping buffer area plantings. Mr. Chagnon presented a Conditional Use Permit application to allow a sign in excess of 24 square feet on the front facing side of the building. Mr. Chagnon stated that, in his opinion, a stormwater drainage analysis is not necessary since there are no proposed changes to the site which would negatively affect the amount of impervious surface. Also, plantings added to the rear of the site will help mitigate stormwater drainage flow from the site.

Ms. Rowden stated that the waiver from the parking area greenspace regulation may not be necessary.

The Board engaged in a discussion regarding the appropriate number of parking spaces for the site.

Mr. Hayes stated that the parking spaces indicated on the plan will mainly be used for drop-off or pick-up of serviced vehicles. There is not much need for customer parking since customers for the business generally do not wait at the site or walk in for servicing business without appointment times. His business requires 17 parking spaces.

Mr. Maggiore asked if large car carriers would perform deliveries or pick-ups at the site.

Mr. Hayes responded that large car carriers would not perform deliveries or pick-ups at the site.

Mr. Maggiore asked if the existing paint booth on the site would be used.

Mr. Hayes responded that the paint booth would not be used by his business.

Mr. Harned suggested that the waiver requests be discussed.

Waiver from requirements of Site Plan Regulations Section X.F – Stormwater Management. Applicant reasoning – The proposed use does not disturb or alter any land. The building and other features are all pre-existing. There will be no increase in stormwater run-off. There is no increase in non-point source pollution with the new use management plan designed to prevent oil or other waste from entering the ground. Additional plantings will be installed to help mitigate stormwater run-off.

Ms. Rowden stated that the plantings are an improvement to the site which will help filter stormwater run-off.

Mr. Harned opened the public hearing at 7:59pm. No comments were made. Mr. Harned closed the public hearing at 8:00pm.

Mr. Wilson moved that the Planning Board grant a waiver from the requirements of Site Plan Regulations Section X.F – Stormwater Management since there will be no changes to the site that appear to effect stormwater drainage. Second by Mr. Maggiore. The vote was unanimous in favor of the motion (5-0).

Waiver from requirements of Site Plan Regulations Section X.C.5 – Parking area landscaping. Applicant reasoning – There is no interior space available in the parking area for landscaping features due to the existing layout of the parking area and the required number of parking spaces for the business imposed by the site plan regulations. Any attempt to include plantings in the front of the lot would require excessive tearing up and reconstruction of existing parking area and roadway pavement. There is existing natural vegetation in the back of the lot. Additional plantings are proposed for the back of the lot.

Mr. Harned opened the public hearing at 8:00pm. No comments were made. Mr. Harned closed the public hearing at 8:01pm.

Mr. Maggiore moved that the Planning Board grant a waiver from the requirements of Site Plan Regulations Section X.C.5 – Parking area landscaping. Second by Mr. Wilson. The vote was unanimous in favor of the motion (5-0).

Waiver from requirements of Site Plan Regulations Section X.B.1 – Parking area paving. Applicant reasoning – The gravel portion of the parking area is to be used by employees only, not the public. This area is located behind a gate that can be closed and locked to prevent public access.

Mr. Harned opened the public hearing at 8:02pm. No comments were made. Mr. Harned closed the public hearing at 8:03pm.

Mr. Wilson moved that the Planning Board grant a waiver from the requirements of Site Plan Regulations Section X.B.1 – Parking area paving. Second by Mr. Maggiore. The vote was unanimous in favor of the motion (5-0).

Mr. Wilson moved that the Planning Board take jurisdiction of the Site Plan application associated with Case #17:20 to place an auto repair business on the property at 68 Lafayette Road. Second by Ms. Monaghan. The vote was unanimous in favor of the motion (5-0).

Mr. Harned opened the public hearing for the site plan application at 8:05pm. No comments were made. Mr. Harned closed the public hearing at 8:06pm.

Mr. Wilson stated that a landscaping guarantee may be necessary to ensure replacement of any proposed planting improvements that do not survive.

Mr. Derby stated that a landscaping guarantee is not necessary since the plantings are not required by the regulations. The plantings are being done at the discretion of the applicant.

Mr. Harned asked for clarification regarding the wetland setback indicators on the plan.

Mr. Chagnon stated that the wetland setback lines merge with the structural setback lines at some points. He will add a note to the plan to clarify the issue.

