

TOWN OF JAFFREY, NH
PLANNING BOARD
Meeting Minutes
November 9, 2022

Present: Chairman Amy Meyers, Laurel McKenzie, Margaret Dillon, Jack Belletete, Keith Dupuis, John Peard, Peter Maki (alt) *will vote*, Gary Arceci (alt), John Brouder (alt), Nathan Flowers (alt)

Absent: Ed Merrell

Other: John Frederick, Tony Cavaliere, John Noonan, Jeff Kevan, Greg Leone, Dan Rosow, Peter Pitsas, Jake Wagner, Steve Longley-Martines, Teodora Rotaru

Staff: JoAnne Carr, Dir. of Planning & Economic Development, Becky Newton, Recording Secretary

CALL TO ORDER – Chairman Meyers called the public hearing to order at 6:00 pm.

MEETING MINUTES APPROVAL

On a **motion** by Belletete seconded by Dupuis the minutes for October 11, 2022 were approved as submitted. (5-0-2) *LM & MD abstained*

PRELIMINARY CONCEPTUAL

Tony Cavaliere, Jaffrey Supt. of Utilities gave an overview of the Cold Stone Springs water project.

There are three wells located on Chamberlain Road off Old Sharon Road; two in Sharon, one in Jaffrey. This land is owned jointly by Jaffrey and Peterborough. Chamberlain Rd is currently a Class VI gravel road, once the water main goes in it will be upgraded to a Class V road, maintained by the Town.

A new well house will be constructed in Jaffrey near the well. Raw water will be transported from the well house to a new 3,000 SF treatment plant, then the treated drinking water will be delivered to Jaffrey and Peterborough. The costs are shared equally between the towns for now. Once the system is online delivery costs will be based on individual flow for each town. Up to 288,000 gallons/day, per town will be available. Current water usage for Jaffrey is 320,000 - 350,000 gallons/day. This will put us on track to keep up with projected demands through 2040. Construction bids are due back on December 8, construction is set to begin in the spring.

PUBLIC HEARING ACCEPTANCE

PB 22-11, REAG Bass LLC, REAG Loan-Mod Services LLC, Owners, TFMoran, Agent
81 Fitzgerald Dr, Map 244 Lot 10.1 & 10.3 Zone: Industrial with town water

Amended Site Plan – the applicant proposes to amend the existing site plan for reconfiguration of interior space and addition of a loading dock.

J Carr – no waivers were requested, staff comments include a request to show a rear view of the loading dock with elevations, and a statement regarding hazardous waste management for the interior.

On a **motion** by McKenzie, seconded by Dillon to accept the application as sufficiently complete. (7-0-0)

PB 22-13, Teleflex Inc, Owners, Fieldstone Land Consultants, Agent
50 Plantation Dr, Map 243 Lot 29.1 Zone: Industrial with town water

Site Plan – the applicant proposes construction of multi-story building addition – extrusion tower.

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J Carr – the applicant has received a variance for the height of the building and setback. Review and permitting still need to go through the utilities department.

On a **motion** by Dupuis, seconded by Dillon to accept the application as sufficiently complete. (7-0-0)

PUBLIC HEARING – NEW

PB 22-11, REAG Bass LLC, REAG Loan-Mod Services LLC, Owners, TFMoran, Agent
81 Fitzgerald Dr, Map 244 Lot 10.1 & 10.3 Zone: Industrial with town water

Amended Site Plan – the applicant proposes to amend the existing site plan for reconfiguration of interior space and addition of a loading dock.

Presentation – Jeff Kevan, TFMoran

The application is for an amended site plan to reconfigure the interior space at 81 Fitzgerald Drive. Mr. Kevan submitted an update to sheet 4 of 4 of the previously submitted plans showing minor changes to square footage. There will be a minor fit-up for Millipore to pick up some additional space in the building. The primary change is the addition of a 24' x 20' covered area with a loading dock at the back of the building. Parking spaces would decrease from 64 to 49. This building is primarily warehouse space with few employees so the additional spaces are not needed. Truck circulation was included on the plans indicating how they would access the new loading dock which sits parallel to the building. Impervious coverage would remain the same, so there is no change to drainage.

M Dillon asked will the comments from the Fire Chief be addressed? Mr. Kevan responded yes, the plan involves installation of an ESFR (early suppression fast response) sprinkler system which addresses most of the Chief's concerns. A fire protection engineer has reviewed the plans and they will address any comments if needed. The sprinkler company that designed the system is required to stamp the plan.

Chairman Meyers closed the public hearing.

PB 22-12, Circle Self Storage of Jaffrey, Owner, Hillson Contractors, Inc, Applicant
Fieldstone Land Consultants, Agent
66 Fitzgerald Dr, Map 244 / Lot 30.1 Zone: Industrial, with town water

Compliance Hearing – the applicant requests a compliance hearing for PB 21-08.

Presentation – Chad Branon, Fieldstone Land Consultants

Comprehensive Environmental, Inc completed its review of 66 Fitzgerald Drive and submitted its findings to the Board on Nov. 3, 2022.

L McKenzie asked, do you plan to establish vegetation in the areas outside the paved spaces? Mr. Branon responded the site has been graded and loamed, however, it is too late to seed this year. It will be done in the spring.

