

REPRESENTATION AUTHORIZATION

Barrington, NH PLANNING BOARD:
Ms Marcia Gasses
Planner

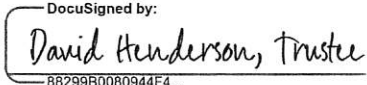
Dear Ms Gasses,

This letter shall serve as authorization for David M Garvey to pursue Site Plan, Subdivision and/or Zoning Board of Adjustment approvals on behalf of David & Glenda Henderson, 1273 Wingedfoot Lane, Denver, NC 28037, which also may include other local, state and federal permits/requirements/applications needed to obtain said approvals from the Town of Barrington NH on property identified as Tax Map 239-0001-0001 , of the Barrington Tax Maps.

This authorizes signatures relative to applications on this project, to facilitate the timely submissions to town, state and federal authorities for required permits on the Site Plan Application, Variance or other required local & state boards.

Submitted

Duly Authorized ;

David Henderson 
88299B0080944F4...
1/6/2021 | 8:41 AM EST

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Barrington Zoning Board of Adjustment Zoning Ordinance Variance and Special Exception Application Checklist

Please schedule a meeting with staff before submitting your application.

This checklist has been prepared to assist you in submitting a complete application to the Town of Barrington. At the Pre-Application meeting, staff will check off the items on this list that are required with your submission.

This document constitutes a public disclosure under RSA Chapter 91 – A, Access to Governmental Records and Meetings.

Date 10/29/20 Case No. 239-1.1-TC-21-Uav
Owner Davis & Glendon/Henke Mailing Address 1273 WINGFOOT LN Denver NC 28037
Phone 603-491-2854 Email Dave@amuseco.com

PART I – GENERAL REQUIREMENTS

All Graphics shall be to Scale and Dimensioned

Description of Documents Required for Complete Application. No application shall be accepted without all items marked below.

- | Req'd | Rec'd | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | 1. Zoning Board of Adjustment Application Checklist (<i>this form</i>) |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. ZBA General Information (Article(s) and Section(s) of Ordinance) |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. Appeal and Decision |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Fees - \$150.00 Application <input type="checkbox"/>
\$ 75.00 Legal Notice <input type="checkbox"/>
\$ 7.00 per US Post Office Certified Letter <input type="checkbox"/> |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. Completed Project Application Form
<input type="checkbox"/> Variance <input type="checkbox"/> Special Exception <input type="checkbox"/> Appeal |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. Notarized Letter of Authorization (from property owner(s) if property owner did not sign the application form) |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Project Narrative |

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- 8. HOA Approval (*if applicable*)
- 9. Context or Locus Map (Show Surrounding Zoning Districts)
- 10. Existing Conditions Site Plan or Recorded Subdivision Plan to include well and septic location (may be found at Strafford County Registry of Deeds).
- 11. Existing Conditions Photo Exhibit (*See instruction page for submitting photos*)
Up to four photos may be shown per 8 ½" X 11" page size
 - a. Show all existing structures on site
- 12. List of Certified Abutters (Include Applicant and all licensed professionals, i.e., engineer, architect, land surveyor, or soil scientist, whose seals are affixed to the plan, as well as any holder of a conservation or agricultural easement)
- 13. Mailing Labels (4 sets)

PART II – REQUIRED PLANS AND RELATED DATA
All Graphics and Plans Shall be to Scale and Dimensioned

- 1. Site Plan - ***Drawn and Stamped by Registered Land Surveyor***
 - a. 24" X 36" – 2 Copies
 - b. 11' X 17" – 6 Copy
 - c. 8 1/2 " X 11" – 1 Copy
- 2. Elevations: Show all sides of building and indicate building heights
 - a. 24" X 36" – 2 Copies
 - b. 11' X 17" – 6 Copy
 - c. 8 1/2 " X 11" – 1 Copy
- 3. Floor Plans
 - a. 24" X 36" – 2 Copies
 - b. 11' X 17" – 6 Copy
 - c. 8 1/2 " X 11" – 1 Copy
- 4. All drawings and any revised drawings must be submitted in PDF format
- 5. OTHER: _____
- 6. Your Appointment Date and Time for Submitting the Complete Application is: _____

Barbara Duvine
Staff Signature

1-6-2021
Date

Land Use Department
Town of Barrington; 137 Ramsdell Lane; Barrington, NH 03825
barrplan@metrocast.net Phone: 603.664.5798

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PART III – PROJECT DESCRIPTION/VARIANCE DETAILS

Case No. 239-1.1-TC-21-Var

Project Name HENDERSON Property 239-0001-0001

Location Address RT 9

Map and Lot 239-0001-0001

Zoning District (Include Overlay District if Applicable) TC

Property Details:

- Single Family Residential
- Multifamily Residential
- Manufactured Housing
- Commercial
- Mixed Use
- Agricultural
- Other

Use: undeveloped LAND

Number of Buildings: 0 Height: _____

Setbacks: Front _____ Back _____ Side _____ Side _____

Description of Request

Cite the Section of the Zoning Ordinance you are requesting a Variance or Special Exception for. If this is an Appeal from an Administrative Enforcement Order, Planning Board Decision, or Zoning Board of Adjustment Decision, please attach pertinent documentation:

SEE ATTACHED

Project Narrative: (Please type and attach a separate sheet of paper)

Barrington Zoning Ordinance Requirements:

Request: (You may type and attach a separate sheet of paper)

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PART IV – If this is a JUSTIFICATION FOR VARIANCE

The Zoning Board of Adjustment may not authorize a zoning ordinance variation unless ALL of the following criteria are met. Please provide evidence that the requested Variance complies by addressing the issues below.

1. Special conditions exist such that literal enforcement of the Ordinance will result in unnecessary hardship to the applicant as defined under applicable law.

see Attached

2. Granting the variance would be consistent with the spirit of the Ordinance.

See Attached

3. Granting the variance will not result in diminution of surrounding property values.

See Attached

4. Granting of the variance would do substantial justice.

See Attached

5. Granting of the variance would not be contrary to the public interest.

See Attached

PART V – If this is a JUSTIFICATION FOR SPECIAL EXCEPTION

Please provide evidence that the requested Special Exception complies by addressing the issues below. See Attached/NA

1. No detriment to property values in the vicinity of the proposed development will result on account of: the location or scale of buildings, structures, parking areas, or other access ways; the emission of odors, smoke, gas, dust, noise, glare, heat, vibration, or other pollutants; or unsightly outdoor storage of equipment, vehicles, or other materials.

2. No hazard will be caused to the public or adjacent property on account of potential fire, explosion, or release of toxic materials.

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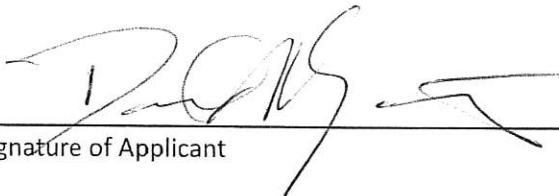
3. No creation of a traffic safety hazard or substantial traffic congestion will result in the vicinity of the proposed development.

4. No excessive demand on municipal services and facilities, including, but not limited to waste disposal, police and fire protection, and schools.

5. The proposed use will not result in the degradation of existing surface and groundwater quality standards, nor will it have adverse effects on the natural functions of wetlands on the site that would result in the loss of significant habitat or flood control protection.

