ALTON, NH ZONING ORDINANCE

As Amended Through March 14, 2006

ARTICLE 100 PREAMBLE 3
SECTION 110 PURPOSE AND AUTHORITY 3
ARTICLE 200 DEFINITIONS 3
ARTICLE 300 GENERAL PROVISIONS 14
SECTION 311 ZONING MAPS 14
SECTION 313 LOT CONFIGURATION 14
SECTION 320 NON-CONFORMING USES 14
SECTION 321 REPAIRS AND ALTERATIONS 16
SECTION 322 CONTINUANCE OF NON-CONFORMING USES 16
SECTION 323 ABANDONMENT 16
SECTION 324 USE OF NON-CONFORMING LOTS OF RECORD 16
SECTION 325 OFF-STREET PARKING 16
SECTION 327 SETBACK REQUIREMENTS 18
SECTION 328 HEIGHT RESTRICTIONS 18
SECTION 329 CONDOMINIUMS 20
A. Conversions: 20
B. New Construction for Condominium Conveyance: 20
SECTION 330 ELDERLY HOUSING 21
SECTION 331 CONTINUING CARE RETIREMENT COMMUNITY 22
SECTION 335 APPEARANCE REVIEW 24
SECTION 340 SIGN REGULATIONS 24
SECTION 350 MANUFACTURED HOUSING 27
A. Mobile Home 27
B. Modular - Sectional Home 27
C. Mobile Home Park Performance Standards 27
SECTION 355 RECREATION CAMPING PARKS 28
A. Recreation Camping Park Performance Standards 28
SECTION 380 IMPACT FEES 29
ARTICLE 400 ZONING DISTRICTS REGULATIONS 32
SECTION 410 LAKESHORE RESIDENTIAL ZONE (L/R) 35
SECTION 411 PERMITTED USES SECTION 35
SECTION 412 RESTRICTIONS GOVERNING USE 35
SECTION 413 SPECIAL EXCEPTIONS 36
SECTION 420 RECREATION SERVICE ZONE (R/S) 36
SECTION 421 PERMITTED USES 36
SECTION 430 RESIDENTIAL ZONE (R) 37
SECTION 431 BOUNDARY DESCRIPTIONS 37
SECTION 432 PERMITTED USES 37
SECTION 433 RESTRICTIONS GOVERNING USES 37
SECTION 434 SPECIAL EXCEPTIONS 37
SECTION 440 RESIDENTIAL-COMMERCIAL ZONE (R/C) 37
SECTION 441 BOUNDARY DESCRIPTION 37
SECTION 442 PERMITTED USES 38
SECTION 443 RESTRICTIONS GOVERNING USE 38
SECTION 444 SPECIAL EXCEPTIONS 38
SECTION 450 RURAL ZONE (RU) 39
SECTION 451 PERMITTED USES 39
SECTION 452 RESTRICTIONS GOVERNING USE 39
SECTION 460 RESIDENTIAL RURAL ZONE (RR) 40
SECTION 461 BOUNDARY DESCRIPTION 40
SECTION 462 PERMITTED USES 40
SECTION 463 RESTRICTIONS GOVERNING USE 40
ARTICLE 500 ADMINISTRATION AND ENFORCEMENT 41
SECTION 510 TERM, MEMBERSHIP, AUTHORITY AND DUTIES 41

SECTION 511 POWERS 41
SECTION 520 SPECIAL EXCEPTIONS 41
SECTION 530 VARIANCES 43
SECTION 550 ENFORCEMENT 43
SECTION 560 MISCELLANEOUS PROVISIONS 43
SECTION 570 PLANNING BOARD 44
ARTICLE 600 OVERLAY DISTRICTS 45
SECTION 601 SHORELAND PROTECTION OVERLAY DISTRICT 45
A. AUTHORITY 45
B. PURPOSE AND INTENT 45
C. SHORELAND PROTECTION OVERLAY DISTRICT 45
D. PROHIBITED USES 46
E. NATURAL WOODLAND BUFFER 46
F. SUBSURFACE WASTE DISPOSAL SYSTEMS 48
G. STORMWATER MANAGEMENT AND EROSION CONTROL 48
H. MINIMUM LOT REQUIREMENTS 49
I. WATER DEPENDENT USES 50
J. COMMONLY USED WATER FRONT PARCELS OR LOTS 51
K. NON-CONFORMANCE 52
L. LAND CLEARING FOR AGRICULTURE PURPOSES 52
M. ADMINISTRATION AND ENFORCEMENT 53
SECTION 602 AQUIFER PROTECTION OVERLAY DISTRICT 53
A. PURPOSE AND INTENT 53
B. AQUIFER PROTECTION ZONE BOUNDARIES 54
C. RESTRICTIONS 54
D. SPECIAL PROVISIONS 54
SECTION 603 WIRELESS TELECOMMUNICATIONS FACILITES ORDINANCE 54
603.1. PURPOSE 54
603.2. APPLICABILITY 55
603.3. DEFINITIONS 55
603.4. DISTRICT REGULATIONS 56
603.5. USE REGULATIONS..... 57
603.6. DIMENSIONAL REQUIREMENTS 58
603.7. PERFORMANCE AND DESIGN STANDARDS 58
603.8. VERIFICATION, MONITORING and MAINTENANCE 61
603.9. ABANDONMENT OR DISCONTINUATION OF USE 61
603.10. TIMING OF OPERATION 62
603.11. SAVINGS CLAUSE 62
SECTION 660 FLOODPLAIN DEVELOPMENT OVERLAY DISTRICTS 62
A. AUTHORITY 62
B. PURPOSE AND INTENT 63
C. DEFINITIONS 63
D. PERMITS 63
E. CONSTRUCTION REQUIREMENTS 63
F. WATER AND SEWER REQUIREMENTS 63
G. REPORTING REQUIREMENTS 64
H. FEDERAL AND STATE PERMITS 64
I. SPECIAL FLOOD HAZARD AREAS 65
J. VARIANCES AND APPEALS 66

BOUNDARY DESCRIPTIONS 68

TOWN OF ALTON, NEW HAMPSHIRE
ZONING ORDINANCE

As Amended Through March 14, 2006, Inclusive

ARTICLE 100 PREAMBLE

SECTION 110 PURPOSE AND AUTHORITY

In pursuance of the authority conferred by Title LXIV, as amended, New Hampshire Revised Statutes Annotated, the zoning regulations and districts as hereby set forth are proposed for the purpose of promoting the health, safety and general welfare of the citizens of the Town of Alton. This ordinance was adopted August 29, 1970, and may be amended as provided in Chapters 672- 677, RSA as amended, and as otherwise provided by law.

SECTION 120 DATE OF EFFECTIVENESS

This ordinance and any amendments shall become effective on the date of adoption.

ARTICLE 200 DEFINITIONS

(As amended 13 March 1984, 15 March 1989, 13 March 1991, 11 March 1992, 10 March 1993, 11 March 1998, 11 March 99, 12 March 2002, 11 March 2003, 9 March 2004, 14 March 2006.)

Definitions may have source designations:

1. [from FDO] means the definition pertains to the Floodplain Development Overlay Districts SECTION 660

100-Year Flood – [from FDO] see Base Flood.

Accessory Building or Use - A building or use incidental and subordinate to the main building and its use and occupying the same lot.

Agriculture – Cultivating soil, producing crops and raising livestock. (Added 14 March 2006)

Alternative Tower Structure - Innovative siting techniques that shall mean man made trees, clock towers, bell steeples, light poles, and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Amusement Use: Indoor - Pinball/video arcade, dance hall, bowling alley, movie theater, tennis center, gymnasium. (Added by ATM 3/11/97)

Amusement Use: Outdoor - Miniature golf, drive-in theater, circus/carnival. [Added by ATM 3/11/97]

Antenna: - Shall mean any exterior apparatus designed for telephonic, radio, television, personal communications service (PCS), page network, or any other communications through the sending and/or receiving of electromagnetic waves of any bandwidth.

Antique Shop - A store, whether a principal use or accessory use, which sells exclusively furniture and home furnishings over seventy-five years old.

Area of Shallow Flooding - [from FDO] Means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with a one (1%) percent or greater annual chance of flooding to an average depth of one (1) to three(3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard - [from FDO] Is the land in the floodplain within a community subject to a one (1%) percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, or A99.

Assisted Living CCRC facilities – Facilities which provide housing and care for residents who are no longer medically self-sufficient but who are not yet in need of the more expensive (and more institutional) skilled nursing care. An example would be an arthritis patient who needs assistance with dressing and the like but who can otherwise carry on a daily routine. Assisted Living facilities must include room and board (serving a minimum of one meal per day - up to three), provision of personal care assistance, medication assistance, and minimum qualification for employed staff per NH Chapter He-P 805 & He-P-804. The housing component of the facility is located within one building on the site. (Added 14 March 2006)

Automobile, motorcycle, light truck sales, leasing or rental: Sales, leasing, rental, and related servicing of new and used automobiles, light trucks, vans and sport utility vehicles limited to a capacity of not more than one-and-one-half (11/2) tons, motorcycles, motor scooters, mopeds, all-terrain vehicles, snowmobiles, go-carts, utility trailers, and similar items; excluding, however, commercial wrecking, dismantling, or junkyard. (Added 14 March 2006)

Automobile Service Station - Any building or premises used primarily for the retail sale of gasoline and lubricants, but which may also provide for the servicing of motor vehicles and small engine repair including grease racks, tire repairs, battery changes, hand washing of automobiles and the sale of merchandise and supplies related to the servicing of motor vehicles, but excluding body and fender work, painting, storage of autos not in operating condition or other work involving noise, fumes, glare or smoke.

Automotive and Truck Repair Garage - A structure, premises and land in which, or upon which, a business, service, or industry involving the maintenance, servicing, repair, or painting of vehicles is conducted or rendered.

Automotive and Truck Motor Vehicle Dealer – Every person engaged full or part time in the business of selling or exchanging new and second hand motor vehicles on commission or otherwise having complied in full with the intent and conditions of RSA 236:112 V (A), as amended.

Automotive and Truck Used Motor Vehicle Dealer - Every person or firm engaged full or part time in the business of selling or exchanging second hand motor vehicles on commission or otherwise having complied in full with the intent and conditions of RSA 236:112 V (B), as amended.

Automotive and Truck Junk Motor Vehicle Dealer - Every person or firm who has an established place of business at which he is engaged full or part time in the business of buying second hand motor vehicles for the purpose of taking the same apart, or buying and selling parts of second hand motor vehicles, or tires for the assembling of second hand motor vehicle parts, in accordance with RSA 236:112 V (c), as amended.

Automotive and Truck Motor Vehicle Washing Facility – A site or structure used for the washing of trucks or automobiles.

Basal Area - The cross sectional area of a tree measured at a height of 4-1/2 feet above the ground, usually expressed in square feet per acre for a stand of trees.

Base Flood – [from FDO] means the flood having a one (1%) percent chance of being equaled or exceeded in any given year.

Basement – [from FDO] Means any area of the building having its floor sub- grade (below ground level) on all sides.

Bed and Breakfast - Overnight accommodation and morning meal in a dwelling unit provided to transients for compensation.

Best Management Practice (BMP) - A proven and accepted structural, non-structural, or vegetative measure the application of which reduces erosion, sediment, or peak storm discharge.

Boat Sales and Service – A facility for the sales, servicing, and fueling of new and used boats. The facility may include a retail sales area for boating related accessories. No overnight docking facilities and no all day or overnight parking facilities are provided. (Amended 14 March 2006)

Boat Sales – A facility which displays and sells boats for retail purposes. A boat sales facility may perform only routine tasks necessary to prepare a new boat for use in the water. (Amended 14 March 2006)

Boat Service – A facility that provides maintenance, repair and upkeep of boats including hull repair, engine repair and routine maintenance. (Added 14 March 2006)

Boat Storage - A location where boats are stored for commercial purposes within or without a structure.

Breakaway Wall - [from FDO] means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation.

Building - [from FDO] See Structure [from FDO]

Building Envelope - The three-dimensional space within which a structure is permitted to be built on a lot and that is defined by maximum height regulations and minimum setbacks. (Added 3/14/00)

Building Trade or Repair Shop – A structure used for storing, maintaining and supporting a contractor's operations. The structure is accessory to the contactor's operations. This is not to be considered a contractor's storage yard.

Campground - A parcel of land with one or more specific sites that has provision for the pitching of a tent or the parking of any recreational vehicle or trailer for use as sleeping quarters on a temporary basis.

Church - A building or structure or group of buildings or structures that by design and construction is primarily intended for conducting organized religious services and associated accessory uses.

Combined Dwelling and Business - Any gainful occupation or profession carried on exclusively by a resident of the premises, entirely within a dwelling unit, provided such use is secondary to the use of the premises for dwelling purposes, and provided that there are not more than two non-resident employees.

Commercial - A use primarily concerned with the sale of goods or services.

Conservation – A careful preservation and protection of something, planned management of a natural resource to prevent exploitation, destruction or neglect. (Added 14 March 2006)

Continuing Care Retirement Communities (CCRC) – A single retirement community site or campus containing two or more of the following components: 1) Independent Living CCRC facilities, 2) Assisted Living CCRC facilities, 3) Skilled Nursing CCRC facilities, and 4) CCRC Support facilities. (Added 14 March 2006)

Continuing Care Retirement Communities (CCRC) – A single retirement community site or campus containing two or more of the following components: 1) Independent Living CCRC facilities, 2) Assisted Living CCRC facilities, 3) Skilled Nursing CCRC facilities, and 4) CCRC Support facilities. (Added 14 March 2006)

Contractor Equipment Storage - Area used for the storage of equipment and material used in contractor's business. (Added 3/14/00)

Day Care, Home – (Family day care home) means an occupied residence in which child day care is provided for less than 24 hours per day, except in emergencies, for up to 6 children from one or more unrelated families. The 6 children shall include any foster children residing in the home and all children who are related to the caregiver except children who are 10 years of age or older. In addition to the 6 children, up to 3 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays.

Development - [from FDO]Means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations.

Drive-in Restaurant - Any place or premises used for sale, dispensing, or serving of food, refreshments, or beverages in automobiles including take out and including those establishments where customers may serve themselves and may eat and drink food, refreshments, or beverages in automobiles and including establishments intended for large volume or fast service with on or off-premises consumption, which, because of the nature of sales, operation or market service cause a large volume or frequent turnover of vehicular traffic.

Duplex – A building containing two single-family dwelling units totally separated from each other by an unpierced wall extending from ground to roof. There shall be separate entrances for each unit.

Dwelling - Single-family - A detached residential building other than a manufactured home, designed for and occupied by one family only. (Amended 14 March 2006)

Dwelling - Multi-family - A residential building designed for or occupied by three or more families on a single lot.

Dwelling Unit - One room, or rooms connected together, constituting a separate independent housekeeping establishment for owner occupancy, rental or lease, and physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent cooking, bathroom and sleeping facilities.

Dwelling Unit - CCRC (Continuing Care Retirement Community) – A dwelling unit, with or without kitchen facilities, located within a CCRC site which provides the required Continuing Care Retirement support services and facilities for seniors or disabled persons. (Added 14 March 2006)

Elderly Housing - Any elderly housing development under this section must be established and maintained in compliance with the Fair Housing Act, as amended, 42 U.S.C. Sec 3601 et seq. The Planning Board may require assurance of compliance with the Act by deed restriction or other instrument as condition of approval. "Such assurance may consist of a written plan submitted by the developer, which shall set forth: (1) the regulations under the Fair Housing Act where by a project may lawfully discriminate in favor of elderly residents, and (2) how the developer proposes to comply with such requirements, including covenants and other deed restrictions and other to-be-recorded agreements". At least one resident of the household must be 62 years old or older. (Added 14 March 2006)

Energy Facility – A facility, which produces energy to include the following only: windmills, solar power, methane or hydropower as a small scale (under 100KW). (Amended 14 March 2006)

FAA - An acronym that shall mean the Federal Aviation Administration.

FCC - An acronym that shall mean the Federal Communications Commission.

FDO - means the definition pertains to the Floodplain Development Overlay Districts SECTION 660

FEMA - [from FDO] means the Federal Emergency Management Agency.

Fire Wood Processing Site and/or Facility – Means a structure and/or site used for the processing of logs into fuel wood. Such site or structures include, but are not limited to, wood splitters, saws and wheeled vehicles used for moving the logs for processing.

Flood or Flooding [from FDO] means a general and temporary condition of partial or complete inundation of normally dry land areas from:(1) the overflow of inland or tidal waters, (2) the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Elevation Study - [from FDO] means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e. mudflow) and/or flood-related erosion hazards.

Flood Insurance Rate Map (FIRM) - [from FDO] means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study - [from FDO] see Flood Elevation Study.

Floodplain or Flood-prone Area - [from FDO] means any land area susceptible to being inundated by water from any source.

Flood Proofing - [from FDO] means any combination of structural and non- structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway - [from FDO] see Regulatory Floodway.

Forestry - Timber growing and harvesting, not including process- ing activities such as sawmills and assembly yards.

Franchise Architecture - A building style, design, or form which can be identified, without use of any other signage, as a specific business entity by name.

Frontage, Shoreland - The average of the distances measured in feet along the natural mean high water level reference line and along a straight line drawn between the points at which the reference line intersects the side lines of the property or properties that fall within the jurisdiction of Article 600, Section 601 of the Zoning Ordinance titled Shoreland Protection Overlay District.

Frontage, Street - The distance along the front lot line or right-of-way line of a Class V Highway or better measured in feet. Each lot shall meet minimum frontage requirements on the street through which beneficial access is achieved. For lots located on a cul-de-sac or hammerhead turn-arounds frontage shall be the average of the distances, measured in feet, along the cul-de-sac or hammer head and along a straight line drawn between the boundary points at the side lines of the lot. (Amended 9 March 2004. Amended 14 March 2006)

Functionally Dependent Use - [from FDO] means a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking and port facilities that are necessary for the loading/unloading of cargo or passengers, and ship building/repair facilities but does not include long-term storage or related manufacturing facilities.

General Store - Any retail establishment of 2,000 square feet or less in size which offers for sale prepackaged food products, household items, news papers and magazines, as well as sandwiches and other freshly prepared foods for off-site consumption.

Greenhouse - (Commercial Greenhouse): A structure in which plants, vegetables, flowers, and similar materials are grown for sale.

Highest Adjacent Grade - [from FDO] means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure - [from FDO] means any structure that is:

(a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the interior; or

(d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

1) By an approved state program as determined by the Secretary of the Interior, or

2) Directly by the Secretary of the Interior in states without approved programs.

Independent Living CCRC - Facilities which provide housing and care for residents who have few health care needs that prevent them from carrying on a normal lifestyle. Support facilities must include room and board (serving a minimum of one meal per day - up to three), provision of personal care assistance, medication assistance, and minimum qualification for employed staff per NH Chapter He-P 805 & He-P-804. These facilities typically consist of small multi-family dwellings but can also include some more single-family-oriented living facilities such as townhouses, villas or cottages. The Continuing Care Retirement Community support facilities may be located in a separate building on the same site. (Added 14 March 2006)

Laundry or Dry Cleaning includes Self Service - Cleaning of clothing either by water and soap or by chemicals.

Library - A place in which literary, musical, artistic or reference materials are kept for use and not for sale (except for non-profit sales, by the Library, itself).

Light Industry - A use involving the manufacture of a product not requiring heavy, noisy, or otherwise objectionable machinery or transporting equipment.

Lodge or Private Club - A group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings and a constitution and bylaws.

Lodging House - A building in which the rooms are rented with or without meals to three (3) or more, but not exceeding ten (10) persons.

Lot of Record - A lot existing under deed or a lot described by metes and bounds and recorded as a Plan for Record, or a lot which is part of a subdivision approved by the Alton Planning Board and recorded in the Belknap County Registry of Deeds.

Lowest Floor - [from FDO] means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor. Provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

Lumber Yard - An establishment where the general public can purchase building supplies.

Manufactured Housing - As defined by RSA 674:31, as amended, a manufactured home is any structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width and 40 body feet or more in length, or when erected on site, is 320 square feet or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating and electrical heating systems contained therein. This definition shall not include pre- site built housing as defined in RSA 674:31A.

Manufactured Home - [from FDO] means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" includes park trailers, travel trailers, and other similar vehicles placed on site for greater than 180 days.

Manufactured Home Park - Land upon which two or more manufactured homes are parked and occupied for living purposes, regardless of whether or not a charge is made for such accommodations. A park remains in single ownership with lots offered on a rental basis. (Amended 14 March 2006. Formerly called Mobile Home Park.)

Marina - A facility for the storing, servicing, fueling, berthing and securing of boats and that may include eating, sleeping and retail facilities for owners, crews and guests.

Mean Sea Level - [from FDO] means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

Medical Center, Medical Laboratory – (Medical building) A building that contains establishments dispensing health services.

Motel - An establishment providing sleeping accommodations with a majority of all rooms having direct access to the outside without necessity of passing through the main lobby of the building.

Museum -An institution devoted to the procurement, care, study and display of objects of lasting interest of value.

Natural Woodland Buffer - A forested area consisting of various species of trees, saplings, shrubs, and ground covers in any combination and at any stage of growth.

Non-Conforming Structure - A building or structure which was lawfully maintained at the time the ordinance became effective, but which does not conform with the use regulations for the district in which it is located, or the general provisions of the ordinance.

Non-Conforming Use - A use legally existing prior to the adoption or amendment of this ordinance and which is not in compliance with requirements of the district in which it is located.

Nursing Home - An institution for the care of children, or the aged, or infirm, or a place of rest for those suffering bodily disorders, but not including facilities for surgical care or institutions for the care and treatment of mental illness, alcoholism or narcotics addiction.

Open Space - A portion of a lot which is open and unobstructed from its lowest level to the sky except by natural vegetation. Said land, or portion thereof, shall not be occupied by buildings, parking lots, driveways, or other structures or man made impervious surfaces. Open space shall not include right-of-ways or vehicular easements. Septic fields shall be permitted to be installed in open space.

Outdoor Recreation - Commercial recreational uses conducted in a natural or semi-natural setting, such as hunting preserves and paintball games. Outdoor Recreation does not include uses defined in this Ordinance as Amusement Use - Outdoor. (Added 3/14/00)

Parking Space - An off-street space available for the parking of one motor vehicle.

Pharmacy - A retail store which devotes at least 65% of the useable retail space to the sale of medicines, medical supplies, and personal care products. The intent being to restrict this use to the traditional pharmacy.

Pre-existing Towers or Antennas - Shall mean any tower or antenna lawfully constructed or permitted prior to the adoption of this ordinance.

Pre-site Built Housing - As defined in RSA 674:31-a, a pre-site built house means any structure designed primarily for residential occupancy which is wholly or in substantial part made, fabricated, formed, or assembled in off-site manufacturing facilities in conformance with the US Department of Housing and Urban Development minimum property standards and local building codes, for installation, or assembly and installation, on the building site. This definition shall not include manufactured housing as defined in RSA 674:31. (Added by ATM 3/11/97)

Professional Office - A room or group of rooms used for conducting the affairs of a business, profession, service, industry or government and generally furnished with desks, tables, etc.

Protected Shoreland - For natural fresh water bodies without artificial impoundments, for artificially impounded fresh water bodies and for coastal waters and rivers, all land located within 250 feet of the reference line of public waters.

