

Town of Goffstown

2024 ANNUAL WARRANT

To the inhabitants of the Town of Goffstown in the County of Hillsborough qualified to vote in Town affairs:

You are hereby notified to meet Saturday, February 3, 2024 at ten o'clock in the morning at the Goffstown High School, 27 Wallace Road, in the Dr. Craig Hieber Auditorium in said Town for the first portion of Town Meeting, also known as the Deliberative Session, to act on the following subjects and determine matters which will then be voted upon by the official ballot on Tuesday, March 12, 2024. (Snow date for the first session is Tuesday, February 6, 2024, at 7:00 p.m. and the same location.)

You are further notified to meet Tuesday, March 12, 2024 to vote on all matters by official ballot. The polls will open on March 12, 2024 at 7:00 A.M. and close at 7:00 P.M. in the First District at the Goffstown High School, 27 Wallace Road and will open at 7:00 A.M. and close at 7:00 P.M. in the Fifth District at the Bartlett Elementary School, 689 Mast Road.

ARTICLE 1

ELECTION OF CANDIDATES

ARTICLES 2 - 11

ZONING AMENDMENTS

ARTICLE 12

To see if the Town will raise and appropriate for the operation, expenses and commitments of the town government, the budget approved by the Budget Committee in the amount of Twenty-Nine Million, Three Hundred Thousand, One Hundred Twenty-Six Dollars (\$29,300,126).

This budget will be predicated by estimated revenues in the amount of Nine Million, Ninety-Five Thousand and Two Dollars (\$9,095,002).

The Sewer Enterprise Fund of Two Million, Seventy-Five Thousand, Seven Hundred Twenty-Seven Dollars (\$2,075,727) is included in this revenue amount and in the appropriations requested in this article.

The motion on the operating budget shall be the following, with only the appropriation amount subject to amendment:

“Shall the Town of Goffstown vote to raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant, or as amended by vote of the first session, for the purposes set forth therein, totaling Twenty-Nine Million, Three Hundred Thousand, One Hundred Twenty-Six Dollars (\$29,300,126)?

Should this article be defeated, the default budget shall be Twenty-Seven Million, Five Hundred Thirty-Eight Thousand, Five Hundred Thirty-Seven Dollars (\$27,538,537), which is the same as last year, with certain adjustments required by previous action of the Town of Goffstown, or by law or the governing body may hold one special meeting, in accordance with RSA 40:13 X and XVI, to take up the issue of a revised operating budget only.” NOTE: This article (operating budget) does not include appropriations in any other warrant article.

Recommended by the Select Board 5-0-0.

Recommended by the Budget Committee 10-3-0.

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ARTICLE 13

To see if the Town will vote to raise and appropriate Five Hundred Fifty Thousand, Seven Hundred Twenty-Six Dollars (\$550,726) for the purpose of funding EMS operations, said funds to come from the Emergency Medical Services Special Revenue Fund as previously established in 2001. This appropriation is offset by the revenue from the ambulance insurance payments and there will be no funds raised from general taxation. (Passage of this article will reduce the operating budget in Article 12 by \$550,726.)

(Majority vote required)

Recommended by the Select Board 5-0-0.

Recommended by the Budget Committee 13-0-0.

ARTICLE 14

To see if the town will vote to approve the cost items included in the collective bargaining agreement reached between Select Board and the Public Works, Teamsters, Local 603 of NH which calls for the following increases in salaries and benefits at the current staffing level:

Fiscal Year	Estimated Increase
2024	\$151,752
2025	\$177,829

and further to raise and appropriate the sum of One-Hundred Fifty-One, Seven-Hundred Fifty-Two Dollars (\$151,752) for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels. Recommendations required. (This appropriation is in addition to Article 12).

(Majority vote required)

Recommended by the Select Board 5-0-0.

Recommended by the Budget Committee 13-0-0.

ARTICLE 15

To see if the town will vote to approve the cost items included in the collective Bargaining agreement reached between the Select Board and the Goffstown Patrol Officers, New England Police Benevolent Association, Local No. 24, which calls for the following increases in salaries and benefits at the current staffing level:

Fiscal Year	Estimated Increase
2024	\$96,059
2025	\$132,441
2026	\$128,105

and further to raise and appropriate the sum of Ninety-Six Thousand, Fifty-Nine Dollars (\$96,059) for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels. (This appropriation is in addition to Article 12).

(Majority vote required)

Recommended by the Select Board 5-0-0.

Recommended by the Budget Committee 13-0-0.

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ARTICLE 16

To see if the town will vote to approve the cost items included in the collective bargaining agreement reached between the Select Board and the Goffstown Police Dispatchers/Clerks American Federation of State, County and Municipal 93, Local 3657, which calls for the following increases in salaries and benefits at the current staffing level:

Fiscal Year	Estimated Increase
2024	\$46,454
2025	\$72,270
2026	\$49,385

and further to raise and appropriate the sum of Forty-Six Thousand, Four Hundred Fifty-Four Dollars (\$46,454) for the current fiscal year, such sum representing the additional costs attributable to the increase in salaries and benefits required by the new agreement over those that would be paid at current staffing levels. (This appropriation is in addition to Article 12).

(Majority vote required)

Recommended by the Select Board 5-0-0.

Recommended by the Budget Committee 13-0-0.

ARTICLE 17

To see if the Town will vote to raise and appropriate Two Hundred Fifty Thousand Dollars (\$250,000) to be added to the Fire Department Apparatus Capital Reserve Fund previously established in 2008. (This appropriation is in addition to Article 12).

(Majority vote required.)

Recommended by the Select Board 5-0-0.

Recommended by the Budget Committee 11-2-0.

ARTICLE 18

To see if the town will vote to establish a Goffstown Public Library Capital Reserve Fund under the provisions of RSA 35:1 for building projects and matching grant funds and to raise and appropriate the sum of Two Hundred Thousand Dollars (\$200,000) to be placed in this fund. Further, to name the Select Board and the Library Board of Trustees as joint agents to expend from said fund. Recommendations Required.

(Majority vote required.)

Recommended by the Select Board 5-0-0.

Recommended by the Budget Committee 8-4-1.

ARTICLE 19

To see if the Town will vote to raise and appropriate Three-Hundred Forty Thousand Dollars (\$340,000) for the purpose of funding engineering design of a replacement Pool and Bath House at Barnard Park. (This appropriation is in addition to Article 12).

(Majority vote required)

Recommended by the Select Board 5-0-0.

Not Recommended by the Budget Committee 10-2-1.

