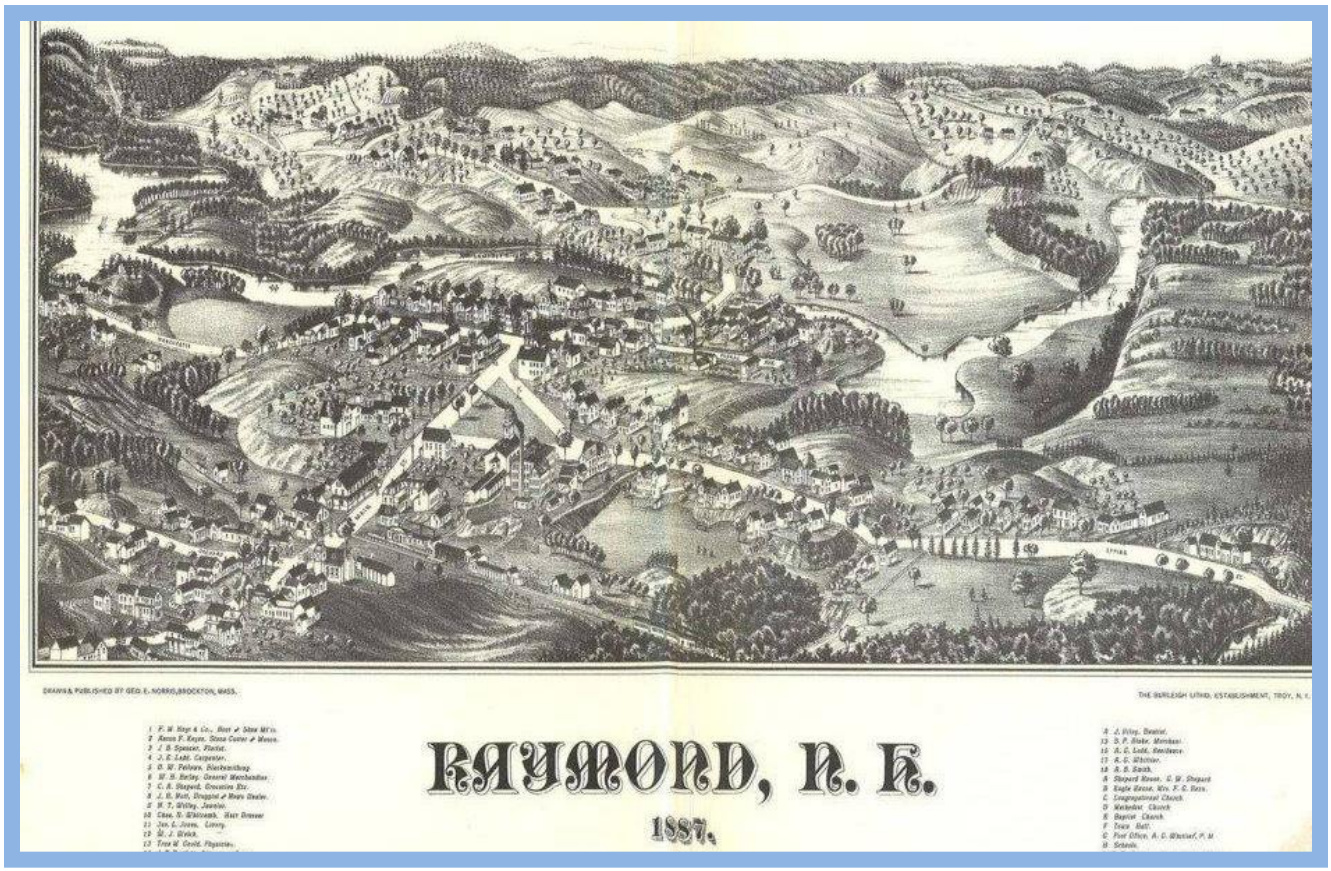

2020 RAYMOND ZONING ORDINANCE

Last Amended March 2020

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ARTICLE 1: PREAMBLE

1.1. Purpose: The purpose of this Zoning Ordinance is to promote the health, safety, economic and social well-being of the community, to protect the natural resources including the lakes, rivers, streams, drinking water and aquifer, to lessen congestion in the streets, to secure safety from fires, panic, and other dangers, to promote adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, and to facilitate the adequate provision of transportation, water, sewerage and schools. The Town of Raymond, New Hampshire adopted this Ordinance in conformance with New Hampshire RSA 674:16.

1.2. Construction of Ordinance: Any and all terms and provisions of the Zoning Ordinance, including but not limited to tables and dimensional charts, shall be construed pursuant to the following rules:

1.2.1. In case of any conflict between provisions, the language of the most recent amendment to any provision shall control over the language of any prior version of such provision and over the language of any related provision;

1.2.2. The language of the most specific provision on the subject controls over the more general provision.

1.3. Effective Date: This Ordinance and any amendments shall become effective on the date of adoption.

ARTICLE 2: GENERAL PROVISIONS

2.1 Pre-Existing, Non-Conforming Lots

2.1.1. Notwithstanding the area, frontage, setback or other dimensional requirements of this Ordinance, nothing in this Ordinance shall be construed as restricting, limiting or otherwise prohibiting, the sale, purchase, financing or refinancing of any building or structure located on a pre-existing non-conforming lot as of the effective date of this Ordinance or any subsequent amendment thereto. The Town of Raymond Code Official is authorized to issue a certification confirming the applicability of this provision to any particular building or structure. (03/1994 & 03/1996)

2.1.2. Pre-existing (as of 03/01/1996) non-conforming lots are suitable for building purposes provided that such lots can meet current setbacks and can obtain the necessary driveway permits from a Town maintained road and comply with current Health, Safety and Environmental Codes, Ordinances and Regulations. (03/2000)

2.1.3. To prohibit making pre-existing non-conforming lot more non-conforming by any changes to lot area, frontage, setbacks, or other dimensional requirement of the Ordinance.(03/2020)

2.2. Use, Non-Conforming (03/2000)

2.2.1. EXISTING AT ADOPTION: Uses which exist at the time of adoption of this Ordinance section may continue unless that use is found to be an imminent danger to the public health, safety or welfare. In such case, the use must immediately either be brought into conformance with the Ordinance or cease.

