



# TOWN OF PEMBROKE

Town Hall ~ 311 Pembroke Street, Pembroke, New Hampshire 03275

Tel: 603-485-4747

## PEMBROKE PLANNING BOARD NOTICE OF PUBLIC HEARING 2018 ZONING AMENDMENTS Town of Pembroke Zoning Ordinance November 14, 2017

Notice is hereby given the Pembroke Planning Board will hold a first public hearing on Tuesday, November 14, 2017 beginning at 7:00 PM in the Town Hall at 311 Pembroke Street, Pembroke, NH. The intent of the public hearing is to take public comment regarding the adoption of the following proposed changes to the Town of Pembroke Zoning Ordinance.

### **This is the first public hearing for the following proposed amendments**

Proposed language is bold & underlined, existing language is crossed out.

#### **Zoning Amendment #1**

Are you in favor of the adoption of Amendment #1 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

#### **§ 143-18.1 Accessory dwelling units.**

**One Accessory Dwelling Unit (ADU) shall be permitted in accordance with the NH Planning and Land Use Regulations RSA 674:71, 674:72, 674:73 as amended. Further,** one ADU shall be permitted in all zones that allow single Family Detached Dwelling Units by special exception from the zoning board of adjustment with the following stipulations.

- A. An accessory dwelling unit shall be clearly incidental to the primary use of the property for a single-family dwelling. Such accessory living space shall not exceed 750 square feet and all appropriate town building codes shall be followed.

- B. An accessory dwelling unit may be constructed either within or attached to the single-family dwelling.
- C. At least one interior connecting door or other access for persons to pass between the accessory dwelling unit and the single-family dwelling must be included.
- D. Septic system design/capacity shall be approved by the NH Department of Environmental Services and provided to the Town.
- E. One off street parking space shall be provided for an accessory dwelling unit, however, no new curb cut from the street shall be constructed.
- F. Exterior construction and material shall be uniform and compatible with the single-family dwelling.
- G. There shall be only one electric, water, and sewer service for both units.
- H. This section of the ordinance does not preclude the applicant from having to comply with applicable sewer and water connection fees.

## **Zoning Amendment #2**

Are you in favor of the adoption of Amendment #2 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

### **§ 143-68 Aquifer Conservation (AC) District.**

- F. Special Exceptions: For use which may be allowed by special exception in the underlying zoning district the Zoning Board of Adjustment must first find, in written findings of fact, that all of the following are true:
  - (1) The proposed use will not have a detrimental effect on the quality of the groundwater contained in the aquifer by directly contributing to pollution or by increasing the long-term susceptibility of the aquifer to potential pollutants;

- (2) The proposed use will not cause a significant reduction in the long-term volume of water contained in the aquifer, or in the storage capacity of the aquifer;
- (3) The proposed use will discharge no wastewater on site other than that which is permitted under the provisions of this section; and
- (4) The proposed use complies with all other applicable sections of this section.

The Zoning Board of Adjustment may require that the applicant for a special exception provide data or reports prepared by a professional engineer or qualified groundwater consultant to assess any potential damage to the aquifer that may result from the proposed use. The Zoning Board of Adjustment may engage such professional assistance as it requires to adequately evaluate such reports and to evaluate, in general, the proposed use in light of the above criteria. Costs for any of the above-mentioned services shall be paid by the applicant.

Prior to rendering a decision on an application for a Special Exception, the Zoning Board of Adjustment shall request **input** from the Planning **Department**, ~~Board~~ (only if ~~subsequent action by the Planning Board is not required~~) the Conservation Commission, and the Health Officer as to whether the proposed use is consistent with the purpose of this section.

**[Amended 3-13-2007 Town Meeting by Amendment No. 1]**

**Exemption: The provisions of this section shall not apply to special exceptions granted relating to one or two family residences and Accessory Dwelling Units.**

### Zoning Amendment #3.

Are you in favor of the adoption of Amendment #3 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

#### § 143-42 Commercial kennels.

For commercial kennels the following special conditions shall apply:

A. (Reserved)

*Editor's Note: Former Subsection A, which required compliance with licensing requirements, was repealed 3-13-2007 by Amendment No. 5.*

B. A commercial kennel shall not be considered a home business.

**[Added 3-11-2008 Town Meeting by Amendment No. 2]**

C. A new commercial kennel shall be required to undergo site plan review process; **[Added 3-11-2008 Town Meeting by Amendment No. 2]**

D. No outdoor commercial kennel shall be located less than 400' from the front lot line and 200' from the rear and side lot lines;

**[Amended 3-11-2008 Town Meeting by Amendment No. 2]**

E. No indoor commercial kennel shall be located less than 100' from the front lot line and 50' from the rear and side lot lines;

**[Added 3-11-2008 Town Meeting by Amendment No. 2]**

F. One 12 square foot freestanding sign shall ~~is~~ **be** permitted in accordance with ~~143-59~~ **143-62 Dimensional Table of Signs**, or with dimensions compliant with ~~143-59~~ **143-62 Dimensional Table of Signs**, whichever is more restrictive;

**[Added 3-11-2008 Town Meeting by Amendment No. 2]**

### Zoning Amendment #4

Are you in favor of the adoption of Amendment #4 as proposed by the Planning Board for the Town Zoning Ordinance as follows:

#### § 143-30.1 Office Conversions.

D. Specifically, the following special conditions must be met to the satisfaction of the Zoning Board of Adjustment as well as the

conditions set forth in § **143-113** before a special exception can be granted. In granting a special exception, the Zoning Board of Adjustment may attach any reasonable conditions to the approval to insure the protection of the residential character of the neighborhood:

- (5) There shall be no advertising on the premises other than as provided under § **143-62**, Dimensional Table of Signs, and ~~§ **143-63C**~~;

Copies of all proposed Zoning Ordinance amendments will be available for review at the public hearing, or can be reviewed in advance at the Town of Pembroke Town Offices at 311 Pembroke Street during normal business hours. Phone 603-485-4747.