Public Waters -

(a) All fresh water bodies listed in the official list of public waters published by the Department of Environmental Services pursuant to RSA 271:20, II, whether they are great ponds or artificial impoundments.

(b) Rivers, meaning all year round flowing waters of fourth order or higher, as shown on the current version of the US Geological Survey 7 ½' topographic maps.

(c) Merrymeeting Marsh – is defined as 520.1 feet above sea level. (Amended 14 March 2006)

Recreational Vehicle - Means any of the following vehicles:

a. Travel trailer - shall mean a vehicular, portable structure built on a chassis, designed as a temporary dwelling for travel, recreation and vacation having a body width of not over 8 feet and length of not over 40 feet.
b. Tent/camper - shall mean a vehicular portable structure that folds open for temporary occupancy designed for travel recreation and vacation use.

c. Pick-up camper - coach - converted bus - shall mean a structure mounted or to be mounted on a truck type chassis, for use as a temporary dwelling for travel, recreation and vacation.
d. Motorhome or van - shall mean a portable, temporary dwelling to be used for travel, recreation and vacation use, constructed as an integral part of a self propelled vehicle.

Recreational Vehicle - [from FDO] is defined as:

A. built on a single chassis;
B. 400 square feet or less when measured at the largest horizontal projection;
C. designed to be self-propelled or permanently towable by a light duty truck; and
D. designed primarily **not** for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Recreational Use – Not For Profit: The purpose of which is not for gain and serves the general public, specifically excluding commercial recreation (this section does not preclude rental of single family dwellings).

Reference Line -

(a) For natural fresh water bodies without artificial impoundments, the natural mean high water level. It shall be the responsibility of the owner/applicant to determine this water level. Where this water level is not easily discernible or in question, the natural mean high water level may be determined by the Department of Environmental Services.
(b) For artificially impounded fresh water bodies, the waterline at full pond as determined by the elevation of the top of the impoundment structure.
(c) For rivers, the ordinary high water mark. It shall be the responsibility of the owner/applicant to determine this water level. Where this water level is not easily discernible or in question, the ordinary high water mark will be determined by the Department of Environmental Services.

Regulatory Floodway. - [from FDO] means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation. These areas are designated as floodways on the Flood Boundary and Floodway Map.

Removal or Removed - Cut, sawed, pruned, girdled, felled, pushed over, buried, burned, killed, or otherwise destructively altered.

Restaurant - A building or other structure used principally to provide refreshment or meals to the public for consumption principally on the premises, including cafes, lunchrooms, cafeterias, tea rooms, sandwich shops and the like, but not including fast food restaurants.

Restaurant, Fast Food - A building used principally to dispense prepared food and/or beverages to the public for consumption on or off the premises, the major attributes of which are assembly line preparation of food and speed of dispensing, self-service to the customer's automobiles and which generates a large volume and rapid turnover of entering and exiting motor vehicle traffic.

Retail Store – An establishment engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

Riverine - Means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

School - Any building or part thereof, which is designed, constructed or used for education or instruction in any branch of knowledge.

Seasonal Cabin – A small residential structure that does not have all year round water availability (because of water service, insulation, heating, etc.), and is used for only the spring, summer and fall seasons.

Setback - The distance from the extreme limit of a structure to a boundary line.

Skilled Nursing CCRC facilities – Facilities which provide housing and care for those whose health care needs require the constant attention of a medical staff. The housing component of the facility is located within one building on the site. (Added 14 March 2006)

Small Engine Repair - An establishment where lawn mowers, lawn equipment, snow blowers, and similar yard maintenance equipment is serviced. (Sales of such equipment are not considered under this definition).

Special Exception - A special allowance granted under specific authority of the ordinance when all of the conditions stated in the ordinance are found to exist, permitting a use of land or buildings in a manner that is other wise prohibited.

Special Flood Hazard Area -[from FDO] Means an area having special flood, mudslide (i.e. mudflow) and/or flood-related erosion hazards, and shown on a FHBM or FIRM as Zone A, AO, A1-30, AE, A99, and AH.

Shoreland Frontage – Deleted March 12, 2002. See Frontage, Shoreland.

Start of Construction - [from FDO] Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the state of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of street and/or walkways; or does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or shed not occupied as dwelling units or not part of the main structure.

Street - A public thoroughfare, highway, street, road or avenue, including the full width of its right-of-way, lawfully existing in the Town of Alton.

Structure - Anything constructed or erected, or attached to a fixed location on the ground.

Structure - [from FDO] means for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Studio, Art or Photographers: A place where works of art are created, displayed and sold, or instruction of the arts to students occurs in the fields of painting, drawing, sculpture, etching, craftwork, fine arts, photography, or similar fields. (Added 14 March 2006)

Substantial damage - [from FDO] means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement - [from FDO] means any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceeds fifty (50%) percent of the market value of the structure. The market value of the structure should be: (1) the appraised value of the structure prior to the start of the initial repair or improvement; or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that

alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a structure listed on the National Register of Historic Places.

Telecommunications Facilities - Shall mean any structure, antenna, tower, or other device which provides commercial mobile wireless services, unlicensed wireless services, cellular phone services, specialized mobile radio communications (SMR), and personal communications services (PCS), and common carrier wireless exchange access services.

Telecommunications Tower - Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self supporting lattice towers, guide towers, or monopoles. The term shall include: television towers, radio towers, microwave towers, cellular phone towers, alternative tower structures, and the like.

Tower Height - Shall mean the distance measured from the ground level to the highest point on the tower or other structure, even if said highest point is an antenna.

Utility - A governmental, nonprofit or private organization that provides the public with gas, water, sewage, transportation, communication or similar services.

Variance - A waiving of the strict requirements of the ordinance made under general authority when there is a showing of peculiar conditions inherent in the property which cause a hardship under the terms of this ordinance.

Warehouse: facilities for the storage of farm products, furniture, household goods, or other commercial goods of any nature for later distribution to wholesalers and retailers. Includes cold storage. Does not include terminal facilities for handling freight. (Amended 14 March 2006)

Water Extraction Site and/or Facility - A site or structure used for the commercial extraction of "spring" water. The site or facility can include, but is not limited to, entrance roads, parking, storage tanks, pumping facilities, purification facilities and office space.

Waste – Material that is processed for resource conservation such as yard waste, septage, compost, stump grindings, etc. Excluding sludge and hazardous waste as defined under RSA 147-A: 3, 1, as amended, or listed under RSA 147-A: 3, 11, as amended.

Waste Facility – A site or structure used for the storage, processing and/or distributing of waste material.

Water Surface Elevation - [from FDO] means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Wetland - as defined by RSA 482-A:2,X, is an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. (Added 14 March 2006)

Wholesale Marketing: Establishments engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Includes such establishments as: merchant wholesalers; agents, merchandise or commodity brokers, and commission merchants; assemblers, buyers and associations engaged in the cooperative marketing of farm products; stores primarily selling electrical, plumbing, heating and air conditioning supplies. (Added 14 March 2006)

ARTICLE 300 GENERAL PROVISIONS

SECTION 310 CLASSES OF ZONES

For the purpose of this ordinance, the Town is hereby divided into the following zoning districts:

Lake Shore Residential Zone	(L-R)	
Recreation Service Zone	(R-S)	
Residential Zone	(R)	(10 March 1981)
Residential Commercial Zone	(R-C)	(9 March 1971)
Rural Zone	(RU)	(7 March 1972)
Residential Rural Zone	(RR)	(14 March 1978)

SECTION 311 ZONING MAPS

(As amended to 10 March 1981)

The zoning districts in this ordinance are bounded as shown on the maps entitled "Zoning Map of the Town of Alton, New Hampshire" dated August 29, 1970, as amended, which accompany this ordinance and are on file in the office of the Town Clerk. All maps and explanatory matter thereon are hereby adopted and made a part of this ordinance.

SECTION 313 LOT CONFIGURATION

(As amended 14 March 1995, as amended 11 March 1998)

SECTION 320 NON-CONFORMING USES

(As amended 8 March 1983, 11 March 1992) [Sec A moved from Sec 221 by ATM 3/11/97]
(As amended 11 March 1998, 14 March 2000, 11 March 2003)

A. Non-conforming Uses, Structures and Lots:

1. Continuation of use. Any lawful use of land, buildings, or structures which existed prior to the effective date of the ordinance or amendment which made the use nonconforming shall be allowed to continue, subject to the provisions of this Article.

2. Abandonment of use. Any nonconforming use which is abandoned shall not be reestablished or resumed. Abandonment occurs when the nonconforming use is replaced by another use, or when the nonconforming use has been discontinued for a period of eighteen months (18 months) with no proven intent on the part of the owner to continue its operation.

3. Change of use. An owner of a legally existing nonconforming use may not change the use to another nonconforming use without first obtaining a special exception from the ZBA. The ZBA shall not grant such a special exception unless the proposed nonconforming use is substantially less offensive to the neighborhood than the existing nonconforming use.

4. Expansion of use. An owner of a legally existing nonconforming use may not expand the use without first obtaining a special exception from the ZBA. The ZBA shall not grant such a special exception unless the proposed expansion is clearly not a new use, will not have an

increased detrimental impact on the neighborhood, and will not increase any existing nonconformance (of the building) of setbacks or lot coverage.

5. Repairs. Any conforming structure which is used for a nonconforming use may be repaired to ensure the safe condition of the structure upon receipt of a proper permit. Nonconforming structures containing nonconforming uses shall be subject to the provisions of subsection B. of this Section.

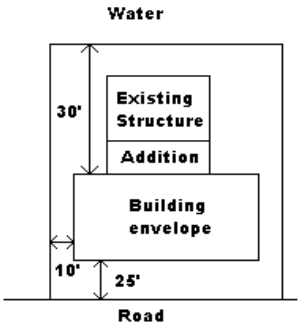
B. Nonconforming Structures:

1. Continuation of nonconforming structures. A structure which existed prior to the effective date of the ordinance or amendment which made the structure nonconforming shall be allowed to remain, subject to the provisions of this Section B.

2. Expansion of nonconforming structure.

(a) Alteration. No nonconforming structure may be enlarged or altered in a way which increases nonconformity, except as provided for by this Ordinance.

(b) Expansion of footprint. A structure which is nonconforming due to a violation of setbacks may be expanded such that the addition complies with all provisions of this Ordinance. In cases where the entire structure is located within the setback area, any additions must be located between the existing structure and the building envelope. For clarification, see the figure below:



(c) Expansion of building beyond existing boundaries. A structure which is nonconforming due to a violation of setbacks may not be expanded upwards, or above the existing roofline, or downwards, or below the existing sill, without first obtaining a special exception from the ZBA. The ZBA shall not grant such a special exception unless it finds that the proposed expansion will not have an adverse impact on abutters or other property owners who are located within 500 feet of the subject property, and that any expansion of the use (such as number of bedrooms) will be accommodated by a water supply and sewage disposal system approved by the NHDES Water Supply and Pollution Control Division.

3. Repairs. Any nonconforming structure may be repaired within the confines of the existing foundation, exterior walls, and roofline to ensure the safe condition of the structure in accordance with existing building regulations.

C. Nonconforming Lots:

1. Continuation. Any lot which was lawfully laid out by plan or deed duly recorded in the Belknap County Registry of Deeds prior to the effective date of the ordinance or amendment which made the lot nonconforming shall be allowed to continue, subject to the provision of this Section 3C

2. Use of nonconforming lots. A single family residence may be erected on any legally existing nonconforming lot provided all necessary state and local permits can be obtained, and the lot has adequate access to a Town approved road. Any other use must also first obtain a special exception from the ZBA.

3. Contiguous nonconforming lots. Before a building permit can be obtained for the construction of a new building on a legally existing nonconforming lot when any contiguous lots are owned by the same entity, the lots shall be merged to create a new lot or lots which comply with the dimensional requirements of the district in which it is located, or, if that is not possible, to be closer to compliance with those dimensional requirements. Such merged lots shall be processed through the Land Use and Property Records Department and duly recorded at the Belknap County Registry of Deeds.

SECTION 321 REPAIRS AND ALTERATIONS
(As amended 14 March 1990 & 14 March 1995)
(As amended 11 March 1998 to be included in Section 320 (former 220)

SECTION 322 CONTINUANCE OF NON-CONFORMING USES
(As amended 8 March 1983, 13 March 1984, 14 March 1990, 11 March 1992)
(As amended 11 March 1998 to be included in Section former 220)

SECTION 323 ABANDONMENT
(As amended 13 March 1984, 11 March 1992)
(As amended 11 March 1998 to be included in Section former 220)

SECTION 324 USE OF NON-CONFORMING LOTS OF RECORD
(As amended 13 March 1984, 14 March 1990)
(As amended 11 March 1998 to be included in Section former 220)

SECTION 325 OFF-STREET PARKING
(As amended 9 March 1971, 14 March 1990, 11 March 1992)

In any zoning district, if any building is constructed or enlarged or if any use of land is established or changed after the effective date of this section, off-street parking shall be provided for the entire use in accordance with the following parking requirements.

A. Each parking space shall contain at least 300 square feet which includes space for maneuvering.
B. Off Street parking shall be set back from property lines and/or road right-of-ways a minimum of five (5) feet.

Minimum Parking Requirements (gfa = gross floor area)

1.	Auditorium, Theater, Stadium, Convention Center, Church, Funeral Parlor	one space/6 seats (bench space plus one seat/20") or 50 sq. feet of assembly room area
2.	Drive-in Restaurant	one space/50 sq. ft. gfa plus one space/5 employees
3.	Dwelling	two spaces/unit
4.	Entertainment	one space/each 5 seats or one space/ every 200 sq. ft. gfa
5.	Governmental Buildings	one space/200 sq. ft. gfa
6.	Hotel	one space/guest room plus one space/5 employees
7.	Kindergarten - Day Nursery	one space/staff member plus one space/10 children
8.	Library/Museum	one space per 200 s.f. of area accessible to the public
9.	Laundries	one space/200 sq. ft. gfa plus one space/5 employees
10.	Lodging or guest house	one space/room available for rent plus two spaces.
11.	Marina	one space per wet or dry storage unit plus one space/employee and additional spaces as required under Site Plan Approval
12.	Medical Center or Laboratory	one space per 100 sq. ft/ gfa
13.	Motel	one space/unit plus two additional spaces.
14.	Nursing Home	one space/8 beds plus two additional space.
15.	Office Building, Banks, Business & Professional Services	one space/300 sq. ft. gfa plus one space/5 employees

16.	Private Clubs	one space/200 sq. ft. gfa
17.	Restaurants	one space per three seats
18.	Retail Commercial	one space/ 300 sq. ft. gfa space/5 employees
19.	Schools	two spaces/35 sq. ft. assembly area
20.	Service Station	five spaces plus 3 spaces/bay
21.	Warehouse and Wholesale Establishment	two spaces plus one space/2 employees

SECTION 327 SETBACK REQUIREMENTS

(As amended 2 March 1976, 8, March 1983, 14 March 1990, 14 March 2000, 11March 2003, 8 March 2005, 14 March 2006)

A. Building and structures, excluding septic systems and fences shall be setback a minimum of:

1. 50' feet (30' on lots created before March 14, 1995), from the shore of any river, perennial stream, lake, pond, impoundment, excluding boathouses and wharves.

2. 25 feet from the right of way line of any street or highway, whether public or private.

3. 10 feet from all property lines not regulated by subsections 1 or 2 above, in all zones except the Rural zone.

4. 20 feet from the property line (10' on lots created prior to March 11, 2003) in the Rural zone.

For lots created after March 14, 2006, buildings, driveways and structures, excluding septic systems shall conform to the following Wetland Buffer Requirements:

1. A 25' foot natural vegetative buffer shall be maintained from all wetlands, >10,000 sq. ft. in size.
2. Relief from the 25' natural vegetative buffer may be granted by the planning board when the following circumstances exist:
   a. The natural vegetative buffer has been removed previously.
   b. A dredge-and-fill application for wetland impact has been applied for by the applicant to the NH DES Wetlands Bureau.
   c. An applicant can present a plan that shows environmental mitigation for any proposed buffer impacts.
   d. In all the above cases, a soundly designed planting plan using a combination of native trees, shrubs and herbaceous species shall be submitted in order for consideration of relief.

SECTION 328 HEIGHT RESTRICTIONS

(As amended 2 March 1976, 14 March 1990, 11 March 1992, 11 March 1999)

A. Boathouses/canopied boat slips - a maximum of 15 feet above the full lake level.

B. All other buildings and structures - a maximum of thirty-five (35) feet measured as the vertical distance from the average finish grade of that portion of the lot covered by the building to the highest point of the roof.

C. The Board of Adjustment may issue a Special Exception to the height restrictions in any zone provided the structure is any of the following, and does not constitute a hazard to any established airport; these structures would be: church towers, belfries, monuments, tanks, water and fire towers, silos, cooling towers, ornamental towers and spires, chimney, elevators, bulkheads, smoke stacks, conveyors, flagpoles, and cupolas, specifically excluding utility structures regulated under RSA 674:30.

SECTION 329 CONDOMINIUMS

(As amended 9 March 1982, 15 March 1989, 11 March 2003, 9 March 2004)

Condominium ownership of property when permitted by this ordinance, shall conform to the following procedures and standards:

A. **Conversions:** Condominium Conversions of existing structures and uses as regulated under RSA 356-B:5, as amended, is permitted in any district and requires subdivision approval by the Planning Board.

B. **New Construction for Condominium Conveyance:** In all zones where multi-family dwellings are permitted uses, the construction of new multi-family dwellings to be conveyed as condominiums shall require Planning Board approval. Construction shall not exceed four units per building for all multi-family structures built after 2004. The Alton Planning Board's power to approve specifically includes the power to minimize impact on the town services by requiring phasing in appropriate circumstances (RSA 674:36).

1. The applicant shall be required to obtain Planning Board approval of the following:

   a) The subdivision;
   b) The site plan;
   c) The form of ownership, including condominium instruments.

   Before the condominium instruments may be recorded, the proposed condominium must conform to all current ordinances, subdivision regulations, codes or covenants of the Town of Alton or the State of New Hampshire. In the case of conflict, the more restrictive shall apply. No local permits shall be issued until final approval has been granted by the Planning Board.

SECTION 330 MULTI-FAMILY DWELLINGS FOR THE ELDERLY

SPECIAL EXCEPTION (Formerly Section 230. As amended 8 March 1983, 9 March 1999 deleted and added new Section 230 Elderly Housing)

SECTION 330 ELDERLY HOUSING

330:1: Purpose - The purpose is to provide design standards to ensure development of Elderly Housing Facilities which protect:

A. General health and welfare
B. Alton's rural character
C. Character of existing neighborhoods
D. Provide housing alternatives for the elderly

330:2 Definition Elderly Housing:. Any elderly housing development under this section must be established and maintained in compliance with the Fair Housing Act, as amended, 42 U.S.C. Sec 3601 et seq. The Planning Board may require assurance of compliance with the Act by deed restriction or other instrument as condition of approval. "Such assurance may consist of a written plan submitted by the developer, which shall set forth: (1) the regulations under the Fair Housing Act where by a project may lawfully discriminate in favor of elderly residents, and (2) how the developer proposes to comply with such requirements, including covenants and other deed restrictions and other to-be-recorded agreements". At least one resident of the household must be 62 years old or older.

330:3: Permitted Uses Elderly Housing:

The following uses shall be permitted with elderly housing developments.

A. Elderly Housing Dwelling Units
B. Elderly Housing support facilities

330:4: Permitted Districts Elderly Housing:

Elderly Housing developments shall be permitted uses in the Residential, Residential-Commercial, Residential Rural, and Rural Zones.

330:5: Design Criteria for Elderly Housing:

1. Minimum size tract for Elderly Housing shall be as follows:

ZONING DISTRICT	MIN LAND REQUIRED	% LOT OPEN SPACE
Residential	1 acre	30%
Residential/Commercial	1 acre	30%
Rural	5 acres	30%
Residential Rural	5 Acres	30%

2. Parcels where an elderly housing development is proposed must have at least 50 feet of usable frontage (access) on a Class 5 Road, or better. Private roads or private rights-of-way frontage shall not be considered usable frontage (access).
3. No structure shall contain more than 4 dwelling units.
4. Overall density of elderly housing developments shall not exceed 4 dwelling units per acre.

5. All interior roadways shall be at least 18 feet wide (traveled way) for two way traffic, or 12 feet wide (traveled way) for 1 way traffic. Interior roadways shall be maintained by the applicant or subsequent organization and/or owner(s).
6. 1.5 parking spaces per unit shall be provided.
7. Allowed support facilities shall also be permitted in elderly housing developments:
   A. Chapels
   B. General Store (servicing staff, residents, and their guests)
   C. Recreational facilities (i.e. card rooms, swimming pools, meeting rooms, video/media rooms, etc.)
   D. Central dining facilities (serving staff, residents, and their guests only)
   E. Postal sub-station
   F. Libraries
   G. Medical sub-stations -i.e. pharmacies, circuit health care, circuit dental care, first aid, etc. (servicing residents only)
   H. Circuit veterinary care.

SECTION 331: CONTINUING CARE RETIREMENT COMMUNITIES

331:1: Purpose - The purpose is to provide design standards to ensure development of Continuing Care Retirement Community housing facilities, which protect:

1. General health and welfare
2. Alton's rural character
3. Character of existing neighborhoods
4. Provide housing alternatives for the seniors
5. Provide supported care and security for seniors or disabled persons

331:2: Definitions for Continuing Care Retirement Communities (CCRC). The CCRC represents the response of the private sector to the demand for facilities which allow retirees to "age in place" at a single location offering a variety of levels of medical attention, but which also provide for an active lifestyle with a broad range of activities and services. The CCRC can accomplish this through the economies of scale if a properly sized and planned project is designed. A CCRC ideally appeals to retirees before their health begins to fail and contains two or more of the following components on a single campus:

1. Independent Living CCRC facilities are provided for residents who have few health care needs that prevent them from carrying on a normal lifestyle. These facilities typically consist of small multi-family dwellings but can also include some more single-family-oriented living facilities such as townhouses, villas or cottages. The Continuing Care Retirement Community support facilities may be located in a separate building on the same site.

2. Assisted Living CCRC facilities are provided for residents who are no longer medically self-sufficient but who are not yet in need of the more expensive (and more institutional) skilled nursing care. An example would be an arthritis patient who needs assistance with dressing and the like but who can otherwise carry on a daily routine. The housing component of the facility is located within one building or more on the site.

3. Skilled Nursing CCRC facilities are provided for those whose health care needs require the constant attention of a medical staff. The housing component of the facility is located within one building or more on the site.

4. Continuing Care Retirement Community support facilities and amenities are also necessary in order to satisfy the lifestyles of the residents in a CCRC. These include a variety of dining facilities and meal plans; additional facilities such as arts-and-crafts rooms, music studios, gardens and health

clubs; on-site small commercial facilities such as small shops, ATMs and offices; shuttle bus services; and regular programs that take advantage of local cultural activities.

331:3: Permitted Uses: The following uses shall be permitted with Continuing Care Retirement Communities:

1. Continuing Care Retirement Community Dwelling Units
2. Continuing Care Retirement Community support facilities
3. Independent Living CCRC facilities
4. Assisted Living CCRC facilities
5. Skilled Nursing CCRC facilities

331:4: Permitted Districts: Continuing Care Retirement Communities shall be permitted uses in the Residential, Residential-Commercial, Residential Rural, and Rural Zones.