2.2.2. RE-ESTABLISHMENT LIMITED: No pre-existing non-conforming use shall be allowed to be re-established after five (5) years of being abandoned or closed.

2.2.3. EXPANSION LIMITS: Expansion of any use by twenty-five percent (25%) or more is not permitted.

2.2.4. EXCEPTIONS TO EXPANSION LIMITS: Excepted from this requirement are single family detached residential type occupancies which are allowed expansion of not more than one-hundred percent (100%), provided all health, safety, septic, setback and building code requirements can and will be met.

2.3. Fire-Damaged Structures: No owner or occupant of land within the Town of Raymond shall permit fire or other ruins to be left, but shall within six (6) months remove and refill the same to clear ground level or shall repair, rebuild, or replace the structure. The Selectmen upon request for reasonable cause that they deem adequate may authorize extension of up to ninety (90) days.

2.4. Prohibited Uses: Any use of land or buildings that is or may become obnoxious or injurious by reason or production or emission of odor, dust, fumes, noise, vibration, excessive smoke or refuse matter or similar conditions that are dangerous or offensive to the health, safety, comfort, peace or enjoyment of the community or lending to its disturbance is prohibited.

2.5. Road Names: To prevent duplication and/or similar sounding road names, both public and private, the Planning Board shall approve all proposed road names prior to use. (03/1997)

2.6. Vehicles: For any use of land or buildings that is such as to attract vehicles, adequate space shall be provided on the property to accommodate all such vehicles.

2.7. Building Height: The maximum building height for all new construction within the Town of Raymond shall be three (3) stories (four (4) stories for sprinkled buildings) in the Commercial (C.1), Commercial/Residential (C.2), Industrial (D), Manufactured Housing (E), Residential (A) and Residential/Agricultural (B) zoning districts. Except six (6) stories shall be permitted in the Commercial/Residential (C.2) zoning district where town water and town sewer is provided within the Sewer Overlay District.

2.7.1. A story is considered to be a maximum of ten (10) feet in height.

2.7.2. Building height shall be measured on 2/3rd of the building perimeter from the adjoining ground level (by utilizing an average between the highest and lowest points) to the uppermost ceiling.

2.7.3. For any building exceeding thirty (30) feet in height, the minimum building setbacks from the property line shall equal the height of the building. This requirement shall not supersede the minimum dimensional requirements of Article 15 of the Zoning Ordinance entitled Area & Dimensional Requirements & Associated Notes.

2.7.4. These height restrictions do not apply to necessary appurtenant structures such as church spires, belfries, cupolas, smokestacks, flagpoles, antennae, and unenclosed mechanical equipment.

2.8. Disability Access Structures (03/2010): Pursuant to the authority under RSA 674:16 and RSA 674:17 to adopt zoning ordinances to promote health and general welfare, and in order to provide building access for persons with disabilities, consistent with the intent of RSA 674:33 (V) and the Americans with Disabilities Act, 42 U.S.C. §12132, the Code Official is authorized to grant building permits for Disability Access Structures as referenced in Section 8.1.3.2, notwithstanding that such Disability Access Structures may not comply with area dimension or setback requirements, provided that the applicant meets the following criteria:

2.8.1. Disability Access Structures are necessary to allow a person or persons with a recognized physical disability to reside in or regularly use the premises.

2.8.2. The construction of Disability Access Structures as limited by this paragraph will otherwise be in harmony with the general purpose and intent of the Zoning Ordinance.

2.8.3. If the above criteria are met then the building permit shall be issued, and it shall be valid for only such time as the disabled resident (or other disabled persons regularly using the premises at the time of the application) has a continuing need to use the premises.

2.8.4. A notice of the building permit, on a form to be prepared by the Code Official, shall be recorded at the Rockingham County Registry of Deeds and kept on file at the Town Office.

2.9. Wetlands: All development that requires Planning Board approval or re-approval, as determined by the Code Official, shall be subject to the following:

2.9.1 In recognition that the majority of drinking water supply sources come from groundwater;and further, that wetlands provide the chief source of groundwater recharge, all development shall result in no net loss of area or function of wetlands. This must be achieved within the same watershed of the proposed development area. In order of preference, no net loss shall be achieved utilizing the following approaches with input for the Raymond Conservation Commission:

2.9.1.1 Achieve no net loss within the boundaries of the proposed development area and within the Town of Raymond boundaries;

2.9.1.2 Achieve no net loss within Town of Raymond boundaries and within a five (5) miles radius of the development area;

2.9.1.3 In cases where neither option 2.9.1.1 nor option 2.9.1.2 can be reasonably achieved, as determined by the Planning Board based upon the applicant's application and testimony and the input of the Raymond Conservation Commission, no net loss shall be achieved within a five (5) mile radius of the same watershed as the proposed development area.

2.9.1.4 Applicants to the Planning Board shall be required to work within the framework of techniques, latest technology and best management practices available in the Town of Raymond and the State of New Hampshire to further the objective of achieving no net loss of wetlands.

2.10. Campers

2.10.1. Campers may be stored, unoccupied, at the owner's premises or permanent domicile in any zone in the Town of Raymond for any period of time.

2.10.2. Campers or tents may be occupied for camping in all zones of the Town of Raymond for up to (90) ninety days of the year, providing proper sanitary facilities are available as determined by the Health Officer.