Mr. Branon noted that they have filed a new site plan application for an expansion of this facility. The original design for the north side of the access aisle had an open swale that sheet-flowed into the drainage swale. Due to the proposed expansion the drive aisle has been modified and paved to match the center aisle with a reverse crown. This allows runoff to drain internally to the center and be routed to the stormwater management in back. A

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shallow swale has been constructed to the north of the paved area which allows stormwater flowing south to be captured by the swale. The intent of the plan is met.

K Dupuis noted that the process seems somewhat backwards; design changes are being made to accommodate a plan that has not yet been submitted. Mr. Brannon stated that the owner started considering an expansion mid-construction, due to heavy demand. No drainage changes would need to be made to the site if the second phase was not approved. J Belletete stated that the changes made are minor.

J Carr asked, was the swale on the north side intended to be paved or vegetative to provide infiltration? Mr. Brannon noted that the approved plan shows a more defined, two-foot deep swale on the north side, however, it was constructed as one foot deep. The engineer noted that swale was working correctly. The next submission will have a stormwater management plan that accounts for all the proposed changes.

Chairman Meyers closed the public hearing.

PB 22-13, Teleflex Inc, Owners, Fieldstone Land Consultants, Agent
50 Plantation Dr, Map 243 Lot 29.1 Zone: Industrial with town water

Site Plan – the applicant proposes construction of multi-story building addition – extrusion tower.

Presentation – John Noonan, Fieldstone Land Consultants and Jake Wagner, Steve Longley-Martines Teleflex

The site plan proposal is for a four-level extrusion tower. A height of 61 feet is required for vertical extrusion. The roof height matches that of the existing Lloyd Tower which extends another 10 feet higher for a rooftop AC unit.

The proposed tower has a bump out for an enclosed stairwell. The Fire Chief agrees the stairwell would be much safer for emergency responders and staff. A variance was granted for the height of the tower and for encroachment on the setback. Existing shrubs will be relocated to each side of the building to accommodate the new stairwell. There will be one connection for sewer for a restroom on the upper level of the tower which will tie into an existing manhole on Plantation Dr.

Stormwater currently runs parallel to Plantation Drive, then crosses Plantation and outlets to a swale which will fall within the proposed stairwell. The plan is to re-route stormwater around and back to tie into an existing drain line, which crosses the ROW and goes back on Teleflex property. The sprinkler system and fire dept. connections will be located on the outside of the building.

L McKenzie asked for clarification on the impacts to Plantation Dr. Mr. Noonan responded the only impact would be the sewer tie-in, gas is being rerouted on Teleflex property. She pointed out that the two new catch basins are in the grass strip between the edge of pavement and the ROW, which is Town property. Who owns the catch basins and who maintains them? Mr. Noonan clarified that the existing catch basins are located on Teleflex property and are maintained by them. L McKenzie suggested that a formal agreement be made with the Town DPW clarifying ownership and maintenance of drainage structures. J Belletetes agreed.

Chairman Meyers closed the public hearing.

DECISION:

**PB 22-11, REAG Bass LLC, REAG Loan-Mod Services LLC, Owners, TFMoran, Agent
81 Fitzgerald Dr, Map 244 Lot 10.1 & 10.3 Zone: Industrial with town water**

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Amended Site Plan – the applicant proposes to amend the existing site plan for reconfiguration of interior space and addition of a loading dock.

On a **motion** by McKenzie, seconded by Maki the application to amend the existing site plan for reconfiguration of interior space and addition of a loading dock was approved as presented per testimony given and plan submitted with revised sheet 4 of 4 submitted on 11/9/22, showing minor adjustments to square footage on the interior of the building. (7-0-0)

Plans include: “81 Fitzgerald Drive, Jaffrey, NH,” Tax Map 244 Lots 10.1 and 10.3 dated October 11, 2022 stamped by Robert Duval, P.E. and James M. O’Neil, LLS.

PB 22-12, Circle Self Storage of Jaffrey, Owner, Hillson Contractors, Inc, Applicant
Fieldstone Land Consultants, Agent

66 Fitzgerald Dr, Map 244 / Lot 30.1 Zone: Industrial, with town water

Compliance Hearing – the applicant requests a compliance hearing for PB 21-08.

On a **motion** by Belletete, seconded by Dillon to accept PB 22-12, Circle Self Storage of Jaffrey for Compliance with Conditional Approval for PB 21- 08. (7-0-0)

PB 22-13, Teleflex Inc, Owners, Fieldstone Land Consultants, Agent
50 Plantation Dr, Map 243 Lot 29.1 Zone: Industrial with town water

Site Plan – the applicant proposes construction of multi-story building addition – extrusion tower.

On a **motion** by McKenzie, seconded by Dupuis the application proposing construction of multi-story building addition – extrusion tower was approved as presented per testimony given and plan submitted, subject to the following condition. (7-0-0)

Condition precedent: An agreement shall be made between Teleflex and the Town of Jaffrey Supt. of Highways clarifying ownership and maintenance of drainage structures. (7-0-0)

Plans include “Site Plan – Building Addition Tax Map 243 Lot 29.1, 50 Plantation Drive, Jaffrey New Hampshire” dated October 11, 2022, stamped by Chad Branon, P.E. and Michael D. Ploof, LLS.

