

PROPOSED AMENDMENT No. 5

For Public Hearing on Wednesday January 25, 2023

This amendment would give the Zoning Board of Adjustment the ability to grant Special Exceptions to allow expansion of nonconforming uses under certain conditions, and would allow nonconforming lots to be developed under certain conditions.

Would add the following two new paragraphs to Article IV Non-conforming Uses, Structures, and Lots

Nonconforming uses may be expanded only by Special Exception from the Zoning Board of Adjustment. The Board shall determine, in addition to the Special Exception criteria contained in Article XIX, that: a) the proposed expanded use will not be a substantial change from the nature and purpose of the original nonconforming use; b) the change or expansion will comply with all other requirements of the Zoning Ordinance; and c) the change or expansion will not have a substantially different or adverse impact on surrounding properties.

All nonconforming lots on record at the Grafton County Registry of Deeds prior to the enactment or amendment of this Ordinance affecting the lot shall be considered buildable lots provided:

1. All required setbacks are met.
2. A NHDES septic system permit has been obtained if not on municipal sewer.
3. A source of water is available on the lot with a protective radius required by NHDES unless on a public water supply.