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ARTICLE 20

To see if the Town will vote to raise and appropriate the sum of Twenty Thousand Dollars (\$20,000) for the purpose of helping to support the programs of Goffstown nonprofit Crispin's House Coalition for Youth Inc., a youth drug, alcohol and suicide prevention agency. (This appropriation is in addition to Article 12.)

(Majority vote required)

Recommended by the Select Board 5-0-0.

Recommended by the Budget Committee 8-3-2.

ARTICLE 21

To see if the Town will vote to raise and appropriate the sum of Four Thousand Dollars (\$4,000) for the purpose of helping to support the nonprofit Goffstown Main Street Program, Inc. (This appropriation is in addition to Article 12.)

(Majority vote required)

Recommended by the Select Board 5-0-0.

Recommended by the Budget Committee 11-1-1.

ARTICLE 22

To see if the town will vote to establish a revolving fund pursuant to RSA 31:95-h, for the purpose of maintenance and replacement of the Town's dispatch center, hardware and software related to first responder dispatch services, including the first responder radio infrastructure. All revenues received from fees, charges, or other income from providing dispatching services to other entities will be deposited into the fund, beginning January 1, 2024, and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the town's general fund balance. The town treasurer shall have custody of all moneys in the fund, and shall pay out the same only upon order of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created.

(Majority vote required)

Recommended by the Select Board 5-0-0.

ARTICLE 23

To see if the Town will vote to establish a revolving fund pursuant to RSA 31:95-h, for the purpose of funding operating and capital expenditures of Emergency Medical Services. All revenues received from fees, charges, or other income from providing emergency medical services, along with any donations or grants accepted for the purpose of operating and capital expenditures of emergency medical services, beginning January 1, 2024, will be deposited into the fund, and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the town's general fund balance. The town treasurer shall have custody of all moneys in the fund, and shall pay out the same only upon order of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created.

(Majority vote required)

Recommended by the Select Board 5-0-0.

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ARTICLE 24

To see if the Town will vote to discontinue the Emergency Medical Services Special Revenue Fund created in 2001. Said funds are to be transferred to the municipality's Emergency Medical Services Revolving Fund. This article is contingent on the passage of Article 23, which establishes the Emergency Medical Services Revolving Fund.

(Majority vote required)

Recommended by the Select Board 5-0-0.

ARTICLE 25

To see if the Town will vote pursuant to RSA 31:95-h to modify the existing CABLE ACCESS REVOLVING FUND established in 2013, to increase the amount of franchise fee revenues received from our Cable Franchise Agreement from Forty Percent (40%) to Seventy Percent (70%). The Cable Franchise Agreement revenue share shall be as follows:

Beginning January 1, 2024 = 70% to the Cable Access Revolving Fund
30% to the Town's General Fund.

Such monies, in addition to any Cable Franchise equipment grants, will be deposited into the fund and the money in the fund shall be allowed to accumulate from year to year, and shall not be considered part of the Town's general fund balance. The town treasurer shall have custody of all monies in the fund, and shall pay out the same only upon order of the governing body and no further approval is required by the legislative body to expend. Such funds may be expended only for the purpose for which the fund was created.

(Majority vote required)

Recommended by the Select Board 5-0-0.

ARTICLE 26

To see if the Town will vote to modify the Optional Veterans' Tax Credit and the All Veterans' Tax Credit from its current tax credit of \$500 per year to \$600 per year? (If adopted and approved, this article shall take effect for the 2024 property tax year. If this article is not adopted, the Veteran's Tax Credit and the All Veteran's Tax Credit will remain at \$500 per year.)

(Majority vote required)

Recommended by the Select Board 3-0-2.

ARTICLE 27

To see if the Town will vote in accordance with RSA 72:27-a, to modify the provisions of RSA 72:35 for an optional tax credit for a Service-Connected Total Disability on residential property from its current tax credit of \$2,000 per year to \$2,400 per year? (If adopted and approved, this article shall take effect for the 2024 property tax year. If this article is not adopted, the Service Connected Total Disability Tax Credit will remain at \$2,000 per year.)

(Majority vote required)

Recommended by the Select Board 5-0-0.

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ARTICLE 28

To see if the Town will vote to adopt the provisions of RSA 72:81 and enable the Town to grant tax exemptions for new construction performed on commercial or industrial uses. The intent of the exemption authority is to provide incentives to businesses to build, rebuild, modernize, or enlarge within the municipality. The exemption shall apply only for municipal and local school property taxes assessed by the municipality. The exemption will not apply to the entirety of the property value, but only to any increase in assessment which results from the new construction. The period of time for which the property is eligible for exemption is five years.

The percentage of authorized exemption is as follows:

- Year 1, 50% of the increased assessment value as described above;
- Year 2, 40% of the increased assessment value as described above;
- Year 3, 30% of the increased assessment value as described above;
- Year 4, 20% of the increased assessment value as described above;
- Year 5, 10% of the increased assessment value as described above.

For purposes of this exemption, the term "new construction" shall mean new structures, or additions, renovations, or improvements to existing structures. For purposes of this exemption, the term "commercial" and the term "industrial" shall refer to the uses listed in the Goffstown Zoning Ordinance Table of Principal Uses (Section 3.11).

- B. Educational and Institutional
- C. Services - Entertainment and Recreation
- D. Services - Financial, Medical and Professional
- E. Services - Lodging and Restaurants
- F. Retail Trade (except motorized vehicles and restaurants)
- G. Motor Vehicle Sales and Service
- H. Transportation, Communications, and Utilities
- I. Manufacturing and Construction
- J. Agricultural

For purposes of this exemption, the term "commercial" and the term "industrial" shall not refer to any of the residential uses listed in the Goffstown Zoning Ordinance (Section 3.11, A. Residential) including dwelling units as part of a mixed use (residential and nonresidential) building or project. In a project involving dwelling units as part of a mixed-use (residential and nonresidential) building or project, only the nonresidential portion shall be eligible for this exemption. If adopted, this Warrant Article will become effective April 1, 2024 and will remain in effect for five (5) years.

(Majority vote required)

Recommended by the Select Board 5-0-0.

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ARTICLE 29

To see if the Town of Goffstown vote to implement a cap on local municipal taxes. The warrant article aims to establish a cap on local municipal taxes to provide fiscal responsibility and stability for residents and businesses within the Town of Goffstown. The cap ensures that the tax burden remains reasonable while allowing essential municipal services to be maintained, if not improved

Shall we adopt the provisions of **RSA 32:5-b**, and implement a tax cap whereby the governing body (or budget committee) shall not submit a recommended budget that increases the amount to be raised by local taxes, based on the prior fiscal year's actual amount of local taxes raised, by more than 2.5%?

