

**PROPOSED AMENDMENT NO. 2**

Would add the following Definitions to Article 3:

Accessory Dwelling Unit, Attached: A dwelling unit that is within or attached to a one-family dwelling or attached garage, and provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies, and has either the principal dwelling or the accessory dwelling unit occupied by the owner as their principal place of residence.

Accessory Dwelling Unit, Detached: A dwelling unit that is neither within nor attached to a one-family dwelling, and provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies, and has either the principal dwelling or the accessory dwelling unit occupied by the owner as their principal place of residence.

Accessory Structure: A detached building or other structure subordinate to the principal building on a lot and used for purposes customarily incidental to those of the principal building, such as a garage, storage shed, or renewable energy structure for on-site use.

Would add the following as a new Permitted Use in Section 602.1:

- (2) One-family dwelling with one attached accessory dwelling unit

and renumber remaining list accordingly.

Would add the following new use to Section 602.2 Special Exceptions:

- (9) A single accessory dwelling unit in a detached accessory building that was either in existence in the current location and footprint on 10/1/21 or for at least 5 years prior to the time of application.

Would revise the following sentence in Article 7. Lot Size and Area Regulation, Paragraph V. Permanently Protected Area as shown:

Further subdivision, or use for other than one dwelling ~~unit~~ or a one-family dwelling with an accessory dwelling unit, noncommercial outdoor recreation, conservation, agriculture, forestry or other ~~principle~~ principal use or building as otherwise permitted by the zoning ordinance, shall be prohibited.

Would add the following new section to Article 8: General Regulations and renumber the remaining sections accordingly:

Section 801. ACCESSORY DWELLING UNITS

- A. No more than one accessory dwelling unit, whether attached or detached, will be allowed on each lot.
- B. The maximum size of an accessory dwelling unit will be 1,200 sq. ft. When referring to a accessory dwelling unit in a detached accessory building, 1,200 sq. ft. shall refer to the area finished as living space for use as part of the dwelling unit.

- C. An attached accessory dwelling unit must contain an interior door between the principal dwelling unit and the accessory dwelling unit.
- D. The applicant for a permit to construct an accessory dwelling unit shall make adequate provisions for water supply and sewage disposal for the accessory dwelling unit in accordance with RSA 485-A:38, but separate systems shall not be required by the Town for the principal and accessory dwelling units. In order to comply with this paragraph and prior to constructing an accessory dwelling unit, an application for approval for a sewage disposal system shall be submitted to NHDES in accordance with RSA 485-A as applicable. The approved sewage disposal system shall be installed if the existing system has not received construction approval and approval to operate under current rules or predecessor rules, or the system fails or otherwise needs to be repaired or replaced.

Renumber as needed.

**PROPOSED AMENDMENT NO. 3**

Would remove the following subsection from Section 602.1 Permitted Uses:

(b) Group Service Uses Permitted.

- (1) Church, parish house or other religious use.
- (2) School except private or boarding schools.
- (3) Accessory uses customarily incidental to the permitted use. Such use shall include buildings for housing automobiles, equipment and supplies.

And change the following language in Section 602.2 Special Exceptions:

Municipal buildings and uses, such as but not limited to a community hall, fire station, library, or park or recreation

to instead read:

Public buildings and uses, such as but not limited to a house of worship, school, community hall, fire station, library, or park or recreation.

And change the following language:

Day-care services, not to exceed 10 children.

to instead read:

Day-care services or preschool, not to exceed 10 children.

Renumber as needed.

**PROPOSED AMENDMENT NO. 4**

Would add the following language to the Definition of Accessory Use in Article 3 Definitions:

Includes offering one or two guest rooms in an owner-occupied dwelling unit for compensation for nontransient use by up to three lodgers.

Would add the following Terms to Article 3 Definitions:

Home Occupation: A home occupation is an accessory use of a dwelling unit or accessory structure on a residential lot that involves the on-site manufacture of goods or provision of services, and limited sales of goods produced on site. Includes offering one or two guest rooms in an owner-occupied dwelling unit to transient lodgers for compensation.

Short Term Rental: A one-family dwelling or accessory dwelling unit offered for transient use for compensation.

Tourist Home: A one-family dwelling that is owner-occupied or has a live-in manager where rent is paid for three to five guest rooms, with no provision for cooking or warming food in guest rooms. May offer meals, exclusively for lodgers.

Transient: A room, number of rooms, or dwelling unit that is offered for rent in increments of less than 30 days.

Would add the following new Permitted Residential Use in Section 602.1:

Short Term Rental, no more than two occupants for each permitted bedroom.

Would revise Tourist Homes In Section 602.2 Special Exceptions, by replacing the following language:

Tourist homes including bed and breakfast establishments not to exceed 8 guest rooms.

with this:

Tourist homes not to exceed 5 guest rooms and ten lodgers.

Would add the following criteria to Section 801 Home Occupations:

8. When offering guest rooms in an owner-occupied dwelling unit for compensation, a maximum of three lodgers may be allowed. No provision for cooking or warming food may be allowed in guest rooms. May offer meals exclusively for guests.
9. A Zoning Permit must be obtained from the Select Board.