In addition to the guiding principles specified above, the ZBA may condition the granting of a special exception upon more stringent standards if the Board determines that such conditions are necessary to protect the health and welfare of the town and its residents. Such conditions may include the following and should be addressed in the Narrative:

- 1. Front, side, or rear yards in excess of the minimum requirements of this Ordinance.
- 2. Screening of the premises from the street or adjacent property by walls, fences, or other devices.
- 3. Limitations on the size of buildings and other structures more stringent than minimum or maximum requirements of this Ordinance.
- 4. Limitations on the number of occupants and methods and times of operation.
- 5. Regulation of the design and location of access drives, sidewalks, and other traffic features.
- 6. Location and amount of parking and loading spaces in excess of existing standards.
- 7. Regulation of the number, size, and lighting of signs in excess of existing standards.


Signature of Applicant

DAVID M. GANSEY
GANSEY & CO LTD
PO BOX 435 DURHAM NH
12/29/20 03874
Date

Signature of Owner

RECEIVED Date

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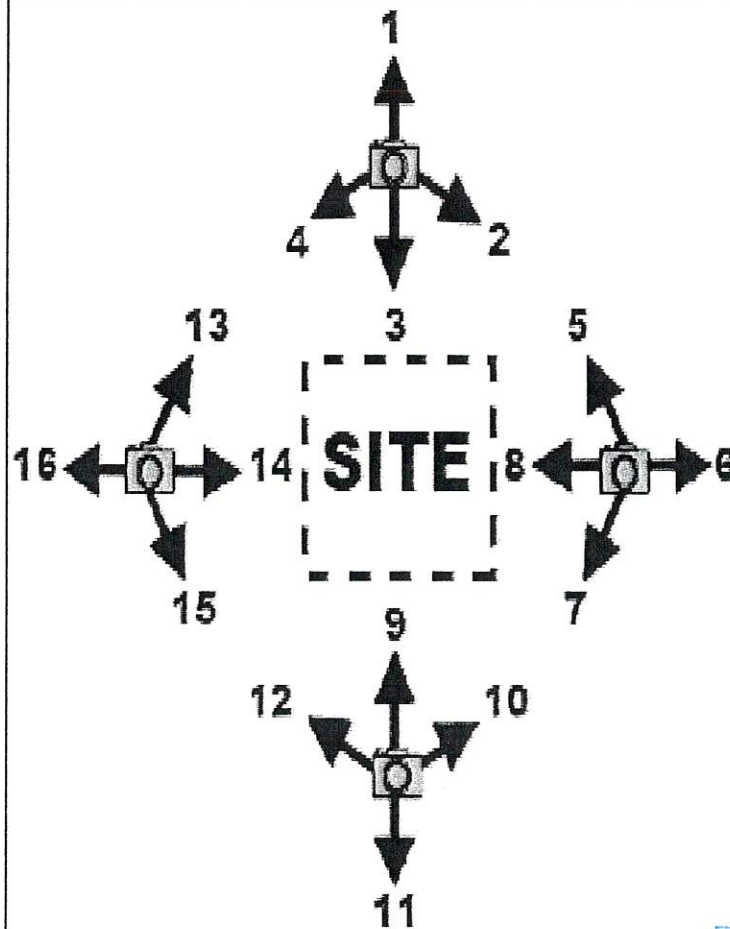
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SITE / CONTEXT PHOTOS

Using Guidelines Below

Provide color photographs showing the site and surrounding buildings/properties in order to provide staff, boards and commissions with a visual impression of the current site conditions.

1. Photos are to be taken looking toward the site and adjacent to the site.
2. Photos should show adjacent improvements and existing on-site conditions.
3. Number the photographs according to view.



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Project Narrative

This is a large parcel located close to the center of Barrington, on/off Route 9. This parcel of land is 28.99 acres out back with frontage located on Rt 9. Frontage consists of 158.33 feet of frontage, with substantial wet areas located on the frontage area. The property was the subject of a subdivision in 2005 – 2006 which subdivided the house and barn from the balance of the property creating the existing 6.03 acre frontage parcel that was sold with a larger remaining subject parcel of 28.99 with frontage to the west and an access easement to the East. The easement to the east is a 40 foot wide access and utility easement. The ZBA granted a special exception to the ordinance dimensional requirements to allow for access to the larger rear parcel via the easement. (case #ZB 06/605)

Currently the request to the ZBA is to allow for a back lot with reduced frontage, to service **three** instead one or two homes, and to allow for Single Family homes, where in the town center district commercial use is required on the first level and primary use.

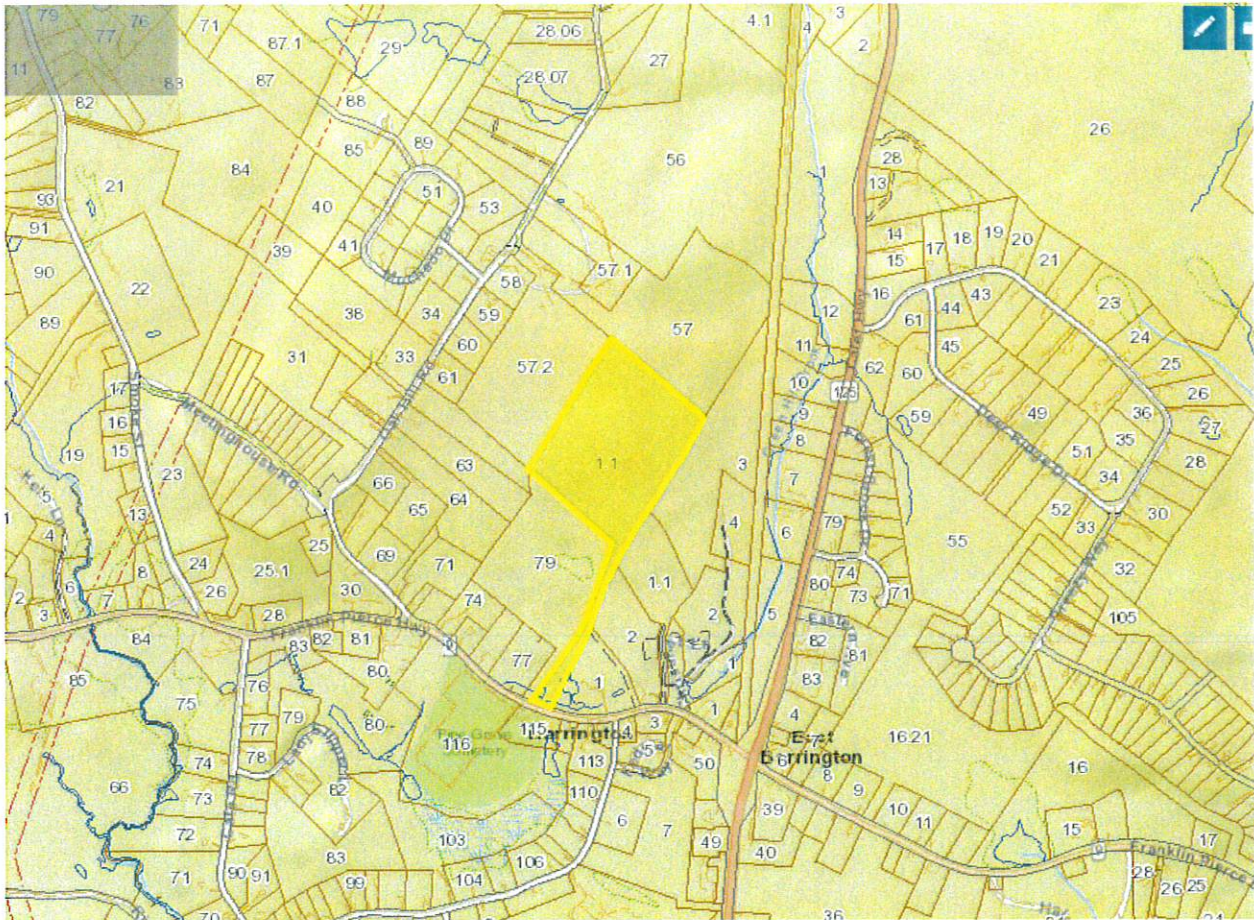
The following application will put forth the reasons why this makes sense, and why the request is in the best interest of the community and the landowner.