331:5: Design Criteria: for Continuing Care Retirement Communities**:**

8. Minimum size tract for Continuing Care Retirement Communities shall be as follows:

ZONING DISTRICT	MIN LAND REQUIRED	% LOT OPEN SPACE
Residential	2.5 acre	30%
Residential/Commercial	2.5 acre	30%
Rural	5 acres	30%
Residential Rural	5 Acres	30%

9. Parcels where a Continuing Care Retirement Community development is proposed must have at least 50 feet of usable frontage (access) on a Class 5 Road, or better. Private roads or private rights-of-way frontage shall not be considered usable frontage (access).
10. No structure shall contain more than 4 dwelling units with the exception of Assisted Living CCRC facilities and Skilled Nursing CCRC facilities, however, structures may be interconnected.
11. Overall density of a Continuing Care Retirement Community development shall not exceed:
    a. Independent Living CCRC: 4 dwelling units per acre.
    b. Assisted Living CCRC: 10 dwelling units per acre
    c. Skilled Nursing CCRC: 10 dwelling units per acre
    d. Continuing Care Retirement support facilities: included in acreage above
12. All interior roadways shall be at least 18 feet wide (traveled way) for two way traffic, or 12 feet wide (traveled way) for 1 way traffic. Interior roadways shall be maintained by the applicant or subsequent organization and/or owner(s).
13. 1.5 parking spaces per unit shall be provided.
14. Required support to the CCRC residents shall include:

I. Room and board
J. Serving a minimum of one meal per day (may be up to three)
K. Provision of personal care assistance
L. Medication assistance
M. Minimum qualification for employed staff per NH Chapter He-P 805 & He-P-804

15. Other services may include:
    A. Transportation to medical care, shopping

B. Housekeeping and linen services
C. Social and recreational activities

16. Allowed support facilities shall also be permitted in Continuing Care Retirement Community developments:
    A. Chapels
    B. General Store (to service staff and residents only)
    C. Recreational facilities (i.e. card rooms, swimming pools, meeting rooms, video/media rooms, etc.)
    D. Hair salon
    E. Postal sub-station
    F. Libraries
    G. Medical sub-stations -i.e. pharmacies, circuit health care, circuit dental care, first aid, etc. (to service residents)
    H. Circuit veterinary care.

SECTION 335 APPEARANCE REVIEW

(Section added 12 March 1996, as amended 11 March 1998, 9 March 2004, 14 March 2006)

A. **Purpose:** The Town finds it desirable to protect, enhance, and perpetuate areas of historical, cultural, architectural, artistic or geographic significance located within the Town of Alton; to protect and enhance the Town's economic base by attracting tourists, visitors and residents; to stabilize and improve property values; to foster civic pride by protecting the Town's unique cultural heritage by prohibiting the unnecessary destruction and defacement of its cultural assets; to preserve historic architectural design and integrity; to protect significant viewsheds and vistas, and to ensure the harmonious, orderly and efficient growth and development of the Town.

B. **Review Process:** As part of its site review and subdivision process, the Planning Board shall review each proposal for conformance with the intent of this ordinance and the Master Plan. The Board shall take into account the location within the community, surrounding properties and proposed use of any proposed development in making its decision.

C. **Provisions:** Franchise Architecture is considered excessive signage and is, therefore, not allowed.

SECTION 340 SIGN REGULATIONS

(As amended 12 March 1996, 13 March 1984, 13 March 1991, replaced 11 March 2003, new section added 9 March 2004)

It is the objective of this section to provide for the regulation and restriction of signs, which are confusing, distracting or impair visibility and to protect scenic views, residential and rural areas. It shall apply to all districts unless the requirements of a district are specifically stated.

A. Each new commercial sign must receive a permit from the Building Inspector. Signs erected prior to March 1984 shall be exempted from the provisions of this ordinance, provided they are properly maintained.

B. The owner of any sign that is, or becomes, in disrepair in the opinion of the Building Inspector shall be notified. Such sign, if not repaired or removed within thirty (30) days of notice, shall be removed upon order of the Building Inspector.

C. Flashing signs are prohibited. Illuminated signs shall be shielded so as to produce no glare, undue distraction, confusion or hazard to the surrounding area or to vehicular traffic.

D. The overall height of any free-standing sign shall not exceed sixteen (16) feet and shall be set back a minimum of five (5) feet from any lot line.

E. Each business on an individual lot in the Residential-Commercial and Recreation Service Zones shall be allowed two (2) signs on the lot where the business is located, and each sign not to exceed twenty-four (24) square feet.

F. Parked vehicles: Any vehicle or other holding device but that is allowed to remain on site both during and after business hours and upon which advertising is placed shall be considered a sign and conform to the provisions of this ordinance. Such signs shall not be allowed in addition to the signs herein permitted. Decals, magnetic signs or signs painted upon the body of motor vehicles actively used in the transportation of workers, goods, or equipment during the normal course of business are exempt from these provisions.

G. Where two (2) or more businesses are in one building or on one lot, the following provisions must be met:

1. Two (2) separate signs may be erected jointly on the property and no one sign shall exceed twenty-four (24) square feet;

2. In addition, each business may erect a sign not to exceed ten (10) square feet on a building structure. For public safety, no privately owned sign shall extend more that (2) two feet from the building and shall be a minimum of (7) seven feet over the public way.

H. Permits may be granted for directional signs located off the site and such signs shall:

1. Indicate name, trademark, logo and direction to a business, institution or other activity and the general type of business and contain no other advertising matter.

2. Be limited to two (2) signs per business, institution or other activity and not to exceed sixteen (16) square feet per sign.

I. Temporary signs of the portable type may be used in conjunction with a business for the purpose of advertising a special sale or function in accordance with the following provisions:

1. Such signs shall be allowed temporarily for a period not to exceed 5 days at any one time.

2. Not more that one (1) such sign shall be allowed during any period, and such period shall not occur more than 6 times in any calendar year.

3. The sign shall not be located within any public right-of-way, and shall be setback a minimum of five (5) feet from any lot line.

4. The illumination of such a sign shall be internal only, with no flashing lights or moving parts.

J. Temporary signs advertising special events conducted for educational, charitable or non-profit purposes, in the form of banners, placards and the like, shall be permitted for no more than 21 days in any calendar year and shall not require any fee.

K. Real estate for sale or lease; temporary signs shall comply with the following provisions:

1. Shall not exceed 6 square feet in area, advertising the premises for sale or rent.

2. No off premises signs for the sale or rental of property, including directional signs, shall be allowed within any right-of-way of the Town of Alton, without express permission of the Building Inspector, and permit for location of said sign is issued.

3. All such signs shall be limited to one (1) sign for each road and/or lake frontage and shall be removed upon closing of any escrow.

L. Temporary signs for advertisement used by contractors at a job site, shall be allowed for the duration of any building permit issued.

M. All political signs, including posters, are considered to be temporary and shall be removed within seven (7) days of any general, state, and/or local elections and shall not require any permit. The candidate, candidates, or group whose name appears on any such sign shall be responsible for their removal.

N. It shall be unlawful for any person to erect or install a sign (including painting on rocks or the use of other natural or man-made features as a sign), for commercial advertisement purposes upon any public right-of-way without the expressed written permission of the Board of Selectmen. This section shall not apply to any political advertising or residential posters, which are placed in a manner so as not to violate any other applicable State Law.

O. Unless otherwise noted all temporary signs shall require a permit. The fee for such permit shall be set by the Selectmen.

P. Any sign not in conformance with the requirements of this section shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the town shall have the right to recover from the owner or person placing such sign the full cost of removal and disposal of such sign.

Q. Signs for private, non-commercial, residential activities, such as a one-day yard sale, or other public notices, shall be exempt from regulations under this ordinance.

R. Enforcement, Notification and Removal. It shall be the duty of the Code Enforcement Officer to notify the violator and/or building owner of any violation in writing and if condition or violation is not corrected in five (5) business days from the date of notification, the Code Officer is authorized to impose a fine as specified by the Board of Selectmen.

SECTION 350 MANUFACTURED HOUSING

(As amended 13 March 1984, 13 March 1991)

A. **Mobile Home:** For health, safety and welfare, mobile homes not certified as meeting HUD standards are not permitted.

Mobile homes under fourteen (14) feet in width, with flat or rounded roof, and exterior walls not of traditional site-built appearance to be permitted only in Mobile Home Parks.

B. **Modular - Sectional Home:**

1. Residential and Lake Shore Residential Zones - minimum width of twenty (20) feet.

2. All other zones - minimum width of fourteen (14) feet.

In all zones exterior walls and roofs must have traditional site-built appearance.

C. **Mobile Home Park Performance Standards:**

1. These standards are intended to promote the health, safety, economic and social well-being, convenience and general welfare of the public. They are further intended to secure safety from fire and other dangers, to provide adequate light and air, to prevent overcrowding on the land and to facilitate the adequate provision of water, sewerage, parks and recreation.

2. Mobile home parks shall meet the following general site standards:

   a) The minimum site area associated with each manufactured home shall be 10,000 square feet.

   b) Each site shall have a minimum road frontage of 75 feet on the interior park road. No portion of the abutting off-site road may be utilized to satisfy the frontage requirement.

   c) Each manufactured housing unit shall be located on individual sites, a minimum of 30 feet from the right of way of the interior road and at least 25 feet from any other interior lot line of the site. Accessory structures or buildings whether attached or detached shall also meet these setbacks.

3. A mobile home park shall be located on a tract with a minimum of five acres, excluding poorly and very poorly drained soils.

4. The overall park density shall not exceed the density allowed in that zone.

5. A planted buffer strip of 75 feet shall be provided along all abutting off site road, side, and rear boundaries of the park. This buffer strip will provide a visual buffer sufficient to minimize any adverse impact on abutting land use.

6. A developed recreation area of no less than 1000 square feet per manufactured housing unit shall be set aside and maintained for the joint use of all occupants of the park.

7. All manufactured housing units installed after the passage of this ordinance shall meet the most recent specifications and standards established by the U.S. Department of Housing and Urban Development.

8. The mobile home park grounds and facilities shall be under single ownership, but may be under such management to carry out the provisions of these standards.

9. The mobile home Park shall have facilities for sewage disposal meeting all provisions of the State of New Hampshire Division of Public Health Services and of the New Hampshire Water Supply and Pollution Control Division and the Town of Alton Health Regulations.

SECTION 355 RECREATION CAMPING PARKS

(Section added 14 March 1995)

A. Recreation Camping Park Performance Standards

1. A recreation camping park shall be an approved lot on which 5 or more campsites are occupied or are intended for temporary occupancy for recreational dwelling purposes only, and not for permanent year round residency.

2. Recreation camping parks shall meet the following general campsite standards:

   a) The recreational camping park shall have a site minimum of 1,000 square feet for each tent, tent/camper, or pick up camper- coach- converted bus, motor home or van; a minimum of 1,500 square feet shall be required for each travel trailer. Total lot density shall not exceed 15 campsites per acre.

   b) Each camping park site shall have a minimum road frontage of 25 feet on the interior park road. No portion of the abutting off site road may be utilized to satisfy the frontage requirement.

   c) No site shall be used as a permanent or primary residence.

3. Each site shall be provided with two off street parking spaces.

   a) A recreational camping park shall have an area of not less than ten (10) acres, excluding poorly and very poorly drained soils and slopes exceeding 25% grades.

   b) A planted buffer strip of 75 feet shall be provided along all abutting off site road, side, and rear boundaries of the park in which no camping may take place. This buffer strip will provide a visual buffer sufficient to minimize any adverse impact on abutting land use.

4. Each park must maintain at least fifteen (15) percent of its area as common land, exclusive of individual campsites, roadways, buffer strips and sanitation areas. This area shall be set aside and developed as common use areas for open space or enclosed recreation facilities.

5. Within each recreational camping park there shall be provided one or more service buildings containing flush type toilets. Separate toilet and shower areas shall be provided for males and females in accordance with all applicable state laws and the following general standards:

   a) Toilet rooms shall contain one lavatory with running water for every two toilets, but in no case shall any toilet room be without at least one lavatory with running water.

   b) One shower shall be provided for each sex with hot and cold running water for every 30 campsites or fraction thereof.

6. A recreation camping park shall have facilities for sewage disposal meeting all provisions of the applicable State Laws and the Town of Alton Health Regulations.

7. All roads within a recreation camping park shall be well-drained, graveled or paved, and maintained in good condition by the park owner or manager. One way roads shall be a minimum of 12 feet In width. All other roads shall have a minimum travel surface of 18 feet. Parking shall be prohibited on both sides of all roads within the park.

8. The recreation camping park grounds and facilities shall be under single ownership but may be under such management to carry out the provisions of these standards.

9. There shall be no overflow camping areas or over-night parking except in approved sites.

SECTION 380 IMPACT FEES

(Section Added 12 March 2002)

A. **PURPOSE:** This ordinance is enacted pursuant to RSA 674:16 and 674:21, and in order to:

1. Promote public health, safety, convenience, welfare, and prosperity.

2. Ensure that adequate and appropriate facilities are available to individuals who may come to be located in the Town of Alton.

3. Prevent scattered or premature development of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire protection, or other public services, or necessitate the excessive expenditure of public funds for the supply of such services.

4. Provide for the harmonious development of the municipality and its environs.

5. Ensure the proper arrangement and coordination of streets.

6. Ensure streets of sufficient width to accommodate existing and prospective traffic.

B. **AUTHORITY**

1. The Planning Board may, as a condition of approval of any subdivision [or site plan], and when consistent with applicable Board regulations, require an applicant to pay an impact fee for the applicant's fair share of off-site improvements to public facilities affected by the development.

2. Nothing in this section shall be construed to limit the existing authority of the Planning Board to disapprove proposed development which is scattered or premature, or which would require an excessive expenditure of public funds, or which would otherwise violate applicable ordinances and regulations. Nothing in this section shall be construed to limit the Planning Board's authority to require off-site work to be performed by the applicant, in lieu of paying an impact fee, or the board's authority to impose other types of conditions of approval. Nothing in this section shall be construed to affect types of fees governed by other statutes, town ordinances or regulations.

C. **ASSESSMENT METHODOLOGY**

1. **Proportionality:** The amount of the impact fee shall be calculated by the Planning Board to be a proportional share of municipal capital improvement costs which is reasonably related to the capital needs created by the development, and to the benefits accruing to the development from the capital improvements financed by the fee. Any off-site work required by the Planning Board as a condition of approval shall be proportional to the impact of the development on the capital improvements for which the off-site work has been required.

2. **Existing Deficiencies:** Upgrading of existing facilities and infrastructures, the need for which is not created by new development, shall not be paid for by impact fees.

D. **ADMINISTRATION**

1. **Accounting*:*** In accord with RSA 673:16, II and RSA 674:21, V(c), impact fees shall be accounted for separately, shall be segregated from the Town's general fund, may be spent upon order of the Planning Board or designated agent, and shall be used solely for the capital improvements for which it was collected, or to recoup the cost of capital improvements made in anticipation of the needs which the fee was collected to meet.

2. **Assessment:** All impact fees imposed pursuant to this section shall be assessed prior to, or as a condition for, the issuance of a building permit or other appropriate permission to proceed with development, as determined by the Planning Board.

3. **Security:** In the interim between assessment and collection, the Planning Board may require developers to issue letters of credit, or provide cash escrow so as to guarantee future payment of assessed impact fees.

4. **Collection:** Impact fees shall be collected as a condition for the issuance of a certificate of occupancy; provided, however, in projects where off-site improvements are to be constructed simultaneously with a project's development, and where a municipality has appropriated the necessary funds to cover such portions of the work for which it will be responsible, that municipality may advance the time of collection of the impact fee to the issuance of a building permit. Nothing in this section shall prevent the Planning Board and the assessed party from establishing an alternate, mutually acceptable schedule of payment.

5. **Refund:** Any portion of an impact fee which has not become encumbered or otherwise legally bound to be spent for the purpose for which it was collected, shall be refunded, with any accrued interest, to the assessed party or successor in interest:

   a) When the subdivision or site plan approval expires under the respective rules of the Planning Board, or under the terms of the decision, without having become vested

under RSA 674:39, and without any extension being granted by the Planning Board; or

b) When such approval is revoked under RSA 676:4-a; or

c) Six years after its collection; or

d) Six years after its collection, whenever the calculation of an impact fee has been predicated upon some portion of capital improvement costs being borne by the Town, and the Legislative Body of the Town has failed to appropriate the Town's share of the capital improvement costs.

E. APPEALS

1. In accord with RSA 676:5, III, appeals of the decision of the Planning Board in administering this ordinance may be made to Superior Court, as provided in RSA 677:15.

F. DEFINITIONS

1. **Impact Fee:** A fee, assessment, or required off-site improvements imposed upon development, including subdivision, building construction or other land use change, in order to help meet the needs occasioned by that development for the construction or improvement of capital facilities owned or operated by the municipality, including and limited to water treatment and distribution facilities; wastewater treatment and disposal facilities; sanitary sewers; storm water, drainage and flood control facilities; public road systems and rights-of-way; municipal office facilities; public school facilities; the municipality's proportional share of capital facilities of a cooperative or regional school district of which the municipality is a member; public safety facilities; solid waste collection, transfer, recycling, processing and disposal facilities; public library facilities; and public recreational facilities not including public open space.

G. EFFECTIVE DATE

1. This ordinance becomes effective upon its adoption on March 12, 2002.

ARTICLE 400 ZONING DISTRICTS REGULATIONS

SECTION 401 PERMITTED USES - TABLE OF USES

(Section added 12 March 1996, as amended 14 March 2000, 12 March 2002, 11 March 2003, 9 March 2004, and 14 March 2006)

Land may be used and buildings may be erected, altered or used for only those uses listed in the following *Table of Uses*. This table does not prohibit those uses which are considered accessory and customarily associated with the primary use.

Zones:

LR	Lakeshore Residential Zone	(Sec. 410)
RS	Recreation Service Zone	(Sec. 420)
R	Residential Zone	(Sec. 430)
RC	Residential - Commercial Zone	(Sec. 440)
RU	Rural Zone	(Sec. 450)
RR	Residential Rural Zone	(Sec. 460)

Key to Table:

Y = allowed in zone
N = not allowed in zone
E = allowed by special exception (see Sec. 520)
* = additional requirements required (see notes)

TABLE OF USES

	Residential Uses	R	LR	RC	RR	RU	RS	Notes
1.	Single-family Dwelling	Y	Y	Y	Y	Y	N	
2.	Duplex or Two Family Dwelling	Y	N	Y	Y	N	N	
3.	Accessory Apartment	N	N	N	N	Y	N	See Section 452.d (former 352.d) (added 12 March 2002)
4.	Multi-family Dwelling	N	N	Y	Y	N	N	Not more than 4 families per structure
5.	Manufactured Home Parks	N	N	N	E	E	N	Section 350 and Section 451
6.	Manufactured Homes	Y*	N	Y*	Y*	Y*	N*	Section 350 a. & b.
7.	Pre-site Built Housing	Y	Y	Y	Y	Y	N	Section 350 a. & b. and Sec 200 , definitions (added by ATM 3/11/97)
8.	Dwellings for the Elderly	Y	N	Y	Y	Y	N	*Section 330 (added 11 March 1999)
9.	Combined Dwelling and Business	E	N	Y	Y	Y	Y	
	Institutional Uses	**R**	**LR**	**RC**	**RR**	**RU**	**RS**	**Notes**
1.	Church	N	N	Y	N	Y	N	
2.	Kindergarten, Day or Nursery	N	N	Y	Y	Y	N	
3.	Lodge or Private Club	N	N	Y	N	Y	N	
4.	Nursing Home	N	N	Y	Y	Y	N	
5.	Public or Private Educational Institutions	N	N	Y	N	Y	N	

	Governmental and Public Service	R	LR	RC	RR	RU	RS	Notes
1.	Governmental Buildings	N	N	Y	N	Y	N	
2.	Library or Museum	N	N	Y	N	Y	N	
3.	Public Recreation	N	N	Y	N	Y	N	
4.	Radio or Television Towers	N	N	N	N	Y*	N	*Section 603 (added 3/11/99)
5.	Utilities	N	N	Y	N	Y	N	
	Retail Business and Service	**R**	**LR**	**RC**	**RR**	**RU**	**RS**	**Notes**
1.	Amusement Use: Indoor	N	N	E	N	N	N	see definition in Sec. 200 [500] (added by ATM 3/11/97)
2.	Amusement Use: Outdoor	N	N	E	N	N	N	see definition in Sec. 200 [500] (added by ATM 3/11/97)
3.	Automobile Service Station	N	N	Y	N	E	Y*	* Incidental to another permitted use in the district.
4.	Automotive and Truck Repair Garages	N	N	E	N	E	N	
5.	Automotive and Truck Motor Vehicle Dealer	N	N	E	N	E	N	(added by ATM 3/11/03)
6.	Automotive and Truck Motor Vehicle Used Dealer	N	N	E	N	E	N	(added by ATM 3/11/03)
7.	Automotive and Truck Junk Motor Vehicle dealer	N	N	E	N	E	N	(added by ATM 3/11/03)
8.	Automotive and Truck Vehicle Washing Facilities	N	N	E	E	E	N	(added by ATM 3/11/03)
9	Barber or Beauty Shop	N	N	Y	N	Y	N	
10.	Boat Sales	N	N	Y	N	E	Y	
11.	Boat Service	N	N	Y	N	E	Y	
12.	Boat Storage	N	N	N	N	E	Y	
13.	Building Trade or Repair Shop (excluding barge loading associated with building trade use)	N	N	Y	N	E	N	
14.	Contractor Equipment Storage	N	N	E	E	E	N	Accessory to Residence; Vegetative Screen from Abutters, 50' setback from abutters.
15.	Energy Facility	N	N	N	E	Y	N	(added by ATM 3/11/03)
16.	Financial or Business Office	N	N	Y	Y	E	N	
17.	Firewood Processing	N	N	E	E	E	N	(added by ATM 3/11/03)
18	Funeral Establishments	N	N	Y	Y	E	N	
19.	General Stores	N	N	Y	Y	E	Y*	* For users of recreational facilities

	Retail Business and Service (continued)	**R**	**LR**	**RC**	**RR**	**RU**	**RS**	**Notes**
20.	Gift Shops, Antique Shops, Craft Shops	N	N	Y	Y	Y	Y	
21.	Golf Courses, Golf Driving Ranges, (excluding Miniature Golf Courses)	N	N	N	Y	E	N	
22.	Greenhouses	N	N	Y	Y	Y	N	
23.	Hotel and/or Motel	N	N	Y	N	Y	Y	
24.	Laundry or Dry Cleaning, including Self Service	N	N	Y	N	E	Y*	* For users of recreational facilities
25.	Lodging House and/or Bed and Breakfast	N	E	Y	Y	Y	Y	Section 413
26.	Lumber Yard	N	N	N	N	Y	N	
27.	Marinas	N	N	Y	N	Y	Y	
28.	Market Gardens, Flowers and Produce	E	N	Y	Y	Y	N	All Grown on Site
29.	Medical Center, Medical laboratory	N	N	Y	N	E	N	
30.	Self Storage Facilities, and Warehouses (Indoor only)	N	N	N	Y	Y	N	
31.	Nursery, trees, shrubs	N	N	Y	Y	Y	N	
32.	Parking Facility	N	N	Y	N	E	N	
33.	Pharmacy	N	N	Y	N	N	N	
34.	Printing, Commercial	N	N	Y	N	E	N	
35.	Professional Office	N	N	Y	Y	E	N	
36.	Recreational Uses – Not for Profit	Y	Y	N	Y	Y	N	
37.	Outdoor Recreation	E	N	N	E	E	N	Min. 20 acres
38.	Repair Shop for Appliances	N	N	Y	Y	E	N	
39.	Restaurant and/or Drive-in Restaurant	N	N	Y	Y*	E	Y	*Only on parcels that have frontage on and access directly from a Class I, II, III or IIIa highway as defined by NHDOT.
40.	Retail Store	N	N	Y	N	E	N	
41.	Riding Stables and/or Riding Academy	N	N	N	Y	Y	N	
42.	Salesroom Automobiles, and/or Sports Vehicles	N	N	Y	N	E	N	
43.	Small Engine Repair	N	N	N	Y	E	N	
44.	Studio, Art or Photographers	N	N	Y	Y	Y	N	
45.	Travel Trailer Parks/Campgrounds (Recreation Camping Parks)	N	N	N	E	E	Y	Section 355

	Retail Business and Service (continued)	R	LR	RC	RR	RU	RS	Notes
46.	Seasonal Cabins	N	E	N	N	N	Y	Section 413
47.	Warehouse and Wholesale Marketing	N	N	N	N	E	N	
48.	Waste Facilities	N	N	N	N	E	N	(added by ATM 3/11/03)
49.	Water Extraction Site and Facility	E	E	E	E	E	N	(added by ATM 3/11/03)
	Open Space Uses	**R**	**LR**	**RC**	**RR**	**RU**	**RS**	**Notes**
1.	Agriculture	N	N	N	Y	Y	N	
2.	Conservation	Y	Y	Y	Y	Y	N	
3.	Forestry	Y	Y	Y	Y	Y	N	
	Other Uses	**R**	**LR**	**RC**	**RR**	**RU**	**RS**	**Notes**
1.	Excavation	N	N	N	N	E	N	Section 451
2.	Light Industry	N	N	N	E	E	N	Section 451

SECTION 410 LAKESHORE RESIDENTIAL ZONE (L/R)

SECTION 411 PERMITTED USES SECTION
(as amended 12 March 1996, 8 March 1983)

See Section 401 (Table of Uses)

SECTION 412 RESTRICTIONS GOVERNING USE
(as amended 8 March 1983, 13 March 1991, 14 March 2000)

The following shall govern permitted and all other uses:

A. The minimum lot area shall be 30,000 square feet.

B. Each lot shall have a minimum width of:

1. Lakefront lots:

a) Lots created prior to March 14, 1995 - Mainland 100 feet at the shore line with road access; the portion of the lot that serves as access to the road must be contiguous with the road. Island 100 feet at the shoreline.

b) Lots created after March 14, 1995 - 150 feet at the shoreline.

c) Mainland lots shall have a minimum lot frontage of 30' at the street right-of-way. Access to each lot shall be via the required 30' street frontage. Island lots shall have 150 feet at the shoreline.

d) All other lots 150 feet at the street or highway line.