(3/5 Majority vote required)

Submitted by Petition.

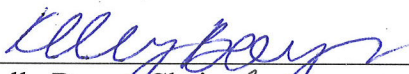
Not Recommended by the Select Board 5-0-0.

ARTICLE 30

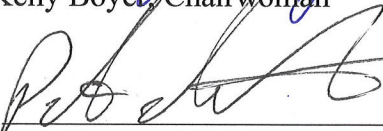
To transact any business that may legally come before said meeting.

Given under our Hands and Seal this 22nd day of January, 2024.

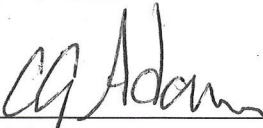
GOFFSTOWN SELECT BOARD



Kelly Boyer, Chairwoman



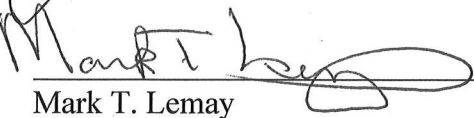
Peter Georgantas, Vice Chairman



Collis Adams



Jim Craig



Mark T. Lemay



2024
WARRANT

Goffstown Local School

The inhabitants of the School District of Goffstown Local School in the state of New Hampshire qualified to vote in School District affairs are hereby notified that the Annual School District Meeting will be held as follows:

First Session of Annual Meeting (Deliberative Session) Date:

Monday, February 5, 2024
Time: 7:00 PM
Location: Goffstown High School
Details: Hieber Auditorium

Second Session of Annual Meeting (Official Ballot Voting)

Date: Tuesday, March 12, 2024
Time: 7:00 AM to 7:00 PM
Location: Goffstown High School and Bartlett Elementary School
Details:

GOVERNING BODY CERTIFICATION

We certify and attest that on or before _____, a true and attested copy of this document was posted at the place of meeting and at _____ and that an original was delivered to _____.

Name	Position	Signature
Heather Trzepacz	Board Chair	
Caroline Racine	Board Vice Chair	
Nicole Bump	Board Member	
Reta Chaffee	Board Member	
Daniel J. Cloutier	Board Member	
Virginia McKinnon	Board Member	
Shane Rozamus	Board Member	
Jared Talbot	Board Member	
Ellen Vermokowitz	Board Member	



Article 01 Election of Officers

To choose three (3) members of the School Board for the ensuing three (3) years

To choose one (1) School District Treasurer for the ensuing three (3) years

To choose one (1) School District Moderator for the ensuing three (3) years

To choose one (1) School District Clerk for the ensuing three (3) years

Article 02 Operating Budget

Shall the Goffstown School District raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling Fifty-Five Million, Seven Hundred Nine Thousand, Nine Hundred Ten Dollars (\$55,709,910)? Should this article be defeated, the default budget shall be Fifty-Five Million, Four Hundred One Thousand, Nine Hundred Twenty Three Dollars (\$55,401,923), which is the same as last year, with certain adjustments required by previous action of the Goffstown School District or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. (Majority vote required).

The School Board Voted 8-0-0 to Recommend

The Budget Committee Voted 11-2-0 to Recommend

Article 03 Facilities Capital Reserve Fund Deposit

Shall the Goffstown School District vote to raise and appropriate up to Two Hundred Fifty Thousand Dollars (\$250,000) for deposit into the existing Facilities Capital Reserve Fund (established in 2019)? This sum to come from the June 30, 2024 unassigned fund balance (surplus) available for transfer on July 1, 2024. No new amount to be raised from taxation. (Majority vote required.)

The School Board Voted 7-1-0 to Recommend

The Budget Committee Voted 8-5-0 to Recommend

Article 04 Petition Article - Equipment Purchase

To see if the School District will vote to raise and appropriate the sum of Thirteen Thousand Dollars (\$13,000) for the purpose of purchasing Nightlock door barricade devices to be installed on all primary classroom doors in Goffstown Schools to improve safety and security in the event of an active shooter event. This special article is a special warrant article per RSA 32:3 VI (d) and RSA 32:7 V. (Majority vote required).

The School Board Voted 6-2-0 to Not Recommend

The Budget Committee Voted 9-4-0 to Not Recommend



Article 05 Petition Article - 2.5% Tax Cap on Operating Budge

Shall the Town of Goffstown vote to implement a cap on local school district taxes. The warrant article aims to establish a cap on local school district taxes to provide fiscal responsibility and stability for residents and businesses within the Town of Goffstown. The cap ensures that the tax burden remains reasonable while allowing essential academic, educational, and remedial services to be maintained, if not improved.

Shall we adopt the provisions of RSA 197-d, and implement a tax cap whereby the governing body and budget committee shall not submit a recommended budget that increases the amount to be raised by local taxes, based on the prior fiscal year's actual amount of local taxes raised, by more than 2.5%?

(3/5 Majority Vote Required).

The School Board Voted 9-0-0 to Not Recommend

2024 Zoning Amendments

Goffstown Planning Board

ARTICLE 2

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board, to rezone 326 Mast Road (Police Station), Map 6, Lot 39-1-A from Agricultural to Commercial?

Recommended by the Planning Board 7-0

This parcel of land, owned by the Town of Goffstown, was previously part of the Hillsborough County property. Since the late 1980's, the police station has been located at this site. If approved, the property would be rezoned to commercial.

ARTICLE 3

Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board as follows: Amend Section 13.2 Flood Hazard District to comply with requirements of the National Flood Insurance Program?

Recommended by the Planning Board 7-0

The changes will comply with the National Flood Insurance Program.

ARTICLE 4

Are you in favor of the adoption of Amendment No. 4 as proposed by the Planning Board as follows: Insert into Definition of Terms the following definition: As used in this subdivision, "accessory dwelling unit" means a **residential living unit** that is within or attached to a single-family dwelling, and that 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.

Recommended by the Planning Board 7-0

Defines Accessory Dwelling Unit.

ARTICLE 5

Are you in favor of the adoption of Amendment No. 5 as proposed by the Planning Board as follows: Amend Section 3.12.A.6. Accessory to Principal Residential Use, accessory attached dwelling unit by removing the requirement that a Special Exception is required for this use in the Conservation, Agricultural, Residential-1, Residential-2, and RSBOD-1 zones, and allow ADU's by right as a Permitted Use in these same zones.

Recommended by the Planning Board 6-1

An attached Accessory Dwelling Unit will no longer require a Special Exception by the Zoning Board of Adjustment.