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Henderson – Locus



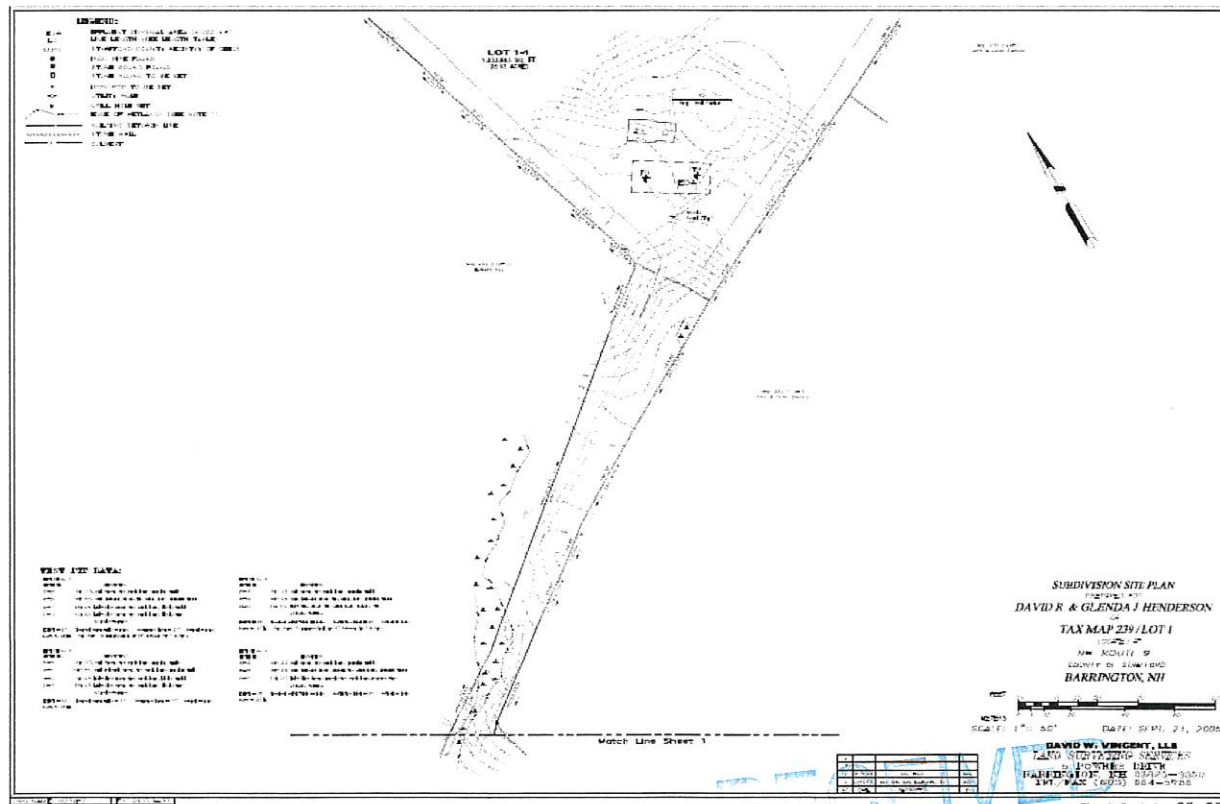
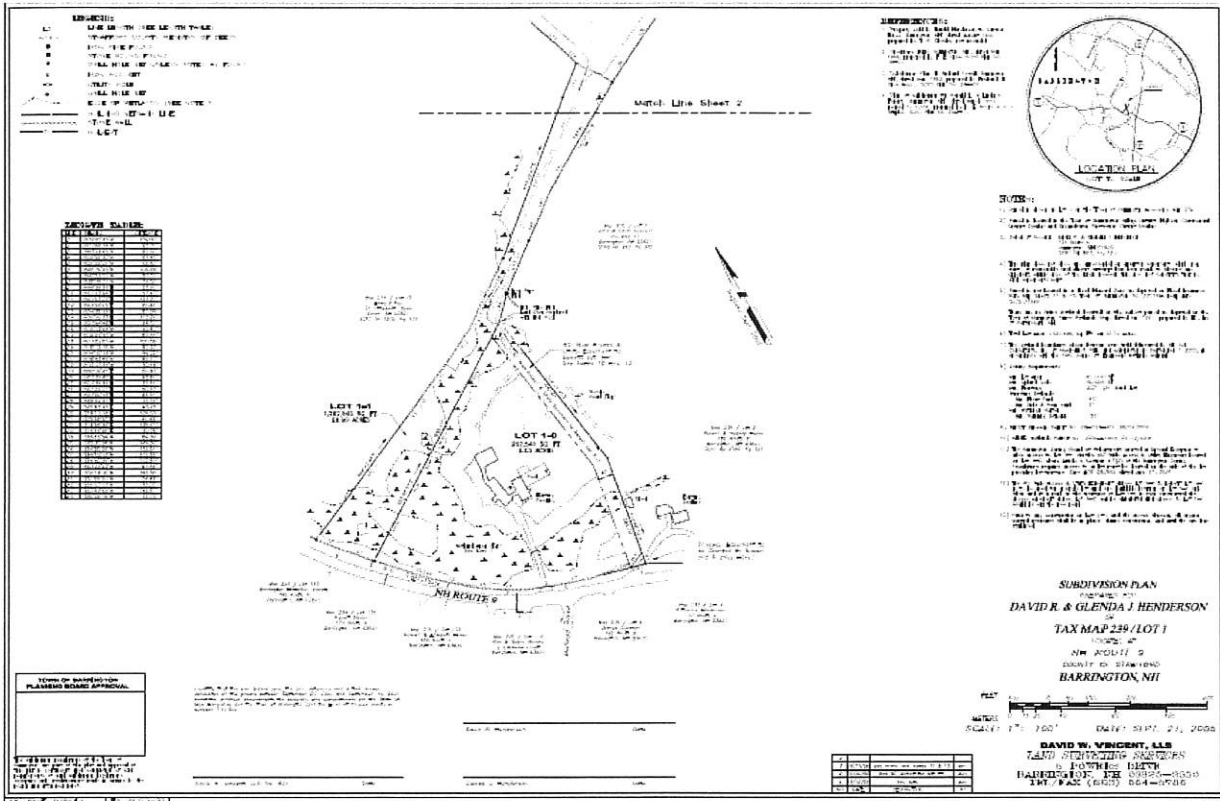
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Record subdivision plan