Findings of Fact

- Proposal is for a four-story addition to the facility
- Located in the Industrial Zone
- The proposal is consistent with zoning uses
- The applicant has secured variances for the height of the building and setback
- The proposal would benefit to the town as a business expansion
- The proposal improves egress
- The proposal places two drainage catch basins on Town of Jaffrey land
- An agreement shall be made between Teleflex and the Town of Jaffrey with the approval of Todd Croteau, Supt. of Highways clarifying ownership and maintenance of drainage structures.

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OTHER

Zoning – J Carr, the Zoning subcommittee consisting of Amy Meyers, Gary Arceci and Nathan Flowers met recently to consider possible zoning changes. (see attached)

- Correct a scrivener's error in the land use code with regard to the historic district and the Res A in the area of Jaffrey Center.
- Senior housing/Workforce housing: a recent change in legislation states that senior housing must be allowed in all areas where workforce house is permitted. The committee suggests defining senior housing and merging senior and workforce housing in the land use code.
- Short term rentals: clarify the definitions of ADU (to exclude STR), dwelling, short term rental and transient. Property owners with STR would be required to submit an application for a home-based business with the Code Enforcement Officer.

On a **motion** by McKenzie, seconded by Peard to take the following items to public hearing in December: short term rental, scrivener's error and senior housing definition change with revisions as noted. (7-0-0)

ZONING BOARD DECISIONS

ZBA 22-20 – 580 Mtn Rd LLC – Appeal from an Administrative Decision – Denied

ZBA 22-21 – Geoff & Elizabeth Murray – Setback Variance - approved

ZBA 22-22 – Teleflex, Inc – Variance, setback and height - approved

ADJOURNMENT

The meeting adjourned at 7:37 pm
Submitted:



Rebecca Newton
Recording Secretary

Attest:



Amy Meyers
Planning Board Chair



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Memo

To: Planning Board
From: Jo Anne Carr
Date: November 9, 2022
Re: Error in the narrative description of the Residence A District/Jaffrey Center

It appears there's a scrivener's error occurring sometime before the 2018 land use code with regard to the historic district and the Residence A in the area of Jaffrey center.

The map reflects the zoning correctly, the narrative was changed sometime between 1989 and 2018.

The 1989 narrative for the Residence A district West as follows "running along the east boundary of the historic district from the North East corner of the historic district (five hundred (500) feet north of route 124) running southeasterly parallel to Route 124 and five hundred (500) feet north of route 124 to the point of the beginning.

The zoning map of 1995 reflects this description as does the current zoning map of 2022.

The current narrative of the zoning for Residence A District (west) reads "then crossing Thorndike Pond Rd easterly to appoint 200 feet east of Thorndike Pond Rd; thence southerly and running 200 feet parallel from Thorndike Pond Rd to a point 185 feet north of the north side of Main Street; then easterly to Match Point Rd; then southerly 500 feet to the point of beginning." This description of neglects to add the language of running southeasterly parallel to route 124 and 500 feet north of Route 124.

The corrected language for Residence A West should read "... and running 200 feet parallel from Thorndike Pond Rd to a point 185 feet north of the north side of Main Street; then easterly to the northeast corner of map 228 lot 98; thence running southeasterly parallel to Route 124 and 500 feet north of Route 124 to Match Point Rd and then southerly 500 feet south to the point of beginning."

ADD TO DEFINITIONS

SENIOR HOUSING - Housing provided under any state or federal program that the Secretary of the United States Department of Housing and Urban Development determines is specifically designed and operated to assist elderly persons, as defined in the state or federal program and intended for, and solely occupied by, persons 62 years of age or older.

SENIOR HOUSING

Strike Section 5.16 and add Senior Housing to new section 6.4

~~Purpose: In recognition of its inherent obligation to its elder citizens, the Town of Jaffrey hereby allows senior housing by special exception. Where the Town zoning regulations differ from the provisions contained in this section, this section shall take precedence. This Section supersedes Section 6.3 with respect to density.~~

~~5.16.1 Definition: For the purpose of this section, the term "senior housing" shall mean any housing that is specifically funded, or the construction of which is specifically funded, or the construction of which is specifically assisted by the local, state or federal government or agencies or private individuals or organizations for the use of elderly persons.~~

~~5.16.2 Applicability: The overlay district created in this section shall only apply to the Residence B and General Business Districts and the Residence A Districts, excepting the Historic District.~~

~~a) Density: In recognition of the desirability of locating elderly housing in reasonable proximity to available support systems and in recognition of the social, cultural, and physical advantage of living in a balanced community environment, not more than ten units per acre for elderly housing shall be allowed.~~

~~b) Parking: As a requirement for elderly housing, there shall be one parking space for every dwelling unit.~~

~~c) Site Plan: The proposed use shall be subject to the provisions of the Site Plan regulations of the Town of Jaffrey.~~

Amend existing Section 6.3.3 to include Senior Housing in new Section 6.4

In General Business A, and Residential B Districts where town water and sewer are available, there shall be a maximum of 6 units per acre base density and an additional 2 units per acre for Workforce and Senior Housing. Permitted by Conditional Use Permit (CUP provided for in RSA 674:21). (2021)

These developments are subject to Site Plan Review and Design Review as provided in the Subdivision Regulation, Section IV: Subdivision Procedures.