2.10.3. Campers shall not be occupied as a permanent dwelling at any time in the Town of Raymond. (03/1971)

2.11. Petroleum Tanks: All petroleum tanks in Raymond shall conform to regulations issued by the New Hampshire Department of Environmental Services (DES, currently regulation WS411) and tanks not covered by WS411 shall be installed and maintained in accordance with the applicable NFPA Codes.

2.12. Temporary Buildings: Temporary buildings of any type that are normally used as offices and storage facilities at construction sites will be permitted on the site upon which the construction work is being accomplished for the duration of the construction.

2.13. Junkyards: No new junkyards as defined in Article 13 shall be established, opened, or operated within any zone. No existing junkyards within the Town shall be expanded or in any way enlarged unless a variance is granted by the Board of Adjustment after public hearings in accordance with the Revised Statutes of the State of New Hampshire 236:112 et. seq. or any amendments or successors to the Ordinance.

2.14. Manufactured Home Age Restriction: All new placements of Manufactured Homes and replacements of all existing manufactured homes shall meet all existing U.S. Department HUD standards at the time of manufacture. Manufactured Homes older than five (5) years shall not be allowed. (03/1998)

ARTICLE 3: OFFICIAL ZONING MAP

3.1. Official Zoning Map: The Official Zoning Map shall be known as the Raymond Zoning Map, as adopted by the Raymond Planning Board. The Raymond Zoning Map, with all explanatory matter thereon, is hereby made a part of the Raymond Zoning Ordinance and shall serve as the official interpretation of the Zoning District Boundaries (zones), as certified by the Raymond Planning Board, and adopted by the voters. The original, signed copy of said map shall be maintained in the office of the Town Clerk, shall bear the Town Seal, and be signed by the Chairman of the Raymond Planning Board. The map shall incorporate such zoning district amendments as may be made by the voters of the Town of Raymond from time to time. Amendments to district boundaries and/or new boundaries shall be entered on the Zoning Map as soon as possible after approval at Town Meeting and a record of such amendment shall be noted on the Map. Up-to-date copies of the Official Zoning Map shall be maintained by and kept with the Community Development Department.

3.2. Zoning District Boundaries: All Zoning District Boundaries (zones) are located and bounded as shown on the map titled the Raymond Zoning Map.

3.3. Rules for Interpreting Zoning District Boundaries: Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

3.3.1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.

3.3.2. Where a boundary apparently follows a property line, it shall be interpreted as such. Such property line shall be interpreted as one existing at the time of enactment of this Zoning Ordinance or a pertinent amendment.

3.3.3. Boundaries indicated as approximately following town boundary lines shall be construed as following town boundary lines.

3.3.4. Boundaries indicated as following railroad lines shall be construed to be the centerline of the railroad bed.

3.3.5. Boundaries indicated as following water lines shall be construed to follow the water lines as shown on the Town of Raymond's Official Water Map, as may be amended from time to time. The Water Map is updated by, maintained by and available in the Water Department.

3.3.6. Boundaries indicated as approximately following the center lines of streams or rivers shall be construed to follow such center lines as they exist at the enactment of this Ordinance, and in the

event of change in the center line shall be construed as moving with the actual center line.

3.3.7. Boundaries indicated as parallel to or extensions of features indicated in Subsections 3.3.1 through 3.3.6 above shall be so construed.

3.3.8. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the Official Zoning Map.

3.3.9. Where physical or cultural features existing on the ground are at conflict with those shown on the Official Zoning Map, or in other circumstances not covered by Subsections 3.3.1 through 3.3.8 above, the Zoning Administrator shall interpret the zone boundaries.

3.4. Rules for Amending or Replacing the Official Zoning Map: If the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of changes and additions, the Planning Board may, by public hearing, adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map.

3.4.1. Any map adopted by the Planning Board by public hearing, pursuant to provisions of Section 3.4 above, may correct clerical, drafting, or other errors or omissions in the prior Official Zoning Map without the necessity of Town Meeting action. However, no other correction may be made unless the same reflects an amendment to the Ordinance lawfully adopted as a result of Town Meeting action.

3.4.2. To the greatest extent practical, outdated or superseded Official Zoning Maps, together with all records pertaining thereto, shall be preserved for a period of not less than ten (10) years.

ARTICLE 4: ZONES

4.1 Zone A - Residential: Residential Districts are designed for the protection of areas that have been and are being developed predominately for single-family detached dwellings. These shall include all areas currently serviced by the Raymond Water Department water mains, except areas included in Zone C, Zone D, and Zone F.

4.1.1. Please refer to the Allowed Uses Table – ZONE A – RESIDENTIAL DISTRICT in Article 14.

4.1.2. Please refer to the Area and Dimensional Requirements in Article 15.

4.2. Zone B – Residential/Agricultural: Residential/Agricultural Districts are designed to permit uses that are compatible with and protective of certain areas that have been and are being developed for water quality preservation, residential use and public use. These shall include all areas within the Town of Raymond which are not specifically included in Zone A, C, D, E, or F as hereinafter provided.