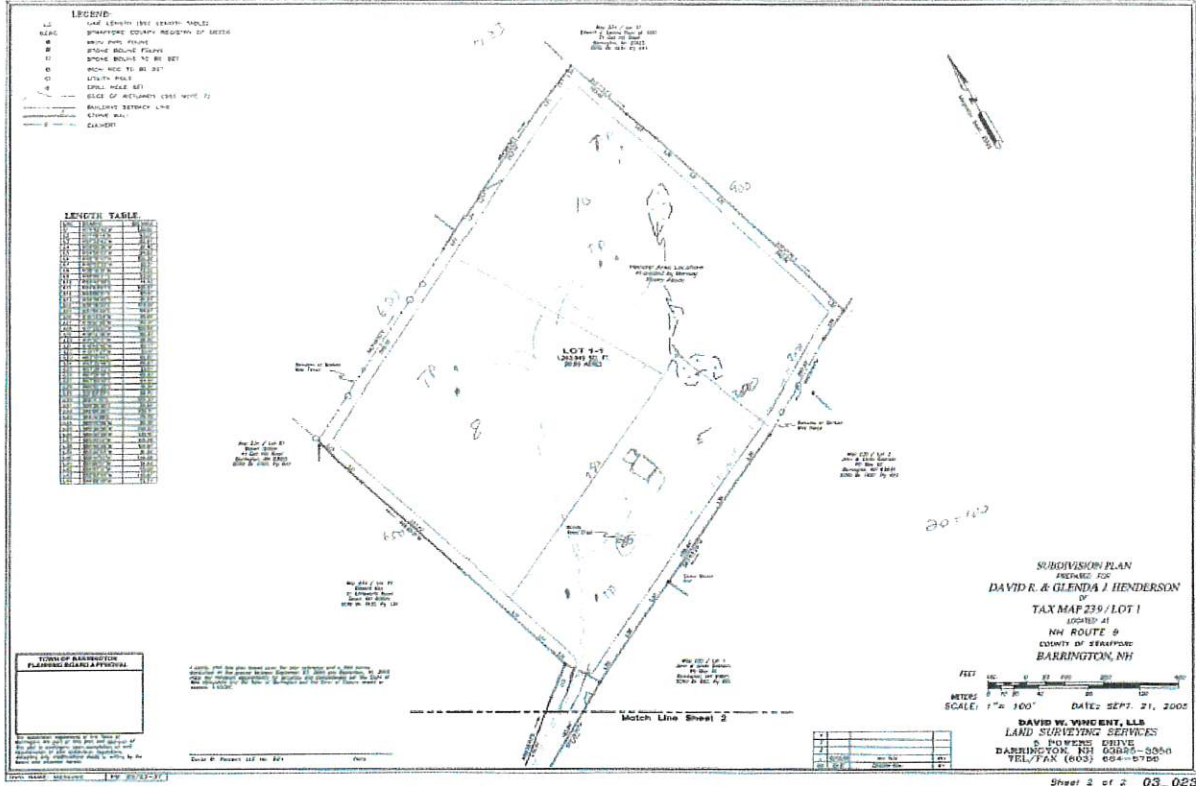
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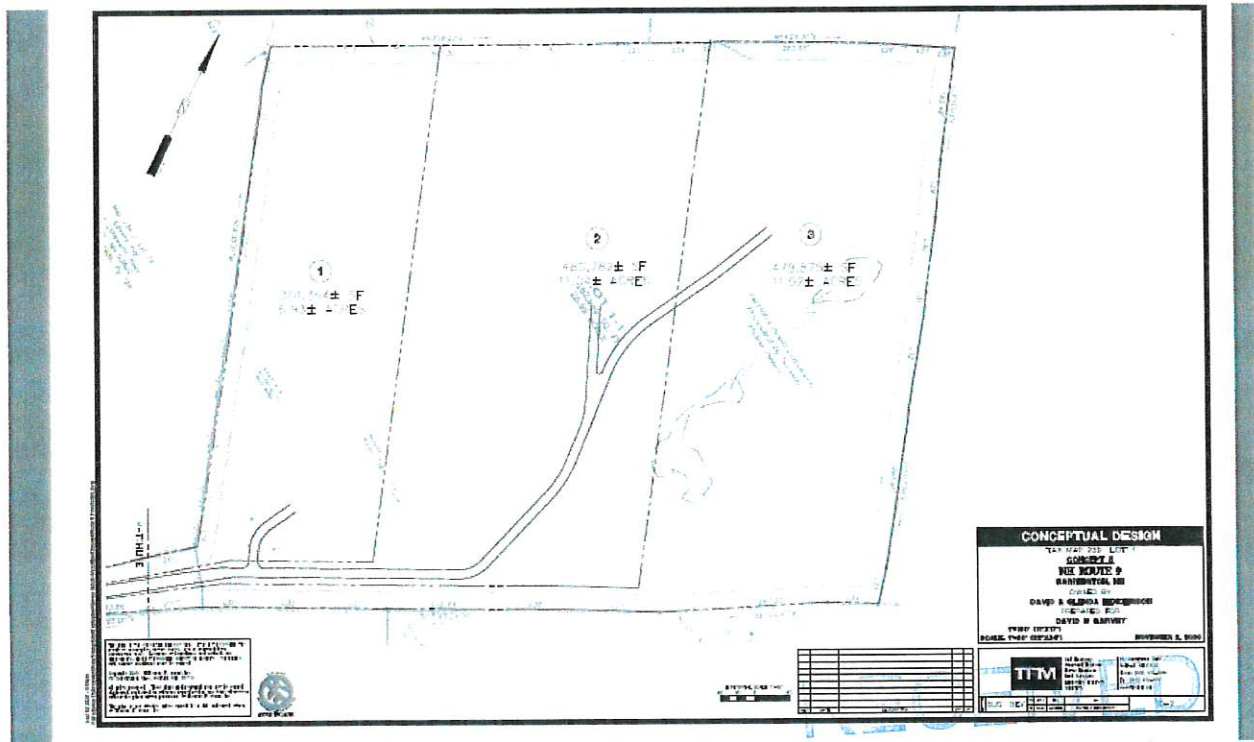
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Concept plan number 2