ARTICLE 6

Are you in favor of the adoption of Amendment No. 6 as proposed by the Planning Board as follows: Amend Section 7.3.1. by changing the length of a standard parking space from eighteen and ½ (18 ½') feet in length to twenty (20') feet in length.

Recommended by the Planning Board 7-0

The required size of a parking space within a parking lot will change to accommodate larger vehicles.

ARTICLE 7

Are you in favor of the adoption of Amendment No. 7 as proposed by the Planning Board as follows: Add a new Section 7.3.2. Compact Automobile Space – Each compact auto space shall contain a rectangle area of at least fifteen feet (15') in length and eighteen feet (8') in width. The length shall be increased to eighteen feet (18') where spaces are located parallel to the travel aisles. Each space must be conspicuously designated as reserved for compact automobiles by a sign. Add Section 7.5. Alternative Parking Requirements, 7.5.1. Compact Auto Spaces To encourage the reduction of impervious areas, parking for compact cars will be required for parking lots of one hundred (100) or more spaces serving non-residential uses.

Recommended by the Planning Board 7-0

Smaller parking spaces may be provided in parking lots to accommodate compact vehicles.

ARTICLE 8

Are you in favor of the adoption of Amendment No. 8 as proposed by the Planning Board as follows: amend Section 7.6. Off-Street Loading Requirements, 7.6.1. Table of Off-Street Loading Requirements, add a requirement for multi-family projects to provide one (1) parking space for 5,001-20,000 square feet of gross floor area.

Recommended by the Planning Board 5-2

Off-Street Parking will be required for multi-family projects for delivery vehicles.

ARTICLE 9

Are you in favor of the adoption of Amendment No. 9 as proposed by the Planning Board as follows: Amend Section 7.7 Parking and Storage of Recreational Vehicles by including Storage Containers. These containers will not be permitted to be stored on a public way nor will they be permitted to be used for sleeping and housekeeping purposes.

Recommended by the Planning Board 7-0

Storage containers will not be permitted in a public right of way. They cannot be used for sleeping or housekeeping purposes.

ARTICLE 10

Are you in favor of the adoption of Amendment No. 10 as proposed by the Planning Board as follows: amend Section 7.9. Parking and Storage of Certain Vehicles, by adding 7.9.2. No

motorized vehicle may be visually offered for sale in the Residential-1 and Residential-2 districts that is not owned by a resident of the property on which it is offered. Only one vehicle per property will be offered at any time and remain for sale in a visible portion of the property for no more than sixty (60) days total.

Recommended by the Planning Board 7-0

Vehicles for sale in R-1 and R-2 zoning districts can only be offered for sale by the owner of the property, and only one vehicle can be for sale at any given time.

ARTICLE 11

Are you in favor of the adoption of Amendment No. 11 as proposed by the Planning Board as follows: Section 14.9.2.1. currently reads, A structure shall not be enlarged or altered in a way that increases its non-conformity, but any structure or portion thereof may be altered to decrease its nonconformity. Amend this Section by adding a 14.9.2.4. A structure that does not conform to an applicable setback or overlay district requirements may be enlarged, if the proposed enlargement will not increase the existing non-conformity, will not violate any other provision of the zoning ordinance, and is a permitted use in the district.

Recommended by the Planning Board 7-0

Non-conforming structures may be enlarged if the proposed enlargement does not increase the existing non-conformity.

Section 13 - OVERLAY DISTRICT DESCRIPTION - *Replace with new handout.*

13.1 Generally - Certain lands within the Town of Goffstown are included in the following Overlay Districts for the purposes so stated in this Section, and as shown on the Zoning Overlay District Maps, and established pursuant to Section 2.1, Zoning Districts Established. The Overlay Districts are superimposed upon the Base Districts, and the provisions of each Overlay District shall be in addition to the provisions of the Base Districts. Land subject to the restrictions of a Base District and one or more Overlay Districts shall be used only if and to the extent that a proposed use is permitted both in the Base District and the applicable Overlay Districts. Wherever the regulations differ between the Base and Overlay Districts, the regulations that impose the more restrictive provisions or the higher standards shall control.

13.2 Flood Hazard (FH) District - This ordinance, adopted pursuant to the authority of RSA 674:16, shall be known as 13.2 Flood Hazard (FH) District of the Town of Goffstown. The regulations in this ordinance shall overlay and supplement the regulations in the Town of Goffstown Zoning Ordinance and shall be considered part of the Zoning Ordinance for purposes of administration and appeals under state law. If any provision of this ordinance differs or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.

13.2.1 Certain areas of the Town of Goffstown, New Hampshire are subject to periodic flooding, causing serious damages to properties within these areas. Relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968. Therefore, the Town of Goffstown, New Hampshire has chosen to become a participating community in the National Flood Insurance Program and agrees to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended) as detailed in this Floodplain Management Ordinance.

13.2.1.1 To reduce the hazards of floods in the interest of the public health, safety, and welfare;

13.2.1.2 To protect Floodplain occupants from a flood that is or may be caused by their own land use;

13.2.1.3 To protect the public from the burden of extraordinary financial expenditures for flood control and relief; and

13.2.1.4 To protect the capacity of Floodplain areas to absorb, transmit, and store runoff.

13.2.2 Authority for the FH District - The FH District is established in accordance with the provisions of RSA 674:21, Innovative Land Use Controls, and the National Flood Insurance Act of 1968. The FH District is considered to be an innovative land use control as environmental characteristics zoning.

13.2.3 The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Hillsborough, N.H" dated September 25, 2009 or as amended, together with the associated Flood Insurance Rate Maps dated September 25, 2009 or as amended, which are declared to be a part of this ordinance and are hereby incorporated by reference.

13.2.4 Development Restrictions in the Floodway - The Building Code Enforcement Officer shall obtain, review, and reasonably utilize any floodway data available from Federal, State, or other sources as criteria for requiring that all development located in Zone A meet the following floodway requirement:

"No encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway that would result in any increase in flood levels within the community during the Base Flood discharge."

13.2.5 Development Restrictions in the Special Flood Hazard Area - Buildings or structures may be constructed or substantially improved within the Special Flood Hazard Area subject to the following standards: *(Revised 3/10/20)*

13.2.5.1 All new construction or substantial improvement of residential structures have the lowest floor (including basement) elevated to or above the ~~100-Year Flood elevation~~-base flood elevation.

