

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.

CIVIC USE –A public or quasi-public institutional use conducted by a governmental, non-profit, or religious organization, including but not limited to town and school district offices, libraries, museums, community centers, houses of worship and related parish facilities, public parks, public safety facilities, and similar uses that primarily serve the community.

COMMERCIAL USE – Uses engaged in the sale of goods or services to the general public, or in business and professional office activities, conducted within a building and or on a site, including outdoor sales, outdoor display, and outdoor storage of merchandise. Commercial uses include retail sales; personal and business services; offices; nurseries and garden centers; automobile and similar vehicle sales, service, and repair; parking facilities; and gasoline service stations. Uses classified as Industrial in Section 4.6 are not Commercial Uses.

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.

CONSERVATION AREAS, PRIMARY - Consist of wetlands, floodplains, and shorelines regulated by local, state, or federal law. (Added 2025)

CONSERVATION AREAS, SECONDARY - Consist of any other significant natural resources including but not limited to wildlife habitat, steep slopes (>25%), mature woodlands, agricultural lands, scenic views, and historic or archaeological sites. The Jaffrey Natural Resource Inventory should be used to inform this identification. (Added 2025)

DWELLING - A structure designed for residential occupancy, but excluding hotels, motels, tourist homes and transient uses of less than 30-day occupancies. (2023)

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

TRANSIENT OR TRANSIENT OCCUPANCY – Paid occupancy of a dwelling unit or sleeping unit for not more than 30 consecutive days. This definition shall not apply to nonpaying guests of the family occupying the unit. (2023)

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 ~~six seven (6)(7)~~ types, to be known as:

Mountain ~~(MTN)~~
Rural ~~(RU)~~
~~Residential A (Jaffrey Center) Residence A (RA)~~
~~Residential (RD) Residence B (RB)~~
~~Downtown/General Business (DGB)~~
~~General Business A (GBA)~~
Industrial (IND)

The Town also has overlay districts as follows:

~~Jaffrey Center~~ 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

4.2 ~~Residence~~ Residential A District (Jaffrey Center) :

- 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 Section II and 5.17.
- 4.2.4 Short term rentals by special exception. (2023)
- 4.2.5 Nursery school or other agency for the day care of children.
- 4.2.6 Group homes by special exception and in accordance with the provisions of Section IV and 5.15.
- 4.2.7 Signs, as regulated by Town Ordinances.
- 4.2.8 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 6.4)~~
- ~~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. (2023)~~
- ~~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.~~

4.3 Residential District

4.3.1 Single-family dwellings

4.3.2 Duplex and two-family dwellings

4.3.3 Multi-family dwellings (three or more units) – via Conditional Use Permit (CUP) (as provided in Sections 6.3 and 6.4)

4.3.4 Civic

4.3.5 Other non-residential uses in the Residential District allowed only as specifically provided in Section V of this ordinance

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~~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 by special exception, 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, 2023)~~

~~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. (2023)~~
- ~~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, workforce 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.~~

4.4 Downtown/General Business District

4.4.1 Residential (except manufactured)

- Lodging
- Professional Offices/Services/Commercial
- Eating & Drinking
- Retail/Personal Services
- Civic
- Light workshop and studio uses, provided that:
 - a. All activities, including fabrication and finishing, occur entirely within a fully enclosed building.
 - b. There is no outdoor storage of materials, equipment, or products.
 - c. Noise, vibration, odor, dust, and glare at the property line are not greater than those typically associated with other permitted commercial uses in this district.
 - d. Any on-site sales are primarily of goods or services produced on the premises.

- 5.3.5 Picnic groves, ski and hiking trails and shelters, ski tows, golf courses, outdoor skating rinks, boating facilities, liveries, 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").
- 5.3.7 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. (2023)
- 5.3.8 Telephone exchanges, telecommunications towers, public utility buildings (in all districts except Historic District and Mountain Zone).
- 5.3.9 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 Downtown~~/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.

SECTION VI: AREAS AND SETBACKS FOR BUILDINGS - ALL DISTRICTS (Amended March 2002, 2005, 2008, 2012, 2014)

6.1 Dimensional Table

District	Lot Size (Sq. Ft.)	Frontage (linear feet)	Front Setback (linear feet)	Side Setback (linear feet)	Rear Setback (linear feet)	Off-street Parking
Mountain	130,680 / 3 ac	200	60	40	40	1 space per dwelling unit (maximum) 2/unit
Rural WOTW	130,680 / 3 ac	200	60	40	40	1 space per dwelling unit (maximum) 2/unit
Rural WTW	65,340 / 1.5 ac	150	60	30	30	1 space per dwelling unit (maximum) 2/unit
Residential A – Jaffrey Center Residence A	43,560 / 1 ac	125	30	30	30	1 space per dwelling unit (maximum) 2/unit
Residential A – Jaffrey Center – with town sewer (or community septic system within an OSDP) Residence A – with town sewer – (or community septic system within an OSDP)	20,000 / .46 ac	125	30	30	30	1 space per dwelling unit (maximum) 2/unit
Residential District Residence B	43,560 / 1 ac	125	30	30	30	1 space per dwelling unit (maximum) 2/unit
Residential District (with town water and town sewer) Residence B – with town sewer – (or community septic system within an OSDP)	20,000 / .46 ac	75/25	15/30	15/30	15/30	1 space per dwelling unit (maximum) 2/unit
Main Street Program Area**	N/A	N/A	Align where possible, w/existing buildings, to preserve the streetscape edge.	15 feet from adjacent buildings	15 feet from adjacent buildings	See Section 6.11
Downtown/General Business General Business and General Business A	N/A 43,560	N/A 125	Align, where possible, with existing buildings to preserve the streetscape edge. 30	15 feet from adjacent buildings 30	15 feet from adjacent buildings 30	1 (8x18) per 400 sf gross floor area (amended 1992)
Industrial	2½ acres	200	100	30	50	1/employee