Would modify Section 902 Building Permit Required as follows and move it to Article 4 Application of Regulations:

Section 40x. A Zoning Permit shall be required prior to a) the construction or placement of any new structure or sign, b) the alteration, reconstruction, expansion, or moving of any structure, or c) any change of use of any building, structure or land, including the addition of a home occupation. A Zoning Permit Application shall be accompanied by all necessary state, federal and other local permits. In most

cases a Building Permit will also be required, and prior to the construction of a private driveway entering a Town road, a Driveway Permit must be obtained. The Select Board or its appointed Building Officer shall issue permits which are in conformance with this and related ordinances.

Renumber as needed.

**AMENDMENT NO. 5** would replace Section 804 Illuminations in its entirety with a new section that would read as follows:

OUTDOOR LIGHTING

A. Purpose

The purposes of the outdoor lighting regulations are to protect dark skies, to prevent light pollution by minimizing the spillover of light onto adjacent properties, and to protect the public safety by preventing glare from outdoor lighting sources.

B. Definitions

1. Fixture: A complete lighting unit consisting of a lamp or lamps together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply; also called "luminaire."
2. Glare: Lighting entering the eye directly from lamps or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.
3. Lamp: The component of a luminaire that produces the actual light.
4. Light trespass: The shining of light beyond the boundaries of the property on which it is located.

C. Regulations

All new and replacement outdoor nonexempt lighting shall conform to the following standards unless specifically addressed elsewhere in Section 804.

1. Any fixture with a lamp or lamps rated at a total of more than 1800 lumens shall be fully-shielded so as to produce no light above a horizontal plane through the lowest direct-light-emitting part of the fixture.
2. All fixtures must be installed in a manner to prevent light trespass and glare. If any spot or flood light is aimed, directed, or focused so as to cause light trespass or glare to be a nuisance for neighboring properties, or to create glare for persons operating motor vehicles on public ways, the light shall be redirected or its light output reduced or shielded as necessary to eliminate such conditions.
3. Moving, fluttering, blinking, or flashing lights shall be prohibited.
4. Outdoor lighting at places of business or public venues shall be turned off not later than one hour after closing, unless public safety concerns demand otherwise. Vacant parking lots shall not remain lighted unless public safety concerns demand otherwise. Security lighting shall make use of timers, dimmers, motion sensors and other adaptive controls to substantially dim or extinguish lighting outside of business hours. In addition, there shall be no light trespass to any other property or glare when viewed from a road.

D. Exemptions

The following types of lighting are exempted from these requirements:

1. Lighting installed, used or required by public authorities or emergency crews.
2. Lighting required by the FAA or FCC.

3. Security lighting controlled by sensors set to provide illumination for a maximum of 15 minutes.
4. Lighting lawfully installed prior to the effective date of the adoption of this Ordinance.
5. Lighting of American flags.
6. Decorative holiday lighting for a temporary period, provided that the amount of holiday lighting at any one property does not create glare or light trespass.
7. Lighting required for construction projects, related to road construction and repair, installation of utilities, and other public infrastructure.

E. Temporary Outdoor Lighting

Temporary outdoor lighting which does not conform to Sections 8.04 C. or D. may be permitted by the Select Board or their designee after considering the following:

1. The public and/or private benefits that will result from the temporary lighting;
2. Any annoyance or safety problems that may result from the use of the temporary lighting; and,
3. The duration of the temporary lighting.

The applicant shall submit a detailed description of the proposed temporary lighting to the Select Board or their designee, who shall render a decision on the temporary lighting request within two weeks.

Renumber as needed.

**PROPOSED AMENDMENT NO. 6** Would replace Section 606 Steep Slopes, Hillside & Ridgeline Development Overlay District in its entirety with the following new section and remove Appendix.

#### STEEP SLOPE OVERLAY DISTRICT

##### A. PURPOSE

The purpose of the Steep Slope Overlay District is to reduce damage to streams, rivers and other surface waters from the consequences of excessive and improper construction, erosion, stormwater runoff, or effluent from improperly sited sewage disposal systems, and to preserve the natural topography, drainage patterns, vegetative cover, scenic views, wildlife habitats, and to protect unique natural areas and ecological balance.

##### B. RELATION TO OTHER DISTRICTS

Where the Steep Slope is superimposed over another zoning district, the more restrictive regulations shall apply.

##### C. DELINEATION

The Steep Slope Overlay District shall apply to all areas with a slope greater than 15 percent, as shown on the latest USDA NRCS Soil Survey. Development where the proposed site disturbance is greater than 10,000 square feet shall require a Conditional Use Permit from the Planning Board prior to issuance of a building or zoning permit. When a boundary of the Steep Slope Overlay District is disputed either by the Planning Board, an administrative official, or an applicant, the applicant shall provide a plan showing two-foot contours, stamped by an engineer or surveyor licensed in N.H., showing the delineation of the 15% slope areas.