C. Sewerage drainage disposal facilities, whether through septic tanks, dry wells, leaching fields or systems adequate under the rules and regulations of the New Hampshire Water Supply and Pollution Control Division shall be available.

D. No signs shall be permitted unless customarily accessory to lawful use of the property. No signs shall be more than three square feet in area.

E. No mobile home or travel trailer shall be permitted for residential purposes in the lake Shore Residential Zone.

Existing non-conforming uses shall be protected as provided for under the other provisions of this ordinance.

SECTION 413 SPECIAL EXCEPTIONS

(Note: See Section 520, former 420) (amended 12 March 1996)

See Section 401(Table of Uses)

Additional Considerations:

Special Exception may be granted by the Board of Adjustment if in addition to Section 420 the following conditions can be met::

A. Minimum lot size of 10 acres.

B. Minimum 50' setback from any lot line.

C. Total density shall not exceed one dwelling unit per acre.(A dwelling unit is defined as a single cabin or bedroom in a bed and breakfast, lodging or guest house facility.)

D. The site must be located on a Town approved road.

E. Parking areas and lighting shall be buffered in such a way as not to adversely impact abutting properties.

SECTION 420 RECREATION SERVICE ZONE (R/S)

Recreation Service Zones, located outside the urban area of the community, are designed to provide appropriate locations for high-density recreational uses to serve transients and to provide sales and service not customarily available outside the urban area.

SECTION 421 PERMITTED USES

(As amended 12 March 1996, 8 March 1983, 14 March 1990)

See Section 401 (Table of Uses)

SECTION 430 **RESIDENTIAL ZONE (R)**
(As amended 10 March 1981)

SECTION 431 **BOUNDARY DESCRIPTIONS**
(See Town Map)

SECTION 432 **PERMITTED USES**
(As amended 12 march 1996)

See Section 301 (Table of Uses)

SECTION 433 **RESTRICTIONS GOVERNING USES**

A. The minimum lot area for single-family dwelling shall be:

1. One-half acre with municipal water.

2. One acre without municipal water.

B. The minimum lot area for duplex or two-family dwelling shall be:

1. One acre with municipal water

2. Two acres without municipal water.

C. Each lot with municipal water shall have a minimum frontage at the street or highway line of:

1. Seventy-five feet for single-family dwelling.

2. One hundred feet for duplex or two-family dwelling.

D. Each lot without municipal water shall have a minimum frontage of one hundred-fifty feet at the street or highway line.

E. Corner lots shall have the minimum frontage on each street or highway line.

F. No signs shall be permitted unless directly related to a lawful use of the property. No sign shall exceed three square feet in area.

SECTION 434 **SPECIAL EXCEPTIONS**
(As amended 12 March 1996, 14 March 1990)
(Note: See Section 520, former 420)

See Section 301 (Table of Uses)

SECTION 440 **RESIDENTIAL-COMMERCIAL ZONE (R/C)**
(As amended 9 March 1971)

SECTION 441 **BOUNDARY DESCRIPTION**
(Descriptions can be found at the end of these regulations)

SECTION 442 PERMITTED USES

(As amended 12 March 1996, 9 March 1971, 15 March 1989, 14 March 1990)

See Section 301 (Table of Uses)

SECTION 443 RESTRICTIONS GOVERNING USE

(As amended 9 March 1971, 11 March 1999)

The following shall govern permitted and other uses:

A. The minimum lot area for residential or commercial use shall be:

1. Single Family Use: 15,000 square feet with municipal water, 30,000 square feet without municipal water.

2. Duplex: 30,000 square feet with municipal water, 1 acre without municipal water.

3. Commercial: 15,000 square feet with municipal water, 30,000 square feet without municipal water.

4. Multifamily Uses: 2 units for every 30,000 square feet of lot size with municipal water, or 2 units per acre of lot size without municipal water.

5. Elderly Housing: Elderly Housing shall be permitted in accordance with Section 330.

B. Each lot for residential or commercial use shall have a minimum of 75 feet frontage at the street or highway lines. Corner lots shall have minimum of 75' frontage on each street or highway line.

C. Sewage drainage disposal facilities shall be available, whether through septic tanks, dry wells, leaching fields or systems adequate under the rules and regulations of the New Hampshire Water Supply and Pollution Control Division.

SECTION 444 SPECIAL EXCEPTIONS

(As amended 8 March 1983, 11 March 1999)
(Note: see Section 520 , former 420)

The uses listed in this section are designated exceptions and permission therefor may be granted by the Board of Adjustment as specified in this section and any other applicable provisions of this ordinance.

Upon application duly made and to include preliminary site plans to the Board of Adjustment and the Planning Board, the Board of Adjustment may, subject to appropriate conditions and safeguards, grant these exceptions and no others in this zone. In such cases, no building permit shall be issued until Planning Board approval of the final site plan:

A. Off-site parking.

The Zoning Board of Adjustment may grant a special exception under section 520 from the requirements of Section 325 off-street parking requirements for any parcel located within the Residential-Commercial zone so long as access to adequate off-site parking can be shown within 500 feet of the site.

B. Structure setbacks.

Within the Residential-Commercial zone the Board of Adjustment may grant a special exception from Section 327 and Section 601:8.C (Setback Requirements) waiving a setback for any parcel so long as all conditions set forth under section 520 can be met.

SECTION 450 RURAL ZONE (RU)

(As amended 7 March 1972, 15 March 1989, 11 March 1999)

SECTION 451 PERMITTED USES

(As amended 12 March 1996, 13 March 1991, 11 March 1992)

See Section 301 (Table of Uses)

Special Exceptions - Additional Conditions:

In approving an exception, the Board of Adjustment may impose such additional conditions as it finds reasonably appropriate, but never less than as provided for in this ordinance, to safeguard the neighborhood or otherwise serve the purposes of this ordinance. Such conditions may include, but not be limited to the following:

A. Lot area.

B. Front, side or rear setback.

C. Height limitations.

D. Screening, buffers or planting strips, fences or walls.

E. Modification of the exterior appearance of the structure.

F. Limitation upon the size of buildings, number of occupants, method and type of operation, or extent of facilities.

SECTION 452 RESTRICTIONS GOVERNING USE

(As amended 8 March 1983, 13 March 1984, 12 March 2002, 9 March 2004, 14 March 2006)

The following shall govern permitted and all other uses:

A. The minimum lot area shall be two acres per dwelling unit.

B. Each lot shall have a minimum width of 200 feet frontage at the street or highway line. Corner lots shall have a minimum of 200 feet frontage on each street or highway line.

C. Sewage drainage disposal facilities shall be available whether through septic tanks, dry wells, leaching fields or systems adequate under the rules and regulations of the New Hampshire Water Supply and Pollution Control Division.

D. A one-bedroom accessory apartment shall be allowed as a permitted use within the existing principal dwelling or an attached accessory structure, provided that the total gross floor area of the accessory apartment does not exceed 750 square feet.

E. For all lots created after March 2004, no more than 25% of the minimum lot requirement can be made up of jurisdictional Wetlands and Steep Slopes - 25 % or greater.

SECTION 460 RESIDENTIAL RURAL ZONE (RR)

(As amended 14 March 1978)

SECTION 461 BOUNDARY DESCRIPTION

(Description can be found at the end of these regulations)

SECTION 462 PERMITTED USES

(As amended 12 March 1996, 8 March 1983, 15 March 1989, 11 March 1992)

See Section 301 (Table of Uses)

SECTION 463 RESTRICTIONS GOVERNING USE

(As amended 13 March 1983, 13 March 1984, 13 March 1991, 9 March 2004, 14 March 2006)

The following shall govern permitted and all other uses:

A. The minimum lot area shall be:

1. Dwelling - 1 acre per dwelling unit.

2. No more than two (2) dwellings per lot are permitted without subdivision approval. All other uses - 1 acre.

B. Each lot shall have minimum width of 150 feet frontage at the street or highway line. Corner lots shall have a minimum of 150 feet frontage on each street or highway line.

C. Sewage drainage disposal facilities shall be available whether through septic tanks, dry wells, leaching fields or systems adequate under the rules and regulations of the New Hampshire Water Supply and Pollution Control Division.

D. No signs shall be permitted unless customarily accessory to lawful use of the property.

E. For all lots created after March 2006, no more than 25% of the minimum lot requirement can be made up of jurisdictional Wetlands and Steep Slopes - 25 % or greater.

ARTICLE 500 ADMINISTRATION AND ENFORCEMENT

(As amended 15 March 1989, 9 March 2004)

SECTION 510 TERM, MEMBERSHIP, AUTHORITY AND DUTIES

In conformance with RSA 673:1, IV, the Board of Selectmen shall appoint a Board of Adjustment consisting of five (5) members and five (5) alternates whose qualifications, duties and organizations shall conform to the provisions of RSA 673:3-17.

The term of an appointed Board member shall be three (3) years. No more than two (2) appointments shall occur annually, except when required to fill vacancies.

SECTION 511 POWERS

The Board of Adjustment shall have the following powers:

A. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination by an administrative official in the endorsement thereof, or of any ordinance adopted pursuant thereto.

B. To hear and decide special exceptions to the terms of the ordinance, upon which such board of adjustment is required to pass under such ordinance.

C. To authorize, upon appeal, in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest, where, owning to special conditions in the land, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship, and so that the spirit of the ordinance shall be observed and substantial justice be done.

D. In exercising the above mentioned powers the Board may, in conformity with the provisions hereof, reverse or affirm, wholly or partly, or may modify the order, requirement decision, or determination appeared from and may make such order, or decision, as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

E. The concurring vote of three (3) members of the Board shall be necessary to reverse any action of such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance.

SECTION 520 SPECIAL EXCEPTIONS

(Amended 13 March 1991, 11 March 1999)

A Special Exception is a use that would not be appropriate generally or without restriction throughout a particular zone but which, if controlled as to the number, area, duration, location or relation to the neighborhood would promote the public health, safety, and general welfare. Such uses may be permitted in a particular zone by exception, only if a specific provision for such exception is made in this zoning ordinance and then only by permission of the Board of Adjustment.

A. The Board of Adjustment may, in appropriate cases and subject to appropriate conditions and safeguards, grant special exceptions where allowed in this ordinance.

B. A plat must be submitted with each application for a special exception in accordance with the criteria as set forth below

Copies of a plat must be submitted with said application to the standards detailed by the Town of Alton Subdivision Regulations, Section 7, and/or Site Plan Review Regulations, Section 7:A&B, or otherwise amended. The Town Planner shall review said plat to ensure all applicable standards have been met, and then forward said plat to the Zoning Board of Adjustment for hearing. The applicant shall retain the right to petition the Zoning Board of Adjustment to grant waivers to any plat standards as defined. Should Planning Board review of said plan be necessary upon granting of special exception, waived plat details (if any) accepted by the Zoning Board of Adjustment, may not be accepted by the Planning Board.

C. The Board, in review of the application, must find that all the following conditions are met:

1. That a plat has been submitted in accordance with the appropriate criteria in Section 520B. (as amended 11 March 1998, 11 March 1999)

2. The specific site is an appropriate location for the use. No factual evidence is found that property value in the district will be reduced due to incompatible land uses.

3. There is no valid objection from abutters based on demonstrable fact.

4. There is no undue nuisance or serious hazard to pedestrian or vehicular traffic, including the location and design of access ways and off-street parking.

5. Adequate and appropriate facilities and utilities will be provided to insure the proper operation of the proposed use or structure.

6. There is adequate area for safe and sanitary sewage disposal and water supply, and

7. The proposed use or structure is consistent with the spirit of this ordinance and the intent of the Master Plan.

D. In addition to the above general criteria, the specific criteria found elsewhere in this ordinance must be met for:

- MANUFACTURED HOUSING (SECTION 350)
- RECREATION CAMPING PARKS (SECTION 355)
- HEIGHT RESTRICTIONS (SECTION 328)
- CONDOMINIUM CONVERSION (SECTION 329)

SECTION 530 VARIANCES

(As amended 13 March 1991, 11 March 2003)

A variance is a relaxation of the terms of the Zoning Ordinance where such variance will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of the ordinance will result in unnecessary or undue hardship. A variance may be granted for either use or dimensional requirements if the following criteria are met:

The Board of Adjustment may authorize a variance from the terms of this ordinance where it finds in writing that all of the following specific conditions apply:

A. Denial of the variance would result in unnecessary hardship to the owner because:

1. The zoning restriction as applied to the property interferes with the reasonable use of the property, considering the unique setting of the property in its environment;

2. That no fair and substantial relationship exists between the general purposes of the zoning ordinance and the specific restriction of the property; and

3. The variance would not injure the public or private rights of others.

B. The specific request is the minimum variance that will grant reasonable relief to the owner and is necessary for such reasonable use.

C. The request is in harmony with the spirit of this ordinance, the intent of the Master Plan and with the convenience, health, safety and character of the district within which it is proposed.

D. The request is not contrary to the public interest.

E. Substantial justice will be done.

F. The request will not diminish the value of surrounding properties.

SECTION 550 ENFORCEMENT

(As amended 13 March 1991)

A. It shall be the responsibility of the Building Inspector to enforce the provisions of this ordinance. Upon any well-founded evidence that this ordinance is being violated, the Building Inspector shall take immediate action to enforce the provisions of same by noticing the offender of the violation. The Building Inspector shall have the right to impose a fine of up to the amount authorized by State Statute for each day of violation continuing after a finding that the violation exists.

B. The Selectmen shall have the duty to take all legal and appropriate action to enforce this ordinance or to restrain, prevent or abate any violation thereof, and shall be entitled to all of the reimbursement and restitutionary relief and penalties granted to municipalities by RSA 676:17.

SECTION 560 MISCELLANEOUS PROVISIONS

A. The more restrictive standard shall apply whenever the provisions of this ordinance differ from those prescribed by any statute, regulation or restriction.

B. Separability - the invalidity of any section or provision of this ordinance shall not be held to invalidate any other section or provision of this ordinance.

C. Amendments - This ordinance may be amended by majority vote at any regular Town Meeting in accordance with provisions of RSA 675-3 & 4. Amendments shall also be allowed by petitioned warrant article at any regular Town Meeting under RSA 675:4.

SECTION 570 PLANNING BOARD

(Section added 12 March 1996)

A. Rules:

As directed by NH RSA 676:1 the Alton Planning Board shall establish such rules of procedure and regulations which may be necessary for the operation and function of its organization or any public hearings, workshops and/or meetings which may be held by the Board. Such rules or regulations shall conform to provisions set forth in the NH RSA's.

ARTICLE 600 OVERLAY DISTRICTS

SECTION 601 SHORELAND PROTECTION OVERLAY DISTRICT

(New Section added 14 March 1995, amended 11 March 2003)

A. AUTHORITY

Pursuant to the authority granted by N.H. RSA 674:16 and RSA 674:21 this ordinance is adopted by the Town of Alton, New Hampshire, in order to protect the public health, safety, and general welfare.

The regulations in this ordinance shall overlay and supplement the regulations in the Town of Alton Zoning Ordinance, and shall be considered part of the Zoning Ordinance for purposes of administration and appeals under state law. If any provision of this ordinance differs or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.

B. PURPOSE AND INTENT

The purpose of this ordinance is to establish standards for the subdivision, use, and development of shorelands adjacent to public waters, as defined herein. The intent of this ordinance is:

1. Minimize the degradation of shorelands and assure the retention of benefits provided by such shorelands, including but not necessarily limited to the:

    a) maintenance of safe and healthy conditions;

    b) prevention and/or control of water pollution;

    c) protection of important fish, bird, and wildlife habitat;

    d) reduction or elimination of flooding and accelerated erosion;

    e) protection of wetlands and their important natural functions;

    f) maintenance of water quantity and related stream flows during low flow periods;

    g) protection of shoreland cover as a means of maintaining water quality;

    h) the conservation and protection of natural beauty and the scenic qualities which are critical attributes of the State; and

    i) protection of the economic benefits that the natural beauty and the scenic qualities shoreland cover provide to tourism.

C. SHORELAND PROTECTION OVERLAY DISTRICT

The Shoreland Protection Overlay District is defined as all land located within 250 feet of the reference line of public waters and reference line of the waters of the Merrymeeting River/Marsh.

D. **PROHIBITED USES**

The following uses are prohibited in the shoreland protection overlay district:

1. Establishment or expansion of:

   a) salt storage sheds;

   b) automobile junk yards; and

   c) solid or hazardous waste facilities.

2. Use of fertilizer, except lime and/or wood ash, on lawns or areas with grass.

3. Bulk storage of chemicals.

4. Bulk storage of petroleum products or hazardous materials except in the case of marinas which are allowed under these regulations.

5. Sand and gravel excavations as defined in RSA 155-E.

6. Processing of excavated materials.

7. Dumping or disposal of snow and ice collected from roadways or parking areas outside the district.

E. NATURAL WOODLAND BUFFER

1. Where existing, a natural woodland buffer shall be maintained within 150 feet of the reference line. The purpose of this buffer shall be to protect the quality of public waters by minimizing erosion, preventing siltation and turbidity, stabilizing soils, preventing excess nutrients and chemical pollution, maintaining natural water temperatures, maintaining a healthy tree canopy and understory, preserving fish, bird and wildlife habitat, and respecting the overall natural condition of the protected shoreland.

2. Within the natural woodland buffer of the protected shoreland under conditions defined in RSA 483-B:9,V, the following shall apply:

   a) Not more than a maximum of 50 percent of the basal area of trees, and a maximum of 50 percent of the total number of saplings shall be removed for any purpose in a 20-year period. A healthy, well-distributed stand of trees, saplings, shrubs and ground covers and their living, undamaged root systems shall be left in place. Replacement planting with native or naturalized species may be permitted to maintain the 50 percent level.

   b) Trees, saplings, shrubs and ground covers which are removed to clear an opening for building construction, accessory structures, septic systems,

roadways, pathways, and parking areas shall be excluded when computing the percentage limitations under section E.2.a.

c) Dead, diseased, unsafe, noxious or fallen trees, saplings, shrubs, or ground cover may be removed. Their removal shall not be used in computing the percentage limitations under section E.2.a.

d) Stumps and their root systems, which are located within 50 feet of the reference line shall be left in tact in the ground.

e) Dead and living trees that provide dens and nesting places for wildlife are encourage to be preserved.

f) Planting efforts that are beneficial to wildlife are encouraged to be undertaken.

Continued on the following page.

F. **SUBSURFACE WASTE DISPOSAL SYSTEMS**

1. All new lots created within the protected shoreland are subject to subdivision approval by NH Department of Environmental Services in accordance with the Division of Water Supply and Pollution Control publication Subdivision and Individual Disposal System Design Rules, Env-Ws 1000.

2. All subsurface waste disposal systems must be designed and installed in accordance with the NH DES, Division of Water Supply and Pollution Control publication Subdivision and Individual Sewage Disposal System Design Rules, Env-Ws 1000.

3. The leaching fields of new septic systems which are constructed adjacent to ponds and lakes shall comply with the reference line setback provisions of the Alton Health Regulations, Section 4.6. [Amended by ATM 3/11/97; Section D was deleted by ATM 3/11/97]

G. **STORMWATER MANAGEMENT AND EROSION CONTROL**

1. A stormwater management and erosion control plan shall be submitted for any construction, development and/or grading activities which disturb soil.

2. The following standards shall be applied in designing stormwater management and erosion control measures:

   a) All measures in the stormwater management and erosion control plan shall meet the Best Management Practices set forth in the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire prepared for the Department of Environmental Services by the Rockingham County Conservation District, in cooperation with the USDA Soil Conservation Service, August, 1992.

   b) Whenever practical, natural vegetation shall be retained, protected or supplemented. The stripping of vegetation shall be done in a manner to minimize soil erosion.

   c) Appropriate control measures shall be installed prior to removal of vegetation.

   d) The area of disturbance and the duration of exposure shall be kept to a minimum. Disturbed areas remaining idle for more than 30 days shall be stabilized.

   e) Measures shall be taken to control sediment and retain it within the project area. Sediment in runoff water shall be trapped and retained within the project area using approved measures. Approved measures shall protect very poorly drained soils and surface waters within the project area.

   f) Off-site surface water and runoff from undisturbed areas shall be carried non-erosively through the project area, or diverted away from disturbed areas where feasible.

g) Priority shall be given to preserving natural drainage systems including perennial and intermittent streams, wetlands, swales, and drainage ditches for conveyance of runoff leaving the project area.

h) All temporary erosion and sediment control measures shall be removed after final site stabilization. Trapped sediment and other disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized within 30 days.

i) Site development shall not begin before the stormwater management and erosion control plan is approved.