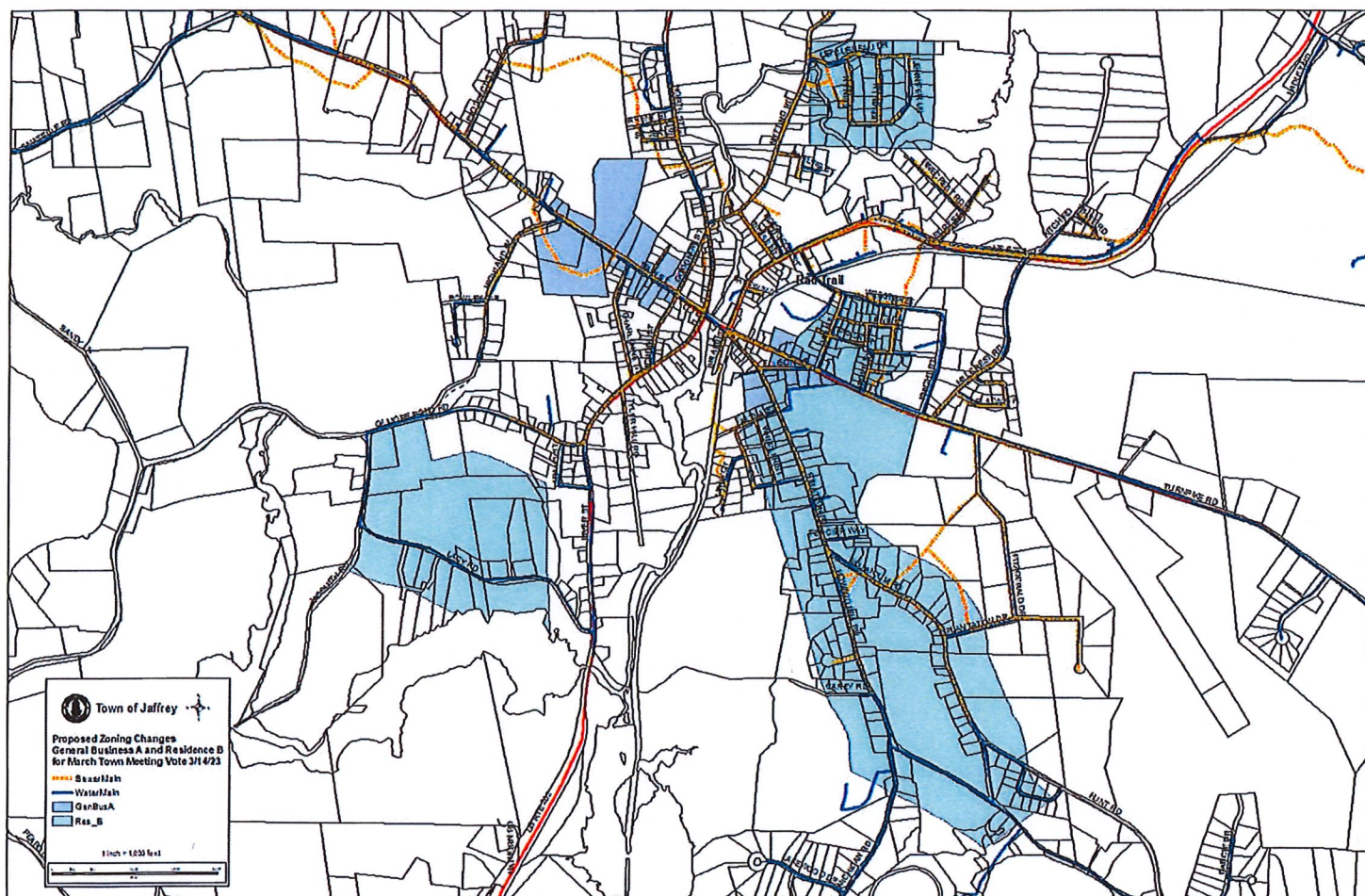
6.4.1 Conditional Use Permit Standards

The project design shall meet all of the following standards:

- a. Workforce Housing Units shall be compliant with NH Workforce Housing Act RSA 674:58-61.
- b. Senior Housing shall be compliant with NH Fair Housing Act RSA 354-A:15
- c. Renovation of historic structures or, in the case of a tear down, replication of the existing vernacular building structure
- d. Building structure and massing is in keeping with the neighborhood architecture and traditional Jaffrey design, such as Cape, Colonial, New Englander
- e. Provides adequate parking for residents and guests (in rear or on side of building) that does not detract from the streetscape
- f. Provides infill development
- g. Contributes to pedestrian access to public and community amenities
- h. In keeping with the 2019 Town Resolution to "Promote green infrastructure and sustainable building and energy practices", new construction or renovations subject to this Section, shall receive the current version of Energy Star Certification.

Criteria for granting a waiver to the Design Standards (all criteria must be met):

- a. The waiver will be in the public interest
- b. Owing to special conditions, a literal enforcement of the ordinance will result in unnecessary hardship
- c. The spirit of the ordinance will be observed
- d. Substantial justice will be done
- e. The waiver does not diminish the value of surrounding properties



ZONING ORDINANCES

Effective: March 10, 1981

Amended, Town Meeting: March 9, 1982; March 8, 1983; March 13, 1984; March 12, 1985; March 11, 1986; March 8, 1988; March 14, 1989; March 13, 1990; March 12, 1991; March 16, 1991; March 10, 1992; March 9, 1993; March 12, 1994; March 18, 1995; March 16, 1996; March 11, 1997; March 14, 1998; March 13, 1999; March 18, 2000; March 17, 2001; March 16, 2002; March 12, 2003; March 13, 2004; March 19, 2005; March 18, 2006; March 17, 2007; March 15, 2008; March 14, 2009; March 13, 2010; March 17, 2012; March 12, 2013; March 11, 2014; March 21, 2017; March 13, 2018; March 12, 2019. June 6, 2020, March,9, 2021.