13.2.5.2 Non-residential building or structures, shall comply with either the elevation standards for residential buildings and structures in accordance with this Section, or be flood-proofed so that below the Base Flood Elevation, the structure is watertight, with walls substantially impermeable to the passage of water, and has structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. It shall be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section. *(Revised 3/10/20)*

13.2.5.3 In a Special Flood Hazard Area, New Construction or Substantial Improvement of a small, detached Accessory Structure of 600 square feet or less does not have to meet the elevation or non-residential Dry Floodproofing

13.2.9.3 Constructed with electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities at an elevation that is equal to or greater than the required elevation, as determined pursuant to Section 13.2.11, Determination of Required Elevations, and which are designed and located so as to prevent water from entering or accumulating within the equipment and facilities during conditions of flooding;

13.2.9.4 Constructed such that fully enclosed areas below the lowest floor that are subject to flooding meet the following requirements:

a. The enclosed area is unfinished or flood resistant, usable solely for parking of vehicles, building access or storage;

b. The area is not a basement; and

c. The area shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) flood openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit floodwaters; and

d. Constructed to include adequate drainage paths to guide floodwaters around and away from the proposed structures where the structures are to be located on slopes.

13.2.10 General Application Requirements within the FH District - All proposed development in the FH District shall require a permit from the Code Enforcement Officer. The Building Code Enforcement Officer shall review all applications for permits and approval of new construction or substantial improvements to determine whether the proposed building site is in the FH District and if so, to assure that proposed buildings, structures, and improvements will be reasonably safe from flooding and in accordance with the requirements of this Section. Within the FH District, the following plans, data, information, and certification shall be provided by an applicant to the Code Enforcement Officer:

13.2.10.1 The proposed and as-built elevation in relation to ~~the North American Vertical Datum (NAVD) of 1988~~ mean sea level of the lowest floor, including any basement; *(Revised 3/10/20)*

13.2.10.2 If the structure is proposed to be flood-proofed, the elevation in relation to ~~NAVD 88~~ **mean sea level**-to which the structure is to be flood-proofed and the as-built elevation; *(Revised 3/10/20)*

13.2.10.3 Upon completion of flood-proofing, the certification of a licensed professional engineer or architect that the design and methods of construction or installation of flood-proofing were completed in accordance with accepted standards of practice for the same;

13.2.10.4 Where new or replacement on-site ~~subsurface disposal systems~~ **water and sewer systems** are proposed in the FH District, the certification of a licensed professional engineer, assuring that new or replacement systems will be designed to minimize or eliminate infiltration of flood waters into the systems, and to minimize or eliminate discharges from the systems into flood waters, and that the systems will be located to avoid impairment to them or contamination from them during periods of flooding; and

13.2.10.5 Copies of all necessary permits from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

13.2.10.6. **The Building Inspector shall maintain the aforementioned information for public inspection and shall furnish such information upon request. Such as plans, data, information, and certifications.**

13.2.11 Determination of Required Elevation - The Building Code Enforcement Officer shall determine the required elevation for development in special flood hazard areas, in the following order of precedence according to the data available:

13.2.11.1 In Zone AE, by reference to the **base flood** elevation **data** provided in the **community's** Flood Insurance Study and the accompanying FIRM; *(Revised 3/10/20)*

13.2.11.2 In A Zones, by obtaining, reviewing, and reasonably utilizing any Base Flood Elevation data available from Federal, State, or other sources including data submitted pursuant to development applications to the Town of Goffstown. *(Revised 3/10/20)* **Where a base flood elevation is not available or not known for Zone A, the base flood elevation shall be determined to be at least 2 feet above the highest adjacent grade.**

13.2.12 Appeals to the Zoning Board of Adjustment (ZBA) in the FH District.

13.2.12.1 Any appeal of a determination or decision made pursuant to this Section shall be made in accordance with Section 15.3, Decisions by the Zoning Board of Adjustment (ZBA).

13.2.15.2 100 Year Flood - see "Base Flood."

13.2.15.3 Base Flood or 100-Year Flood - a flood having a one percent chance of being equaled or exceeded in any given year.

13.2.15.4 Base Flood Elevation (BFE) - the elevation of the base (one-percent annual chance) flood referenced to a specified vertical datum **mean sea level (North American Vertical Datum of 1988)**. *(Revised 3/10/20)*

13.2.15.5 Basement – any area of a building having its floor subgrade on all sides.

13.2.15.6 Building – see "Structure."

13.2.15.7 Conditional Letter of Map Revision (CLOMR) - FEMA's comment on a proposed project that would, upon construction, affect the hydrologic and/or hydraulic characteristics of a flooding source and thus result in the modification of the existing Floodway, Base Flood Elevation, or the Special Flood Hazard Area. CLOMRs do not revise an effective FIRM since they do not reflect as-built conditions. *(Revised 3/10/20)*

13.2.15.8 Development – any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

13.2.15.9 Elevation Certificate – a form developed by FEMA to collect surveyed elevations and other information about a building, which can be used for the purposes of compliance with a community's floodplain regulations, flood insurance rating, and Letters of Map Amendment applications. *(Revised 3/10/20)*

13.2.15.10 Enclosed Area - an area created by a crawlspace or solid walls that fully enclose an area below an elevated building. *(Revised 3/10/20)*

13.2.15.11 FEMA - The Federal Emergency Management Agency.

13.2.15.12 Flood or Flooding - a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or from the unusual and rapid accumulation or runoff of surface water from any source.

13.2.15.22 Floodproofing, Wet - permanent or contingent measures applied to a structure and/or its contents that prevent or provide resistance to damage from flooding by allowing flood waters to enter the structure. (also refer to Flood Damage-Resistant Materials) *(Revised 3/10/20)*

13.2.15.23 Floodway or Regulatory Floodway - the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the Base Flood without increasing the water surface elevation **more than a designated height.**

(Revised 3/10/20)

~~**13.2.15.24 Functionally Dependent Use**—a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long term storage or related manufacturing facilities.~~

13.2.15.25 Highest Adjacent Grade - the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

13.2.15.26 Historic Structure – any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either (i) by an approved state program as determined by the Secretary of the Interior, or

(ii) directly by the Secretary of the Interior in states without approved programs.

13.2.15.27 Letter of Map Change (LOMC) - an official document issued by FEMA that revises or amends the flood hazard information shown on the FIRM without requiring the FIRM to be physically revised and/or re-published. Letters of Map Change can include Letters of Map Amendment, Letters of Map Revision, and Letters of Map Revision Based on Fill. *(Revised 3/10/20)*

13.2.15.28 Letter of Map Revision (LOMR) - FEMA's modification to an effective FIRM, usually as a result of physical changes to the flooding source and floodplain that result in the modification of the existing Regulatory floodway, base flood elevations, or special flood hazard area. LOMRs are a cost-effective way to keep FIRMs up to date without republishing an entire map panel or panels. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM and/or FIS report. *(Revised 3/10/20)*

13.2.15.29 Lowest Floor - the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

13.2.15.30 Manufactured home - a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. For Floodplain management purposes the term "manufactured home" includes park trailers, travel trailers, and other similar vehicles placed on-site for greater than 180 consecutive days. This includes manufactured homes located in a Manufactured Home Park or Subdivision.