Disturbance of a contiguous area in excess of 50,000 square feet requires a permit from the Department of Environmental Services in accordance to RSA 485-A:17, I.

H. MINIMUM LOT REQUIREMENTS

1. The minimum lot size for new lots in areas dependent on on-site septic systems shall be determined by soil type in accordance with Env-Ws 1000.

2. New lots shall have a minimum shoreland frontage of 150 feet.

3. Primary structures shall be setback at least 50 feet from the reference line of public waters and the reference line of the Merrymeeting River/Marsh. Except that within the Residential-Commercial zone the Board of Adjustment may grant a special exception waiving setback requirements for any parcel so long as all conditions set forth under Section 520 ~~420~~ can be met. And that within any zone, on lots of record prior to the adoption of this amendment, the setback for any structure shall be at least 30 feet from the reference line.

4. Accessory structures such as decks, storage sheds and gazebos but excluding automobile garages may be located between 30 to 50 feet of the reference line as a special exception provided that:

   a) The location and construction of the structure is consistent with the provisions of the ordinance to maintain a woodlands buffer;

   b) The foot print of the structure does not exceed one hundred and fifty (150) square feet;

   c) The structure is usually customary and incidental to a legally authorized use located within the shoreland district

5. Building Heights. No primary structure within the Shoreland District shall exceed 2½ stories or 35' in height as measured from average ground level around the structure to the highest point on the roof excluding chimneys.

6. Buildings shall be fitted to the natural topography to avoid extensive grading that would alter the drainage patterns or create very steep slopes, minimize the potential for erosion, and maintain existing vegetation.

7. Total parcel coverage by impervious surfaces including building footprint, impervious roads, or other impervious cover shall not exceed 20% of the parcel.

8. Roads and/or driveways shall be setback at least 50 feet from the reference line and shall be designed to minimize disturbance to existing natural vegetation and topography, except for bridges and bridge approaches and access ways for fire fighting equipment.

9. Waterfront property must be on a waterbody, which has adequate depth and current to clearly support the proposed density and shall be located on a site appropriate for the proposed use as determined by the Planning Board. The Planning Board may require a person proposing a waterfront development to submit adequate information to justify the proposed use. If it is found that such use cannot be supported by the waterbody, additional restrictions including the raising of minimum standards may be established by the Planning Board.

10. In any case in which waterfront property is to be used for non-commercial, non-intensive recreational use, such as a nature preserve, open space, or the like, the Planning Board may waive the area, parking, toilet, or boat facilities otherwise required by this section. Such waiver may be granted by the Planning Board only where the title to such property is transferred, or conservation easement, as defined under RSA 477:45, is conveyed to an appropriate governmental unit or a non-profit organization, one of whose main objectives is land protection. Such covenants, conveyances, or other instruments shall establish that the property is perpetually restricted and regularly monitored in such a manner that the standards of this Section need not be met for the proposed use.

I. WATER DEPENDENT USES

The following are standards for permitting water dependent uses and structures within the Shoreland protection overlay district:

1. Marinas shall be developed in accordance with the following:

    a. Minimum shoreland frontage shall be 300' with an additional 25' of shore frontage for each two slips over 12.

    b. Off street parking shall be provided at a rate of 500 square feet per boat slip.

    c. Submission of an environmental impact assessment, which indicates mitigation, measures to minimize potential negative impact on the public waters including, but not limited to:

        1. Measures to be taken to prevent leakage or spills of fuels, lubricants, waste products or other potential pollutants into the public waters.

        2. Assurances that impacts on wetlands and related sensitive habitats will be avoided.

    d. Submission of a site plan for review by the Planning Board which includes location of parking, rest rooms, boat pumpout and waste disposal facilities, boat ramp, boat wash off areas, buildings and related support facilities with assurances that these facilities are permanently available to the project.

2. The construction of new beaches in accordance with the following:

   a. The construction of a new beach shall not adversely affect aquatic habitat, change the natural character of the existing shoreline, or be placed in an area of excessive sediment migration.

   b. A stormwater management and erosion control plan shall be submitted. It shall include, but not limited to an explanation of existing and proposed measures to control stormwater runoff to prevent the erosion of beach material.

   c. Beach Size. The size of a new beach serving a single-family residence shall not exceed 900 square feet. No new private beach shall utilize more than 30 percent of the applicant's contiguous shoreline up to a maximum of 50 feet of the applicant's contiguous shoreline.

3. The replenishment of an existing beach in accordance with the following:

   a. The replenishment of an existing beach shall not adversely affect aquatic habitat, change the natural character of the existing shoreline, or be placed in an area of excessive sediment migration.

   b. Appropriate stormwater management and erosion control measures are in place to control stormwater runoff to prevent the erosion of beach material. If not, a stormwater management and erosion control plan shall be submitted and explain existing and proposed measures to control stormwater runoff to prevent the erosion of beach material.

4. Other water dependent structures including, but not limited to, boathouses, docks, and moorings in accordance with the following:

   a. The use would be in keeping with the purpose and intent of these regulations;

   b. Measures which would minimize the impact of the project have been taken and the best practicable alternative has been selected;

   c. Seasonal covers shall extend only over the boat slips and shall be removed during the non boating season.

J. COMMONLY USED WATER FRONT PARCELS OR LOTS

(Supersedes Section former 226)

Shorefront lots/parcels, which are intended for common access by the non-shoreland property owners within the development or subdivision which owns or has control over the common land, shall:

1. Contain a minimum of one acre.

2. Have a minimum shoreland frontage of 150 feet for the first ten residential units and an additional 10 feet for each additional unit.

3. Have no structures other than toilet facilities, picnic shelters and/or recreational facilities.

4. Swimming areas shall be separated from boating areas by ropes and appropriate marks, subject to the approval of the Safety Services Division of the NH Department of Safety.

5. Off street parking shall be provided on the basis of 300 square feet for each residential unit 1/4 mile or more from the common area which has use of the area.

6. Toilet facilities shall be provided on the basis of one facility each for men and women for each 25 residential units or One facility each for males and females for each 200 persons for whom the facility is proposed in the case of clubs, etc.

7. Impervious cover for roof area, parking lots, access roads, sidewalks and any other similar cover over or on the parcel or lot shall not exceed 10% of the area of the parcel or lot.

K. NON-CONFORMANCE

1. Non-Conforming Lots of Record

Existing individual, undeveloped, non-conforming lots of record within the shoreland protection overlay district may be used for the purpose of constructing a single family residential dwelling unit and related facilities, including, but not limited to, docks, piers, boat houses, boat loading ramps, walkways and other water dependent structures, provided that all the provisions of this ordinance can be met, in accordance with the following: All leach fields shall meet the design and setback requirements of Section 6.0. In the event that the leach field cannot physically be located on the lot in conformity with this ordinance the owner shall be required to acquire additional land or a permanent easement to such land for this purpose in so far as practicable. Should additional undeveloped land not be available allowable sewage loading shall be reduced by decreasing the number of bedrooms, toilet facilities, and other wastewater generating facilities to bring the proposed development as close to compliance with this ordinance as reasonable.

L. LAND CLEARING FOR AGRICULTURE PURPOSES

All agricultural activities and operations in the state as defined in RSA 21:34-a and as governed by N.H. RSA 430 and RSA 431, including the use of animal manure, lime, wood ash, irrigation and the clearing of land for agricultural technologies, shall be exempt from the provisions of this ordinance, provided such activities and operations are in conformance with the most recent best management practices determined by the N.H. Department of Agriculture, UNH Cooperative Extension, and the United States Department of Agriculture (USDA) Soil Conservation Service. Persons carrying out such agricultural activities and operations in the protected shoreland shall work directly with the local representatives of the above agencies for their particular property.

M. ADMINISTRATION AND ENFORCEMENT

1. Administration:

   The Planning Board is hereby authorized and empowered to adopt rules and require reasonable fees necessary for the efficient administration of this ordinance.

2. Enforcement:

   The Code Enforcement Officer shall be responsible for enforcement of the provisions of this ordinance.

   Upon written notification that this ordinance is being violated, the Code Enforcement Officer shall confirm the violation and notify, in writing, the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. A copy of such notices shall be submitted to the Planning Board.

   The order may include discontinuance of illegal use of land, buildings, or structures, or work being done; removal of illegal buildings or structures; or take any other action authorized or required by this ordinance to insure compliance with it or to prevent violation of its provisions.

   The Code Enforcement Officer or their designated agent may conduct on-site inspections to insure compliance with all applicable laws and provisions.

3. Penalties and Remedies:

   Any person in violation of this ordinance or any portion thereof, shall be penalized in accordance with N.H. RSA 676:15-17.

SECTION 602 AQUIFER PROTECTION OVERLAY DISTRICT

(New Section added 14 March, 1995)

A. PURPOSE AND INTENT

The purpose of the Aquifer Protection Zone is to protect groundwater resources from adverse development or land use practices that might reduce the quality and quantity of water that may be available from ground water aquifers within Alton.

B. AQUIFER PROTECTION ZONE BOUNDARIES

(as amended 11 March 1998)

The boundaries of the Aquifer Protection Zone shall generally coincide with those areas identified by the U.S.G.S and shown on 4 maps entitled "Map Showing Aquifer Boundaries, Data Collection Locations, Materials and Altitude of Water Table for Stratified-Drift Aquifers in the Winnipesaukee River Basin, Central New Hampshire", by Joseph D. Ayote, dated 1996, or by the most recent USGS Map publications available.

Where the bounds, as delineated, are in doubt or in dispute, the burden of proof shall be upon the owner(s) of the land in question to show where they should be located. At the request of the owner(s), the Town may engage a professional geologist or soil scientist to determine more accurately the location and extent of an aquifer or recharge area, and may charge the owner(s) for all or part of the cost of the investigation. The delineation can be modified by the Board of Adjustment upon receipt of findings of the detailed on-site survey techniques.

C. RESTRICTIONS

The following uses are prohibited:

1. Coverage of more than twenty percent (20%) of any lot with impervious surfaces, except that the Planning Board may allow up to sixty percent (60%) coverage of any lot with impervious surfaces if engineering design provides adequate purification and recharge conditions. The Planning Board shall require the applicant to cover all costs associated with design and Planning Board review.

2. On-site disposal of solid wastes, other than brush and stumps.

3. On-site disposal of liquid or leachable wastes by a septic system receiving discharge other than that typical of single-family domestic wastes. [Amended by ATM 3/11/97]

4. On-site disposal of any materials or substances classified as hazardous by the rules and regulations of the New Hampshire Water Supply & Pollution Control Commission or the Environmental Protection Agency.

D. SPECIAL PROVISIONS

On-site storage of petroleum, gasoline, or other materials may be permitted if such storage is in compliance with the rules and regulations of the New Hampshire Water Supply & Pollution Control Commission for control of Nonresidential Under-ground Storage and Handling of Oil and Petroleum Liquids.

SECTION 603 PERSONAL WIRELESS SERVICE FACILITIES ORDINANCE

(Section added 11 March 1999, amended 14 March 2006)

Section 603.1: Purpose

It is the express purpose of this Ordinance to permit carriers to locate personal wireless service facilities, (PWSF's), within particular areas of the Town of Alton, hereafter called the Town, consistent with appropriate land use regulations that will ensure compatibility with the visual and environmental features of the Town.

This Ordinance will supersede and replace Section 270, Wireless Telecommunications Facilities Ordinance, added 11 March 1999 in the Alton, NH Zoning Ordinance as amended through March 11, 2004.
Compatibility with the visual features of the Town is measured based on the change in community scale and character in relation to the height, mass, materials, contrasts, or proportion within the surroundings of a proposed personal wireless service facility.
This Ordinance enables the Town to regulate the placement, construction, and modification of personal wireless service facilities so as to eliminate or mitigate the visual impacts of personal wireless service facilities. This Ordinance is structured to encourage carriers to locate PWSF's on existing buildings and structures whenever possible. New ground mounted personal wireless service facilities are permitted, but only when the use of existing structures and buildings is found to be not feasible. Co-location, both vertical and horizontal, is encouraged for all personal wireless service facilities and the review of a personal wireless service facility application shall be on the basis of the site being built using all positions on the mount.

Section 603.2: Applicability
The terms of this Ordinance and the Site Plan Review Regulations shall apply to personal wireless service facilities proposed to be located on property owned by the Town, on privately owned property, and on property that is owned by any other governmental entity that acts in its proprietary capacity to lease such property to a carrier.

Section 603.3: Definitions
For the purpose of this Ordinance, the following terms shall have the meaning given herein:

3.1 Antenna. The surface from which wireless radio signals are sent and/or received by a personal wireless service facility.

3.2 Antenna Array. A collection of antennas attached to a mount to send and receive radio signals.

3.3 Average Tree Canopy Height. The height of all trees surrounding a PWSF shall be measured from a base line extending outward from the point at which the base of the ground mount contacts the ground. This point shall be referred to as the contact point. The base line shall extend outward 360 degrees from this contact point parallel to the horizon and is independent from the slope of the surrounding ground.
The average tree canopy height shall be determined by inventorying the height above the base line of all trees within an area that extends for a distance of fifty (50) feet outward from and 360 degrees surrounding the contact point along the base line from the base of the mount, security barrier, or designated clear area for access to equipment, whichever is greatest. The height that each tree extends above the base line within this area shall be measured and inventoried and the average height shall be calculated. Trees that will be removed for construction shall NOT be used in this calculation

3.4 Camouflaged. A personal wireless service facility that is disguised, hidden, part of an existing or proposed structure, or placed within an existing or proposed structure.

3.5 Carrier. A Company that provides personal wireless services also sometimes referred to as a provider.

3.6 Co-location. The use of a single mount on the ground by more than one carrier (vertical co-location), or the use of more than one mount on the same site by more than one carrier (horizontal co-location), or the use of several mounts on an existing building or structure by more than one carrier.

3.7 Environmental Assessment (EA). An EA is a document required by the Federal Communications Commission (FCC) and the National Environmental Policy Act (NEPA) when a personal wireless service facility is placed in certain designated areas.

3.8 Equipment Shelter. An enclosed structure, cabinet, shed, vault, or box near the base of the mount within which are housed equipment for personal wireless service facilities such as batteries and electrical equipment. Equipment shelters are sometimes referred to as base transceiver stations.

3.9 Facility. See Personal Wireless Service Facility.

3.10 Fall Zone. The area on the ground from the base of a ground mounted personal wireless service facility that forms a circle with a diameter equal to 150 % of the height of the facility, including any antennas or other appurtenances. The fall zone is the area within which there is a potential hazard from falling debris (such as ice) or collapsing material.

3.11 Guyed Tower. A monopole or lattice tower that is secured to the ground or other surface by diagonal cables for lateral support.

3.12 Height. The height above ground level (AGL) from the natural grade of a site to the highest point of a structure.

3.13 Lattice Tower. A type of mount with multiple legs and structural cross-bracing between the legs that is self-supporting and freestanding.

3.14 Mast. A thin pole that resembles a street light standard or a telephone pole. A dual-polarized antenna is typically deployed on a mast.

3.15 Monopole. A thicker type of mount than a mast that is self-supporting with a single shaft of wood, steel or concrete, or other material, that is designed for the placement of antennas and arrays along the shaft.

3.16 Mount. The structure or surface upon which antennas are mounted, including the following four types of mounts:

1. Roof-mounted. Mounted on the roof of a building.
2. Side-mounted. Mounted on the side of a building.
3. Ground-mounted. Mounted on the ground.
4. Structure-mounted. Mounted on a structure other than a building.

3.17 Personal Wireless Service Facility (PWSF). Facility for the provision of personal wireless services, as defined by the Telecommunications Act of 1996, as amended. Personal Wireless Service Facilities include a mount, antenna, equipment shelter, and other related equipment.

3.18 Personal Wireless Services. The three types of services regulated by this Ordinance: Commercial mobile radio services, unlicensed wireless services, and common carrier wireless exchange access services as described in the Telecommunications Act of 1996, as amended.

3.19 Radio Frequency (RF) Engineer. An engineer specializing in electrical or microwave engineering, especially the study of radio frequencies.

3.20 Radio Frequency Radiation (RFR). The emissions from personal wireless service facilities.

3.21 Security Barrier. A wall, fence, or berm that restricts an area from unauthorized entry or trespass.

3.22 Separation. The distance between one carrier's array of antennas and another carrier's array.

Section 603.4: District Regulations

4.1 Location - Personal wireless service facilities shall be permitted in all Zoning Districts, except as restricted by this Ordinance. Applicants seeking approval for personal wireless service facilities shall first evaluate existing structures for the siting of personal wireless service facilities. Only after finding that there are no suitable existing structures pursuant to Section 4.3 herein, shall a provider propose a new ground mounted facility.

An applicant shall demonstrate to the Planning Board that the facility's effect has been minimized on the viewshed containing the facility, and that the facility will not visually dominate any viewshed in the Town. The applicant shall demonstrate visual impact of the proposed facility by using a crane test or a balloon test as directed and witnessed by the Board, said test to be open and made known to the public. For a proposed facility to be acceptable such tests shall demonstrate that views are not adversely impacted by the facility. In addition, an applicant proposing a facility shall notify other towns and cities within 20 miles of the site and the Lakes Region Planning Commission of the proposal; these parties may contribute comments which shall be referenced by the Board in its decision.

4.2 Existing Structures: Policy - Personal wireless service facilities shall be located on existing structures, including but not limited to buildings, water towers, existing telecommunications facilities,

utility poles or towers, and related facilities, provided that such installation preserves the character and integrity of those structures.

4.3 Existing Structures: Burden of Proof - The applicant shall have the burden of proving that there are no existing structures which are suitable to locate its personal wireless service facility and/or transmit or receive radio signals. To meet that burden, the applicant shall take all the following actions to the extent applicable:

A. The applicant shall submit to the Planning Board a list of all contacts made with owners of potential sites regarding the availability of potential space for a personal wireless service facility. If the Planning Board informs the applicant that additional existing structures may be satisfactory, the applicant shall contact the property owner(s) of those structures.
B. The applicant shall provide copies of all letters of inquiry made to owners of existing structures and letters of rejection. If letters of rejection are not provided, at a minimum, unanswered "Return Receipt Requested" forms from the U.S. Post office shall be provided for each owner of existing structures who was contacted.
C. If the applicant claims that a structure is not capable of physically supporting a personal wireless service facility, this claim must be certified by a licensed professional civil engineer. The certification shall, at a minimum, explain the structural issues and demonstrate that the structure cannot be modified to support the personal wireless service facility without unreasonable costs. The estimated cost shall be provided to the Planning Board.

4.4 Ground Mounted Facilities: Policy - If the applicant demonstrates that it is not feasible to locate on an existing structure, ground mounted personal wireless service facilities shall be designed so as to be camouflaged to the greatest extent possible, including but not limited to: use of compatible building materials and colors, screening, landscaping, and placement within trees.

4.5 Locations for Ground Mounted Facilities – Ground mounted personal wireless service facilities shall be prohibited:

4.5.1 In the Mount Major State Park
4.5.2 Within 50 feet of the shore of public waters.

Section 603.5: Use Regulations

A personal wireless service facility shall require a building permit in all cases and may be permitted as follows:

A. Existing Tower Structures: Subject to the issuance of a building permit that includes review by the Planning Board, which review shall be limited to issues relating to access, bonding, and security for removal, structural integrity and appropriate camouflage of such siting, carriers may locate a personal wireless service facility on any guyed tower, lattice tower, mast, or monopole in existence prior to the adoption of this Ordinance, or on any personal wireless service facility previously approved under the provisions of this Ordinance so long as the co-location complies with the approved site plan. All the Performance Standards from this Ordinance shall be met. This provision shall apply only so long as the height of the mount is not increased, a security barrier already exists, and the area of the security barrier is not increased. Otherwise, site plan review is required.
B. Reconstruction of Existing Tower Structures: An existing guyed tower, lattice tower, monopole, or mast in existence prior to the adoption of this Ordinance may be reconstructed with a maximum fifteen (15) foot increase in height so long as the standards of this Ordinance are met and so long as this fifteen (15) foot increase in height does not cause a facility previously existing at less than one hundred fifty (150) feet to exceed one hundred fifty (150) feet in height. The mount shall be replaced with a mount of similar mass that does not increase the visual impact on the community. Site plan review is required.
C. Existing Structures: Subject to the provisions of this Ordinance and site plan review under RSA 674:43:III and except as otherwise permitted under Section 5 (A), a carrier may locate a personal wireless service facility on an existing structure, building, utility tower or pole, or water tower. For

the purpose of this section, new structures that are conforming to all other district zoning requirements shall be considered as existing structures.

D. Ground Mounted Facility: A personal wireless service facility involving construction of a ground mount shall require site plan review and be subject to the provisions of this Ordinance.

Section 603.6: Dimensional Requirements

6.1 Personal wireless service facilities shall comply with the following requirements:

A. Height, Maximum: In no case shall a personal wireless service facility exceed one hundred fifty (150) feet in height, unless the mount for the facility was greater than one hundred fifty (150) feet in height prior to the adoption of this Ordinance.

B. Height, Existing Structures and Utility Poles: Carriers that locate new personal wireless service facilities on water towers, electric transmission and distribution towers, utility poles and similar existing utility structures, guyed towers, lattice towers, masts, and monopoles may be permitted to increase the height of those structures no more than fifteen (15) feet. This increase in height shall only be permitted once for each structure.

C. Height, Other Existing Structures: The height of a personal wireless service facility shall not increase the height of a structure by more than ten (10) feet, unless the facility is completely camouflaged; for example a facility completely within a flagpole, steeple, or chimney. The increase in the height of the structure shall be in scale and proportion to the structure as originally configured. A carrier may locate a personal wireless service facility on a building that is legally nonconforming with respect to height, provided that the provisions of this Ordinance are met.

D. Height, Ground-Mounted Facilities: Ground-mounted personal wireless service facilities shall not project higher than ten (10) feet above the average tree canopy height of the trees located within an area defined by a fifty (50) foot radius or perimeter of the mount, security barrier, or designated clear area for access to equipment, whichever is greatest. Refer to Section 3.3-Average Tree Canopy Height.

E. Setbacks: All personal wireless service facilities and their equipment shelters shall comply with the building setback provisions of the zoning district in which the facility is located. Fences shall comply with the building setback provisions of the zoning district in which the facility is located.

F. Fall Zone for Ground Mounts: In order to ensure public safety, the minimum distance from the base of any ground-mount of a personal wireless service facility to any property line, public road, habitable dwelling, business or institutional use, or public recreational area shall be, at a minimum, the distance equal to the fall zone, as defined in this Ordinance. The fall zone may cross property lines, so long as the applicant secures a fall zone easement from the affected property owner(s). The area of the easement shall be shown on all applicable plans submitted to the Town, and the terms of the easement shall be provided as part of the site plan review. The Planning Board, at its discretion, may reduce the fall zone. Fall zones for PWSF's may overlap.

G. Fall Zone for Non-Ground Mounts: In the event that an existing structure is proposed as a mount for a personal wireless service facility, a fall zone shall not be required, but the setback provisions of the zoning district shall apply. In the case of pre-existing nonconforming structures, personal wireless service facilities and their equipment shelters shall not increase any non-conformities.

