

SECTION IV

DIMENSIONAL AND DENSITY REQUIREMENTS

4.1 GENERAL REQUIREMENTS

No building or structure shall be erected, enlarged or moved nor shall any use be authorized or extended nor shall any existing lot be changed as to size except in accordance with the Table of Dimensional Requirements, Section 4.2, or in accordance with Section VIII for subdivisions of land for residential uses, as applicable, unless modified elsewhere in this Ordinance.

4.2 TABLE OF DIMENSIONAL REQUIREMENTS

The Table of Dimensional Requirements shall apply for all lots, uses of land, and developments within the various districts, except for subdivisions of land for residential uses subject to the provisions specified in Section VIII, unless modified by other Sections of this Ordinance.

4.3 TABLE OF DIMENSIONAL REQUIREMENTS (Except as provided for in Section VIII)

Districts	Area	MINIMUM LOT DIMENSIONS ^a		MINIMUM SETBACK DIMENSIONS ^a			Max. Height of Structure	Max.% Bldg. Cvge/ Lot	Min.% Open Space/ Lot
		Continuous Frontage ^d	Depth	Front	Side	Rear			
R-4 ^b	120,000	300	200	60	30	60	35	20	70
R-3 ^b	120,000	300	200	60	30	60	35	20	70
R-2 ^b	80,000 ^d	250	140	40	20	40	35	30	30
R-1 ^b	60,000 ^e	160	120	30	15	40	35	30	30
R-1 (other than Res.)	15,000	100	100	25	15	40	35	30	50
B-1 ^{c k}	15,000 ^f	80	80	30	15	40	35	40	30
M-1 ^{c k}	110,000	250	300	50	40 ^h	50	45	40	30
VR-1 ⁱ	15,000 ⁱ	80	80	30	15	40	35	40	30
VB-1 ^{i j}	7,500 ⁱ	50	100	0	10	10	35	60	20
VM-1 ^l	55,000	150	200	25	25	25	35	50	30

See Explanatory Notes in Section 4.3 for footnoted items.

4.3 EXPLANATORY NOTES

The following explanatory notes shall provide further definitions for the footnoted items in Table 4.2.

- a. All measurements are in feet unless otherwise noted.
- b. These dimensions shall not apply to Conservation Subdivisions. See Section VIII for applicable dimensional requirements.
- c. When the footnoted commercial or industrial uses abut residential uses or a residential district, the minimum front and rear setbacks shall be 100 feet from and the side setback shall be 50 feet from a property line abutting a residential use or district.
- d. 80,000 sq. ft. + 16,000 sq. ft. for each dwelling unit more than one on a lot.
- e. 60,000 sq. ft. + 8,000 sq. ft. for each dwelling unit more than one on a lot.
- f. 15,000 sq. ft. + 2,000 sq. ft. for each dwelling unit more than one on a lot.
- g. The minimum lot width at the front yard setback line shall not be less than 85 percent of the minimum lot frontage required for the District. The frontage on a road at a cul-de-sac may be less than specified if the lot width at the depth of the front yard setback line meets the minimum lot frontage requirements, but in no event less than 30 feet.
- h. For residential use only in the M-1 zone the sideline setback shall be 30 feet.
- i. The required square footage of land area for the first dwelling unit shall be equal to the minimum lot area as defined in the Table of Dimensional Requirements. For each additional dwelling unit an additional 2,000 square feet of land area shall be required.
- j. When the footnoted commercial or industrial uses abut residential uses or a residential district or are situated in a residential area, the minimum front setback shall be 25 feet and the minimum side setback shall be 25 feet from a property line abutting a residential use or district.
- k. In the B-1 and M-1 zones, the maximum gross floor area of commercial retail stores and restaurants shall not exceed 40,000 square feet.
- l. In the VB-1 and VM-1 zones, the maximum gross floor area of commercial retail stores and restaurants shall not exceed 20,000 square feet.

4.4 SPECIAL DIMENSIONAL AND DENSITY CONDITIONS

The following special conditions shall apply as appropriate to this Section of this Ordinance.

4.4.1 Detached Accessory Building: In all districts, a detached accessory building shall conform to the following provisions:

- (a) It shall not be less than the front setback for the district or less than 10 feet from any other lot line or from any principal or accessory building.
- (b) It shall not exceed 20 feet in height unless the accessory is placed to comply with principal building setback in which case it will conform to the height restriction of the district.