SECTION I: PURPOSE

The purposes of this Plan are to promote and conserve the health and welfare of the inhabitants of the Town; to secure safety from fire; to facilitate the adequate provision of transportation, water, sewerage, and other public requirements, to conserve the value of land and buildings; to avoid undue concentration of population; to encourage the most appropriate use of land; and to further increase the general welfare of its inhabitants by preserving, promoting, and developing its many outstanding characteristics such as open space, ridgelines, hillsides, areas of forestry, wetlands, and other prominent natural features which contribute notable scenic views or vistas and the quality of life, all in accord with Chapters 672-677 Revised Statutes Annotated of the State of New Hampshire, and any amendments thereto. (Amended 2001). No building, structure or land shall be used for any purpose or in any manner other than that which is permitted in the district in which it is located (2020).

SECTION II: DEFINITIONS

For the purposes of this ordinance, certain terms and words are herein defined as follows:

ACCESSORY DWELLING UNIT (ADU) - An independent living unit subordinate to a single-family dwelling and under the same ownership as the primary residence. excluding transient uses of less than 30 day occupancies -The ADU may be attached to the primary residence or located in an accessory building on the property. (Added 1992, AMENDED 2017)

ACCESSORY BUILDING - A subordinated building and located on the lot with the main building, the use and of which is customarily incidental to that of the main building or to the use of the land.

ACCESSORY USE - A use customarily incidental to that of the main building or to the use of the land.

APARTMENT HOUSE/APARTMENT BUILDING - A structure containing more than two (2) dwelling or living units. Alternatively, one or more living units in the same structure as another kind of permitted use, such as a living unit in the same structure as a retail store.

BED AND BREAKFAST ESTABLISHMENT - Means an owner-occupied residence, a portion of which is used for lodging overnight guests for compensation and where the only meal served is breakfast.

BUILDING - The word building shall be deemed to include structure, and in addition, shed, garage, stable, greenhouse and other accessory buildings.

BUFFER AREA - A land area used to visibly separate one use from another or to shield or block noise, lights, or other nuisances. A buffer may be treed, landscaped, or left in its natural state, and might include fencing or some other type of protective facility. (Amended 2000)

CHILD CARE AGENCY - Any establishment located either in the home of the provider(s) or separate from, maintained for or the care of children, whether known as day nursery, nursery school, kindergarten, cooperative, or day care center, and which is licensed or approved by the State of New Hampshire.

CONDOMINIUM - Real property lawfully submitted by recording of condominium instruments pursuant to Chapter 356B RSA, State of NH, and conforming to the provisions of that Chapter.

CONDOMINIUM BUILDING - A structure containing commonly held condominium facilities, condominium living units, or any combination of these.

CONDOMINIUM UNIT - A portion of a condominium designed and intended for individual ownership and use, together with the undivided interest in the common areas appertaining to the unit.

CONDOMINIUM LIVING UNIT - A condominium unit, any portion of which is intended for habitation by one family.

DWELLING - A structure designed for residential occupancy, but excluding hotels, motels, and tourist homes and transient uses of less than 30 day occupancies.

DUPLEX - A structure containing two dwelling units, each of which has direct access to the outside.

DWELLING UNIT OR LIVING UNIT - Means the living quarters for one family. Such units shall include separate and complete kitchen, sleeping and bathroom facilities for each family (Amended 2017).

FAMILY - A small number of individuals living together on the premises as a single housekeeping unit.

FORMULA RESTAURANT - A restaurant regulated by contractual or other arrangement to offer standardized menus, ingredients, food preparation, interior/exterior design and/or uniforms.

FORMULA RETAIL - A type of retail sales activity which is required by contractual or other arrangement to offer a standardized array of services and/or merchandise, trademark, interior/exterior design and /or uniforms.

FRONTAGE - The horizontal distance measured along a lot line dividing a lot from a street that meets the minimum requirements of Appendix A, Section III, to the Jaffrey Rules and Regulations to Control Subdivisions. Driveways to interior lots shall not be construed as frontage for the front lot.

FRONT YARD - A front yard is an open unoccupied space on the same lot with a main building and extending the full width of the lot situated between the street line and the front line of the main building projected to the side lines of the lot.

GROUP HOME OR GROUP RESIDENCE FACILITY - Means an establishment that provides room and board to persons who are residents by virtue of receiving supervised specialized services limited to health,

SIDEYARD - A side yard is an open space on the same lot with the main building, unoccupied, and situated between the side line of the main building and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.

SHORT TERM RENTAL - Any dwelling or portion thereof that is available for use or is used for accommodations or lodging of guests paying a fee for a period of less than 30 consecutive days. Short term rental does not include rooming houses.

STREET FRONTAGE - The length of a lot bordering on a street.

STREET - A publicly approved road maintained for vehicular travel; a Class VI road, or a private road, either of which appears on a subdivision plat approved by the Planning Board or is existing.