13.2.15.31 Manufactured Home Park or Subdivision - a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

13.2.15.32 Mean Sea Level - ~~an elevation of zero (0) feet as determined by The North American Vertical Datum (NAVD) of 1988. *(Revised 3/10/20)*~~ **for the purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum**

to which base flood elevations shown on a community's Flood Insurance Rate Maps are referenced.

13.2.15.33 National Flood Insurance Program (NFIP) – the program created by Congress of the United States in 1968 through the National Flood Insurance Act of 1968 (P.L. 90-448). The program enables property owners in participating communities to purchase insurance protection, administered by the government, against losses from flooding. *(Revised 3/10/20)*

13.2.15.34 Natural Grade - the grade unaffected by construction techniques such as fill, landscaping or berm. *(Revised 3/10/20)*

13.2.15.35 New Construction for the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the Start of Construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures. ~~The program created by the Congress of the United States in 1968 through the National Flood Insurance Act of 1968 (P.L. 90-448). The program enables property owners in participating communities to purchase insurance protection, administered by the government, against losses from flooding.~~ *(Revised 3/10/20)*

13.2.15.36 Recreational Vehicle - is defined as:

- a. Built on a single chassis;
- b. 400 square feet or less when measured at the largest horizontal projection;
- c. Designed to be self-propelled or permanently towable by a light duty truck; and
- d. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

~~**13.2.15.37 Regulatory Floodway** – See “Floodway”~~ *(Revised 3/10/20)*

13.2.15.38 Special Flood Hazard Area - the land in the Floodplain within the Town of Goffstown subject to 1 percent or greater chance of flooding in any given year. The area is designated as Zones A and AE on the Flood Insurance Rate Map. *(Revised 3/10/20)*

- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- b. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure".

(Revised 3/10/20)

13.2.15.45 Violation - the failure of a structure or other development to be fully compliant with the community's Floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44CFR § 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

13.2.15.46 Water Surface Elevation - the height, in relation to the National Geodetic ~~North American~~ Vertical Datum (~~NAVD~~) (NGDV) of ~~1988~~ 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the Floodplains. *(Revised 3/10/20)*

Day Care Home - Private homes in which any number of the provider's own children, whether related biologically or through adoption, and up to three (3) additional children are cared for regularly for any part of the day, but less than 24 hours, unless caregiver elects to be licensed, as per RSA 170-E.

Development - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Dormitory - A building that is owned and/or is operated by an educational institution whose primary purpose is to provide living accommodations for individuals associated, teaching or attending the institution.

Driveway - A space located on a lot, built or used for vehicular access by automobiles or trucks to a garage, parking space or service area.

Duplex - A two-family dwelling, a building containing two dwelling units constructed on a single lot.

Dwelling - A building designed or used as a place of residence.

Dwelling, Accessory – Accessory dwelling unit' means a residential living unit that is within or attached to a single-family dwelling, and that 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.

Dwelling, Single Family - A dwelling unit designed for use by one family for residential purposes and containing cooking facilities.

Dwelling Unit - A dwelling or portion thereof designed for use by one family for residential purposes and containing cooking facilities.

Dwelling Unit, Seasonal - A dwelling unit not suitable for year round occupancy due to the presence of any on the following conditions: (1) water supply and/or waste water pipes, pumps or other associated facilities susceptible to freezing; (2) no central year round heating system; (3) NHDES restriction of septic system to less than year round use; (4) lot is too small to adequately support on-site water and/or waste water services; or (5) lot access is inadequate for appropriate fire and other emergency services. If uncertainty exists, the Building Inspector shall determine the seasonal or year-round status of a dwelling unit.

3.12 Table of Accessory Uses

The Table of Accessory Uses is organized according to a functional relationship to principal uses, as follows:

- A. Accessory to a Principal Residential Use
- B. Accessory to a Principal Non-residential Use

Principal Uses		Base Districts										Supplemental Standards
Use #	Use Category and Description	CO	A	R-1	R-2	RSBO-1	RSBO-2	VC	C	CHZ	I	(For all uses, refer first to Section 4, Dimensional Standards)
A	<i>Accessory to Principal Residential Use</i>											
1	Home occupation	P	P	P	P	P	P	P	P	-	-	Section 5.12 and Section 5.21
2	Day care home (3)*	P	P	P	P	P	P	P	P	-	-	Section 5.12 and Section 5.21
3	Family day care home (6+3)	P	P	P	P	CU	CU	-	-	-	-	Section 5.7 and Section 5.21
4	Family group day care home (12+5)	-	CU	CU	CU	CU	-	-	-	-	-	Section 5.7 and Section 5.21
5	Accessory building and facility such as garage, carport, tool shed, non-commercial greenhouse, workshop, swimming pool, tennis court, shed and portable structure, including plastic and canvas covered framed structure	P	P	P	P	P	P	P	P	-	-	Section 5.1 and Section 5.21
6	<i>Accessory attached dwelling unit</i>	<i>SE P</i>	<i>-SE P</i>	<i>SE P</i>	<i>SE P</i>	<i>SE P</i>	CU	CU	-	-	-	Section 5.2 and Section 5.21
7	Residential wind turbine	P	P	-	-	-	-	-	-	-	-	Section 5.23
8	Solar Energy System											Section 5.24

7.3 Parking Area Design Standards - Parking area design shall apply to 3-or-more-family dwellings and all other non-residential uses and shall be regulated by the following provisions:

Amendment #6

7.3.1 Standard Parking Spaces - Each standard parking space shall contain a rectangular area of at ~~eighteen (18)~~ **twenty (20) feet** in length and **nine (9) feet** in width, except where the spaces are located parallel to the travel aisles, the length shall be increased to twenty-two (22) feet.

Amendment #7

7.3.2 Compact Automobiles Spaces – Each compact auto space shall contain a rectangle area of at least fifteen feet (15') in length and eight feet (8') in width. The length shall be increased to eighteen feet (18') where the spaces are located parallel to the travel aisles. These spaces must be conspicuously designated as reserved for compact automobiles by a sign.