6.2 Public Property – Antennas or Towers exclusively operated or controlled by the Town for purposes of providing communications for the Fire Department, Highway Department, Police Department, Water Department, or other municipal agencies or departments shall be exempt from these provisions.

Section 603.7: Performance and Design Standards

7.1 Visibility

A. Visual impacts are measured on the basis of:

1. Change in community scale, as exhibited in relative height, mass or proportion of the personal wireless service facility within its proposed surroundings.
2. New visible elements proposed on a contrasting background.
3. Different colors and textures proposed against a contrasting background.
4. Use of materials that are foreign to the existing environment.

B. Enhancements are measured on the basis of:
1. Conservation of opportunities to maintain community scale, e.g. buffering areas and low-lying buildings should not be compromised so as to start a trend away from the existing community scale.
2. Amount and type of landscaping and/or natural vegetation.
3. Preservation of view corridors, vistas, and viewsheds.
4. Continuation of existing colors, textures, and materials.

C. Visibility focuses on:
1. Eliminating or mitigating visual impact.
2. Protecting, continuing, and enhancing the existing environment.

D. Camouflage for Facilities on Existing Buildings or Structures – Roof Mounts: When a personal wireless service facility extends above the roof height of a building on which it is mounted, every effort shall be made to conceal or camouflage the facility within or behind existing or new architectural features to limit its visibility from public ways. Facilities mounted on a roof shall be stepped back from the front facade in order to limit their impact on the building's silhouette.

E. Camouflage for Facilities on Existing Buildings or Structures – Side Mounts: Personal wireless service facilities which are side mounted shall blend with the existing building's architecture and the panels shall be painted or shielded with material consistent with the design features and materials of the building. All surfaces shall be non-reflective.

F. Camouflage for Ground Mounted Facilities: All ground-mounted personal wireless service facilities shall be surrounded by a buffer of dense tree growth that extends continuously for a minimum distance of one hundred and fifty (150) feet from the mount, security barrier, or designated clear area for access to equipment, whichever is greatest, and screens views of the facility in all directions. These trees must be existing on the subject property, planted on site, or be within a landscape easement on an adjoining site. The Planning Board shall have the authority to decrease, relocate, or alter the required buffer based on site conditions. The one hundred and fifty (150) foot vegetative buffer area shall be protected by a landscape easement or be within the area of the carrier's lease. The easement or lease shall specify that the trees within the buffer shall not be removed or topped, unless the trees are dead or dying and present a hazard to persons or property. If removed for this reason, they must be replaced unless Nature has provided a buffer.

7.2 Color - To the extent that any personal wireless service facilities extend above the height of the vegetation immediately surrounding it, they shall be of a color which blends with the background or surroundings. All surfaces shall be non-reflective. Branches shall conform with the shape and direction of those on existing natural trees and extend below the canopy.

7.3 Equipment Shelters - Equipment shelters for personal wireless service facilities shall be designed consistent with one of the following design standards:

A. Equipment shelters shall be located in underground vaults; or
B. Equipment shelters shall be designed so that the shelters are architecturally consistent, with respect to materials and appearance, to the buildings in the area of the personal wireless service facility; or
C. Equipment shelters shall be camouflaged behind an effective year-round landscape buffer, equal to the height of the proposed building, and/or fence. The Planning Board shall determine the style of fencing and/or landscape buffer that is compatible with the neighborhood; or

D. If mounted on a rooftop, the equipment shelter shall be concealed or camouflaged so that the shelter either is not visible at grade or appears to be a part of the original structure.

7.4 Lighting, Signage, and Security

A. Lighting: The mounts of personal wireless service facilities shall be lighted only if required by the Federal Aviation Administration (FAA). Lighting of equipment structures and any other facilities on site shall be shielded from abutting properties. Foot-candle measurements at the property line shall be 0.0 initial foot-candles.

B. Signage: Signs, not larger than8”x12”, shall be limited to those needed to identify the property and the owner and warn of any danger. PWSF’s, including existing towers at the time of adoption of this ordinace, shall not contain any permanent or temporary signs, writing, symbols or any other graphic representation of any kind.

C. Security Barrier: The Planning Board shall have final authority on whether a ground mounted personal wireless service facilities should be surrounded by a security barrier.

7.5 Historic Buildings and Districts

A. Any personal wireless service facility located on or within an historic structure shall not alter the character-defining features, distinctive construction methods, or original historic materials of the building.

B. Any alteration made to an historic structure to accommodate a personal wireless service facility shall be fully reversible.

C. Personal wireless service facilities authorized by this subsection shall be concealed within or behind existing architectural features, or shall be located so that they are not visible from public roads and viewing areas.

7.6 Scenic Landscapes and Vistas - Ground-mounted facilities shall not be located within open areas that are clearly visible from public roads, recreational areas, or abutting properties unless these PWSF are hidden or disguised in such a way so as to blend in with their surroundings. For example, the Planning Board may find a PWSF disguised as a flagpole to be acceptable. The Planning Board shall be empowered to make these decisions. All ground-mounted personal wireless service facilities shall be surrounded by a buffer of dense tree growth as per Section 7.1 (F).

7.7 Access way – If available, existing entrances and driveways to serve a personal wireless service facility shall be utilized, unless the applicant can demonstrate that a new entrance and driveway will result in less visual, traffic, and environmental impact. New driveways to serve a personal wireless service facility shall not exceed twelve (12) feet in width. A gravel or crushed stone surface is encouraged.

7.8 Antenna Types - Any antenna array placed upon an existing or proposed ground mount, utility pole, or transmission line mount shall have a diameter of no more than four (4) feet, exclusive of the diameter of the mount. A larger diameter antenna array may be permitted after a finding by the Planning Board that the visual impacts of a larger antenna array are negligible.

7.9 Ground and Roof Mounts - All ground mounts shall be of a mast or monopole type mount. Lattice towers, guyed towers, and roof mounted monopoles are expressly prohibited, unless constructed as part of a reconstruction project permitted under Section 5 (B).

7.10 Hazardous Waste - No hazardous waste shall be discharged on the site of any personal wireless service facility. If any hazardous materials are to be used on site, there shall be provisions for full containment of such materials. An enclosed containment area shall be provided with a sealed floor, designed to contain at least one hundred and ten percent (110%) of the volume of the hazardous materials stored or used on the site.

7.11 Noise - Personal wireless service facilities shall not generate noise in excess of 68 decibels, as measured at the security boundary, during the day and 58 decibels during the night. For the purpose of this Ordinance, "day” shall be defined as 7:00 A.M. to 10:00 P.M., Sundays through Thursdays, and 7:00 A.M. to 11:00 P.M. on Fridays and Saturdays. Night" shall be from 1O:00 P.M. to 7:00 A.M. Sundays through Thursdays, and 11:00 P.M. to 7:00 A.M. on Fridays and Saturdays.

7.12 Radio Frequency Radiation (RFR) Standards – Written proof shall be provided that all equipment proposed for a personal wireless service facility shall be fully compliant with the FCC Guidelines for Evaluating the Environmental Effects of Radio frequency Radiation (FCC Guidelines), under *Report and Order*, FCC 96-326, published on August 1, 1996, and all subsequent amendments.

Section 603.8: Verification, Monitoring and Maintenance

8.1 Verification - The Planning Board, at its discretion, may hire an expert of its choice to review applications. Such experts may include, but not be limited to Planning Experts, Technical Experts, Engineering Experts, Legal Experts, and Surveying Experts. All such expenses incurred shall be borne by the applicant.

8.2 Maintenance - The owner of the facility shall maintain the personal wireless service facility in good condition. Such maintenance shall include, but shall not be limited to, painting, structural integrity of the mount and security barrier, maintenance of the buffer areas, landscaping, and camouflage materials. The Planning Board may direct the owner to perform maintenance that it determines to be required.

8.3 Monitoring - As part of the issuance of the site plan approval or building permit, the property owner and the owner of the PWSF shall agree that the Town and its appointed representative(s) may enter the subject property to obtain RFR measurements, noise measurements, and to perform maintenance inspections at the expense of the carrier. In the case of taking RFR and or noise measurements, the Town may enter without any advance notice to either the PWSF owner or the property owner. In all other cases the Town shall provide reasonable written notice to the carrier and landowner and provide them the opportunity to accompany the Town representatives when the inspections are conducted.

Section 603.9: Abandonment or Discontinuation of Use

9.1 Notification - Beginning 12 months after Planning Board approval and continuing on an annual basis thereafter, the owner of a PWSF shall provide the Planning Board with written, signed certification that the PWSF is being used to provide the citizens of the Town with Personal Wireless Services as defined. Failure to comply with this requirement shall constitute an admission that the PWSF is not in use and has been abandoned.

At such time that the owner plans to abandon or discontinue operation of a personal wireless service facility, the owner will notify the Town by certified U.S. mail of the proposed date of abandonment or discontinuation of operations. Such notice shall be given no less than thirty (30) days prior to abandonment or discontinuation of operations. In the event that the owner fails to give such notice, the personal wireless service facility shall be considered abandoned upon such discontinuation of operations.

9.2 Removal - Upon abandonment or discontinuation of use, the owner of the facility shall physically remove the personal wireless service facility within ninety (90) days from the date of abandonment or discontinuation of use. "Physically remove" shall include, but not be limited to:

A. Removal of antennas, mount, equipment shelters and security barriers from the subject property.

B. Proper disposal of the waste materials from the site in accordance with local and state solid waste disposal regulations.

C. Restoring the location of the personal wireless service facility to its natural condition, except that any landscaping and grading shall remain in the after-condition.

9.3 Failure to Remove - If the owner of the facility does not remove the facility upon the Planning Board's order, then the Board of Selectmen shall, after holding a public hearing with notice to the owner and abutters, issue a declaration of abandonment. The owner of the facility shall dismantle and remove the facility within ninety (90) days of receipt of the

declaration of abandonment by the Board of Selectmen. If the abandoned facility is not removed within ninety (90) days, the Town may execute the security to pay for this action.

9.4 Failure to Maintain - If the owner of the facility fails to maintain the facility in accordance with the directions of the Planning Board pursuant to Section 8.2, then the Board of Selectmen shall, after holding a public hearing with notice to the owner and abutters, issue a declaration of abandonment. The owner of the facility shall dismantle and remove the facility within ninety (90) days of receipt of the declaration of abandonment by the Board of Selectmen. If the abandoned facility is not removed within ninety (90) days, the Town may execute the security to pay for this action.

9.5 Security for Removal - Security shall be provided in a form and amount that is acceptable to Town Counsel.

Section 603.10: Timing of Operation

10.1 Timing of Operation - Operation of a PWSF shall commence no later than nine (9) months from the date the application was approved. If the PWSF is not operating and providing the citizens of the Town with Personal Wireless Services, as defined, within this time period the Planning Board, at its discretion, may revoke its approval.

If Planning Board approval is revoked and construction has begun, the PWSF shall be considered to be abandoned.

Section 603.11: Savings Clause

Where any provision of this ordinance is found to be unenforceable it shall be considered savable and shall not be construed to invalidate the remainder of the ordinance.

SECTION 660 FLOODPLAIN DEVELOPMENT OVERLAY DISTRICTS

(as amended 8 March 1988, 13 March 1991 & 14 March 1995)

A. AUTHORITY

This ordinance, adopted pursuant to the authority of RSA 674:16, shall be known as the Town of Alton Floodplain Development Overlay District.

B. PURPOSE AND INTENT

The regulations in this ordinance shall overlay and supplement the regulations in the Town of Alton Zoning Ordinance, and shall be considered part of the Zoning Ordinance for purposes of administration and appeals under state law. If any provision of this ordinance differs or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.

The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the Town of Alton, N.H." together with the associated Flood Insurance Rate Maps dated May 17, 1988 which are declared to be a part of this ordinance and are hereby incorporated by reference.

C. DEFINITIONS.

Item I Definition of Terms: The following definitions shall apply only to this Floodplain Development Ordinance, and shall not be affected by, the provisions of any other ordinance of the Town of Alton. (Note: Definitions for FLOODDPLAIN DEVELOPMENT OVERLAY DISTRICTS were move to ARTICLE 200: DEFINITIONS with the designation "[from FDO]" – 14 March 2006).

D. PERMITS

All proposed development in any special flood hazard areas shall require a permit.

E. CONSTRUCTION REQUIREMENTS

The Code Enforcement Officer shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is located in a special flood hazard area, all new construction or substantial improvements shall:

1. be designed (or modified) and adequately anchored to prevent floatation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,

2. be constructed with materials resistant to flood damage,

3. be constructed by methods and practices that minimize flood damages,

4. be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

F. WATER AND SEWER REQUIREMENTS

Where new or replacement water and sewer systems (including on-site systems) are proposed in a special flood hazard area the applicant shall provide the Code Enforcement Officer with assurance

that these systems will be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems will be located to avoid impairment to them or contamination from them during periods of flooding.

G. REPORTING REQUIREMENTS

For all new or substantially improved structures located in Zones A, A1-30, AE, AH or A0, the applicant shall furnish the following information to the Code Enforcement Officer:

1. the as-built elevation (in relation to NGVD) of the lowest floor (including basement) and include whether or not such structures contain a basement.

2. if the structure has been flood proofed, the as-built elevation (in relation to NGVD) to which the structure was flood proofed.

3. any certification of flood proofing.

The Code Enforcement Officer shall maintain for public inspection, and shall furnish such information upon request.

H. FEDERAL AND STATE PERMITS

The Code Enforcement Officer shall not grant a building permit until the applicant certifies that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U. S. C. 1334.

1. In riverine situations, prior to the alteration or relocation of a watercourse the applicant for such authorization shall notify the Wetlands Board of the New Hampshire Environmental Services Department and submit copies of such notification to the Code Enforcement Officer, in addition to the copies required by RSA 482-A:3. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Code Enforcement Officer, including notice of all scheduled hearings before the Wetlands Board.

2. The applicant shall submit to the Code Enforcement Officer, certification provided by a registered professional engineer, assuring that the flood carrying capacity of an altered or relocated watercourse can and will be maintained.

3. The Code Enforcement Officer shall obtain, review, and reasonably utilize any floodway data available from Federal, State, or other sources as criteria for requiring that all development located Zone A meet the following floodway requirement:

   > "No encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway that would result in any increase in flood levels within the community during the base flood discharge."

4. Along watercourses that have not had a Regulatory Floodway designated or determined by a federal, State or other source; no new construction, substantial improvements, or other development (including fill) shall be permitted within zones Al-30 and AE on the FIRM, unless it is demonstrated by the applicant that the cumulative effect of the proposed development, when combined with all existing and anticipated development, will not increase

the water surface elevation of the base flood more than one foot at any point within the community.

I. SPECIAL FLOOD HAZARD AREAS

1. In special flood hazard areas the Code Enforcement Officer shall determine the 100-year flood elevation in the following order of precedence according to the data available:

   a. In zones Al-30, AH, AE, Vl-30, and VE refer to the elevation data provided in the community's Flood Insurance Study and accompanying FIRM or FHBM.

   b. In unnumbered A zones the Code Enforcement Officer shall obtain, review, and reasonably utilize any 100-year flood elevation data available from any federal, state or other source including data submitted for development proposals submitted to the community (i.e. subdivisions, site approvals).

   c. In zone A0 the flood elevation is determined by adding the elevation of the highest adjacent grade to the depth number specified on the FIRM or if no depth number is specified on the FIRM at least 2 feet.

2. The Code Enforcement Officer's 100 year flood elevation determination will be used as criteria for requiring in zones A, Al-30, AE, AH, A0, and A that:

   A. All new construction or substantial improvement of residential structures have the lowest floor (including basement) elevated to or above the 100 year flood elevation;

   B. That all new construction or substantial improvements of non-residential structures have the lowest floor (including basement) elevated to or above the 100 year flood level; or together with attendant utility and sanitary facilities, shall:

      1. be floodproofed so that below the 100 year flood elevation the structure is watertight with walls substantially impermeable to the passage of water;

      2. have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and

      3. be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section;

   C. All manufactured homes to be placed or substantially improved within special flood hazard areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood level; and be securely anchored to resist floatation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces;

   D. All recreational vehicles placed on sites within Zones A1-30, AH, and AE shall either:

1. be on the site for fewer than 180 consecutive days;

2. be fully licensed and ready for highway use; or

3. meet all standards of Section 60.3 (b) (1) of the National Flood Insurance Program Regulations and the elevation and anchoring requirements for "manufactured homes" in Paragraph (c) (6) of Section 60.3.

E. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted provided they meet the following requirements:

1. the enclosed area is unfinished or flood resistant, usable solely for the parking of vehicles, building access or storage;

2. the area is not a basement;

3. shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.

F. Proposed structures to be located on slopes in special flood hazard areas, zones AH and AO shall include adequate drainage paths to guide floodwaters around and away from the proposed structures.

J. VARIANCES AND APPEALS

1. Any order, requirement, decision or determination of the Code Enforcement Officer made under this ordinance may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5.

2. If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, I(b), the applicant shall have the burden of showing in addition to the usual variance standards under state law:

A. that the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense.

B. that if the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result.

C. that the variance is the minimum necessary, considering the flood hazard, to afford relief.

3. The Zoning Board of Adjustment shall notify the applicant in writing that:

A. the issuance of a variance to construct below the base flood level will result in increased premium rates for flood insurance up to amounts as high as $25 for $100 of insurance coverage and

B. such construction below the base flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions.

4. The community shall

A. maintain a record of all variance actions, including their justification for their issuance, and

B. report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.

BOUNDARY DESCRIPTIONS

SECTION 441 BOUNDARY DESCRIPTION (Residential / Commercial)
(as amended 10 March 1993)

Beginning on the common property line of parcel 3 and the new Riverside Cemetery on property map 25 at the westerly streetline of Route 28, thence running to the center line of Route 28; thence running southerly by the centerline of Route 28 to a point opposite the common property line of parcels 9 and 10 on property map 25; thence running easterly to said common property line; thence running easterly by said common property line 125 +/- feet to the common property line of parcels 8 and 10 on property map 25; thence running northeasterly by said common property line 177 +/- feet to the westerly shoreline of the Merrymeeting River; thence running by the westerly shoreline of the Merrymeeting River and parcels 8 and 7 on property map 25 788 +/- feet to the westerly shoreline of the Merrymeeting River abutting Route 28; thence running northerly by said streetline to the westerly shoreline of the Merrymeeting River and parcel 16 on property map 26; thence running by said shoreline 1,030 +/- feet to the westerly shoreline of the Merrymeeting River and parcel 15 on property map 26; thence running by said shoreline and the shoreline of parcels 15, 14, 13 and 12 on property map 26 920+/- feet to the shoreline associated with Route 28 as depicted on property map 26; thence running northerly by said shoreline to the bridge spanning the Merrymeeting River; thence running westerly to the center line of Route 28; thence running by the center line of Route 28 to a point opposite the easterly shoreline of the Merrymeeting River and parcel 8 on property map 9; thence running northwesterly to said shoreline; thence running southeasterly by said shoreline to the common property line of parcels 8 and 9 on property map 9; thence running northeasterly by said common property line 100 +/- feet to a point; thence running northwesterly by said common property line 200 +/- feet to the westerly streetline of the Route 11/28 traffic circle; thence running to the center line intersection of the Route 11/28 traffic circle; thence running northerly and clockwise and to the right by the center line of the Route 11/28 traffic circle to a point opposite the center line of New Durham Road; thence running northeasterly to said center line; thence continuing northeasterly by the centerline of New Durham Road to a point opposite the common property line of parcels 59-1 and 59-2 on property map 9; thence running northerly to said common property line; thence running northerly by said common property line 496.9 +/- feet to the common property line of parcels 59-1 and 59-3 on property map 9; thence running westerly by said common property line 226.63 +/- feet to the easterly streetline of Range Road; thence continuing to run westerly to the center line of Range Road; thence running northerly by said center line to a point opposite the common property line of parcel 60-1-1 on property map 9 and parcel 47 on property map 8; thence running westerly to said common property line; thence running by said common property line 278.12; +/- feet to the common property line of parcels 44 and 47 on property map 8; thence running by said common property line 804.1 +/- feet to the common property line of parcels 46 and 44 on property map 8; thence running northwesterly by said common property line 396.88 +/- feet to the common property line of parcels 44 and 45 on property map 8; thence running northwesterly by said common property line 299.82 +/- feet to a point; thence running westerly by said common property line 550 +/- feet to the easterly streetline of Route 28; thence continuing to run westerly to the center line of Route 28; thence running northwesterly by center line to a point opposite the common property line of parcels 67 and 71 on property map 29; thence running to said common property line; thence running westerly to the common property line of parcel 71 and parcel 67 on property map 29; thence running southerly by said property line 52 +/- feet to a point; thence running southwesterly 64.3 +/- feet to a point; thence running northwesterly by said property line 75 +/- feet to a point; thence running northerly by said property line 17.5 +/- feet to the common property line of parcels 69 and 71 on property map 29; thence running southwesterly by said property line 134.5 +/- feet to a point; thence running southerly by said property line 111.8 +/- feet to the common property line of parcels 69 and 70 on property map 29; thence running southwesterly by said property line 42.12 +/- feet to a point; thence running northerly by said property line 78 +/- feet to a point; thence running westerly by said property line 270 +/- feet to the easterly streetline of Old Wolfeboro Road; thence continuing to run westerly to the center line of Old Wolfeboro Road; thence running southerly by the center line of Old