##### D. DEFINITIONS

Erosion: The wearing away of the ground surface as a result of the movement of wind, water, ice, and/or land disturbance activities.

Sedimentation: The process by which sediment resulting from accelerated erosion has been or is being transported off the site of the land-disturbing activity or into a lake or natural watercourse or wetland.

Site Disturbance: Any activity that removes the vegetative cover from the land surface.

Slope: The degree of deviation of a surface from the horizontal, usually expressed in percent or degrees; rise over run.

Vegetative Cover: Grasses, shrubs, trees, and other vegetation which hold and stabilize soils.

##### E. APPLICATION REQUIREMENTS

A plan prepared by an engineer licensed in N.H. must be submitted showing the following:

1. The area to be disturbed in two-foot contours.
2. Existing and proposed structures.
3. The specific methods that will be used to control soil erosion and sedimentation, soil loss, and excessive stormwater runoff, both during and after construction.
4. A grading plan for the construction site and all access routes.

##### F. PERFORMANCE STANDARDS

All uses permitted in the underlying district will be a Conditional Use in the Steep Slope Overlay District and must meet the following conditions for approval:

1. The grading cut and fill shall not exceed a 1V:2H ratio (50% slope).
2. Existing natural and topographic features, including the vegetative cover, will be preserved to the greatest extent possible. In the event that extensive amounts of vegetation are removed, the site shall be replanted with indigenous vegetation and shall replicate the original vegetation as much as possible.
3. No structure shall be built on an extremely steep slope (greater than 25 percent prior to site disturbance).



4. All development, including grading, clearing and construction of driveways, shall provide for the retention of native topsoil, stabilization of steep hillsides, prevention of erosion, and consequent sedimentation of streams and watercourses. Peak stormwater discharge from the site after development shall not exceed pre-development levels for a two (2) year/twenty-four (24) hour storm event and existing drainage patterns will not be altered in a manner to cause an adverse impact on neighboring properties, town highways or surface waters.
5. Development shall not result in an undue adverse impact on fragile environments, including wetlands, wildlife habitats, streams, steep and extremely steep slopes and unique property features. All efforts will be made to protect/preserve such areas and promote suitable buffers.
6. Buffer widths and setbacks from streams and wetlands shall be 75'.

#### G. ADMINISTRATION OF CONDITIONAL USE PERMITS

In addition to meeting the conditions set forth in this section, Conditional Use Permits shall be granted in accordance with the following pertinent procedures:

1. A Conditional Use Permit shall be granted by the Planning Board upon a finding that the proposed use is consistent with the intent of the Ordinance. The Planning Board may acquire a review and recommendation from the Conservation Commission, as well as any other professional expertise deemed necessary, to assist in their finding.
2. The applicant must demonstrate that no practicable alternatives exist to the proposal under consideration, and that all measures have been taken to minimize the impact that construction activities will have upon the surrounding area.

#### H. COSTS

All costs pertaining to the consideration of an application, including consultants' fees, on-site inspections, environmental impact studies, notification of interested persons, and other costs shall be borne by the applicant and paid prior to the Planning Board's final action.

Renumber as needed.

**PROPOSED AMENDMENT NO. 7**

Would revise and expand the Special Exception criteria in Section 1003 Special Exceptions.

As it currently reads:

The Board of Adjustment may make a special exception, subject to appropriate conditions and safeguards as determined by it. In acting on an application for a special exception, the Board shall take into consideration:

1. The proposed use shall be one permitted by this Ordinance as a special exception.
2. The specific site is an appropriate location and of adequate size for such use.
3. The use will not adversely affect the adjacent area and there are no reasonable objections to the use by the owners of the abutting land.
4. The proposed use will promote the public health, safety, welfare, morals, order, convenience and prosperity, of the adjacent area.

As it would read with this amendment:

The Zoning Board of Adjustment may grant approval for a Special Exception, subject to appropriate conditions and safeguards as determined by it. In acting on an application for a Special Exception, the Board shall take into consideration:

1. The proposed use shall be one permitted by this Ordinance as a Special Exception.
2. The specific site is an appropriate location and of adequate size for such use.
3. Property values in the district will not be reduced by the use.
4. The proposed use will be compatible with the character of the area, and will not adversely affect the surrounding property, the neighborhood, or the town, including, but not limited to, consideration of noise, air quality, noxious odors, vibration, traffic, lighting, glare, hours of operation, amount of impervious surface, or building mass.
5. No nuisance or unreasonable hazard will result to vehicles, pedestrians or the environment, including, but not limited to, traffic, air quality, or surface or groundwater quality through increased stormwater runoff or the use of toxic or hazardous substances.
6. Adequate and appropriate facilities will be provided for the proper operation and maintenance of the proposed use.

Renumber as needed.

**AMENDMENT NO. 8**

Would add a subsection to ARTICLE 4: Application of Regulations to read as follows:

Section 40x. The Planning Board is authorized to adopt Site Plan Review Regulations and to review and approve or disapprove site plans for the development or change or expansion of use of tracts for nonresidential uses and for multi-family dwelling units.