Mr. Harned suggested that excess parking spaces indicated on the plan near the wetlands in the northwest rear corner of the property be removed. He suggested that the four spaces facing the northerly lot line towards the west and the five spaces facing the westerly lot line towards the north be removed.

Mr. Chagnon stated that removal of the parking spaces was acceptable.

Ms. Rowden suggested that the ZBA special exception decision be added to the recorded page of the plan.

Mr. Wilson moved that the Planning Board approve the Site Plan Review application for Case #17:20 to place an auto repair business on the property at 68 Lafayette Road subject to the following conditions:

- 1. A note shall be added to the recorded page of the plan citing the Zoning Board of Adjustment special exception decision and the conditions placed upon the approval.**
- 2. The recorded page of the plan shall be amended by removing the four northerly parking spaces and the five westerly parking spaces closest to the wetlands near the northwest corner of the property.**
- 3. Applicant shall submit a recordable Mylar of the approved plan with signatures and seals affixed of all licensed professionals whose names appear on the plan. All conditions of approval shall be listed on the Mylar pursuant to NH RSA 676:3.III.**
- 4. Applicant shall submit evidence of receipt of all required federal, state, and local permits including, but not limited to, NHDOT driveway and NHDES subsurface system approvals and shall note their numbers, as appropriate, on the recorded page of the plan.**
- 5. Applicant shall submit a check made payable to the Rockingham County Registry of Deeds in the amount of \$25.00 for mandatory state fee to fund the Land and Community Heritage Investment Program (LCHIP).**
- 6. All fees incurred by the Planning Board including, but not limited to, consulting, engineering and legal fees, have been paid by the applicant.**
- 7. There shall be no changes to the approved site plan on the recordable Mylar except to meet these conditions of approval.**

Second by Mr. Derby. The vote was unanimous in favor of the motion (5-0).

Mr. Harned suggested that the Board consider the Sign Conditional Use Permit application.

Mr. Hayes presented an application and associated waiver request to allow a 60 square foot wall sign on the front side of the building facing the roadway where only a 24 square foot sign is allowed. Mr. Hayes stated that he is requesting the larger sign due to the fact that the building is set back 150 feet from the road. The front side of the building is 50 feet long with a 27 foot roof peak. A 60 square foot sign was used by a previous business on the existing building. The sign will use the existing gooseneck lamp

fixtures and LED bulbs that will make the sign lighting dark sky compliant. Mr. Hayes showed renderings of how the proposed sign would look from the roadway in comparison to a smaller sign which complied with the regulations. The proposed sign is an appropriate size to be easily readable and fit the size of the building.

Mr. Harned opened the public hearing at 8:22pm. No comments were made. Mr. Harned closed the public hearing at 8:23pm.

Ms. Monaghan moved that the Planning Board grant a waiver from the requirements of Zoning Ordinance Section 506.6.A - Wall sign in excess of 24 square feet and grant the Conditional Use Permit to allow a 60 square foot wall sign for auto repair business located at 68 Lafayette Road as presented in the application to the Planning Board. Second by Mr. Wilson. The vote was unanimous in favor of the motion (5-0).

III. Other Business

1. Review of 2018 Planning Board meeting schedule.

The Board came to a consensus without objection to maintain during 2018 the regular meeting schedule of the first Tuesday of the month for public hearings and the third Tuesday of the month for work sessions.

2. Minutes.

Mr. Harned presented the minutes of the November 7, 2017 Planning Board meeting.

Mr. Wilson moved that the Planning Board accept the minutes of the November 7, 2017 Planning Board meeting as written. Second by Ms. Monaghan. The vote was 4-0-1 in favor of the motion with Mr. Derby abstaining.

The meeting was adjourned at 8:43pm without objection.

Respectfully submitted,

Rick Milner
Recording Secretary

CHANGES IN RED OR STRUCK-OUT

SECTION 302 DEFINITIONS

47. Temporary Structure: Any structure not on a permanent foundation nor permanently attached to a fixed location in any manner. Said structure to be used for a specified period of time. A ground-mounted tent intended for personal use, and no greater than 150 square feet in size, shall not be considered a temporary structure. *3/10/1981, 3/13/2018

SECTION 505 TEMPORARY STRUCTURES *3/12/1968, 3/8/1977, 3/10/1981, 3/11/1997, 3/9/1999, 3/13/2018

505.1 Purpose

The purpose of this ordinance is to regulate the placement of temporary structures on lots within the Town of North Hampton. As defined in Section 302.47, a temporary structure is any structure not on a permanent foundation nor permanently attached to a fixed location in any manner. Said structure to be used for a specified period of time. A ground-mounted tent intended for personal use, and no greater than 150 square feet in size, shall not be considered a temporary structure.