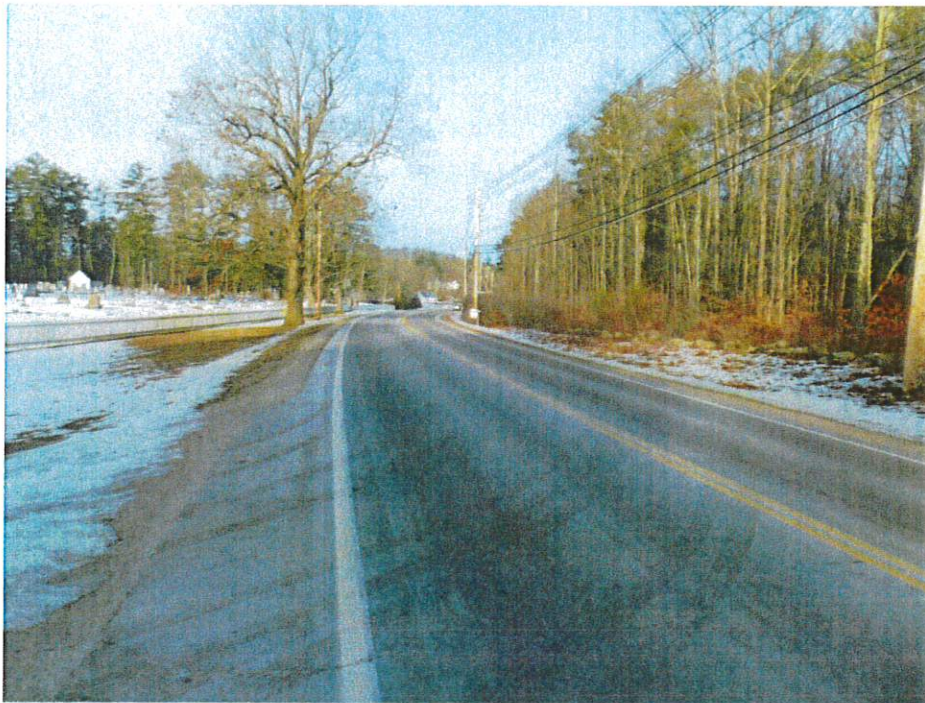


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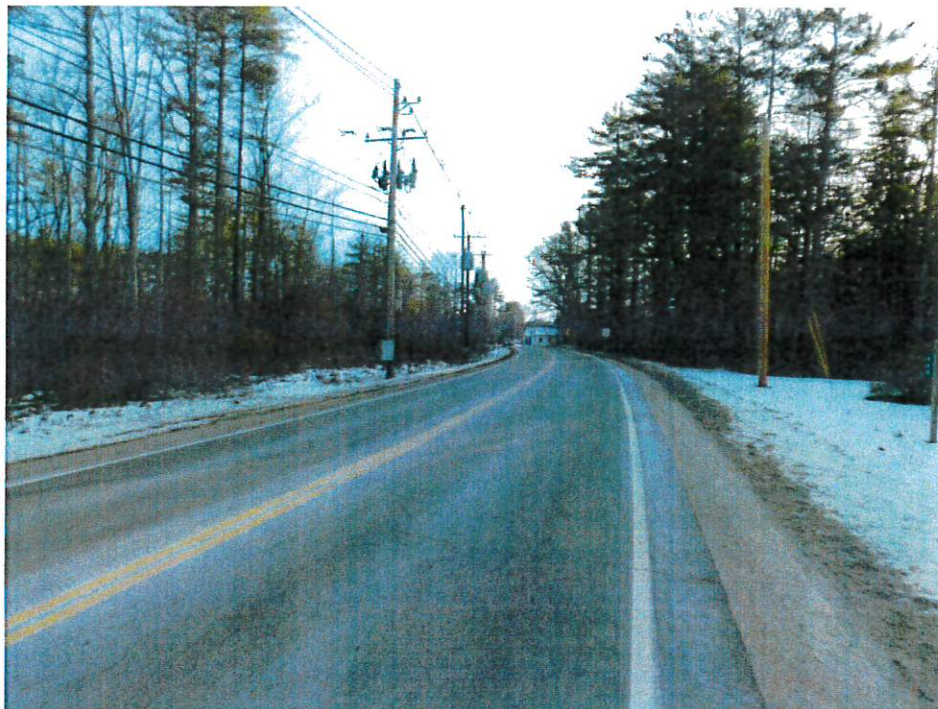
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Exist Conditions Photos

(google earth are close approximations of boundary lines)



Looking west

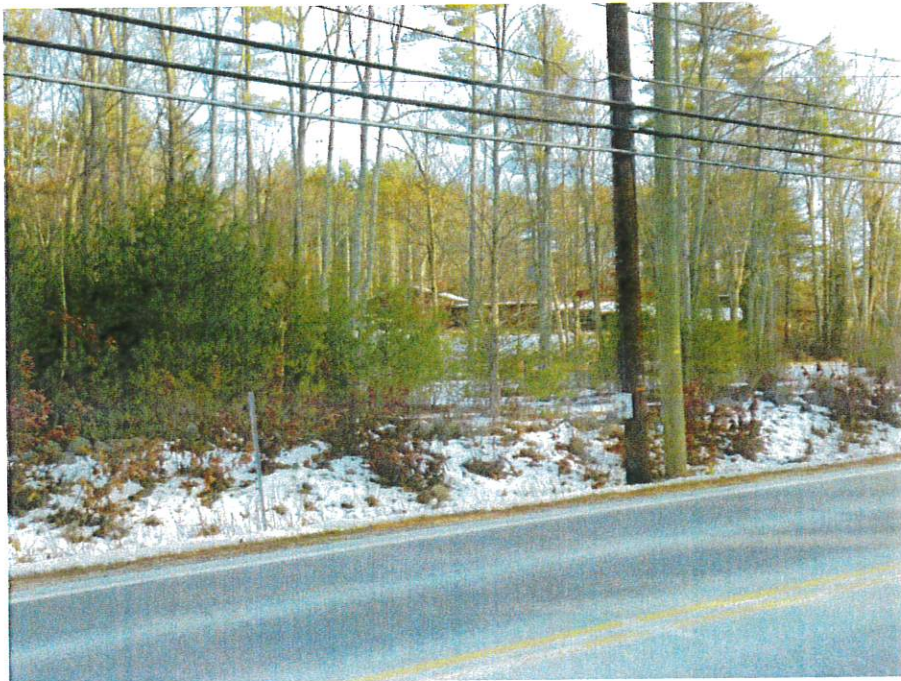


Looking East

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West Boundary road frontage



East Boundary road frontage

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Interior looking west



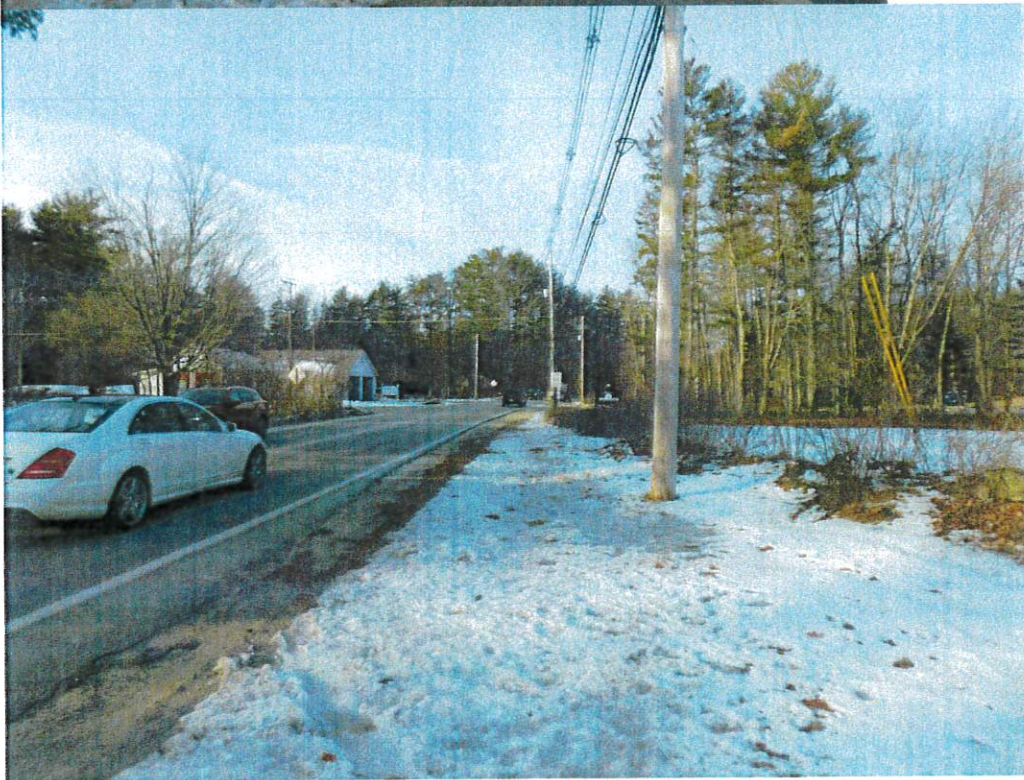
Interior looking east and down...