7.3.3 Handicapped Accessible Spaces - Parking spaces for passenger vehicles carrying handicapped individuals shall contain a rectangular area of at least eighteen and one-half (18.5) feet in length and eight (8) feet in width, together with an access way of five (5) feet in width immediately adjacent to the parking space, for a total of thirteen (13) feet in width. Parking spaces for vans carrying handicapped individuals shall contain a rectangular area of at least eighteen and one-half (18.5) feet in length and eight (8) feet in width together with an access way of eight (8) feet in width immediately adjacent to the parking space, for a total of sixteen (16) feet in width. Two (2) adjacent parking spaces for the handicapped may share one (1) access way. All handicapped accessible parking shall be designated as such by a sign in accordance with Section 6.3, Exceptions to Permit Requirements, bearing the symbol of accessibility, and located such that it will not be obscured by a vehicle parked in the space.

7.3.4 Minimum Aisle Width - Aisles in parking lots shall be at least twenty-four (24) feet in width for two-way traffic. Parking spaces at an angle of less than ninety (90) degrees shall provide for one-way traffic flow, and aisles shall be provided at the minimum widths shown below:

Angle To Drive (Degrees)	Minimum Aisle Width For One-way Traffic
90	24 feet
60	18 feet
45	16 feet
30	15 feet
0	15 feet

7.4.3.1 For all local streets, driveways entering such streets shall be located at least one hundred twenty-five (125) feet from street intersections, and at least one hundred (100) feet from other existing driveways on the same lot or an adjacent lot. One (1) driveway is permitted per lot for the first one hundred fifty (150) feet of lot frontage. One (1) additional driveway is permitted per lot for each additional one hundred fifty (150) feet of lot frontage after the first one hundred fifty (150) feet of lot frontage.

7.4.3.2 For all collector and arterial streets, driveways entering such streets shall be located at least two hundred (200) feet from street intersections, and at least two hundred (200) feet from other existing driveways on the same lot or an adjacent lot. One (1) driveway is permitted per lot for the first three hundred (300) feet of lot frontage. One (1) additional driveway is permitted per lot for each additional three hundred fifty (300) feet of lot frontage after the first three hundred (300) feet of lot frontage.

7.4.4 Measurement of Separations - The separation between public street intersections and driveways is measured from the point of intersection of the nearest edge of each of the street rights-of-way to the nearest edge of the driveway where it intersects with the right-of-way line. The separation between driveways is measured from the nearest edge of each driveway where it intersects with the street right-of-way.

7.5 Alternative Parking Arrangements - In order to provide for more flexible alternatives to satisfy the parking requirements of this Section, the Planning Board may issue a Conditional Use Permit for one or more alternative parking arrangements in the following circumstances:

7.5.1 Off-Site Parking - Off-site parking may be authorized at a distance of no more than five hundred (500) feet from a principal use where the Planning Board finds that such off-site parking is appropriate for the characteristics and location of the use, and that the off-site parking can be provided without detriment to pedestrian and traffic safety. The off-site parking must be located in the same district as the principal use, or in another district in which the principal use is permitted by right, Special Exception or Conditional Use Permit. The off-site parking must be permanently related to the principal use by easement, condominium declaration, or other recordable binding and recordable legal instrument, or a long-term lease that is coterminous with the principal use.

Amendment #7

7.5.1. To encourage the reduction of impervious areas, the following guidelines and standards are offered:

Compact Auto Spaces: In parking lots containing one hundred (100) or more spaces serving a nonresidential principal use, the Planning Board may permit the designation of compact automobile spaces to a proportion of not greater than ten (10) percent of the total.

7.5.2 Construction of Fewer Parking Spaces - Authorization may be granted to construct fewer parking spaces than are required by 7.2.5, Table of Off-Street Parking Requirements, as follows:

7.5.2.1 – provided that a sufficient land area is allocated and shown on a Site Plan for the full number of spaces required. Such authorization may be granted where the Planning Board finds that actual parking demand, the presence of public transportation, or other factors indicate that a lower number of parking spaces will sufficiently accommodate the parking needs of the principal use; or

7.5.2.2 – Upon the Planning Board’s consideration of the applicant’s submission of the most recent data available from the Institute of Transportation Engineers’ (ITE) Parking Generation Guide, and/or/ actual field data collected from a comparable trip/parking generator (i.e., comparable in size, location and setting) to determine the number of required parking spaces, presented in a comparative summary table.

7.5.3 Shared Parking Arrangements - Two (2) or more principal uses may share parking spaces, either on a lot with one principal use or on a site that is independent of all of the principal uses.

7.5.3.1 Standards to be met for shared parking include:

7.5.3.1.1 Parking spaces are within five hundred (500) feet of all principal uses sharing said spaces;

7.5.3.1.2 Parking spaces are located in the same zoning district as the principal uses, or in another zoning district in which the principal uses are permitted by right, Special Exception or Conditional Use Permit;

7.5.3.1.3. Parking spaces must be permanently related to each principal use by easement, condominium declaration, or other recordable binding and recordable legal instrument, or a long-term lease that is coterminous with the respective principal use, and

7.5.3.1.4 The parking spaces shall not be designated as being limited to any of the shared uses; however, spaces may be designated as being reserved for customers, in contrast to employees. Handicapped designation requirements are not affected by this provision.

7.5.4.2 Within the RSBO-1, RSBO-2, VC and C districts, the Planning Board may waive some or all of the parking requirements for the preceding reasons or in the event that the Board finds there to be sufficient parking in any combination from public parking lots, from on-street parking, or from shared parking arrangements as described in Section 7.5.3.

7.5.5 Driveway Separation Alternatives - Where compliance cannot be achieved with the standards for driveway separation as contained in this Section, the Planning Board may permit a reduction in the dimension or dimensions that cannot be achieved in order to allow the establishment of driveway access to a lot, provided that the Board finds that the reduction in dimension is the most minimal reduction which will still allow the access to be established to the lot while minimizing to the greatest extent possible the potential conflicts of turning movements into and out of the driveway with other turning and through traffic movements on the adjacent street. In granting the permit, the Board may mandate the sharing of driveways and may establish conditions relative to the width of driveways, the number of entry and exit lanes, the installation or expansion of medians, the construction of turning and bypass lanes, the installation or modification of signals, and other such conditions that will promote the safe and efficient movement of traffic.