6.1 Dimensional Table (con't)

Explanatory notes:

- a) The lot sizes and dimensions in the Mountain, Rural, Residential A – Jaffrey Center, and Residential Residence A, and Residence B districts are intended for one and only one principal structure per lot unless specifically otherwise provided for elsewhere in this ordinance.
- b) “Frontage” means 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.
- c) “Setback” means the horizontal distance between a lot line and the nearest part of a structure.

6.1.1 During the Site Plan Review process, the Planning Board may waive up to 25% of the parking requirements, if deemed appropriate.

6.2 No lot on which a building is located in any district shall be reduced or changed in size or shape so that the building or lot fails to comply with the lot area, frontage, setback, yard or height provisions of this ordinance that are applicable to the construction or placement of the building on the lot unless a variance is obtained from the Zoning Board of Adjustment. This provision shall not apply, however, when a portion of the lot is taken for public purposes. (Amended March 2009)

6.3 Minimum lot sizes for multi-family buildings and apartment houses except in the Downtown/General Business ~~General Business~~ District where Section 6.1 shall control, whether units are rentals or single, cooperative, or condominium ownerships:

6.3.1 One acre for the first living unit in a building, plus one-half acre for the second living unit in a building, plus an additional five thousand (5,000) square feet for each additional living unit in a building.

6.3.2 There shall be a maximum of eight (8) living units in a building, except in the rural districts where the maximum number of units shall be limited to four (4) per building.

6.4 Multi-Family is permitted in Downtown/General Business and the Residential Districts ~~General Business, 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, 2023, 2024)

For Workforce and/or Senior Housing the Planning Board may waive the maximum number of units per building (8 per Section 6.3.2) in order to accommodate the opportunity to develop economically viable housing per RSA 674:58(III). Developer must submit a financial statement indicating need for increased density per building. (2024)

- 6.8.1 The dwelling was a lawfully existing use at the time of the adoption of this ordinance.
- 6.8.2 The building line of the addition does not extend more than ten (10) feet into the setback area.
- 6.9 Improvements necessitated by the Americans with Disabilities Act are expressly exempted from setback requirements; permit fees for ramps or other handicap accesses may be waived, as determined by the Selectmen. (Amended 1993)
- 6.10 A buffer area shall be required in all districts when any new commercial or industrial use is established adjacent to an existing residential use. The buffer shall comprise 50% of the required setback for the zoning district, as measured inward from the property line, and shall be of a type deemed appropriate for the location by the Planning Board during Site Plan Review.
- 6.11 Interior Lots — An interior lot presents a special case whereby a single-family residential construction is permitted under a special set of circumstances on a parcel of land that does not have the frontage normally required in the Rural District. An interior lot must, however, have a minimum access of fifty (50) feet in width to an approved street by ownership of land. (Amended 2003)
 - 6.11.1 The interior lot must contain a minimum of twelve (12) acres, and the front lot must contain at least the standard acreage required in the Rural District, exclusive of any deeded ROW.
 - 6.11.2 All setbacks specified in section VI must be met for residential construction. For purposes of this section, the front setback of an interior lot shall mean the distance from the line separating the interior lot (exclusive of owned or ROW access to an approved street) from the front lot. A structure built on an interior lot may not be closer than three hundred (300) feet from an approved street.
 - 6.11.3 Because of the special nature of an interior lot, only one interior lot per driveway is permitted, and an interior lot may be used only for one single-family residence and/or agricultural or silvicultural purposes.
 - 6.11.4 Once established, an interior lot may not be further subdivided.

~~6.12 Within the “Main Street” Program Area: Commercial establishments must demonstrate adequate and appropriate parking capability for employees and customers. In this context, a reasonable portion (not dedicated) of municipal parking may be considered. Residential units must have dedicated parking, with one space required for a one-bedroom unit and two spaces for all others. Where possible, the parking area should be at the rear of the lot. (Amended 2002)~~

SECTION VII: NONCONFORMING USES, STRUCTURES, AND LOTS

Any lawful use of land or buildings, or parts thereof, existing at the time of the adoption of this ordinance, even though such use does not conform to the provisions of this ordinance is allowed, subject to the conditions listed below:

OVERLAY DISTRICTS

~~12.18 Main Street Program Area~~

~~The boundaries of the Main Street Program Area are shown on a map on file with the Planning Office and attached to this Code.~~

12.19 Wetlands Conservation District

The boundaries of the Wetlands Conservation District are described in the Wetlands Ordinance (Section III and XI).