4.4.2 Attached Accessory Building: In all districts, an accessory building attached to the principal building shall be considered as an integral part therefore and shall be subject to front, side, and rear yard requirements applicable to the principal building.

4.4.3 Principal Structure: Except for municipal facilities and public utilities, only one principal structure/principal use shall be permitted on a lot. Except as noted in 8.6.5. In the B-1 and M-1 zones, there may be multiple principal nonresidential structures and uses within structures so long as each use is listed as a permitted (P) use or use permitted by special exception (S) in 3.6 TABLE OF USES. In the B-1 and M-1 zones, the maximum gross floor area of commercial retail stores and restaurants shall not exceed 40,000 square feet. In the VB-1 and VM-1 zones, the maximum gross floor area of commercial retail stores and restaurants shall not exceed 20,000 square feet. In the VB-1 and VM-1 zones, there may be multiple principle structures and uses within structures so long as each use is listed as a permitted (P) use or use permitted by special exception (S) in 3.6 TABLE OF USES. Nothing herein shall be construed to preclude compliance with the requirements set forth in Article 15.8.2 of this Ordinance.

4.4.4 Corner Lot: A corner lot shall have minimum street yards and depths which shall be the same as the required front yard depths for the adjoining lots.

4.4.5 Through Lot: At each end of a through lot, there shall be a setback depth required, which is equal to the front yard depth required for the district in which each street frontage is located.

4.4.6 Projections: Projections are not permitted into required yards or other required open spaces except steps or stoops, eaves, or bay windows.

4.4.7 Maximum Number of Dwelling Units: The maximum number of dwelling units permitted in any multi-family dwelling shall be eight (8).

4.4.8 Additions: Additions which fail to meet the dimensional and density regulations contained in Table 4.2 to an existing, non-conforming structure may be permitted by special exception provided that the setback of the addition is no less than the setback of the existing structure.

4.5 MAXIMUM UNITS PER DEVELOPMENT

The total number of dwelling units created by any one development shall not exceed fifty (50).

4.6 WAIVER OF DIMENSIONAL REQUIREMENTS BY THE PLANNING BOARD

The Planning Board, during subdivision review process, is hereby given the authority to approve new non-conforming lots, provided that the applicant submits evidence that such non-conforming lots will be donated to, and accepted by the Town or Conservation Commission as open space, conservation land, or recreational land.

4.7 INCREASED SHORELAND PROTECTION STANDARD FOR CERTAIN FACILITIES:

The State Shoreland Protection laws (NH RSA 483-B:8) permit a Town to adopt land use control ordinances relative to all protected shorelands which are more stringent than the minimum State standards. As indicated in the Master Plan, the Town's lakes, rivers, ponds and streams are a primary resource and asset for the Town. The Contoocook River also serves as a drinking water sources and, as such requires special consideration. Nonconforming solid waste facilities and any proposed or existing solid waste facilities as well as nonconforming facilities and any existing facilities which store, or incinerate (or propose to store or incinerate) solid waste, or construction and demolition debris in close proximity to lakes rivers, ponds or streams, or artificial impoundment areas which connect to lakes, rivers, ponds or streams represent an unacceptable risk to these resources and the public health, safety and welfare of the citizens of the Town. The Town hereby adopts a more stringent shoreland protection standard for such uses. No existing, nonconforming, solid waste facility, or facility which stores, or

incinerates solid waste, or construction or demolition debris nor any such facility allowed by variance, (except for a facility which has, and maintains in good standing a permit which predates this ordinance, permitting the placement of solid waste in accord with RSA 483-B:9 (IV-d)) shall be allowed to place solid waste or construction and demolition debris within 300 feet of the reference line of public waters or within 300 feet of the ordinary high water mark of a river, pond, stream or artificial impoundment area, nor shall the edge of any impervious surface on which such solid waste is located be within 300 feet of the reference line of public waters or within 300 feet of the ordinary high water mark of a pond, river, stream or artificial impoundment area. In the event a pre-existing facility has its permit revoked by the State, it shall be subject to this stricter standard. Nothing in this standard shall be construed to allow a solid waste facility in a zone unless it is explicitly permitted in that zone.