4.2.1. Please refer to the Allowed Uses Table – ZONE B – RESIDENTIAL/AGRICULTURAL DISTRICT in Article 14.

4.2.2. Please refer to the Area and Dimensional Requirements in Article 15.

4.3. Zone C.1 – Commercial: Commercial Districts are designed for the purpose of centralizing the provision of basic goods and services

4.3.1. Please refer to the Allowed Uses Table – ZONE C.1 – COMMERCIAL DISTRICT in Article 14.

4.3.2. Please refer to the Area and Dimensional Requirements in Article 15.

4.4. Zone C.2 – Commercial/Residential: Commercial/Residential Districts are designed for the purpose of mixed commercial/residential use

4.4.1. Please refer to the Allowed Uses Table – ZONE C.1–COMMERCIAL DISTRICT in Article 14.

4.4.2. Please refer to the Area and Dimensional Requirements in Article 15.

4.5. Zone C.3 – Mixed Use Commercial: The C.3 – Mixed Use Commercial District is designed to encourage long term planning and flexibility of design for development along the highest volume non-restricted traffic corridors within the Town of Raymond. The purposes of the Mixed Use Commercial District (C.3) are to:

- Take advantage of existing infrastructure, to include Route 102, a State of New Hampshire controlled and maintained Class II Highway, existing three phase electrical service and the near-future installation of public water supply to stimulate economic investment, development and redevelopment of properties along Route 102;

- Encourage the highest and best use of land in this growth area; provide developers and property owners flexibility to achieve high quality design and to provide for present and future infill projects,

  utilizing effective access management techniques that will serve to strengthen and support existing and new development;

- Contribute to the Town's economic vitality by providing employment opportunities and broadening the tax base.

4.5.1. DISTRICT BOUNDARIES: The C.3 District, which includes C.3E and C.3W, is shown on the Official Zoning Map of the Town of Raymond, defined as follows:

4.5.1.1. Please refer to Article 14 – Allowed Uses Table, which delineates uses in the C.3 District on the east side of Route 102 (C.3E) and on the west side of Route 102 (C.3W);

4.5.1.2. Within the C.3W District, residential development is not permitted within 500 feet of a property line abutting New Hampshire Route 102.

4.5.2. C.3 ZONE DEVELOPMENT STANDARDS: Any development proposed within the C.3 District shall be subject to the following standards:

4.5.2.1. New development must be serviced by Town water;

4.5.2.2. Any non-residential structure which is proposed to be located abutting an existing or proposed residential use shall require a minimum setback of one hundred feet (100'), or in the alternative, fifty feet (50'), which shall include a twenty foot (20') dense vegetative buffer and a fence of a type designed to shield the residential use from light and noise generated by a non-residential use. Security apartments which are accessory to a non-residential use shall not be affected by this section.

4.5.2.3. The setbacks within Section 4.5.2.2 shall be reduced by 50% within 500 feet of a property

line abutting New Hampshire Route 102 within C.3W and for the entirety of C.3E.

4.5.2.4. Please refer to the Allowed Uses Table – ZONE C.3–MIXED USE COMMERCIAL DISTRICT in Article 14.

4.5.2.5. Please refer to the Area and Dimensional Requirements in Article 15.

4.5.2.6. Any residential subdivision proposed for location within permitted areas of the C.3 District shall require a minimum setback of one hundred feet (100') from exterior lot lines of the subdivision, or in the alternative, fifty feet (50'), which shall include a twenty foot (20') dense vegetative buffer and a fence of a type designed to shield the residential use from light and noise generated by a non-residential use. If the entire fifty feet (50') is maintained as a dense vegetative buffer, a fence is not required.

4.5.2.7. All residential development within the C.3 District shall establish no-cut zones to protect required buffers, which shall be reflected on the plan and within property deeds for individual lots.

4.5.2.8. The setbacks within Section 4.5.2.2 shall be reduced by 50% within 500 feet of a property line abutting New Hampshire Route 102 within C.3W and for the entirety of C.3E.

4.5.2.9. In District C.3W, there shall be a minimum setback of one hundred feet (100') from exterior perimeter property lines except those directly abutting New Hampshire Route 102, or in the alternative, fifty feet (50'), which shall include a twenty foot (20') dense vegetative buffer and a fence of a type designed to shield the abutting properties from light and noise. If the entire fifty feet (50') is maintained as a dense vegetative buffer, a fence is not required.

4.6. Zone D - Industrial: Industrial Districts are designed for industrial, office, truck repair and sales, warehouse and wholesale business use.

4.6.1. Please refer to the Allowed Uses Table – ZONE D–INDUSTRIAL DISTRICT in Article 14.

4.6.2. Please refer to the Area and Dimensional Requirements in Article 15.

4.7. Zone E – Manufactured Housing: Manufactured Housing districts are designed to permit a placement of Manufactured Housing other than in existing Manufactured Housing Parks in the Town of Raymond and other uses that are compatible with and protection of certain areas that have been and are being developed for water quality preservation, residential use and public use. These shall include all lands bounded by New Hampshire Route 102 (Chester Road) on the west; New Hampshire Route 107 (Fremont Road) on the north; and the Exeter River on the south and east.

4.7.1. Zone E shall include all uses in Zone B, Manufactured Homes and Manufactured Home Parks. Please refer to the Allowed Uses Table in Article 14.

4.7.2. Please refer to the Area and Dimensional Requirements in Article 15.

4.8. Zone F – Historic District: Those uses in compliance with the Town of Raymond Historic District Regulations.

4.8.1. Please refer to the Area and Dimensional Requirements in Article 15.

4.8.2. Please refer to Section 5.1.1 for a list of HISTORIC DISTRICT PROPERTIES

4.9. Zone G – Conservation District

4.9.1. PURPOSE: In the interest of protecting the public health, safety and general welfare by preserving the Town's lakes, ponds, river systems, wetlands and important local water resources for the benefit of all Town residents, this District is created for the following purposes:

4.9.1.1. Preserve sensitive wetlands, shore land and other water bodies that provide flood protection, augment stream flow during dry periods, absorb nutrients and contribute to the viability of the Town's groundwater.

4.9.1.2. Protect the wetlands and water bodies that are close to high intensity development through restrictions such as limitations of certain land uses and buffering.