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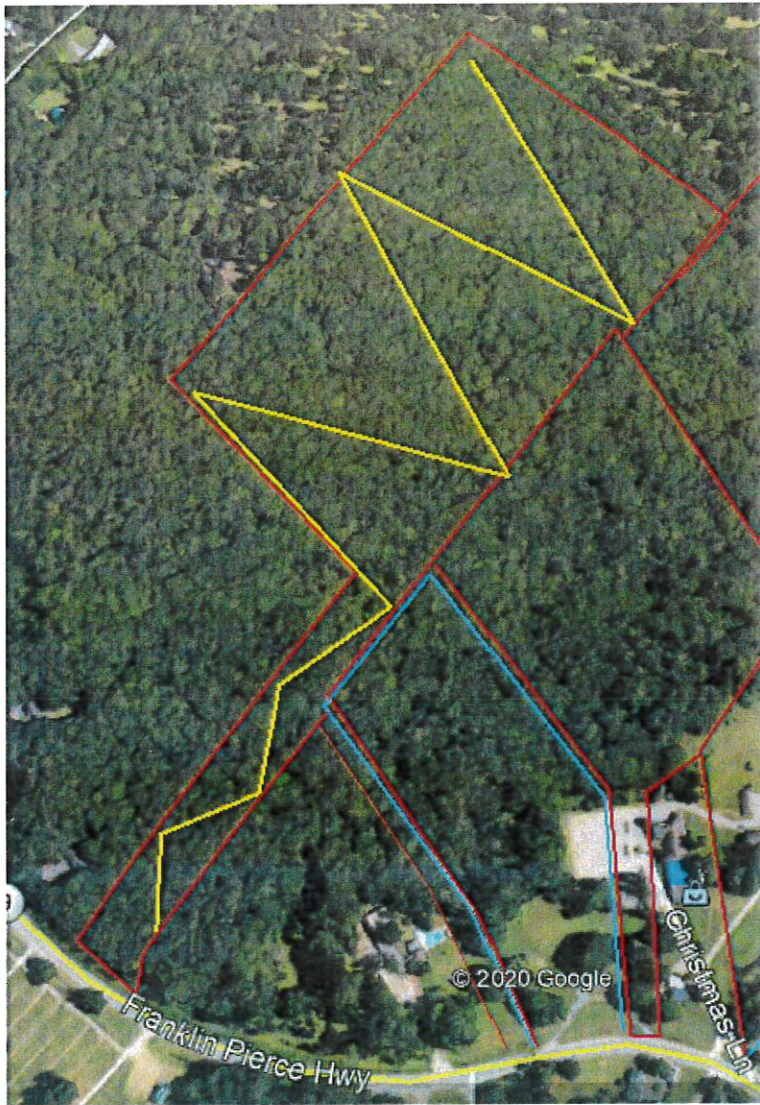
Views of the access easement area

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Google View Approx Boundary North is up and east to the right

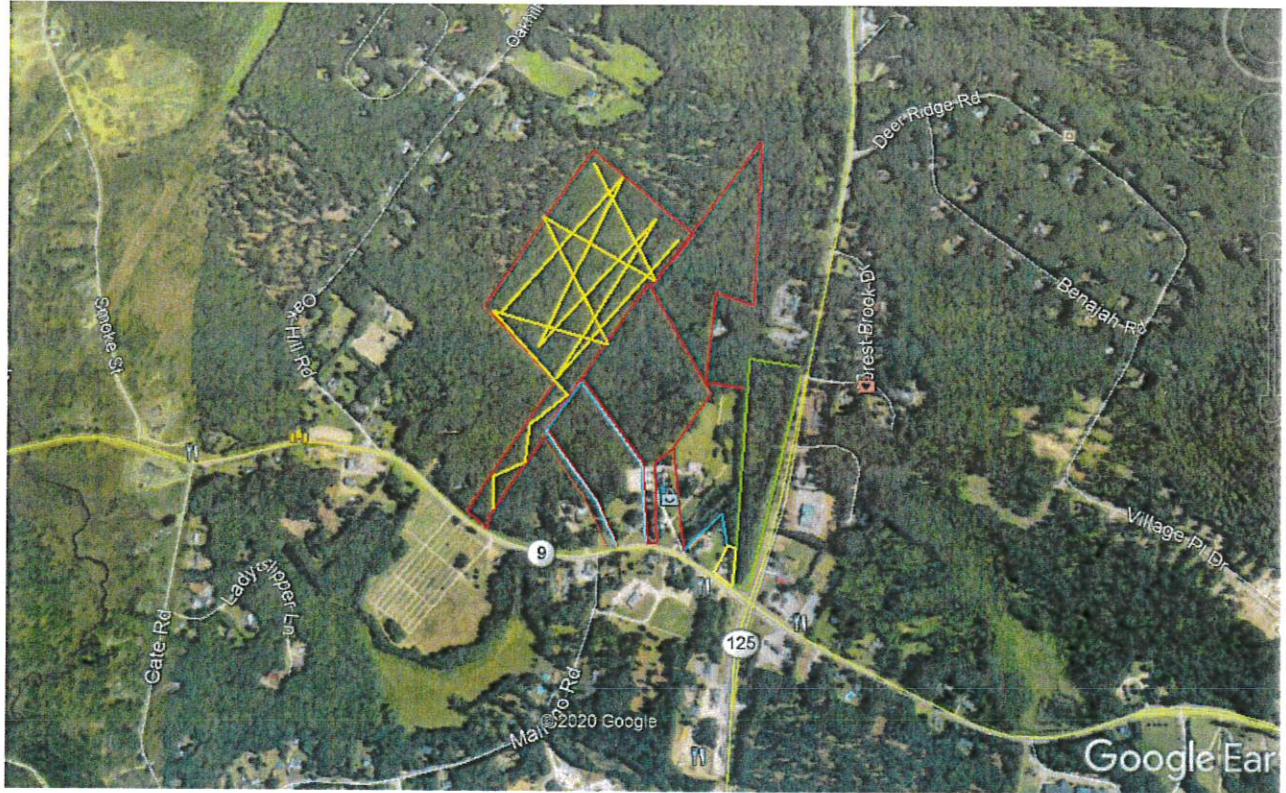


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Google View Approx boundary - North is up – east to the right



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Request for Relief from :

2.2.5 article 16 - PUD

Article 19-13 Table of uses

4.1.3 – Back lot Regulations.

PART IV

1. **Special conditions exist that literal enforcement of the ordinance will result in unnecessary hardship to the applicant as defined under applicable law.**

a. There are a number of conditions existing that are inherent in the land that create the hardship. First and foremost is the topographical condition of the subject property. The topo is such that with the contours of the land, just about any kind of commercial enterprise will have a very difficult time creating enough level land to actually create a useable area. There is a plateau at the top of the hill, but all of the rest of the parcel is undulating and sloping to the extent that in most of the site there are slopes such that siting a single family home is doable, but beyond that likely not physically possible.

b.

Additionally, the site is located literally “way off the beaten track” with an access drive in excess of 1200 feet. Any kind of commercial requires traffic in numbers substantial enough to create value. For this site, the only traffic is the wildlife. It is surrounded by wooded parcels, and the site to the east even if it gets developed has too many natural obstacles to be able to connect to a commercial use for this site. Additionally, the COVID-19 has decimated all types of retail and office, thus creating an inability to fill any commercial space on the best of the states retail corridors.

2. **Granting the variance would be consistent with the ordinance**

a. The ordinance is created to have harmony in the surroundings for all of the residents of the community, to create safe places to live and work and overall promote the health and welfare of the community. The ordinance was created to try to promote a town center concept, with commercial being the primary use. This parcel likely was not analyzed in a site specific manner, or it would not have been included in the district. The topo and the location so far off the road, with no hope of any traffic, will prohibit any commercial activity for a very long time.

b. This site has already been granted the access via the ROW in order to preserve wetlands located on the west side of the property. This was found to be beneficial. This is evidenced by the majority of the homes in the community on approximately two plus or minus acres. Therefore, to have three homes on 30 acres, with each being greater than five acres would have to be consistent with the ordinance. Additionally, the back lot provisions of the ordinance allow for two lots to be created, with fifty feet of frontage, where this would still allow for each of the three lots to have that amount of frontage, but three lots instead. The topo of the site (physical characteristic) would not really

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allow for a subdivision into greater than the three lots, and the 40 foot ROW would not allow for a full blown town road to be installed either.

- c. In this case, the fact that nearly 30 acres of land be reserved for one home site (per plan), is not consistent with the ordinance, in fact creates a catch 22. The plan says for one home use, but the zoning requires commercial.
- d. The size of the land, and the result of the COVID over the last year is likely to drive the creation of office space within the homes anyway, with residents running their business out of the home, the market has been driven in that direction.

Thus, granting the variances would be consistent with the ordinance.