~~505.1 Temporary structures shall only be allowed by permit and in conjunction with construction work and only during the period that the work is in progress. The permit allowing the construction shall note approval of any temporary structure.~~

505.2 Requirements

A. Permits shall be required for all temporary structures. Prior to the placement or construction of a temporary structure, the Building Inspector shall certify to the safety of the structure.

B. Only one temporary structure is allowed per lot.

C. All temporary structures shall meet all setback requirements of permanent primary buildings within the applicable zoning district.

D. 505.2 Any vehicle placed on a lot and used in a manner other than the purpose for which it is customarily intended, whether or not powered and whether or not licensed inspected, shall be considered to be a temporary structure. ~~Such vehicle shall be allowed only under the provision of Site Plan Review Regulations or as follows: *3/11/1997~~ Vehicles prohibited by this provision include, but are not limited to, those used primarily for advertising or warehousing purposes.

~~A. In an Industrial Business Zone, each lot may have one vehicle as described in Section 505.2 for periods not to exceed a total of 90 days annually. A permit shall be required for each use. The permit will be issued by the Building Inspector's office only if it feels such use of a vehicle would not be detrimental to the area. *3/11/1997, 3/9/1999~~

~~B. A permit for more than one temporary structure used for storage only and meeting all other ordinances will require Planning Board approval. *3/11/1997~~

E. Lighting associated with all temporary structures shall comply with the provisions of Section 515 Outdoor Lighting.

F. Signage associated with all temporary structures shall comply with the provisions of Section 506 Signs.

G. All temporary structures must be completely removed upon expiration of their permits.

505.3 Residing in any temporary structure, or a basement or foundation before completion of a permanent structure, shall not be permitted.

505.4 No part of Section 505 shall apply to Manufactured Housing or to Recreational Vehicles as defined in Section 302 and regulated in Sections 503 and 504. *3/8/1977

505.5 All proposed temporary structures that do 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.

~~**505.5** Temporary structures, including but not limited to tents, may be placed in the Industrial Business Zone for display purposes for resale, or as a display model for the sale of similar structures for a period not to exceed one year by Said structures may be heated and have telephone and electricity but shall not have water or sewerage disposal or holding facilities. They shall meet all the setback requirements of permanent primary buildings, but may not be used for any purpose except display. Prior to placing of said structures, a permit for each structure shall be obtained from the Building Inspector. The Building Inspector shall certify to the safety of the structure before the public is admitted. Permits may be renewed yearly for a maximum of four years after which the temporary structure must be completely removed. The annual renewal fee shall be as set by the Select Board. *3/9/1982, 3/11/1997, 3/9/1999~~

B. 505.6 Temporary structures included but not limited to tents constructed of expendable materials may be placed in the I-B/R District for short special sales or promotions, not to exceed one week **two weeks**, by permit issued by the Building Inspector. ~~Not more than three (3) such special permits may be issued for the same property during any calendar year~~ **For one property during any single calendar year, the limit on such special permits shall be three;** and ~~the weeks shall not be consecutive~~ **permits shall not be issued for consecutive two week periods. A permit shall be required for each structure. The Building Inspector shall certify to the safety of the structure before the structure may be occupied.** *3/11/1997, 3/9/1999

****Paragraphs A and B in original version flip-flopped and re-numbered as 505.6 and 505.7.**

~~**A. 505.7** Temporary structures constructed of expendable materials without foundations may be placed in the Industrial Business Zone I-B/R District for sales purposes all permitted non-residential uses for a period not to exceed one year by permit Conditional Use Permit issued by the Planning Board. Said structures may be heated and have installed utilities but not sewerage disposal. They shall meet all setback requirements of permanent primary buildings. Prior to placing of said structures, a permit for each structure shall be obtained from the Building Inspector. The Building Inspector shall certify to the safety of the structure before the public is admitted structure may be occupied. Permits may be renewed yearly at the discretion of the Building Inspector for a maximum of four years after which the temporary structure must be completely removed or approved by the Planning Board by formal Site Plan Review. The annual renewal fee shall be as set by the Select Board. *3/11/1997, 3/9/1999~~

505.8 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~~