Wolfeboro Road to a point opposite the common property line of parcels 64A and 64 on property map 29; thence running westerly to said common property line; thence running westerly by said common property line 49 +/- feet to a point; thence running northwesterly by said property line 14.5 +/- feet to a point; thence running westerly by said property line 98.67 +/- feet to the common property line of parcels 64A and 59 on property map 29; thence running northwesterly by said property line and the common property lines of parcels 59 and 64B, 58 and 64B, 56 and 64B, 55 and 64B, 54 and 64B, and 53 and 64B 862 +/- feet to the common property line of parcel 35 of property maps 29 and 31 and parcel 64B on property map 29; thence continuing to run northwesterly by said common property line 262 +/- feet to the common property line of parcels 36-4 and 36-2 on property map 31; thence continuing to run northwesterly by said property line 33.83 +/- feet to the common property line of parcel 36-5 and 36- 2 on property map 31; thence continuing to run northwesterly by said property line 107 +/- feet to the common property line of parcel 33 and 38 on property map 31; thence continuing to run northwesterly by said property line 70.6 +/- feet to a point; thence continuing to run northwesterly by said property line 29.89 +/- feet to the common property line of parcels 33 and 39 on property map 31; thence continuing to run northwesterly by said property line 150 +/- feet to the common property line of parcel 32 and 39 on property map 31; thence continuing to run northwesterly by said property line and the common property line of parcels 32 and 40 on property map 31 150 +/- feet to the common property line of parcel 31 and 40 on property map 31; thence continuing to run northwesterly by said property line and the common property line of parcels 31 and 41 on property map 31 150 +/- feet to the common property line of parcel 31 on property map 31 and parcel 2 on property map 12; thence running northwesterly by said property line and the common property line of parcel 30 on property map 31 and parcel 2 on property map 12 850 +/- feet to the common property line of parcel 26 on property map 31 and parcel 2 on property map 12; thence running by said property line and the common property line of parcel 60 on property map 32 and parcel 2 on property map 12, and parcel 55 on property map 32 and parcel 2 on property map 32 2061 +/- feet to the common property line of parcel 55 on property map 32 and parcel 3A on property map 12; thence running westerly by said common property line and the common property line of parcel 55 on property map 32 and parcel 3 on property map 12 200 +/- feet to the common property line of parcel 77 on property map 33 and parcel 55 on property map 33; thence running southwesterly by said common property line 292.5 +/- feet to a point; thence running westerly by said property line 475 +/- feet to the common property line of parcel 51 on property map 32 parcel 77 on property map 33; thence continuing to run westerly 112 +/- feet to the common property line of parcel 79-1 on property map 33 and parcel 77 on property map 33; thence running northwesterly by said common property line 483 +/- feet to the common property line of parcels 78 and 79-1 on property map 33; thence running southwesterly 165 +/- feet by said property line to a point; thence running north westerly 264 +/- feet to the easterly streetline of Bay Hill Road; thence continuing to run northwesterly to the center line of Bay Hill Road; thence running southwesterly by the center line of Bay Hill Road to the center line intersection of Route 28A and Bay Hill Road; thence running southerly by the center line of Route 28A to a point opposite the common property line of parcels 84 and 83 on property map 33; thence running southwesterly to said common property line; thence running southwesterly by said common property line to the shore of Lake Winnipesaukee; thence running southerly by the easterly shoreline of Lake Winnipesaukee and parcels 83 and 82 of property map 33 284 +/- feet to the shoreline associated with Route 11 as depicted on property map 33; thence running southwesterly by said shoreline to the bridge spanning Lake Winnipesaukee, otherwise known as Smith Bridge, thence running southerly to the centerline of Route 11; thence running southwesterly by the centerline of Route 11 to a point opposite the westerly shoreline of Lake Winnipesaukee and parcel 81 on property map 33; thence running northwesterly to said shoreline; thence running by the westerly shoreline of Lake Winnipesaukee and parcel 81 360 +/- feet to the shore line of parcel 41 on property map 34; thence running by the westerly shore line of Lake Winnipesaukee and parcel 41 108 +/- feet to the shoreline of parcel 37 on property map 34; thence running by the westerly shoreline of Lake Winnipesaukee and parcel 37 325 +/- feet to the shoreline of parcel 36 on property map 34; thence continuing to run by the westerly shoreline of Lake Winnipesaukee and parcel 36 to the bridge spanning Lake Winnipesaukee, otherwise known as Rand Cove bridge, thence running southwesterly to the center line of Route 11; thence running northwesterly by the center line of Route 11 to a point opposite the westerly shoreline of Lake Winnipesaukee and the easterly streetline of Route 11; thence running northeasterly to said shoreline; thence running by said shoreline to the westerly shoreline of Lake

Winnipesaukee and parcel 45A on property map 36; thence running westerly by said shoreline 50 +/- feet to the shoreline of parcel 45B on property map 36; thence running by the westerly shoreline of Lake Winnipesaukee and parcels 45B and 45 on property map 36 195 +/- feet to the shoreline associated with Route 11 as depicted on property map 36; thence continuing to run by the westerly shoreline of Lake Winnipesaukee and Route 11 to the shoreline of parcel 44 on property map 36; thence continuing to run by the westerly shoreline of Lake Winnipesaukee and parcel 44 60 +/- feet to the shoreline associated with Route 11 as depicted on property map 36; thence continuing to run by the westerly shoreline of Lake Winnipesaukee and Route 11 to parcel 47 on property map 36; thence continuing to run by the westerly shoreline of Lake Winnipesaukee and parcel 47 92 +/- feet to the shoreline associated with Route 11 as depicted on property map 36; thence continuing to run by the westerly shoreline of Lake Winnipesaukee and Route 11 to parcel 43 on property map 36; thence continuing to run by the westerly shoreline of Lake Winnipesaukee and parcels 43, 42, 41, 40 and 39 on property map 36 412 +/- feet to the shoreline associated with Route 11 as depicted on property map 36; thence continuing to run by the westerly shoreline of Lake Winnipesaukee and Route 11 to the shoreline of parcel 37 on property map 36; thence continuing to run by the westerly shoreline of Lake Winnipesaukee and parcel 37 60 +/- feet to the shoreline of parcel 38 on property map 36; thence continuing to run by the westerly shoreline of Lake Winnipesaukee and parcel 38, otherwise known as Loon Island, 733 +/- feet to the common property line of parcels 37 and 38 being the westerly shoreline of Lake Winnipesaukee on property map 36; thence continuing to run by the westerly shoreline of Lake Winnipesaukee and parcel 37, otherwise known as Sandy Point, 1840 +/- feet to the shoreline associated with Route 11 as depicted on property map 36; thence continuing to run by the westerly shoreline of Lake Winnipesaukee and Route 11 250 +/- feet to a point opposite the common property line of parcel 36 on property map 36 and parcel 4 on property map 38; thence running southwesterly across Route 11 to said common property line; thence running southwesterly by said common property line 130 +/- feet to the easterly streetline of Spring Street; thence continuing to run southwesterly to the centerline of Spring Street; thence running southeasterly and southerly by the center line of Spring Street to a point opposite the common property line of parcels 14 and 9 on property map 36; thence running easterly to said common property line; thence running northeasterly by said property line and the common property line of parcels 14 and 10, and 14 and 12 on property map 36 170 +/- feet to the common property line of parcels 13 and 12 on property map 36; thence continuing to run northeasterly by said common property line 60 +/- feet to the westerly streetline of Route 11; thence continuing to run northeasterly to the center line of Route 11; thence running southeasterly by the centerline of Route 11 to a point opposite the common property line of parcels 33 and 35 on property map 34; thence running southwesterly to said common property line; thence southeasterly by said common property line 269.58 +/- feet to a point; thence continuing to run southeasterly by said common property line 38.82 +/- feet to a point; thence continuing to run southeasterly by said common property line 122.64 +/- feet to a point; thence continuing to run southeasterly by said common property line 432.91 +/- feet to a point; thence continuing to run southeasterly by said common property line 270.3 +/- feet to a point; thence continuing to run southeasterly by said common property line 262.02 +/- feet to the common property line of parcels 34 and 33 on property map 34; thence continuing to run southeasterly by said common property line 146.75 +/- feet to the northerly streetline of Rand Hill Road; thence running southeasterly to the center line of Rand Hill Road; thence running westerly by the center line of Rand Hill Road to a point opposite the common property line of parcels 1 and 2 on property map 34; thence running southeasterly to said common property line; thence running southeasterly by said common property line 155 +/- feet to the common property line of parcel 1 on property map 34 and parcel 11 on property map 32; thence continuing to run southeasterly by said common property line 55.5 +/- feet to a point; thence running northeasterly by said common property line 70 +/- feet to the common property line of parcels 11 and 8 on property map 32; thence running southeasterly by said common property line 63.51 +/- feet to the common property line of parcels 8 and 9 on property map 32; thence running southeasterly by said common property line 314.14 +/- feet to the common property line of parcels 3 and 8 on property map 32; thence running northeasterly by said common property line and the common property line of parcels 3 and 5-1 on property map 32 60 +/- feet to the common property line of parcels 4 and 5-1 on property map 32; thence running northerly by said common property line 8 +/- to a point; thence running northeasterly by said common property line 22 +/- feet to the common property line of parcels 4 and 5 on property map 32; thence continuing to run northeasterly by said common property line 72 +/- feet

to the westerly streetline of River Lake West Street; thence continuing to run northeasterly to the center line of River Lake West Street; thence running southerly by the center line of River Lake West Street to a point opposite the common property line of parcels 17 and 18 on property map 32; thence running northeasterly to said common property line; thence running easterly by said common property line 114.28 +/- feet to the westerly shoreline of the Merrymeeting River; thence running southerly by the westerly shoreline of the Merrymeeting River and parcels 18, 18-1, 19, 20, 21 and 22 352 +/- feet to a point opposite the common property line of parcels 46 and 49 on property map 32; thence running easterly across the river to said common property line; thence running easterly by said common property line 196.8 +/- feet to a point; thence running southeasterly by said common property line 164.75 +/- feet to a point; thence running northerly by said common property line 330 +/- feet to the common property line of parcels 46 and 47 on property map 32; thence running northeasterly by said common property line 245.78 +/- feet to the westerly streetline of Route 11, otherwise known as Main Street; thence continuing to run northeasterly to the center line of Route 11; thence running southeasterly by the center line of Route 11 to a point opposite the common property line of parcels 45 and 46 on property map 32; thence running southwesterly to said common property line; thence running by said common property line 163.25 +/- feet to a point; thence running southeasterly by said common property line 49.43 +/- feet to a point; thence continuing to run southeasterly by said common property line 75.18 +/- feet to the common property line of parcels 43 and 46 on property map 32; thence running southwesterly by said common property line 20 +/- feet to the westerly sideline of Barr Road north as depicted on property map 32; thence running southeasterly by the westerly limits of Barr Road north 125 +/- feet to the northerly streetline of Barr Road; thence running northwesterly by northerly streetline of Barr Road 18.3 +/- feet to a point; thence running southwesterly by said streetline 163.4 +/- feet to a point; thence continuing to run southwesterly 102.4 +/- feet to the common property line of parcels 42 and 43 on property map 32; thence continuing to run southwesterly by said common property line 97.19 +/- feet to the common property line of parcels 41 and 43 on property map 32; thence running southeasterly across Barr Road and by said common property line 107.82 +/- feet to the easterly shoreline of the Merrymeeting River; thence running southerly by said shoreline 792 +/- feet to the easterly shoreline of the Merrymeeting River and parcel 25 on property map 31; thence running southeasterly by the easterly shoreline of the Merrymeeting River and parcels 25, 24, 23, 22, and 21 598 +/- feet to the easterly shoreline of the Merrymeeting River associated with Letter "S" Road as depicted on property map 31; thence continuing to run by the easterly shoreline of the Merrymeeting River and Letter "S" Road to the shoreline of parcel 45 on property map 31; thence continuing to run by the easterly shoreline of the Merrymeeting River and parcel 45 123 +/- feet to the easterly shore line of the Merrymeeting River associated with Letter "S" Road as depicted on Property map 31; thence continuing to run by the easterly shoreline of the Merrymeeting River and Letter "S" Road to a point opposite the common property line of parcels 14 and 15 on property map 31; thence running southeasterly across Letter "S" Road to said common property line; thence continuing to run southeasterly by said common property line 335 +/- feet to a point; thence running southwesterly to the easterly shore of Mill Pond; thence running southerly by the easterly shore of Mill Pond and parcel 14 on property map 31 and parcels 52, 51, 48, 47 and 39 on property map 29 1,635 +/- feet to the common property line of parcels 35 and 37 on property map 29; thence running southeasterly by said common property line 125.5 +/- feet to the common property line of parcels 36 and 37 on property map 29; thence running northeasterly by said common property line 105 +/- feet to the common property line of parcels 36 and 38 on property map 29; thence running southeasterly by said common property line 390 +/- feet to the easterly streetline of Hutchins Circle; thence running westerly to the center line of Hutchins Circle ; thence running southeasterly by the center line of Hutchins Circle to the center line intersection of Mitchell Avenue; thence running southwesterly by the center line of Mitchell Avenue to a point opposite the common property line of parcels 19 and 20 on property map 29; thence running southeasterly to said common property line; thence running southeasterly by said common property line 140 +/- feet to the common property line of parcels 19 and 22 on property map 29; thence running northeasterly by said common property line 40 +/- feet to the common property line of parcels 22 and 15 on property map 29; thence running southeasterly by said common property line and the common property line of parcels 13 and 14 on property map 29 195 +/- feet to the northerly streetline of Route 140; thence running to the center line of Route 140; thence running southwesterly by the center line of Route 140 to a point opposite the common property line of parcels 3 and 4 on property map 29;; thence running to said

common property line; thence running by said common property line and the common property line of parcel 15 on property map 28 and parcel 3 on property map 29 76.4 +/- feet to a point; thence running northeasterly by said common property line 10.5 +/- feet to a point; thence running southeasterly by said common property line 62.6 +/- feet to the common property line of parcel 15 on property map 28; and parcel 28 on property map 27; thence running southeasterly by said common property line 131.4 +/- feet to the northeasterly streetline of Church Street; thence continuing to run southeasterly to the center line of Church Street; thence running northeasterly by the center line of Church Street to a point opposite the common property line of parcel 27 on property map 27 and parcel 16 on property map 28; thence running southeasterly to said common property line; thence continuing to run southeasterly by said common property line 115 +/- feet to the common property line of parcel 22-1 on property map 27 and parcel 16 on property map 28; thence running southwesterly by said common property line 60 +/- feet to the common property line of parcel 23 on property map 28 and parcel 22-1 on property map 27; thence running southeasterly by said common property line 160 +/- feet to the common property line of parcel 23 on property map 28 and parcel 22 on property map 27; thence continuing to run southeasterly by said common property line 165 +/- feet to the northerly streetline of School Street; thence continuing to run southeasterly to the center line of School Street; thence running easterly by the center line of School Street to a point opposite the common property line of parcels 19 and 20 on property map 27; thence running to said common property line; thence running southeasterly by said common property line 335 +/- feet to the common property line of parcels 20 and 17 on property map 27; thence running southwesterly by said common property line and the common property line of parcel 24 on property map 28 and parcel 17 on property map 27 263.7 +/- feet to the common property line of parcel 27 on property map 28 and parcel 17 on property map 27; thence running southeasterly by said common property line 471.1 +/- feet to the common property line of parcels 17 and 10 on property map 27; thence running northeasterly by said common property line and by the common property line of parcels 11 and 17 on property map 27 452.2 +/- feet to the common property line of parcels 11 and 16 on property map 27; thence running southeasterly by said common property line and the common property line of parcels 11 and 15, and 12 and 13 on property map 27 287.7 +/- feet to the northerly streetline of Barnes Avenue; thence continuing to run southeasterly to the center line of Barnes Avenue; thence running northeasterly by said center line to a point opposite the common property line of parcels 5 and 6A on property map 27; thence running southeasterly to said common property line; thence continuing to run southeasterly by said common property line 75 +/- feet to the common property line of parcels 3-1 and 5 on property map 27; thence running northeasterly by said common property line and the common property line of parcels 3-1 and 4 on property map 27 175 +/- feet to the common property line of parcels 3-1 and 3 on property map 27; thence running southeasterly by said common property line 61.1 +/- feet to the common property line of parcels 3 and the Riverside Cemetery as depicted on property map 27; thence running northeasterly by said common property line 158 +/- feet to the westerly streetline of Route 11, otherwise known as Main Street, thence continuing to run northeasterly to the center line of Route 11; thence running southeasterly by the center line of Route 11 to a point opposite the common property line of parcel 2 and the Riverside Cemetery as depicted on property map 27; thence running southwesterly to said common property line; thence continuing to run southwesterly by said common property line 290 +/- feet to the easterly shoreline of the Merrymeeting River; thence running southerly by the easterly shoreline of the Merrymeeting River and parcels 2 and 1 on property map 27 365 +/- feet to the easterly shoreline of the Merrymeeting River and parcel 9 on property map 26; thence running by said shoreline and the shoreline of parcel 8 on property map 26 1,540 +/- feet to the shoreline associated with Route 28 as depicted on property map 26; thence continuing to run southerly by said shoreline to the Route 28 bridge spanning the Merrymeeting River; thence running easterly to the centerline of Route 28; thence running by the centerline of Route 28 to a point opposite the westerly shoreline of the Merrymeeting River associated with Route 28; thence running westerly to said shoreline; thence running southwesterly by said shoreline to the westerly shoreline of the Merrymeeting River and parcel 6 on property map 26; thence running by said shoreline and the shoreline of parcel 7 on property map 26 2,850 +/- feet to the westerly shoreline of the Merrymeeting River and parcel 5 on property map 26; thence continuing to run by the westerly shoreline of the Merrymeeting River and parcel 5 on property map 26 130 +/- feet to the common property line of parcel 49 on property map 8 and parcel 5 on property map 26; thence running southeasterly by said common property line and the common property line of parcel 4 on property map 26 and

parcel 49 on property map 8 450 +/- feet to a point; thence running easterly by said common property line 214.5 +/- feet to the westerly streetline of Route 28; thence running southerly by said streetline to the common property line of parcel 3 on property map 26 and parcel 49 on property map 8; thence running westerly by said common property line 135.01 +/- feet to a point; thence running southwesterly along said property line 64.2' +/- feet to a point; thence running southwesterly by said property line and by the common property line of parcels 2 and 1 on property map 26 and parcel 49 on property map 8 543.88 +/- feet to the common property line of parcel 50-1 on property map 8 and parcel 1 on property map 26; thence running easterly by said common property line 166.8 +/- feet to the common property line of parcel 50-1 on property map 8 and parcel 6 on property map 25; thence running southeasterly by said common property line 627.46 +/- feet to the common property line of parcel 4 on property map 25 and parcel 50-1 on property map 8; thence running southeasterly by said common property line 50.16 +/- feet to a point; thence continuing to run southeasterly by said common property line 125.4 +/- feet to a point; thence continuing to run southeasterly 53.92 +/- feet to the common property line of parcel 3 on property map 25 and parcel 50 on property map 8; thence continuing to run southeasterly by said common property line 200.5 +/- feet to a point; thence continuing to run southeasterly by said property line 127.1 +/- feet to the common property line of parcel 3 on property map 25 and the new Riverside Cemetery as depicted on property map 25; thence running northeasterly by said common property line 140 +/- feet to a point; thence running easterly by said common property line 52.7 +/- feet to a point; thence running northeasterly by said property line 214.1 +/- feet to a point; thence running easterly by said property line 100.3 feet to a point; thence continuing to run easterly by said property line 125.1 +/- feet to the westerly streetline of Route 28 - the point of beginning.

Beginning at a point on Tax Map 32 said point being in a common property corner of parcels 34, 46 and 53 thence running southerly by the common property line of parcel 34 and 53 on Tax Map 32 150 feet +/-, thence continuing to run by the common property line of parcels 34 and 43 westerly 72 feet +/-, thence running southerly by the common property line of parcels 37, 38, 39 and 43 363 feet +/- to the existing zone line on the northerly side line of Barr Road as shown on Tax Map 32, thence running by said zone line easterly and northerly to a point, thence running to the common property line of parcels 43 and 46 northwesterly 416 feet +/- to the point of beginning. Meaning and intending to rezone the area described from Residential to Residential Commercial.
(as amended 11 March 1998)

Meaning and intending to rezone the area described from Rural to Residential Commercial amended by petition 11 March 1999 to include Map 29, Lots 64A, 64B, 65, 66, 67, 68, 69, 83, 85 and Tax Map 31, Lot 37 of the Alton Tax Maps dated April 1, 1998. (As amended, 11 March 1999)

All property references are to the property map Town of Alton, Belknap County, New Hampshire prepared by James W. Sewall Co., Old Town, Maine, revised to April 1, 1992. Meaning and intending to determine the bounds of the Residential-Commercial Zone there by expanding the existing Residential-Commercial Zone into the adjacent Residential, Lakeshore Residential Rural, and Rural Zones for areas within the bounds and reducing the existing Residential/Commercial Zone causing a corresponding expansion of the adjacent Residential, Lakeshore Residential, Residential Rural and Rural Zones for areas outside the bounds described.

SECTION 361 BOUNDARY DESCRIPTION (Residential Rural Zone)
(as amended 14 March 1978)

a. Beginning at Rotary Intersection of Routes 11 and 28 at the boundary between the RC & Rural Zone; thence easterly on Route 11 to the New Durham Line; thence northerly along the Alton-New Durham boundary to the northerly side of Marsh Pond; thence southwesterly along Marsh Pond shore line to Clark Brook; thence northwesterly along Clark Brook to intersection of Clark Brook and Clark Road, thence westerly on Clark Road to intersection of Clark Road and Old Wolfeboro Road; thence southerly on Old Wolfe- boro Road to the easterly side of Route 28; thence southerly on Route 28 to the RC Zone; thence easterly and southerly on RC Zone to point of beginning.
(as amended 11 March 1992)

b. Beginning at a point on the center line of Bay Hill Road opposite the common property line of parcel 31 on property map 11 and parcel 7 on property map 12; thence running northerly to said common property line; thence running northerly by said property line 225' +/- feet to the common property line of parcel 31 on property map 11 and parcel 10 on property map 12; thence continuing to run northerly by the common property line of parcel 31 on property map 11 and parcel 10 on property map 12, 530' +/- feet to the common property line of parcel 31 on property map 11 and parcel 13 on property map 12; thence continuing to run northerly by the common property line of parcel 31, on property map 11 and parcel 13 on property map 12 1160' +/- feet to the common proper- ty line of parcel 31 on property map 11 and parcel 15 on property map 12; thence continuing to run northerly by the common property line of parcel 31 on property map 11 and parcel 15 on property map 12, 1200' +/- feet to the common property line of parcel 30 on property map 11 and parcel 17 on property map 12; thence continuing to run northerly by the common property line of parcel 30, on property map 11 and parcel 17 on property map 12 960' +/- feet to the common property line of parcel 27 and 28 on property map 11; thence continuing to run northerly by the common property line of parcels 27 and 28 on property map 11 1884' +/- feet to a point; thence running northwesterly by the common property line of parcels 27 and 28 on property map 11 107' +/- feet to a point; thence running westerly by the common property line of parcels 27 and 28 on property map 11 and the common property line of parcel 28 on property map 11 and parcels 64 and 63 on property map 37, 1179' +/- feet to a point; thence running northwesterly by the common property line of parcel 28 on property map 11 and parcels 63 and 62 on property map 37, 359' +/- feet to a point; thence running northerly by the common property lines of parcel 28 on property map 11 and parcels 62 and 61 on property map 37 554' +/- feet to the common property line of parcels 22 on property map 14 and 28 on property map 11; thence running easterly by the common property line of parcel 22 on property map 14 and parcel 28 on property map 11, 294' +/- feet to the common property line of parcel 22 on property map 14 and parcel 5 on property map 15; thence running northerly by the common property line of parcels 22 on property map 14 and parcel 5 on property map 15, 2494' +/- feet to a point; thence running easterly by the common property line of parcel 5 and Bowman Road on property map 15 and parcel 22 on property map 14 734' +/- feet to the common property line of parcel 22 on property map 14 and parcel 10 on property map 15; thence running northwesterly by the common property line of parcels 22, 21, and 17 on property map 14 and parcel 10 on property map 15, 1683' +/- feet to a point; thence running north- easterly by the common property line of parcel 17 on property map 14 and parcel 10 on property map 15, 1151' +/- feet to the south- westerly line of Miramechie Hill Road; thence continuing to run northeasterly to the center line of Miramechie Hill Road; thence running northwesterly by the center line of Miramechie Hill Road to the center line of Route 28A; thence running easterly by the center line of Route 28A to a point of intersection with the center line of the Old Wolfeboro Road on Route 28; thence running southwesterly and southerly by the center line of the Old Wolfeboro Road to a point opposite the common property line of parcels 62 and 63 on property map 15; thence running westerly to the common property line of parcels 62 and 63 on property map 15; thence continuing to run westerly by the common property line of parcels 63 and parcels 62 and 2 on property map 15 1170 +/- feet to a point; thence running southerly by the common property line of parcel 2 and 63 on property map 15 640 +/- feet to the common property line of parcel 19 and 23-1 on property map 12; thence continuing to run southerly by the common property line of parcel 19 and 23-1 on property map 12 to the northerly line of Lily Pond Road; thence continuing southerly across Lily Pond Road to the common property line of parcels 18 and 18-1 on property map 12; thence continuing to run southerly by the common property line of parcels 18 and 18-1, 18, and 21-1, 18 and 21, 18 and 21-4, on the property map 12 1640' +/- feet to the common property line of parcels 16 and 21-2 on property map 12; thence continuing to run southerly by the common property line of parcels 16 and 21-2, on property map 12 775 +/- feet to the common property line of parcels 16A and 42 on property map 12; thence continuing to run southerly by the common property line of parcels 16A and 42 on property map 12 1348' +/- feet to the common property line of parcels 14 and 44 on property map 12; thence continuing to run southerly by the common property line of parcels 14 and 44, on property map 12, 1658 +/- feet to the northerly line of Bay Hill Road; thence running southerly across Bay Hill Road to the common property line of parcels 5 and 48 on property map 12; thence continuing to run southerly by the common property line of
parcels 5 and 48, on property map 12 120' +/- feet to the common property line of parcels 4 and 48 on property map 12; thence continuing to run southerly by the common property lines of parcels 4 and 48, also

parcels 4 and 49 on property map 12, 520' +/- feet to the common property line of parcel 1 and 49 on property map 12; thence running easterly by the common property lines of parcels 1 and 49, also parcel 1 and 50 on property map 12, 1200' +/- feet to the westerly street line of the Old Wolfeboro Road; thence running easterly to the center line of Old Wolfeboro Road on property map 12; thence running southerly and southwesterly by the center line of the Old Wolfeboro Road and the existing RR (Residential Rural) zone to the center line intersection of the Old Wolfeboro Road and Route 28 on property maps 12, 8 and 31; thence running northerly by the center line of Route 28 to a point opposite the common property line of parcel 2 on property map 12 and parcel 42 on property map 31; thence running westerly to the common property line of parcel 2 on property map 12 and parcel 42 on property map 31, thence running by the common property line of parcel 2 on property map 12 and parcel 42 on property map 31 349 +/- to the easterly side line of the end of Pearson Road on property map 31 and parcel 2 on property map 12; thence continuing to run westerly along the end of Pearson Road on property map 31 and parcel 2 on property map 12 to the westerly side line of the end of Pearson Road and parcel 41 on property map 31 and parcel 2 on property map 21; thence continuing to run westerly by the common property line of parcel 41 on property map 31 and parcel 2 on property map 12 349' +/-to the common property line of parcel 2 on property map 12 and parcel 30 on property map 31; thence running northerly by the common property line of parcel 2 on property map 12 and parcels 30 and 26 on property map 31 1110' +/- feet; thence continuing to run northerly by the common property line of parcel 2 on property map 12 parcels 60 and 55 on property map 32 1600+/- feet to parcel 2 on property map 12 and parcel 3A on property map 12; thence running westerly by the common property line of parcel 3A on property map 12 and parcel 55 on property map 32 30+/- feet; to the common property line of parcel 3 and 3A on property map 12; thence running northerly by the common property line of parcel 3A and parcel 3 on property map 12 550' +/- feet to the southerly side of Bay Hill Road; thence continuing to run northerly to the center line of Bay Hill Road; thence running westerly by the center line of Bay Hill Road 100+/- feet to the point of beginning.
(as amended 10 March 1993)

