Section 2.01.9 - Aquifer Conservation District (continued)

1. Wellhead Protection Areas.
2. Balance of the Aquifer District.
3. The Balance of the Watershed

The Aquifer Conservation District maps are hereby declared to be a part of this ordinance and is incorporated by reference.

2.02 - Permitted Uses - All Districts

A. Permitted Uses - General: All uses set forth below are permitted in all zoning districts.

1. Streets, road and other access ways including foot, bicycle, horse paths and bridges and nature trials.

2. Farming, gardening, nursery, forestry, harvesting, grazing and other similar agricultural activities. The change of land to one or more agricultural uses as defined herein or expansion of an existing agricultural use shall be subject to nonresidential site plan review by the Planning Board.

3. Wildlife refuges, nature study and conservation areas and other activities designed to conserve soil, water, plants and wildlife.

4. Water impoundments and wells, drainage ways, streams, creeks and other paths of water runoff including the maintenance and operation of water control and supply devices such as dams, weirs and splash boards.

5. Excavation of sand and gravel providing all activities are conducted in accordance with an approved Earth Removal Permit issued pursuant to Section 14 of this ordinance.

6. Public Lands and Institutions.

7. The use or operation of equipment, vehicles or aircraft, including aircraft take offs and landings, for the purpose of emergency response, medical necessity, public safety, emergency landing, media coverage, building construction, equipment installation or political campaigning.

8. The installation of solar, wind, or other renewable energy systems designed to provide energy primarily for on-site use, and the building of any structures necessary for the collection of renewable energy provided that all applicable health and life and safety codes and requirements are adhered to and subject to any applicable building setback or height restrictions.

Section 2.02 - Permitted Uses - All Districts (continued)

B. General Prohibitions:

1. No use of any kind shall be permitted in any district, if it in any way would be injurious, noxious, or offensive by way of odor, fumes, smoke, dust, vibrations, noise, light, or other objectionable features or if it would be hazardous to the community on account of fire or explosion or any other cause. The Planning Board shall adopt such standards and regulations as it may deem necessary in order to help ascertain conformance with the above regulations.

2. The underground storage of petroleum, refined petroleum products and organic solvents except with suitable secondary barriers and automatic alarm systems approved by the Planning Board is prohibited in every district. For the purpose of this regulation, storage in basement or cellar spaces shall not be considered as underground storage. This regulation shall apply to all new and replacement storage facilities constructed after the date of its adoption.

a) The underground storage of petroleum, refined petroleum products and organic solvents referred to in (2) above is not intended to include Liquified Petroleum Gas (LPG).

Section 2.02.1 - District R, Residential - Permitted Uses

A. Only the following uses are permitted in the residential district.

1. Residential uses and customary secondary accessory uses and structures. Note: aircraft takeoffs and landings on private land by the owner of such land or by a person who resides on such land are not valid and permitted accessory uses.

2. Home Occupations: Except as provided in 3 below, requests to conduct home occupations as set forth in this section must comply with the criteria listed below and receive permission from the Planning Board after a public hearing.

a) No more than one person who is not a resident of the premises is employed therein;

b) Off-street parking can be provided as specified in Section 18;

c) There is no external evidence of the occupation or office other than a sign limited to two (2) square feet.

d) No more than 25% of the inhabitable floor area of the dwelling is utilized by the occupation or office.

e) Such use shall be personal to the owner of the premises or the occupant with the permission from the owner and shall not survive a transfer of title of the real estate or be transferable to a new occupant.

Section 2.02.1 - District R - Permitted Uses (continued)

f) Home Occupations shall be deemed to include professional offices, such as that of a doctor, dentist, lawyer, accountant, engineer, architect, and the business offices of a variety of similar occupations. They shall also include occupations such as dressmaking, cooking limited to items for off-premise consumption, home crafts, hairdressing and barbering limited to one chair, and family day care homes in accordance with RSA 170-E:2 IV (a).

g) Home occupations expressly do not include commercial kennels, the parking or storage of tractor trailers, auto repair or small engine repair or maintenance, welding, or other uses which involve the visible storage on the property of automobiles or the parts thereof.

h) A contractor or other tradesman may store building materials or construction equipment on his premises only within existing structures.