4.9.1.3. Protect wildlife habitat and maintain the ecological values referenced in NH RSA 483-A.

4.9.1.4. Limit development in areas where the natural features are not favorable for development.

4.9.1.5. Encourage those low-intensity uses that can be harmoniously and safely located in the wetland areas.

4.9.1.6. Preserve and enhance aesthetic values associated with our lakes, ponds, river systems and wetlands.

4.9.1.7. Encourage the preservation and/or restoration of Raymond's Shoreland Protection Area as a natural vegetated shoreland buffer to filter sediment and pollutants from runoff and thus help protect the town's water quality.

4.9.1.8. Discourage the following activities in Raymond's Shoreland Protection Area: any alteration of stream paths; landscaping; mowing; dumping of litter or trash, storage of grass clippings, leaves or snow; use of fertilizer and/or pesticides.

4.9.2. Please refer to the Area and Dimensional Requirements in Article 15.

4.9.3. DISTRICT BOUNDARIES: The Conservation District is an Overlay District and is hereby defined as:

4.9.3.1. SHORELAND PROTECTION AREA: Is any area of land within seventy-five (75) feet of the seasonal high-water mark of any river, brook, stream, pond or lake as shown on the Water Resource Management Plan (3/2009). Also includes any area of land within seventy-five (75) feet of the high-water mark of any river, brook, stream, pond, or lake having flowing or standing water for six (6) months of the year not included in Water Resource Management Plan (3/2009).

4.9.3.2. STATE PROTECTED WATERS: The Exeter River, Lamprey River, Pawtuckaway River, Governor's Lake, Onway Lake, Norton Pond, Dead Pond (a/k/a On Lamprey River), and Lamprey River Pond (a/k/a Dam in Ruins) fall within the jurisdiction of the Comprehensive Shoreland Protection Act (hereinafter "CSPA") as amended from time to time; the CSPA

requires that local permits for work within the protected shorelands be issued only when consistent with the policies of the statute. The above listed waters shall lie within the Conservation District Shoreland Protection Area, but the more stringent standards of the CSPA shall control over any conflicting local standards. To the extent that the list of waters subject to jurisdiction under the CSPA is amended from time to time, then such amendment will apply with equal force to the provisions of this section. (03/2009)

4.9.3.3. STEEP SLOPE: Any land deemed to be twenty-five percent (25%) or greater in slope for one hundred (100) continuous lineal feet according to the Rockingham County Soil Survey Map, October, 1994 or any land twenty-five percent (25%) or greater in slope for one hundred (100) continuous lineal feet as determined by using the procedure described below in Section 4.9.4.2 (Delineation of Steep Slope) and Section 4.9.4.4 (Areas Incorrectly Delineated). (03/2000)

4.9.3.4. POORLY DRAINED AND VERY POORLY DRAINED SOILS: Those areas identified as such in the Rockingham County Soil Survey Map, October, 1994. Additionally, all areas of Federal or State of New Hampshire Jurisdictional Wetlands, not otherwise delineated as poorly or very poorly drained soils, shall be considered as very poorly drained soils for the purpose of this Ordinance.

4.9.4. PROCEDURAL REQUIREMENTS

4.9.4.1. DELINEATION OF WETLANDS: Location of a wetland boundary in a particular area must be determined by an on-site inspection. This data shall be prepared by a certified soil or wetland scientist using the following methodology: Chapters Env-WT 100-800 of the NH Code of Administrative Rules; Regional Field Indicators for Identifying Hydric Soils in New England, New England Interstate Water Pollution Control Commission (April 2004); Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, Environmental Laboratory, Dept. of the Army, 1987.

4.9.4.2. DELINEATION OF STEEP SLOPE: Except in the case where the Rockingham County Soil Survey, October 1994, confirmed the absence of steep slope, location of steep slope twenty-five (25%) or greater shall be determined through a topographical survey as prepared by a New Hampshire Licensed Professional.

4.9.4.3. DELINEATION OF POORLY AND VERY POORLY DRAINED SOILS: The methodology to be used is described in the Site Specific Soil Mapping Standards for New Hampshire and Vermont, February 2011, prepared by the Society of Soil Scientists of Northern New England (SSSNNE) Special Publication No. 3 as may be superseded and amended. This document can be found at http://sssnne.files.wordpress.com/2013/03/nh-vt.pdf.

4.9.4.4. AREAS INCORRECTLY DELINEATED: Where it is alleged that an area has been incorrectly delineated as a wetland, shoreland protection area or steep slope, or that an area not so designated meets the criteria for such designation, the Planning Board shall determine whether the regulations contained herein apply. In making such a determination, the Planning Board may rely on the technical expertise of a qualified soil or wetlands scientist or other professional who shall conduct an on-site investigation of the area in question. The Planning Board shall retain the right pursuant to NH RSA 676:4, I(g) to assess the expense of this determination to an applicant.

4.9.5. ALLOWED USES TABLE – CONSERVATION DISTRICT

LEGEND: P = Permitted
SP = Special Permit required

Type of Use	Wetlands		Shoreland Protection	Steep Slope
	Poorly Drained	Very Poorly Drained		
Agriculture (no-till horticulture is exempt)	P	SP	SP	SP
Forestry/Tree Farming	P	P	P	P
Public Recreation Areas	P	SP	SP	SP
Conservation/Nature Trails	P	P	P	P
Open Space	P	P	P	P
Utilities	P	P	P	P
Buildings & Permanent Structures	SP	SP	SP	SP
Accessory Buildings & NON-Permanent Structures	SP	SP	SP	SP
Roads/Driveways/ROWs	SP	SP	SP	SP
Expansion of Non-conforming Uses (up to 25% expansion only)	SP	SP	SP	SP

4.9.6. SPECIAL PERMIT (SP):

4.9.6.1. The Planning Board may grant a Special Permit for specific uses identified as "SP" if the Board has made a finding of fact that the requested use is consistent with the purposes of the Conservation District and meets the specific criteria stated in subsection 4.9.6.2 below.