STRUCTURE - Something constructed or built, including, but not limited to, principal and accessory buildings, swimming pools, and prefabricated structures, and whether installed above ground or in ground.

TRANSIENT OR TRANSIENT OCCUPANCY - Occupancy of a dwelling unit or sleeping unit for not more than 30 days.

TWO-FAMILY DWELLINGS - A single structure containing two living units.

WETLANDS - See Wetlands Conservation District Ordinance.

WORKFORCE HOUSING - As defined in RSA 674:58-61 is housing for sale which is affordable to a household with an income of no more than 100% of the median income for 4-person household for Cheshire County as published annually by the U.S. Department of Housing and Urban Development. Also including rental housing which is affordable to a household with an income of no more than 60% of the median income for a 3 person household for Cheshire County as published annually by the U.S. Department of Housing and Urban Development. Housing developments that exclude minor children from more than 20 percent of the units, or in which more than 50 percent of the dwelling units have fewer than two bedrooms, shall not constitute workforce housing. (2021)

YARD - An unoccupied space on the same lot as a building or structure.

SCENIC VIEWS or scenic viewsheds, scenic values, scenic qualities, or similar references shall mean any of those features of the environment that bring aesthetic satisfaction, pleasure, or value when seen. Such features may include views of ridgelines, hillsides, open land, forests, wetlands, watercourses of rivers, streams, and lakes or ponds, especially when those areas or others related also include environmental impacts on animal or plant life. (Amended 2001)

SECTION III: ESTABLISHMENT OF DISTRICTS (amended March 8, 2005, March 2008, March 2018)

3.1 The Town of Jaffrey is hereby divided into districts of seven (7) types, to be known as:

Mountain
Rural

Residence A (RA)
Residence B (RB)
General Business (GB)
General Business A (GBA)
Industrial (IND)

The Town also has overlay districts as follows:

Historic District
Main Street Program Area
Shoreland District
Floodplain Development District
Wetlands Conservation District

- 3.2 The boundaries of these districts are defined in the Guide to Zoning Districts, which is Section XII of this ordinance.

SECTION IV: DISTRICT REGULATIONS AND PERMITTED USES

4.1 Rural District:

- 4.1.1 Farms and housing related to the farm, nurseries, greenhouses, and the sale of produce primarily raised on the premises, provided that no stand for the sale of such produce shall be within thirty (30) feet of the street line. (Amended 2004)
- 4.1.2 Detached single-family dwellings.
- 4.1.3 Duplex, two family and multifamily units provided such units are located only in Open Space Development Plan; however, no more than four dwelling units are permitted in one building or structure. (Amended March 8, 2005)
- 4.1.4 Open Space Development Plans are permitted in accordance with the provisions of XIII. (Amended March 2003)
- 4.1.5 Public recreation facilities.
- 4.1.6 Churches, parish houses, religious schools, religious reading rooms, schools, public libraries and museums.
- 4.1.7 Nursery school or other agency for the day care of children.
- 4.1.8 Manufactured housing/mobile home subdivisions, which must have received subdivision approval in accordance with the Jaffrey rules and regulations to control subdivision.
- 4.1.9 Manufactured housing/mobile home parks are permitted in accordance with the provisions of the Jaffrey mobile home park ordinance.
- 4.1.10 Conversion apartments in accordance with the provisions of Section 5.3.8.

- 4.1.11 Bed and Breakfast establishments, short term rentals and rooming houses by special exception.
- 4.1.12 Nursing homes, but only in those rural areas served by the Town's water system and in accordance with the provisions of Section IV.
- 4.1.13 Signs, as regulated by Town Ordinances.
- 4.1.14 Excavation of Earth, as governed by Town of Jaffrey's Regulation of Excavation of Earth.
- 4.1.15 Fireworks Warehousing. To establish, by special exception and subject to Planning Board site plan review and documented compliance with all state and federal controlling regulations, that fireworks warehousing be permitted in the rural zone, provided, when the land ceases to be used for fireworks warehousing, the special exception terminates.
- 4.1.16 Interior Lots. In keeping with the objective of preserving and enhancing the rural character of the town, as expressed by Jaffrey's Master Plan, interior lots, established in accordance with the provisions of Section V, are authorized in the Rural District.

4.2 Residence A:

- 4.2.1 Detached single-family dwellings.
- 4.2.2 Churches, parish houses, religious schools, religious reading rooms, schools, public libraries and museums.
- 4.2.3 Customary home occupations, as defined and governed by ~~paragraphs~~ Section II 2 and 5.17.
- 4.2.4 Short term rentals by special exception.
- 4.2.4 Nursery school or other agency for the day care of children.
- 4.2.5 Group homes by special exception and in accordance with the provisions of Section IV and 5.15.
- 4.2.6 Signs, as regulated by Town Ordinances.
- 4.2.7 Open Space Development Plan, subject to the provisions of Sections VI and XIII, and having a minimum tract area of acres 10 acres. (Amended 2000, March 8, 2005, 2017)

4.3 Residence B:

- 4.3.1 All uses authorized for the Residence A Districts.
- 4.3.2 Duplex and two-family dwellings. (See Section 6.4)
- 4.3.3 Apartments and condominiums. (See Section 6.3)

- 4.3.4 Open Space Development Plan in accordance with the provisions of Sections VI and XIII and having a minimum tract area of 10 acres. (Amended March 2005, March 2008, 2017)
- 4.3.5 Funeral homes and mortuaries.
- 4.3.6 Bed and Breakfast establishments short term rentals and rooming houses by special exception.
- 4.3.7 Manufactured housing/mobile home subdivisions that must have received subdivision approval in accordance with the Jaffrey rules and regulations to control subdivision.
- 4.3.8 Manufactured housing/mobile home parks are permitted in accordance with the provisions of the Jaffrey mobile home park ordinance.
- 4.3.9 Nursing homes in accordance with the provisions of Section V.