3. Granting the variance will not result in the diminution of surrounding property values.

- a. Given the surrounding properties, the introduction of three significant homes to the site would not only, not decrease surrounding values, but would have a positive effect on the surrounding property. To the east is a parcel that has been purchased for intense development with high density. To the north and west is wooded land, which will not be affected one way or the other and to the south is a residential/commercial property that will be enhanced by the granting of the variance. The locations of the homes will be situated in order to create substantially greater than minimum setbacks from property lines. The natural features of the land will also help screen the homes from abutting properties and each other. Creation of larger parcels creates less density and lowers the amount of potential traffic, and leaves greater green spaces. Additionally, there would not be any signs, commercial lighting or similar associated with Commercial uses.

4. Granting the variance would do substantial justice.

- a. If the zoning is an impediment to the landowner being able to do anything with their land that makes economic sense, then creating that opportunity for the landowner who has paid taxes all those years cannot help but do substantial justice. To solve the zoning problem of very likely never seeing a commercial use on this site, is also doing substantial justice. If all viable economic uses are available to the landowner, then the town has created a taking.

5. Granting the variance would not be contrary to the public interest.

- a. What constitutes the public interest? The board has already previously determined that the use of the ROW is in the public interest. The land currently does not pay significant taxes. If just an average home were constructed, the value would likely be in the \$400,000 plus range which at the current tax rate \$22.77 times three homes would equate to approximately \$27,324 in taxes to the town, and with the current average household contributing only .67 children to the school, that would equate to a net positive tax revenue. The addition of three families and potential in-home business to the community adds to the vibrant nature of the Barrington Community. Furthermore, new residents add to the social fabric of the community, contribute in volunteer roles and over create positive overall impacts to the community.

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2.2.4Regional Commercial (RC)

The Regional Commercial District is intended to establish an environment along the Route 125 and Route 4 corridors that promotes commercial and industrial land uses that conform to the development goals identified in the Master Plan. Although limited residential development is permitted in this district, these types of uses are considered less appropriate for the land area immediately adjacent to the roadway corridor. As noted in the Master Plan, there is a relatively small amount of developable land remaining along these corridors and it should be reserved primarily for non-residential uses. Commercial and industrial development in this district should be done in accordance with the site design guidelines presented in the Master Plan that recommend a compact, nodal form of development (as opposed to strip commercial development), which employs parallel service roads whenever possible, as well as building and landscaping design that reflects community standards.

2.2.5.....Town Center (TC)

The Town Center District is intended to facilitate the creation of a compact mixed-use development pattern around the intersection of Route 125 and Route 9. All development within this district must reflect the design characteristics of a traditional town center as outlined in the Master Plan and Town Center Plan, as well as the Site Plan Review and Subdivision Regulations. The goal for this district is to create a core of high density commercial development, civic uses and public open space. Commercial uses will offer opportunities for employment, services, and shopping for residents in adjoining neighborhoods as well as those in outlying rural portions of the town. Civic uses and open spaces will provide gathering places for social interaction of residents. Residential uses are also permitted in this district as part of planned use developments as a means to support commercial development and allow for alternative housing options within the community.

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ARTICLE 16 PLANNED UNIT DEVELOPMENT (PUD)

16.1 ...Purpose

A Planned Unit Development (PUD) is intended to offer an alternative approach to site design that reflects historic settlement patterns and town planning concepts such as narrow and interconnected streets, reduced front and side setbacks, and a street layout that is pedestrian-oriented within a “neighborhood” environment. The PUD standards and procedures set forth in this Article, as well as the additional requirements contained in the Site Plan Review and Subdivision Regulations, are intended to allow for flexibility in plan review by the Planning Board by establishing a series of performance standards that facilitate high quality design and encourage a mix of land uses. These standards are also intended to offer use and development intensity incentives to developers in exchange for the provision of land and/or facilities for civic uses and open space, as provided for under State Statute 674:21, Innovative Land Use Controls.

The core principles and objectives of the PUD that are outlined below should be used by applicants to guide the design of their development proposals since these concepts will provide the overarching framework used by the Planning Board in evaluating the suitability of said proposals within the context of these regulations.

16.1.1.....Compact Development and Human-Scale Design

The layout and design of a PUD should foster effective interaction between people and the proposed land uses, as well as allowing the development to be serviced efficiently by required infrastructure systems. In order to achieve these objectives a PUD must have moderately high density of development at a scale that makes the pedestrian feel comfortable.

16.1.2.....Mix of Uses

A PUD typically provided a mix of commercial, civic, and residential structures or uses, all of which are fully integrated with open spaces that are suitably placed throughout the development and assessable to the general public

16.1.3.....Accessibility and Transportation

Within the PUD, ease of pedestrian movement is very important as is integration into the adjoining public transportation network. This objective should be accomplished by creating a system of relatively narrow, interconnected streets with sidewalks, bikeways, and transit access potential. This system should offer multiple routes for motorists, pedestrians, and bicyclists and provide connections to existing roadways as well as potential future developments.

16.1.4.....Cultural and Environmental Context

A PUD should distinguish the town center from the rural countryside in Barrington by complimenting and building upon the historical architecture and development patterns that exist in the Town Center Zoning District, as prescribed in the Site Plan Review Regulations. Developments should retain existing buildings with historical or architectural features that enhance the visual character of the community and incorporate significant environmental features into the overall project design.

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16.3.3.....Maximum Lot Coverage

The determination of maximum permitted lot coverage in a PUD, as specified in Table 2, Table of Dimensional Standards, located in Article 4, shall be calculated in the following manner. Lot coverage, which refers to all impervious surfaces, shall be calculated separately for each of the three major development components permitted in a PUD which include commercial, civic/open space, and residential, as described in Section 16.5. For example, a PUD on 10 acres may dedicate no more than 8.5 acres (85%) to non-residential uses. In accordance with Table 2 in Article 4, the maximum lot coverage for this commercial portion of this PUD would be 80% (in the TC district), or approximately 6.8 acres.

16.4 ...Design Standards

In addition to the standards provided in this Article, all PUD proposals shall comply with the requirements set forth in the Site Plan Review and Subdivision Regulations, as well as all other applicable town and state regulations.

16.5 ...Permitted and Required Uses

16.5(1).....A Planned Unit Development may consist of a mix of three distinct components: a residential component, a commercial component, and civic uses combined with open space component.

16.5(1)(a)The commercial component and civic center/open space component are required as part of all PUD development proposals.

16.5(1)(b)The residential component is included in a PUD proposal at the developer’s discretion. **16.5(2)** All three of these land use components may be integrated with one another (i.e. civic uses may adjoin commercial or residential uses and need not be on separate tracts of land) however, the percentage of the total tract devoted to each use must comply with the standards noted below.

16.5.1.....Civic Center/Open Space Requirements

If a PUD is being developed with a commercial component only (i.e. the PUD will not include a residential component) the portion of the site set aside for civic and/or open space shall be a minimum of fifteen percent (15%) of the total development tract. However, if a PUD is being developed with both a commercial and a residential component, the portion of the side set aside for civic and/or open space shall be a minimum of twenty-five percent (25%) of the total development tract.

Said civic/open space areas may remain privately owned but must be accessible to the general public in a manner that is compatible with operation of other institutional, commercial and/or residential uses that may also be developed on the site. Said conditions for public use shall be approved by the Planning Board as part of the Site Plan Review process. If the civic/open space portion of a PUD is deemed suitable for development of a municipally-operated facility, such as a library, school, park, etc., the developer and the town may negotiate the use of said property based on terms that are acceptable to both parties, and subject to all legal requirements for acceptance by the town. In addition, the developer and the Planning Board shall mutually agree upon the placement and or siting of said civic or open space uses as part of the Site Plan Review process. The civic/open space component may be developed with any of the following uses.