4.9.6.2. In granting a Special Permit, the Planning Board shall ensure that the following standards have been met:

4.9.6.2.1. A New Hampshire licensed civil engineer, or other appropriate New Hampshire licensed professional, shall provide a review of the design and construction methods for the proposed use.

4.9.6.2.2. The Raymond Conservation Commission has reviewed and provided comments on the proposed use.

4.9.6.2.3. Depending on the size of the proposed use and its impact, as determined by the Planning Board, the applicant may be required to prepare an Erosion Control Plan in order to minimize all detrimental impacts to wetland and shoreland resulting from the proposed use during and after construction.

4.9.6.2.4. The applicant shall maintain the site as nearly as practical and possible to its original grade, shape and appearance.

4.9.6.2.5. In accordance with NH RSA 676:4I(g) the applicant shall be responsible for the costs of any outside technical assistance that the Planning Board

requires as part of its review of the proposed use.

4.9.6.3. SPECIAL PROVISIONS (03/2000)

4.9.6.3.1. The setback for a septic system, including the leach field, adjacent to a pond, lake or estuary shall be governed by the limitations contained in the Comprehensive Shoreland Protection Act, NH RSA 483-B:9 V(b)(2)(A).

4.9.6.3.2. In determining the minimum lot size for Zones A, C.1, C.2, D and E, no part of the minimum lot size shall include areas identified as being in the Shoreland Protection Area.

4.9.6.3.3. Uses which are not allowed, but existing at the time of the adoption of this amendment may be continued, but may only be expanded by Special Permit.

ARTICLE 5: OVERLAY DISTRICTS

5.1 Zone F - Historic District

5.1.1. Zone F shall include the following parcels of land and buildings:

Tax Map	Lot	Address	Common Reference
27-2	29	10 Main Street	Former Severance Property
27-2	30	12 Main Street	Former Cobbler Shop (03/2001)
27-2	55	7 Main Street	Maclaren Residence (03/2001)
28-1	47	28 Main Street	Former Welch Oil Co. (03/2001)
28-3	58	1 Old Manchester Road	Former Doctor's Office
28-3	59	Main Street & Old Manchester Road	Jewett Elderly Housing (03/2001)
28-3	68	51 Main Street	Methodist Church (03/2001)
28-3	79	2 Epping Street	Brewitt Funeral Home
28-3	80	4 Epping Street	Town Office Complex
28-3	81	8 Epping Street	Sovereign Bank
28-3	82	Epping & Main Streets	Town Common
28-3	86	9 Epping Street	Pilgrim Inn Apartments (03/2000)
28-3	88	5 Church Street	Congregational Church (03/2000)
28-3	89	Church Street	Howard Buildings (03/2000)
28-3	90	56 Main Street	Howard Buildings (03/2000)
28-3	91	58 Main Street	Howard Buildings (03/2000)
28-3	95	Main Street	Former Railroad Depot

5.2. Groundwater Conservation Overlay District

5.2.1. AUTHORITY: The Town of Raymond hereby adopts this Ordinance pursuant to the authority granted, under RSA 674:16, II relative to innovative land use controls.

5.2.2. PURPOSE: The purpose of this Ordinance is, in the interest of public health, safety, and general

welfare, to preserve, maintain, and protect from contamination existing and potential groundwater supply areas and to protect surface waters that are fed by groundwater. The purpose is to be accomplished by regulating land uses which could contribute pollutants to designated wells and/or aquifers identified as being needed for present and/or future public water supply.

5.2.3. DESCRIPTION: The Groundwater Conservation District is an Overlay District which is superimposed over the existing underlying zoning and includes within its boundaries the Wellhead Protection Areas identified in the Town's Wellhead Protection Program dated May, 1992 and the Town's Source Water Protection Plan dated November, 2009 and as may be designated by NH Department of Environmental Services (NH DES), including those areas currently identified as GAA, GA1 and GA2 and the Stratified Drift Aquifer(s) shown on the map entitled "Combined Aquifer, Surficial Geology and Wellhead Protection Areas" dated February 2009 (Map 4) included in the Town of Raymond's Source Water Protection Plan dated November, 2009 and as may be amended from time to time by the Raymond Planning Board[1]. Copies of these reports and maps shall be kept on file with the Raymond Community Development Department.

5.2.4. DEFINITIONS

5.2.4.1. AQUIFER: A geologic formation composed of rock, sand or gravel that contains significant amounts of potentially recoverable water.

5.2.4.2. "GAA": Means "GAA" as defined in RSA 485-C:5,I, namely "groundwater in this class is within the wellhead protection area for wells which presently are used or well sites which have been identified for future use as drinking water supply for public water systems."

5.2.4.3. "GA1": Means "GA1" as defined in RSA 485-C:5,I, namely "groundwater in a defined zone of high value for present or future drinking water supply."

5.2.4.4. "GA2": Means "GA2" as defined in RSA 485-C:5,I, namely "groundwater within aquifers identified as highly productive for potential use as a public water supply by the U.S. Geological Survey regional groundwater studies, or other regional studies."

5.2.4.5. GASOLINE STATION: Means that portion of a property where petroleum products are received by tank vessel, pipeline, tank car, or tank vehicle and distributed for the purposes of retail sale of gasoline.

5.2.4.6. GROUNDWATER: Subsurface water that occurs beneath the water table in soils and geologic formations.

5.2.4.7. IMPERVIOUS: Not readily permitting the infiltration of water.

5.2.4.8. IMPERVIOUS SURFACE: A surface through which regulated substances cannot pass when spilled. Impervious surfaces include concrete unless unsealed cracks or holes are present. Asphalt; earthen, wooden, or gravel surfaces; or other surfaces which could react with or dissolve when in contact with the substances stored on them are not considered impervious.