4.4 General Business District:

- 4.4.1 Detached single-family dwellings.
- 4.4.2 Duplex and two-family dwellings.
- 4.4.3 In an enclosed building or structure: Retail stores, sales rooms, retail services, restaurants, taverns, cafes, and other places for serving foods and alcoholic beverages, business and professional offices, banks, private clubs, hotels, inns, short term rentals, rooming houses, bed and breakfast establishments, theaters, halls, clubs, and other places of assembly, shops for custom work or the making of articles to be sold on the premises, upholstery, newspaper production and job printing. Also permitted are sales and repairs of automobiles and similar vehicles, commercial or public parking, gasoline service stations and any uses similar to the foregoing (Amended March 2000, 2014)
- 4.4.4 Signs, as regulated by town ordinances.
- 4.4.5 Apartment Houses/ Apartment Buildings/Condominiums (Amended March 2017).
- 4.4.5 Mixed use development: apartments, or rooms in a building for which the principal use is business, if such apartments/rooms are located above the ground floor or behind the street facing business if on the same level (Amended March 2017).
- 4.4.6 Group homes by special exception and in accordance with the provisions of Section V.
- 4.4.7 Nursing homes in accordance with the provisions of Section V.
- 4.4.8 Public recreation facilities. (Amended March 2006)

4.5 General Business District "A" (Amended 2018):

- 4.5.1 Detached single-family dwellings.

- 4.5.2 Duplex and two-family dwellings as specified in Section 6.4.
- 4.5.3 Conversion apartments as specified in Section 5.3.8.
- 4.5.4 Multi-family, apartments, condominiums as specified in Section 6.3
- 4.5.5 Boutique and specialty stores, restaurants, cafes, business and professional offices. Boutique shall mean a small shop that offers highly specialized services or products. Specialty store shall mean a store that sells one type of thing.
- 4.5.6 Bed and breakfasts and short term rentals by special exception.
- 4.5.7 Churches, parish houses, schools, libraries, museums and civic organizations.
- 4.5.8 Home occupations.
- 4.5.9 Day care, nursery school.
- 4.5.10 Group homes and senior housing, by special exception.in accordance with Section V.
- 4.5.11 Open space development Plan in accordance with the provisions of Sections VI and XIII and having a minimum of 10 acres.
- 4.5.12 Mixed uses are encouraged providing the business use complies with the uses listed above.
- 4.5.13 Excluded uses are formula restaurant and formula retail. Formula restaurant shall include a restaurant regulated by contractual or other arrangement to offer standardized menus, ingredients, food preparation, interior/exterior design and/or uniforms. Formula retail shall include a type of retail sales activity which is required by contractual or other arrangement to offer a standardized array of services and/or merchandise, trademark, interior/exterior design and/or uniforms.

4.6 Industrial Districts [Excepting Turnpike Road Industrial District]

- 4.6.1 Land and/or buildings may be used for the following purposes:
 - a) Establishments engaged in the manufacturing, assembly, compounding, processing/packaging, treatment or distribution of products including primary product production from raw material. Establishments will employ reasonable technology to avoid undesirable and preventable elements of pollution (e.g.: noise, vibrations, electrical interference, smoke, soot, particulate matter, or any other discharges into the environment demonstrated to be harmful to persons, structures or the environment). Establishments will conform to all state and federal pollution control requirements and will maintain all necessary permits. (Amended March 2003)
 - b) Wholesale, warehouse and storage facilities.

Mountain Zone

Schools.....	XA
Public Libraries	XA
Museums.....	XA

Commercial:

Nursery School	NP
Day Care	NP
Group Homes.....	NP
Nursing Homes.....	NP
Funeral Homes and Mortuaries.....	NP
Home Occupations as approved by the Building Inspector	XA
Retail Store/ Retail Services	NP
Sales Rooms	NP
Restaurants, Taverns, Cafes	NP
Business/Professional Offices.....	NP
Banks	NP
Hotels, Inns.....	NP
Bed and Breakfast (4 BR max) <u>and short term rentals</u>	XA
Rooming Houses	NP
Theaters, Halls, Private Clubs.....	NP
Clubs and Other Places of Assembly.....	NP
Shops for Custom Work.....	NP
Newspaper Production, Job Printing	NP
Commercial or Public Parking.....	NP
Gasoline Service Stations.....	NP
Commercial kennel/Veterinary hospital.....	NP

Industrial:

