

Draft 2023 Zoning Amendments #1-3
Public Hearing January 10, 2023

Amendment #1 – Article II, Section 10, d.

The intention of the proposed amendment is to clarify that the article includes all Institutional Districts.

ARTICLE II
GENERAL PROVISIONS

10. Sign Regulations

d. Sign Permit Process :

ii. Institutional Districts: ~~Institutional District, Institutional/Recreational District and the Hospital Institutional District:~~ All Sign permit applications for these districts shall be reviewed by the Planning Board without formal Site Plan Review; however notice will be given to any Abutter within 200 feet of where said sign will be placed, said notice shall be given via certified mail ten (10) calendar days prior to when the sign application is listed as a specific Planning Board agenda item. The Planning Board agenda serves as a notice to the general public. Signs internal to the campus of these institutions which are not visible to the Abutters via walking or driving by the sign from a public roadway, not a roadway internal to the said land, shall not need Planning Board approval. Any sign application presented to the Planning Board shall be reviewed based on the potential visual impact to Abutters, and the Planning Board shall determine if the number of signs, size, location and use is appropriate as presented.

Amendment #2 – Article VII, A, 7 & Article XXI, G., 4., c.

The proposed amendment seeks to amend Article VII, Section A. Uses Permitted, 7., to allow electric vehicle charging facilities by Special Exception.

**ARTICLE VII
COMMERCIAL DISTRICT**

A. Uses Permitted

7. Filling stations, **Electric-Vehicle Charging Station Facilities**, automobile repair garages, car washes, and Uses incidental thereto shall be allowed only by Special Exception by the Board of Adjustment.

**ARTICLE XXI
BOARD OF ADJUSTMENT**

G. Special Exceptions

4. **Special Exception Uses:** All Special Exception Uses and expansion of Special Exception Uses shall be permitted only after approval following a public hearing before the Board of Adjustment. The following are the Special Exception Uses which must meet the criteria listed above, plus additional requirements as indicated in particular types of cases:

- c. Filling stations, **Electric-Vehicle Charging Station Facilities**, automobile repair garages, car washes, and Uses incidental thereto in the Commercial District. These must not create local traffic congestion

Definition to Add

Electric vehicle charging station facility: Charging centers of three or more charging stations for the use of the general public.

Amendement #3 – Article XIII & Article XVI

The proposed amendment seeks to allow for the removal of invasive and exotic species within the waterfront and wetlands buffers.

Definitions:

Invasive/Exotic Species: Any herbaceous plant or any woody seedling or shrub listed by NH Department of Agriculture, Markets and Food in accordance with RSA 430:53, III, or as designated by rule of the NH Department of Environmental Services in accordance with RSA 487:24, VII.

Natural Ground Cover: Any herbaceous plant or any woody seedling or Shrub generally less than 3 feet in Height. Natural Ground Cover shall also include naturally occurring leaf or needle litter (duff), stumps, decaying woody debris, stones, and boulders. Natural ground cover shall not include lawns, invasive/exotic species, imported organic stone mulches or other artificial materials.

ARTICLE XIII **WETLANDS CONSERVATION OVERLAY DISTRICT –**

L. Cutting and Removal of Natural Vegetation in Wetland Buffers

- a. A cutting or clearing plan shall be approved by the Planning Board for any cutting of Trees or removal of natural vegetation within the Wetland buffer except as provided in subparagraph b. below. The intent is to retain a well distributed mix of trees, Shrubs and groundcover in the Wetland buffer. The Planning Board shall request the Conservation Commission to review the plan and make recommendations.

Invasive/Exotic Species may be cut or removed within the woodland buffer.

All area disturbed by removal of invasive/exotic species by means of digging or pulling, shall be completely restored and replanted with natural ground cover as approved by the Planning Board.

The use of herbicides of any kind for removal, can be applied to ground, turf, or established vegetation, only by horticultural professionals who have a pesticide application license issued by the department of agriculture or as allowed under special permit issued by the division of pesticide control under rules adopted by the pesticide control board under RSA 541-A.

ARTICLE XVI
SHORE LAND OVERLAY DISTRICT –

F. **Waterfront Buffer** *(Amended 3/12/2019)*

1. The Waterfront Buffer shall be the protected Shore Land within 50 feet of the Reference Line. The purpose of this buffer shall be to protect the quality of public waters while allowing the property owner discretion with regard to water access, safety, viewscape maintenance, and Lot design.
2. Within the Waterfront Buffer all of the following prohibitions and limitations shall apply:
 - a. No chemicals, including pesticides of any kind or fertilizers, except limestone, shall be applied.
 - b. Rocks and stumps and their root systems shall be left intact in the ground, unless the vegetation, stumps or root system are determined by a certified arborist to be diseased, in which case the diseased materials shall be removed, including digging the stump out of the ground.

No Natural Ground Cover shall be removed except as necessary to accomplish uses permitted in Section C above or to plant native trees, Saplings or Shrubs. Pruning of Shrubs and ground cover down to a Height of 3 feet is permitted.

Invasive/Exotic Species may be cut or removed within the waterfront buffer in compliance with the Department of Agriculture Standards

All area disturbed by removal of invasive/exotic species by means of digging or pulling, shall be completely restored and replanted with natural ground cover as approved by the Planning Board.

The use of herbicides of any kind for removal, can be applied to ground, turf, or established vegetation, only by horticultural professionals who have a pesticide application license issued by the department of agriculture or as allowed under special permit issued by the division of pesticide control under rules adopted by the pesticide control board under RSA 541-A.