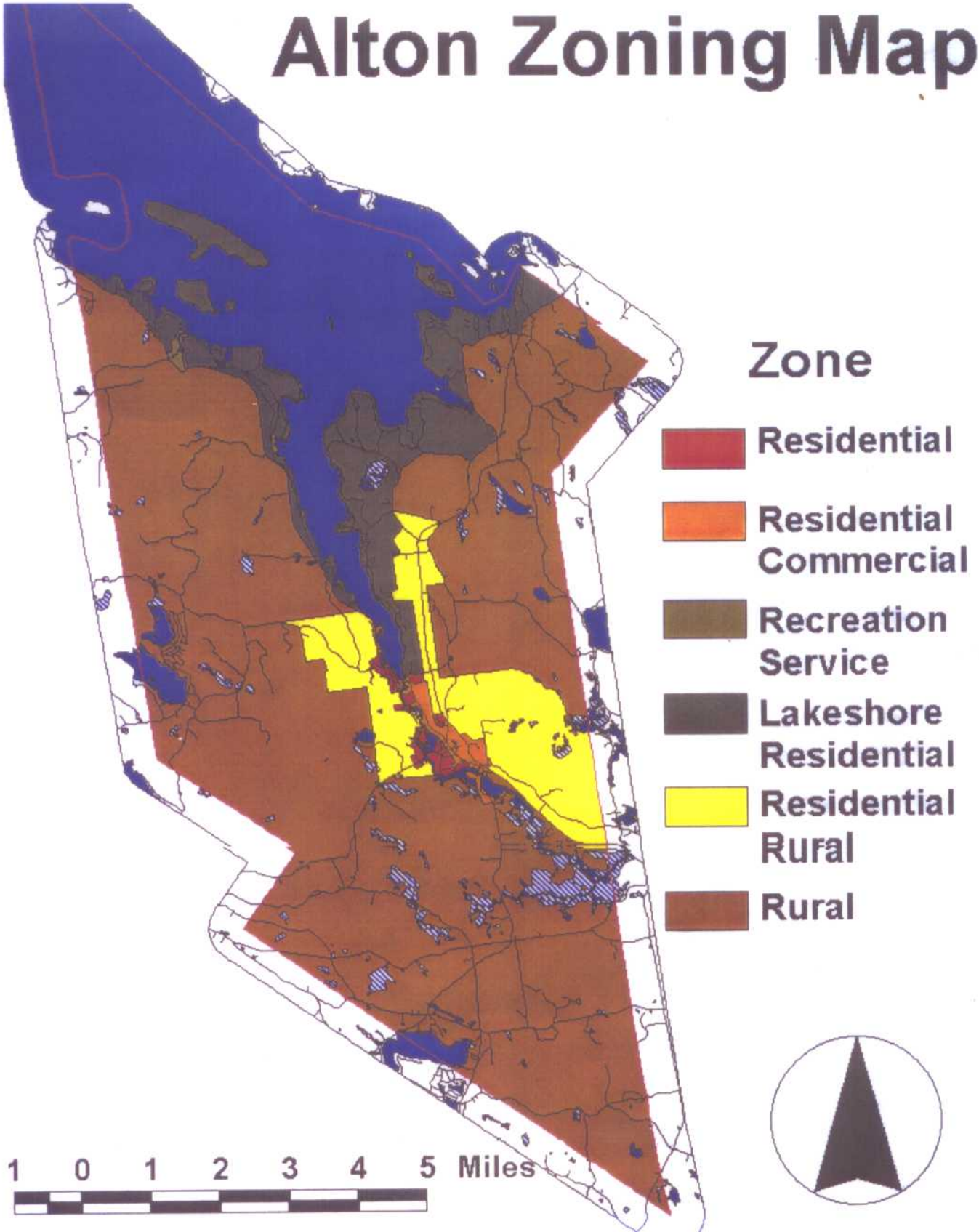
c. Beginning on the common property line of parcel 1 on property map 28 and parcel 32 on property map 8 on the northerly streetline of Route 140; thence running northwesterly 209 +/- feet to the common property line of parcel 33 on property map 8 and parcel 1 on property map 28; thence running northwesterly by said common property line 458.54 +/- feet to the common property line of parcels 3 on property map 30 and parcel 1 on property map 28: thence running northeasterly 136.11 +/- feet to a point; thence running southeasterly by said common property line 200.43' +/- feet to a point; thence running northeasterly by said common property line 85.24 +/- feet to the westerly streetline of Elliott Road; thence continuing to run northeasterly across Elliott Road to the common property line of parcels 3 and 4 on property map 30; thence running northwesterly by said common property line and the common property line of parcels 3 and 3-1 on property map 30 271.2 +/- feet to a point; thence continuing to run northwesterly by said common property line 10' +/- feet to the easterly streetline of Elliot Road; thence continuing to run northwesterly to the center line of Elliot Road; thence running northerly by the center line of Elliot Road to a point opposite the common property line of parcels 3 and 3-1 on property map 30; thence running to said common property line; thence running northeasterly by said common property line 295 +/- feet to the common property line of parcels 3 and 8 on property map 30; thence running northwesterly by said common property line 235 +/- feet to the common property line of parcels 3 and 10 on property map 30; thence running southwesterly by said common property line 190 +/- feet to a point; thence running northwesterly by said property line 410 feet to the common property line of parcels 3-2 and 10 on property map 30; thence running northeasterly by said common property line 24 +/- feet to the common property line of parcels 3-2 and 12 on property map 30; thence running northwesterly by said common property line 143 +/- feet to a point; thence running northeasterly by said property line 150 +/- feet to the common property line of parcels 2 and 12 on property map 30; thence continuing to run northeasterly by said common property line and the common property line of parcels 2 and 13 on property map 30 58.8 +/- feet to a point; thence running northwesterly by said common property line 368.5 +/- feet to the common property line of parcel 13 on property map 30 and parcel 34 on property map 8; thence running northeasterly by said common property line 176 +/- feet to a point; thence continuing to run northeasterly by said common property line 195 +/- feet to the common property line of parcel 34 on property

map 8 and parcel 18 on property map 30; thence running northeasterly by said common property line 60 +/- feet to the westerly shoreline of the Merrymeeting River; thence running northerly by the westerly shoreline of the Merrymeeting River and parcel 34 on property map 8 100 +/- feet to the westerly shoreline of the Merrymeeting River and parcel 18 as depicted on property map 30; thence continuing to run northerly by said shoreline to the westerly shoreline of the Merrymeeting River and parcel 36 on property map 8; thence continuing to run northerly by said shoreline to the westerly shoreline of the Merrymeeting River and parcel 18 on property map 31; thence running by said shoreline and the westerly shoreline of the River and parcel 20 on property map 31 to the common property line of parcels 19 and 20 on property map 31; thence running southwesterly by said common property line 101.9 +/- feet to the common property line of parcels 18 and 19 on property map 31; thence running northwesterly by said common property line 50 +/- feet to a point; thence running southwesterly by said common property line 49.5 +/- feet to the common property line of parcels 37 and 37-5 on property map 8; thence running westerly by said common property line 195.4 +/- feet to the easterly limits of Pine Tree Circle; thence running southerly to the centerline of Pine Tree Circle; thence running westerly and northerly by said center line to a point opposite the common property line of parcels 37-2 and 37 on property map 8; thence running westerly to said common property line; thence running westerly by said common property line 350 +/- feet to a point; thence running northerly by said common property line and the common property line of parcels 37-3 and 37 on property map 8 406.52 +/- feet to the common property line of parcel 4 on property map 11 and parcel 37-4 on property map 8; thence running easterly by said common property line 390 +/- feet to the common property line of parcel 2 on property map 32 and parcel 4 on property map 11; thence running northwesterly by said common property line and the common property line of parcel 3 on property map 32 and parcel 4 on property map 11 1345' +/- feet to the common property line of parcel 9 on property map 32 and parcel 4 on property map 11; thence running southwesterly by said common property line and by the common property line of parcel 3 on property map 34 and parcel 4 on property map 11 279 +/- feet to the common property line of parcel 65 on property map 32 and parcel 4 on property map 11; thence running northwesterly by said common property line 294 +/- feet to a point; thence continuing to run northwesterly 84.7 +/- feet to the common property line of parcel 4 on property map 34 and parcel 4 on property map 11; thence running by said common property line and the common property line of parcel 5 on property map 34 and parcel 4 on property map 11 292.4 +/- feet to the common property line of parcel 6 on property map 34 and parcel 5 on property map 11; thence running northwesterly by said common property line 338.56 +/- feet to the common property line of parcel 8 on property map 34 and parcel 5 on property map 11; thence running southwesterly by said common property line 40 +/- feet to a point; thence running northwesterly by said common property line and by the common property line of parcels 9 on property map 34 and 5 on property map 11 and parcel 10 on property map 34 and parcel 5 on property map 11 186 +/- feet to a point; thence running northeasterly by the latter said common property line 92.48 +/- feet to the southerly streetline of Rand Hill Road; thence running northwesterly by said streetline 30 +/- feet to the common property line of parcel 10 on property map 34 and parcel 5 on property map 11; thence running southwesterly by said common property line and the common property line of parcel 13 on property map 34 and parcel 5 on property map 11 90 +/- feet to a point; thence running northwesterly by said common property line and the common property line of parcel 15 on property map 34 and parcel 5 on property map 11 100 +/- feet to the common property line of parcel 16 on property map 34 and parcel 5 on property map 11; thence continuing to run northwesterly by said common property line 40' +/- feet to a point; thence running westerly by said common property line 120 +/- feet to a point; thence running northeasterly by said common property line and the common property line of parcel 17 on property map 34 and parcel 5 on property map 11 102.02 +/- feet to the southerly streetline of Rand Hill Road; thence running westerly by said streetline of Rand Hill Road 39.48 +/- feet to the common property line of parcel 18 on property map 34 and parcel 5 on property map 11; thence running southwesterly by the common property line 113.61 +/- feet to a point; thence running northwesterly 130.08 +/- feet to a point; thence running northeasterly 112.02 +/- feet to the southerly streetline of Rand Hill Road; thence running northeasterly to the center line of Rand Hill Road; thence running westerly by said center line to a point opposite the common property line of parcel 19B on property map 34 and parcel 6 on property map 11; thence running northwesterly to said common property line; thence running northeasterly by said common property line 142 +/- feet to the common property line of parcel 20 on property map 34 and parcel 6 on property map 11; thence running northerly by said common property line

112 +/- feet to a point; thence running northeasterly by said common property line 155 +/- feet to the common property line of parcel 22 on property map 34 and parcel 6 on property map 11; thence running northwesterly by said common property line 170 +/- feet to the common property line of parcel 23 on property map 34 and parcel 6 on property map 11; thence continuing to run northwesterly by said common property line 152.3 +/- feet to the common property line of parcel 23 on property map 34 and parcel 25-46 on property map 11; thence running northeasterly by said common property line 151.3 +/- feet to the common property line of parcel 24 on property map 34 and parcel 25-46 on property map 11; thence running northeasterly by said common property line and the common property line of parcel 25 on property map 34 and parcel 25-46 on property map 11 155.25 +/- feet to the common property line of parcel 25 on property map 34 and parcel 25-47 on property map 11; thence running southeasterly by said common property line 70.72 +/- feet to the common property line of parcel 26 on property map 34 and parcel 25-47 on property map 11; thence running northeasterly by said common property line 298.35 +/- feet to the common property line of parcel 26 on property map 34 and parcel 25 on property map 11; thence running southeasterly by said common property line 150 +/- feet to the westerly street line of Spring Street; thence continuing to run southeasterly to the centerline of Spring Street; thence running northerly by said centerline to a point opposite the common property line of parcel 1 on property map 36 and parcel 25 on property map 11; thence running westerly to said common property line; thence running northwesterly by said common property line 130 +/- feet to a point; thence running easterly by said common property line 50 +/- feet to the westerly street line of Spring Street; thence continuing to run easterly to the center line of Spring Street; thence running northerly by said center line to a point opposite the common property line of parcel 36 on property map 36 and parcel 4 on property map 38; thence running northeasterly to said common property line; thence continuing to run northeasterly by said common property line 130+/- feet to the westerly street line of Route 11; thence continuing to run northeasterly to the center line of Route 11; thence running northwesterly by said center line to a point opposite the common property line of parcel 20 on property map 38 and parcel 25-27 on property map 11; thence running southwesterly to said common property line; thence continuing to run southwesterly by said common property line and the common property line of parcel 21 on property map 38 and parcel 25-27 on property map 11 526.78 +/- feet to the common property line of parcel 21 on property map 38 and parcel 23 on property map 11; thence continuing to run southwesterly by said common property line 200 +/- feet to the common property line of parcel 21 on property map 38 and parcel 23-1 on property map 11; thence continuing to run southwesterly by said common property line and the common property line of parcel 56 on property map 38 and parcel 23-1 on property map 11 300 +/- feet to the northerly street line of Rand Hill Road; thence continuing to run southwesterly across Rand Hill Road to the common property line of parcels 21 and 22 on property map 11; thence continuing to run southwesterly by said common property line 300 +/- feet to the common property line of parcels 21 and 12 on property map 11; thence continuing to run southwesterly by said common property line 105.71 +/- feet to a point; thence running westerly by said property line 210.44+/- feet to a point; thence running southwesterly by said property line 117.76 +/- feet to a point; thence continuing to run southwesterly by said property line 93.41 +/- feet to a point; thence continuing to run southwesterly by said property line 206.26 +/- feet to a point; thence running westerly by said property line 27.08 +/- feet to a point; thence continuing to run westerly by said property line 183.55 +/- feet to a point; thence running southwesterly by said property line 62.19 +/- feet to a point; thence running westerly by said property line 323.8 +/- feet to the common property line of parcels 21 and 12-3 on property map 11; thence running southwesterly by said common property line and the common property line of parcels 19 and 12-3 on property map 11 639 +/- feet to the common property line of parcels 19 and 12-2 on property map 11; thence running southwesterly by said common property line and the common property line of parcels 19 and 12-1 on property map 11 872.49 +/- feet to a point; thence running southerly by said common property line 603.02 +/- feet to the northerly street line of Alton Mountain Road; thence running northwesterly by said street line 105.93 +/- feet to the common property line of parcels 14 and 19 on property map 11; thence running northerly by said common property line 626.95 +/- feet to a point; thence running southwesterly by said common property line 142.31 +/- feet to the common property line of parcels 18 and 14 on property map 11; thence running southwesterly by said common property line 54.87 +/- feet to the common property line of parcels 14-1 and 18 on property map 11; thence continuing to run southwesterly by said common property line and the common property lines of parcels 14-2 and 18, 14-3 and 18, and 14-4 and 18 1018.33 +/- feet to

the easterly street line of Alton Mountain Road as depicted on property map 11; thence continuing to run southwesterly to the center line of Alton Mountain Road; thence running southeasterly by said center line to a point opposite the common property line of parcels 15 and 13-14 on property map 11; thence running southerly to said common property line; thence running southeasterly by said common property line 590.23 +/- feet to the common property line of parcels 15 and 13A on property map 11; thence running southeasterly by said common property line 2,100 +/- feet to the common property line of parcels 3 and 13A on property map 11; thence running easterly by said common property line 1,425 +/- feet to the common property line of parcels 11 and 3 on property map 11; thence running southeasterly by said common property line 222 +/- feet to the common property line of parcels 11-1 and 3 on property map 11; thence continuing to run southeasterly by said common property line 222 +/- feet to the common property line of parcels 11-2 and 3 on property map 11; thence continuing to run southeasterly by said common property line 222 +/- feet to the common property line of parcels 11-3 and 3 on property map 11; thence continuing to run southeasterly by said common property line 223 +/- feet to the common property line of parcels 11-4 and 3 on property map 11; thence continuing to run southeasterly by said common property line 224 +/- feet to the common property line of parcels 3 and 4 on property map 11; thence running westerly by said common property line 270 +/- feet to a point; thence running southerly 1,659 +/- feet to the common property line of parcel 15 on property map 7 and parcel 4 on property map 11; thence running easterly by said common property line 355 +/- feet to the common property line of parcel 30 on property map 8 on property map 11; thence continuing to run easterly by said common property line 2,582 +/- feet to a point; thence running southerly 1,750 +/- feet to the common property line of parcels 37 and 30 on property map 8; thence continuing to run southerly by said common property line and the common property line of parcels 35 and 30 on property map 8 1,763 +/- feet to the easterly shoreline of Meadow Dam Pond as depicted on property map 8; thence running easterly by said shoreline to the easterly shoreline of Meadow Dam Pond and Parcel 30 on property map 8; thence running by said shoreline to the division line between the second and third ranges as depicted on the Plan of Alton, September 1764 by Walter Brient; thence running southerly by said division line 1,685 +/- feet to the common property line of parcels 19 and 20 on property map 8 thence running southwesterly by said common property line and the common property line of parcels 58 and 20 on property map 8 1,573.44 +/- feet to the common property line of parcels 7 and 58 on property map 8; thence running southeasterly by said common property line 223.76 +/- feet to the northerly street line of Route 140; thence continuing to run southeasterly to the centerline of Route 140; thence running northeasterly by said centerline to a point opposite the common property line of parcels 18 and 22 on property map 8; thence running southerly to said common property line; thence running southwesterly by said common property line 231 +/- feet to a point; thence running northeasterly by said common property line 204 +/- feet to the common property line of parcels 18 and 24 on property map 8; thence continuing to run northeasterly by said common property line 100 +/- feet to the common property line of parcels 18 and 24-1 on property map 8; thence running southerly by said common property line 231.75 +/- feet to a point; thence running easterly by said common property line and the common property line of parcels 24-1 and 29 on property map 8 833.17 +/- feet to the common property line of parcels 28 and 29 on property map 8; thence running easterly by said common property line 651.1 +/- feet to the common property line of parcel 29 on property map 8 and parcel 60A on property map 28; thence running easterly by said common property line and the common property line of parcel 57 on property map 28 and parcel 29 on property map 8 and parcel 56 on property map 28 and parcel 29 on property map 8 and parcel 55 on property map 28 and parcel 29 on property map 8 1,185 +/- feet to the westerly shoreline of the Merrymeeting river; thence running northerly by the westerly shoreline of the river and parcel 55 on property map 28 1,075 +/- feet to the westerly shoreline of the river and parcel 56 on property map 28; thence running northerly by said shoreline 520 +/- feet to the unnamed brook which serves as the common property line of parcels 56 and 57 on property map 28; thence running westerly by said brook/common property line 130 +/- feet to the point where said unnamed brook crosses parcel 57 on property map 28; thence running westerly by said brook across parcel 57 to the common property line of parcels 58 and 57 on property map 28; thence continuing to run westerly by the brook/common property line 130 +/- feet to a point; thence turning and running southeasterly by said common property line 159 +/- feet to the common property line of parcels 59 and 57 on property map 28; thence running southeasterly by said common property line 143.89 +/- feet to a point; thence running southwesterly 180 +/- feet to the common property line of parcel 60 and 60A on

property map 28; thence continuing to run southwesterly by said common property line and the common property line of parcels 61 and 60A, and 62 and 60A on property map 28 467 +/- feet to the common property line of parcel 62 on property map 28 and parcel 28 on property map 8; thence running northwesterly by said common property line 343.45 +/- feet to the southerly street line of Route 140' thence continuing to run northwesterly to the centerline of route 140; thence running northeasterly by said center line to a point opposite the common property line of parcel 32 on property map 8 and parcel 1 on property map 28; thence running to said common property line - the point of beginning.

All property references are to the property map Town of Alton, Belknap County, New Hampshire, prepared by James W. Sewall Co., Old Town Maine, revised to April 1, 1992. Rangeway references are to the Plan of Alton, Belknap County Registry of Deeds #121 - Drawer B. Meaning and intended to expand the RR (Residential Rural Zone) by changing portions of the Residential, Residential/Commercial, and Rural Zones to Residential Rural Zone all of the above described area.

Alton Zoning Map