Earth Excavation	NP
Manufacturing, assembly, compounding, processing/packaging, treatment or distribution of products	NP
Wholesale, warehouse and storage	NP
Motor freight terminals	NP
Warehousing and truck repair	NP
Truck and heavy equipment sales, service, and repair	NP
Automotive, truck, utility trailer, and equipment rental.....	NP
Storage facilities for lease	NP
Distributing plants.....	NP
Beverage bottling/distribution.....	NP
Research and testing laboratories.....	NP
Industrial Parks.....	NP
Carpenter, electrical, plumbing, welding, blacksmith, heating, ventilation, refrigeration, air conditioning, sheet metal fabrication	NP
Laundry and clothes cleaning and dyeing	NP
Printing and publishing	NP
Building materials supply	NP
Bulk storage and distribution of petroleum products	NP
Recreation vehicle and marine sales, service, repair, and storage	NP
Utility operations.....	NP

(Amended 2012, 2014)

5.2.2 The Town of Jaffrey authorizes the Planning Board, pursuant to the provisions of RSA 674:43, to review and approve or disapprove site plans for the development or change or expansion of use of tracts for nonresidential uses or for multifamily dwelling units, which are defined as any structures containing more than two dwelling units, whether or not such development includes a subdivision or re-subdivision of the site; and to further authorize the Planning Board to delegate their site review powers and duties in regard to minor site plans to a committee of qualified technical administrators chosen by the Planning Board from the departments of public works, engineering, community development, planning, or other similar departments in the town; and to authorize the Town Clerk to record a Certificate of Notice at the Cheshire County Registry of Deeds showing that the Planning Board has been so authorized and giving the date of such authorization. (Amended 1991)

5.3 The following uses are permitted in specific zoning districts (as noted) if authorized by the Board of Adjustment as Special Exceptions in each specific case:

- 5.3.1 Public or semipublic institutions of any historical, philanthropic, or charitable character, hospitals, sanatoriums, and other medical institutions, including rest homes (in all residential and commercial districts).
- 5.3.2 Buildings and necessary structures in connection with municipal or public utilities, and buildings used exclusively for governmental purposes (in all districts).
- 5.3.3 Private clubs, lodges, other nonprofit social, cultural, civic, or recreational use, but not including any use the chief activity of which would be one customarily conducted as a business (in residential and commercial districts).
- 5.3.4 Commercial kennel, animal or veterinary hospital (in industrial and rural districts). However, in the rural district, such uses must be located on the same premises as the owner/operator's residence.
- 5.3.5 Picnic groves, ski and hiking trails and shelters, ski tows, golf courses, outdoor skating rinks, boating facilities, liverys, children's camps (in rural districts).
- 5.3.6 Inns, hotels, and motels, including restaurants operated in connection therewith (in the rural and Residence "B").

5.3.xx Short term rentals are allowed by special exception in all districts allowing residential use provided that the operator has registered as a home based business with the Building Inspector, and registered with the Department of Revenue Administration to obtain a Meals and Rooms license. Further per RSA 78-A:4-a any advertisement for a short term rental by print, display, publication, distribution, or online listing offering a short-term rental shall include the meals and rooms license number of the operator.

5.3.7 Telephone exchanges, telecommunications towers, public utility buildings (in all districts except Historic District and Mountain Zone).

- 5.3.8 Conversion of a single-family dwelling existing at the time of the adoption of this ordinance for occupancy by not more than three families, provided that the exterior design of the structure is not changed from the character of a single-family dwelling. Three family dwellings require review by the Planning Board Minor Site Plan Review Committee. (Amended 2017) In addition, the required lot area (acreage) for any residential conversion, excepting those in the Main Street Program Area and General Business Districts where Section VI shall control, shall be calculated as follows:

Multiply the required lot area per dwelling unit for the district in which the conversion is located (See Section VI) by the total number of dwelling units in the conversion. Then multiply the previous product by (66.7%) to determine the minimum lot area.

- 5.4 Accessory Dwelling Units (ADU) are permitted in all districts which allow single family dwellings by Special Exception of the Board of Adjustment, providing the following conditions are met (Amended 1992, 2017):

- 5.4.1 Only one ADU is permitted per single-family dwelling unit.
- 5.4.2 Either the primary or accessory dwelling unit is occupied by the owner, except for *bona fide* temporary absences.
- 5.4.3 The accessory apartment shall have a minimum floor area of 400 square feet, but in no case shall the floor area comprise more than the greater of 750 square feet or 30% of the gross living area of the primary residence.
- 5.4.4 Adequate provision shall be made for the disposal of sewage, waste and drainage.
- 5.4.5 Adequate provision shall be made for off-street parking.
- 5.4.6 All setback requirements for the respective zoning district shall be observed.

5.4.7 An ADU may not be used for the purpose of Short Term Rental or other transient use.

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- 5.6. Building height: In all districts, buildings and structures shall not exceed either three stories or forty-five (45) feet measured from the highest natural ground level.
- 5.7. Accessory buildings and accessory uses on residential lots: One or more detached accessory buildings may be located on the same lot as the principal building, provided that no more than twenty-five percent (25%) of the lot area, excluding the area occupied by the principal building, shall be so occupied and that all setback and site plan requirements are met. (Amended 2017)
- 5.8. The establishment or use of private or commercial facilities for the storage and/or disposal of hazardous wastes (as defined by the Atomic Energy Act of 1954, as amended) is prohibited.
- 5.9. Owners, developers, and users of land and buildings should be aware of the following Town of Jaffrey regulations that also govern the use of land and buildings (Amended 2017):

a) Site Plan Review Regulations