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ARTICLE 19 APPENDIX

Foot Note #13

(Refer to Subsection 3.2 for an explanation of how to interpret information presented in Table 1: Table of Uses)

TABLE 1: TABLE OF USES (Sheet 1 of 4)						
USE RESIDENTIAL	General Residential (GR)	Neighborhood Residential (NR)	Village (V)	Town Center (TC)	Regional Commercial (RC)	Highway Commercial District Overlay (HCO)
Conservation Subdivisions	P(5)	P(5)	P(5)	(-)	P(5)(8)	P
Manufactured Housing	P	P	P	(-)	P(8)	P
Multifamily Housing	CP(6)	CP(6)	CP(6)	P(6,13)	P(8)	P
Senior Housing	CP(6)	CP(6)	P(6)	P(6,13)	P(8)	P
Single-Family Dwellings (Attached)	P(7)	P(7)	P	P(13)	P(8)	P
Single-Family Dwellings (Detached)	P	P	P	P(13)	P(8)	P
Two Family Dwellings	P	P	P	P(13)	P(8)	P
Accessory Dwelling Unit	P	P	P	P	P	P
USE AGRICULTURAL						
Agricultural Uses	P	P	P	P(16)	P	P
Farms	P	P	P	P(16)	P	P
Open Air Farmers Market	P	P	P	P	P	P
Keeping/Boarding of Horses	P	P	P	(-)	P	P
Orchards	P	P	P	(-)	P	P
USE COMMERCIAL						
Arts & Crafts Establishments	CP	CP	P	P	P	CP
Art Studios	CP	CP	P	P	P	CP
Assisted Living Facility	CP(15)	CP(15)	P(15)	P(15)	P(15)	CP(15)
Sale of Automobile Parts & Supplies	CP	CP	CP	P	P	CP
Automated Banking Facility (ATM)	CP	CP	P	P	P	CP
Banks	(-)	(-)	P	P	P	CP
Bed & Breakfasts	CP	CP	P	P	P	CP
Billiard Parlors	(-)	(-)	(-)	P	P	CP
Bowling Alleys	(-)	(-)	(-)	P	P	CP
Business Support Services	CP	CP	P	P	P	CP
Business & Professional Offices	CP	CP	P	P	P	CP
Business & Professional Park	CP	CP	CP	CP	CP	CP
Commercial Recreation Facilities	CP	CP	CP	P	P	CP
Conference Centers	CP	CP	P	P	P	CP
Child Day Care Agency (03/08/11)	CP	CP	P	P	P	CP
Distillery/Brewery with Retail	(-)	(-)	P	P	P	CP
Distillery without Retail	(-)	(-)	(-)	(-)	P	P
Drug Store	CP	CP	P	P	P	CP
Elderly Assisted Care Home	CP(3)(15)	CP(3)(15)	CP(3)(15)	CP(3)(15)	(-)	CP(3)(15)
Funeral Homes	(-)	(-)	P	P	P	CP
Gasoline Service Stations	CP	CP	P	P	P	CP
Convenience Stores w/Gas Pumps	CP	CP	P	P	P	CP

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TABLE 1: TABLE OF USES (Sheet 3 of 4)

USE	General Residential (GR)	Neighborhood Residential (NR)	Village (V)	Town Center (TC)	Regional Commercial (RC)	Highway Commercial District Overlay (HCO)
INDUSTRIAL						
Contractor's Storage & Equipment Yards	CP	CP	(-)	(-)	P	CP
Excavation Operations	CP(1)	CP(1)	CP(1)	(-)	P(1)	P(1)
Light Manufacturing Facilities	CP	CP	CP	(-)	P	CP
Machine Shops	CP	CP	(-)	(-)	P	CP
Research & Development Facilities	CP	CP	P	CP	P	CP
Sawmills	CP	CP	(-)	(-)	P	CP
Truck Terminals	(-)	(-)	(-)	(-)	P	CP
Wholesale Uses	CP	CP	P	(-)	P	CP
Warehouse Operations	CP	CP	P	(-)	P	CP
USE PUBLIC / INSTITUTIONAL						
Churches	CP	CP	P	P	P	CP
Educational Institutions	CP	CP	P	P	P	CP
Municipal Buildings & Uses	P	P	P	P	P	CP
Parks & Playgrounds	CP	CP	P	P	P	CP
USE ACCESSORY						
Private Garages	P	P	P	P	P	P
Accessory Uses	P	P	P	P	P	P
Farm/Produce Stand	P(11)	P(11)	P	P	P	P
In-House Dwelling Unit	P	P	P	P	P	P
Recreation	P(14)	P(14)	P(14)	P(14)	P(14)	P(14)
Swimming Pools	P	P	P	P	P	P

KEY / LEGEND	INTERPRETATION OF KEY / LEGEND
P	Permitted by Right
P(with Number)	Permitted with conditions specified in the footnote number given.
CP	Permitted if a Conditional Permit is issued by the Planning Board
CP(with Number)	Permitted if a Conditional Permit is issued by the Planning Board with conditions specified in the footnote number given.
(-)	Not permitted

4.1.2.....Lot Frontage

The side of a parcel used to satisfy the frontage requirement specified in the Table of Dimensional Standards, or other alternative standards, must be the side of the parcel used to provide vehicular access to the property. The Zoning Board of Adjustment may permit, by grant of a Special Exception, that a different side of the property be used for access because site constraints make using the otherwise required frontage inconsistent with protecting the safety, health and welfare of the public.

4.1.3.....Back Lots

For residential subdivisions, up to two (2) back lots may be allowed, notwithstanding the frontage requirements specified in the Table of dimensional Standards.

- 4.1.3(1).....**The parcel must have at least fifty (50) feet of frontage on an existing Class V or better road.
- 4.1.3(2).....**If there are two (2) back lots, the ownership of the neck and frontage shall be owned equally by both back lots.
- 4.1.3(3).....**The area of the neck cannot be used in any way to calculate the minimum lot size.
- 4.1.3(4).....**Back lots are not allowed off of cul-de- sacs.
- 4.1.3(5).....**Driveways must be centered in this neck as much as possible and the neck kept clear and maintained for safety.
- 4.1.3(6).....**A permanent road agreement will be executed, shown on the plan and recorded in the deed of each lot.

4.2Minimum Lot Size

The minimum dimensional standards for lots prescribed in Table 2, the Table of Dimensional Standards, shall be determined in accordance with the provisions of this Section. These dimensional standards may be reduced for either a Conservation Subdivision, approved by the Planning Board pursuant to Article 6 or a Planned Unit Development (PUD) approved by the Planning Board pursuant to Article 16.

4.2.1.....Standards for the GR and NR District

- 4.2.1(1).....**In the GR and NR districts the minimum lot size for Dwelling, Single-Family is 80,000 sq.ft. which must include at least 60,000 sq. ft. free of Hydric A soils, open water, bogs, marshes, rivers, streams, or exposed ledge. Additionally, the 60,000 sq. ft. must contain at least 35,000 sq. ft. of contiguous upland soils.
- 4.2.1(2).....**For each additional one (1) bedroom dwelling unit under a common roof, which does not qualify as an Accessory Dwelling Unit under this Ordinance, the minimum standards cited in Paragraph 1) above shall be increased in the following proportions. Minimum lot size shall be increased by 40,000 sq. ft., the area free of Hydric A soils, open water, bogs, marshes, rivers, streams, or exposed ledge shall be increased by 30,000 sq. ft. and the area of upland soils shall be increased by 15,000 sq. ft. Any dwelling unit created under this provision may contain a total of no more than two additional habitable rooms (such as a kitchen and living room), in addition to a bedroom. No additional habitable rooms may be created in said dwelling units at any time in the future.

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