5.2.4.9. JUNKYARD: An establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automotive recycling yard, and includes garbage dumps and sanitary landfills. The word does not include any motor vehicle dealers registered with the director of motor vehicles

under RSA 261:104 and controlled under RSA 236:126.

5.2.4.10. OUTDOOR STORAGE: Storage of materials where they are not protected from the elements by a roof, walls, and a floor with an impervious surface.

5.2.4.11. PETROLEUM BULK PLANT or TERMINAL: Means that portion of the property where petroleum products are received by tank vessel, pipeline, tank car, or tank vehicle and are stored or blended in bulk for the purpose of distributing such liquids by tank vessel, pipeline tank car, tank vehicle, portable tank, or container.

5.2.4.12. PUBLIC WATER SYSTEM: A system for the provision to the public of piped water for human consumption, if such system has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year.

5.2.4.13. REGULATED SUBSTANCE: Petroleum, petroleum products, and substances listed under 40 CFR 302, 7-1-05 edition, excluding the following substances: (1) ammonia, (2) sodium hypochlorite, (3) sodium hydroxide, (4) acetic acid, (5) sulfuric acid, (6) potassium hydroxide, (7) potassium permanganate, and (8) propane and other liquefied fuels which exist as gases at normal atmospheric temperature and pressure.

5.2.4.14. SANITARY PROTECTIVE RADIUS: The area around a well which must be maintained in its natural state as required by Env-Dw 301 or Env-Dw 302 (for community water systems) and Env-Ws 373.12 and Env-Ws 372.14 (for other public water systems).

5.2.4.15. SECONDARY CONTAINMENT: A structure such as a berm or dike with an impervious surface which is adequate to hold at least one-hundred ten percent (110%) of the volume of the largest regulated-substances container that will be stored there.

5.2.4.16. SNOW DUMP: For the purposes of this Ordinance, a location where snow which is cleared from roadways and/or motor vehicle parking areas is placed for disposal.

5.2.4.17. SOURCEWATER: Ground water or surface water, in its natural state, prior to any treatment for drinking.

5.2.4.18. STRATIFIED DRIFT AQUIFER: A geologic formation of predominantly well-sorted sediment deposited by or in bodies of glacial melt water, including gravel, sand, silt, or clay, which contains sufficient saturated permeable material to yield significant quantities of water to wells.

5.2.4.19. SURFACE WATER: Streams, lakes, ponds and tidal waters, including marshes, water courses and other bodies of water, natural or artificial.

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[1] The boundaries of Map 4 entitled Combined Aquifer, Surficial Geology, and Wellhead Protection Areas is represented as Official Zoning 2012 Map B.

5.2.4.20. WELLHEAD PROTECTION AREA: The surface and subsurface area surrounding a water-well or well field supplying a community public water system, through which contaminants are reasonably likely to move toward and reach such water-well or well

field.

5.2.5. APPLICABILITY: This Ordinance applies to all uses in the Groundwater Conservation District, except for those uses exempt under Section 5.2.13 of this Ordinance.

5.2.6. PERFORMANCE STANDARDS: The following Performance Standards apply to all uses in the Groundwater Conservation District unless exempt under Section 5.2.13:

5.2.6.1. For any use that will render impervious more than fifteen percent (15%) or more than 2,500 square feet of any lot, whichever is less, a stormwater management plan shall be prepared which the Planning Board determines is consistent with the New Hampshire Stormwater Manual: Volume I - Stormwater and Antidegradation; Volume II - Post-Construction Best Management Practices Selection and Design and; Volume III - Erosion and Sediment Controls During Construction, NH Department of Environmental Services, December 2008.

5.2.6.2. Conditional Uses, as defined under Section 5.2.11 of this Ordinance shall develop stormwater management and pollution prevention plans and include information consistent with the handbook entitled Stormwater Management for Industrial Activities: Developing Pollution Prevention Plans and Best Management Practices (US EPA, 1992). The plan shall demonstrate that the use will:

5.2.6.2.1. Minimize through a source control plan that identifies pollution prevention measures, the release of regulated substances into stormwater;

5.2.6.2.2. Demonstrate that recharge to groundwater will not result in violation of Ambient Groundwater Quality Standards (Env-Ws 410.05) at the property boundary;

5.2.6.2.3. Stipulate that expansion or redevelopment activities shall require an amended stormwater plan and shall not infiltrate stormwater through areas containing contaminated soils without completing a Phase I Assessment in conformance with ASTM E 1527-05, also referred to as All Appropriate Inquiry (AAI).

5.2.6.2.4. Animal manures, fertilizers, and compost must be stored in accordance with the Manual of Best Management Practices for Agriculture in New Hampshire, NH Department of Agriculture, Markets, and Food (June 2011), and subsequent revisions.

5.2.6.2.5. All regulated substances stored in containers with a capacity of more than 5 gallons must be stored in product-tight containers on an impervious surface designed and maintained to prevent flow to exposed soils, floor drains, and outside drains.

5.2.6.2.6. Facilities where regulated substances are stored must be secured against unauthorized entry by means of a door(s) and/or gate(s) which are locked when authorized personnel are not present and must be inspected weekly

by the facility owner.

5.2.6.2.7. Outdoor storage areas for regulated substances, associated material or waste must be protected from exposure to precipitation and must be located at least 75 feet from surface water or storm drains, wetlands, private wells and outside the sanitary protective radius of wells used by public water systems.

5.2.6.2.8. Secondary containment must be provided for outdoor storage of regulated substances if an aggregate of more than 275 gallons of regulated substances are stored outdoors on any particular property.

5.2.6.2.9. Containers in which regulated substances are stored must be clearly and visibly labeled and must be kept closed and sealed when material is not being transferred from one container to another.