Amendment #8

7.6 Off-Street Loading Requirements

7.6.1 Table of Off-street Loading Requirements - In order to accommodate the delivery or shipment of goods or merchandise to a principal use, off-street loading spaces shall be provided in accordance with the following Table of Off-street Loading Requirements. Where more than one principal use or more than one structure are located on the same lot, the loading space requirements shall be computed for each use or structure, and the number of spaces provided shall not be less than the sum of the number of spaces so calculated for each use or structure. The loading space requirement for a use that does not fall within one of the categories in Table of Off-street Loading Requirements shall be as required for the closest similar use, as determined by the Planning and Economic Development Director.

TABLE OF OFF-STREET LOADING REQUIREMENTS						
Gross Floor Area and Spaces Required						
Principal Land Use	Under 5,001	5001-20,000	20,001-60,000	60,001-100,000	100,001-150,000	Over 150,000 For Each
Manufacturing	0	1	2	3	4	1
Freight Terminals	1	1	2	3	4	1
Warehousing	1	1	2	3	4	1
Retail	0	1	1	2	3	1

Financial & Prof Services	0	0	1	2	2	1
All Other Services	0	0	1	2	3	1
Educational & Institutional	0	0	1	1	2	1
Multi-Family Residential	0	1	1	2	3	1

7.6.2 Location of Loading Spaces - Loading spaces shall in all cases be located on the same lot as the principal use that they are intended to serve and may be located within the building containing the principal use. The area for required loading spaces shall not be used to satisfy parking space requirements, and vice-versa. Loading spaces shall be designed to allow a delivery vehicle to maneuver safely and conveniently to and from an adjacent street, and to complete the loading and unloading operation without obstructing or interfering with on-site fire lanes, parking spaces, or access aisles, and without any maneuvering, backing or standing on any street. With the exception of loading spaces at warehousing and freight terminal uses, all loading spaces shall be located at the side or rear of the building intended to be served. In the Village Commercial (VC) District, the Planning Board may grant a Conditional Use Permit to allow loading to occur within the right-of-way of an adjacent street where the Board finds that the loading cannot occur on the lot with the principal use in accordance with the requirements of this Section, and that the on-street loading will occur at off-peak hours and in a manner that will not disrupt or endanger vehicular and pedestrian traffic.

7.6.3 Design Standards - Each loading space shall be of a minimum width of fourteen (14) feet, have a minimum height clearance of fourteen (14) feet above grade, and contain an area of not less than one thousand (1,000) square feet, including space for maneuvering.

7.6.4 Surfacing and Drainage - Loading areas and access driveways shall be surfaced with a durable and dustless material, which shall be graded and drained so as to continuously dispose of all surface water, in accordance with the requirements of Section 7.3.6, Surfacing and Drainage.

7.6.5 Setbacks - No loading space in a non-residential district shall be located within fifty (50) feet of a residential district boundary or within fifty (50) feet of the lot line of an abutting residential use within a residential district. No loading space in any district shall be located within ten (10) feet of any property line.

7.6.6 Screening - Where loading areas are located within or abutting a residential district, a solid fence not less than six (6) feet nor more than eight (8) feet in height shall be erected and maintained in good condition around the loading area, and a landscaped buffer shall be established between such loading area and any adjacent lot lines from which the loading area is visible. The landscaped buffer shall be a year-round visual barrier that is created at a minimum height of six (6) feet and a depth of at least ten (10) feet from each such lot line.

Amendment #9

7.7 Parking and Storage of Recreational Vehicles and Storage

Containers - No **Portable Storage Containers** or **Recreational Vehicle** shall be stored on a public way. Parking shall not create a safety hazard. **Portable Storage Containers and Recreational Vehicles** shall not be used for sleeping and housekeeping purposes. (Amended 3/10/20)

7.8 Parking and Storage of Unregistered Vehicles - In any district, not more than two unregistered motor vehicles or trailers shall be parked or stored, except in enclosed buildings, or in areas that have been designated for such parking and/or storage by Planning Board approved Site Plans, or in a residential district approved by Special Exception by the ZBA, subject to appropriate screening, setback and other conditions. or less than 4 vehicles, or trailers are stored in a location and manner approved by the zoning administrator. As used herein, unregistered motor vehicle or trailer shall mean a motor vehicle or trailer that would be subject to state vehicle registration if operated or transported on public highways, but which does not have a current valid number plate, or plates attached.

7.9 Parking and Storage of Certain Vehicles in a Residential District

7.9.1 At no time shall a vehicle with a gross vehicle weight rating (GVWR) of more than 26,000 pounds be parked or stored in the residential 1 or 2 zoning districts. Exempt from this provision are registered farm vehicles owned and operated by a farmer within 150-mile radius of the farm, Emergency vehicles of a fire department, Military vehicles operated by military personnel, and Recreational vehicles.

(Amended 3-09-94)

Amendment #10

7.9.2. No motorized vehicle may be visually offered for sale in the Residential-1 and Residential-2 districts that is not owned by a resident of the property on which it is offered. Only one vehicle per property will be offered at any time and remain for sale in a visible portion of the property for no more than sixty (60) days.

14.9 Non-Conforming Structures

14.9.1 Repairs and Maintenance - On any Non-conforming Structure or portion of a structure containing a Non-conforming Use, ordinary repairs and maintenance on such structures beyond the in-kind replacement of decks, porches, steps, and chimneys, may be conducted, provided that: *Amended 3-13-18*

14.9.1.1 Structural alterations of a Non-conforming Building or Structure may be made only if the building is being altered to conform to the requirements of the district in which it is located, or to the extent authorized by the provisions of this Section; and

14.9.1.2 Where the condition of a building constitutes abandonment or destruction under the criteria established by this Section, the building may not be restored or rebuilt except in conformity with the regulations of the district in which it is located.

14.9.2 Continuation of Non-conforming Structures - Where a lawful structure exists at the effective date of adoption or amendment that could not be built under the terms of this Ordinance by reason of restrictions on lot area, lot coverage, height, required yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

14.9.2.1 The structure shall not be enlarged or altered in a way that increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity;

Section 14.9.2.1. The structure shall not be enlarged or altered in a way that increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity. **Also, a structure that does not conform to an applicable setback or overlay district requirements, may be enlarged, if the proposed enlargement will not increase the existing non-conformity, will not violate any other provision of the zoning ordinance, and is a permitted use in the district.**

14.9.2.2 Should the structure be moved for any reason for any distance whatsoever, it shall thereafter conform to the regulations for the district in which it is located after it is moved; and

14.9.2.3 Where Non-conforming Use status applies to a structure and premises in combination, the removal or destruction of the structure shall eliminate the non-conforming status of the use of the land. Where the destruction is a result of fire or other casualty, it may be repaired or replaced in accordance with the provisions of this Section.