12.20 Floodplain Development

The boundaries of the Floodplain Development Ordinance are all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its “Flood Insurance Study for the County of Cheshire, NH” as amended.

12.21 Shoreland

The boundaries of the Shoreland District are described in the Shoreland Ordinance (Article II).

SECTION XIII: OPEN SPACE DEVELOPMENT ORDINANCE (Amended March 2002, 2003, 2008, 2020, 2025, 2025)

13.1 Authority

This article is adopted pursuant to the authority and provisions of RSA 674:21. In administering this Innovative Land Use Plan ordinance, the Planning Board shall have the authority to grant conditional use permits, special use permits, and waivers from specific requirements of this Article if and when an applicant is able to demonstrate to the satisfaction of the Planning Board that granting of such waiver(s) would not compromise achievement of the stated purpose and intent of this Ordinance. Correspondingly, any appeal of a decision made by the Planning Board in administering this innovative land use plan ordinance must be made to the Housing Appeals Board or the Superior Court’s Land Use Review Docket pursuant to the provisions of RSA 676:5 & 677:15.

13.2 Purpose and Intent

An Open Space Development (OSD), as authorized by RSA 674.21, is a form of residential subdivision whereby an applicant may be permitted an increase in density, along with added flexibility in lot size, frontage, and setbacks provided that:

- common open land is permanently preserved,
- viewsheds, watersheds, and other natural resources are protected, including shoreline protection overlay and wetlands conservation districts,
- the development meets Planning Board criteria for subdivision approval, and

community. The display of signs should be in keeping with the community goals set forth in the Jaffrey Master Plan and any other documents adopted by reference therein. It is further the intent of this section that signs should not destroy or detract from the scenic vistas or buildings and surroundings of historical or cultural importance, compete unnecessarily with the natural environment, or proliferate in an unrestricted manner. This ordinance encourages the use of graphics and materials that are architecturally appropriate and compatible with community character, readable and clear, non-distracting to vehicular and pedestrian traffic, and are maintained in good repair.

16.2 Content

Notwithstanding any other provision in this Section, no sign shall be subject to any limitation based on the content of the message contained on any such sign. (Amended 2017).

16.3 Districts

Recognizing that the downtown district of Jaffrey reflects a diverse business climate that must accommodate for close proximity of vehicular, pedestrian, and multi-directional activity, this ordinance establishes the following districts for the purpose of permitting signs: The Downtown District (as described and bounded below) and all other zoning districts as described in Section XII of the Jaffrey Zoning Ordinance.

Downtown District

This district shall encompass ~~the Main Street Program Area as approved by town vote in 1999, and also~~ the Downtown Jaffrey National Register Historic District which falls within those bounds. All properties fronting from the southerly edge of Ridgecrest Road to the northerly edge of Gilmore Pond Road on NH Route 202, the westerly edge of Oak Street to the easterly edge of Highland Avenue on NH Route 124, NH Route 137 to Cross Street, Goodnow Street, Bradley Court, Ellison Street, Union Street, Stratton Road (the intersection of Union and Ellison to Main Street), Blake Street, Laundry Way, Christian Court, Sunset Way, Driscoll Way, School Street, and Charlonne Street. ~~(See Map Main Street Program Area in Appendices)~~

16.4 General Definitions

For the purposes set forth in this ordinance, the following definitions shall apply:

AWNINGS & CANOPIES — Any structure consisting of pipes, wood, metal, and canvas or other like material attached to the exterior of a building for the purpose of providing shade or shelter from the elements.

BANNERS- A sign composed of light weight material, either affixed to a structure by ropes, pins, cables, etc. or by framing.

BUSINESS FRONTAGE — The exterior portion of a building devoted to a particular business establishment, which is coterminous with all or part of a primary or secondary business building frontage.

BUSINESS SIGN — An on-premises sign, which directs attention to any primary business, industry or other activity which is sold, offered, or conducted on the premises.

Overlay Descriptions

The Overlays are defined as follows and shown on the map found in the appendices titled Design Standards Overlay Map.

Downtown Business Overlay

Includes the General Business District ~~and the Main Street Program Area~~ (excluding Silver Ranch and VFW General Business Districts).

The four Gateways are defined as follows:

Gateway Overlays The design standards pertain to lots having frontage along designated roadways.

Cheshire Pond Gateway - extending from the northerly edge of the Downtown Business District to the intersection of Nutting and Old Sharon Roads.

Turnpike Road Gateway – extending from the easterly edge of the Main Street Program Area to the easterly edge of the General Business District (Silver Ranch).

River Street Gateway – extending from the southerly edge of the General Business District at Lacy Road to the Town line.

Mountain Road Gateway – extending from the westerly edge of the Main Street Program Area to Sawtelle Road.

Use and area requirements are unchanged and conform to the corresponding zoning district as per the table below.