3. Home Occupations which meet all of the criteria listed below are not subject to site plan review and approval by the Planning Board.

a) There is no external evidence of the occupation or office.

b) There is no individual employed on the premises who is not a resident.

c) The dwelling meets off-street parking requirements Section 18.

d) There are no visitors, customers or solicitations for individuals to visit the premises to conduct business.

e) There is no business sign of any type.

f) No more than 25% of the inhabitable floor area of the dwelling is utilized by the occupation or office.

g) Delivery of goods and materials is limited to step-vans and similar vehicles customarily associated with residential deliveries. No more than two (2) deliveries are permitted daily.

4. Co-location of a new telecommunication antenna on Existing Towers, so long as the additional telecommunications antenna(s) is no more than 20 feet higher than the existing tower, is also disguised through the use of camouflage or the color of the antenna(s) blends with the existing structure or surroundings if camouflage was not required with the tower approval. A building permit shall be required.

Section 2.02.1 - District R - Permitted Uses (continued)

B. Special Exceptions: The Zoning Board of Adjustment may grant a special exception for the following use of lands within the residential district:

1. Churches, provided that it finds that all of the following conditions are met:

   a) The specific site is an appropriate location for such a use or uses in terms of overall community development.

   b) The use as developed will not adversely affect the neighborhood and shall produce no diminution of real estate values in the neighboring area.

   c) There will be no nuisance or serious hazard to vehicles or pedestrians.

   d) That an adequate parking area is provided for motor vehicles on the premises.

   e) A buffer shall be erected and maintained to screen existing residential uses. Buffers may be fence screens, dense plantings of suitable trees and shrubbery, or naturally occurring shrubs and trees.

   f) The use as developed will be restricted for church purposes only. No commercial use of a church within the residential zone will be allowed.

2. Accessory dwelling unit (ADU), provided that the applicant meet the criteria set forth in a-d only of B.1 above and further provided that:

   a) the ADU is contained within or will be an addition to an existing or proposed single family detached dwelling;
   b) the ADU contains no more than one bedroom;
   c) the ADU does not exceed 1,000 square feet in area, or fifty percent (50%) of the area of heated living space within the principal dwelling unit in area, whichever is smaller;
   d) the ADU is connected internally to the principal dwelling unit;
   e) the ADU occupancy is to be restricted to family members only, with the term "family" defined as individuals related by blood, marriage or adoption to the fee simple owner-occupant(s) of the principal dwelling unit; and
   f) the ADU is designed to remain functionally dependent on the principal unit and will not have provisions for separate utilities, garages, driveways, yard and other similar amenities.

3. Telecommunication Towers, provided that it finds that all of the following conditions are met:

   a) The applicant shall meet the approval criteria set forth in a-e of B.1 above.

   b) The applicant meets the criteria set forth in section 2.02.4.B.22.a (New Towers).

Section 2.02.1 - District R - Permitted Uses (continued)

c) Proposed towers shall be disguised through the use of camouflage technologies such as trees, flagpoles, steeples, etc.

d) Written evidence demonstrating that no existing structure can accommodate the applicant's proposed antenna if the applicant is proposing to build a new tower. This evidence can consist of an analysis of the location, height, strength, and potential interference which would make co-location impractical.

4. Co-location on Existing Non-Tower Structures, provided that it finds that all of the following conditions are met:

a) The applicant shall meet the approval criteria set forth in a-e of B.1 above.

b) The applicant meets the criteria set forth in section 2.02.4.B.22.c.

c) Proposed telecommunications antenna(s) shall be disguised through the use of camouflage technologies.

2.02.2- District C-1, Limited Commercial - Permitted Uses

A. This district is intended to permit commercial uses in areas on streets with high traffic volumes which now have a mixture of residential and non-residential uses but where the trend has been conversion to commercial use. These areas are typified by small lots and are frequently abutted on the rear by attractive residential neighborhoods.

The intent is to permit limited commercial use while buffering residential neighborhoods from disturbance and disruption.

B. Only the following uses are permitted in the limited commercial district:

1. Stores for the sale of retail goods or performance of personal services except those specifically excluded in C below;

2. Business and professional offices;

3. Specifically excluded are the following: banks, automotive related uses of all kinds, hotels, and motels, and "big box", single user retail stores greater than 75,000 square feet.

C. Special Exceptions:

1. The Zoning Board of Adjustment may grant a special exception for the following uses of lands within the limited commercial district C-1:

a) Restaurants,