5.2.6.2.10. Prior to any land disturbing activities, all inactive wells on the property, not in use or properly maintained at the time the plan is submitted, shall be considered abandoned and must be sealed in accordance with We 604 of the New Hampshire Water Well Board Rules.

5.2.7. SPILL PREVENTION, CONTROL AND COUNTERMEASURE (SPCC) PLAN: Conditional Uses, as described under Section 5.2.11 of this Ordinance shall submit a spill control and countermeasure (SPCC) plan to the Technical Review Committee (TRC) who shall determine whether the plan will prevent, contain, and minimize releases from ordinary or catastrophic events such as spills, floods or fires that may cause large releases of regulated substances. It shall include:

5.2.7.1. A description of the physical layout and a facility diagram, including all surrounding surface waters and wellhead protection areas;

5.2.7.2. Contact list and phone numbers for the facility response coordinator, cleanup contractors, and all appropriate federal, state, and local agencies who must be contacted in case of a release to the environment;

5.2.7.3. A list of all regulated substances in use and locations of use and storage;

5.2.7.4. A prediction of the direction, rate of flow, and total quantity of regulated substance that could be released where industry experience indicates a potential for equipment failure;

5.2.7.5. A description of containment and/or diversionary structures or equipment to prevent regulated substances from infiltrating into the ground; and

5.2.7.6. Emergency response plan describing and assigning responsibilities and actions to be taken.

5.2.8. REPORT OF RESOLUTION: Upon resolution of the response to a spill, the organization responsible for the premises shall provide a complete Report of Resolution to the Raymond TRC outlining actions taken and clearances provided by pertinent local, state and federal agencies.

5.2.9. PERMITTED USES: All uses permitted by right or allowed by special exception in the underlying district are permitted in the Groundwater Conservation District unless they are Prohibited Uses or

Conditional Uses. All uses must comply with the Performance Standards unless specifically exempt under Section 5.2.13.

5.2.10. PROHIBITED USES: The following uses are prohibited in the Groundwater Conservation District:

5.2.10.1. The siting or operation of a hazardous waste disposal facility as defined under RSA 147-A;

5.2.10.2. The siting or operation of a solid waste landfill;

5.2.10.3. The siting or operation of a junkyard;

5.2.10.4. The siting of a snow dump;

5.2.10.5. The siting or operation of a wastewater or septage lagoon; and

5.2.10.6. The siting or operation of a sludge monofill or sludge composting facility.

5.2.11. CONDITIONAL USES: The issuance of a Conditional Use Permit is subject to Site Plan Approval by the Planning Board. The Planning Board may grant a Conditional Use Permit for a use that is otherwise permitted within the underlying district, if the permitted use is or is involved in one or more of the following:

5.2.11.1. Storage, handling, and use of regulated substances in quantities exceeding 100 gallons or 800 pounds dry weight at any one time, provided that an adequate spill prevention, control and countermeasure (SPCC) plan prepared in accordance with Section 5.2.7 by a qualified professional, submitted to the Technical Review Committee for review and approval, with the final plan also submitted to the Raymond Fire Department and the Raymond Community Development Department for its records. The Technical Review Committee may employ the services of a qualified peer review professional to review the plan at the applicant's expense.

5.2.11.2. Any use that will render impervious more than 15% or 2,500 square feet of any lot, whichever is greater.

5.2.11.3. In granting such approval the Planning Board must first determine that the proposed use is not a prohibited use and will be in compliance with the Performance Standards as well as all applicable local, state and federal requirements. The Planning Board may, at its discretion, require a performance guaranty or bond, in an amount and with surety conditions satisfactory to the Board, to be posted to ensure completion of construction of any facilities required for compliance with the Performance Standards. The amount of this bond shall be in addition to any other bond required by the Board under either the Subdivision or Site Plan Review Regulations.

5.2.12. EXISTING NON-CONFORMING USES: Existing nonconforming uses may continue without expanding or changing to another nonconforming use, but must be in compliance with all applicable state and federal requirements, including Env-Ws 421, Best Management Practices Rules. However, under no circumstances will a nonconforming use be permitted when a continuance of that use presents a risk to public health and/or safety.

5.2.13. EXEMPTIONS: The following uses are exempt from the specified provisions of this ordinance as long as they are in compliance with all applicable local, state, and federal requirements:

5.2.13.1. Any private residence is exempt from all Performance Standards.

5.2.13.2. Any business or facility where regulated substances are stored in containers with a capacity of five (5) gallons or less is exempt from Performance Standards Sections 5.2.6.2.6 through 5.2.6.2.9.

5.2.13.3. Storage of heating fuels for on-site use or fuels for emergency electric generation, provided that storage tanks are indoors on a concrete floor or have corrosion control, leak detection, and secondary containment in place, is exempt from Performance Standards Section 5.2.6.2.6.

5.2.13.4. Storage of motor fuel in tanks attached to vehicles and fitted with permanent fuel lines to enable the fuel to be used by that vehicle is exempt from Performance Standards Section 5.2.6.2.6 through 5.2.6.2.9.

5.2.13.5. Storage and use of office supplies is exempt from Performance Standards Section 5.2.6.2.6 through 5.2.6.2.9.

5.2.13.6. Temporary storage of construction materials on a site where they are to be used is exempt from Performance Standards Section 5.2.6.2.6 through 5.2.6.2.9.

5.2.13.7. The sale, transportation, and use of pesticides as defined in RSA 430:29 XXVI are exempt from all provisions of this Ordinance.

5.2.13.8. Household hazardous waste collection projects regulated under NH Code of Administrative Rules Env-Wm 401.03(b)(1) and 501.01(b) are exempt from Performance Standards Section 5.2.6.2.6 through 5.2.6.2.9.

5.2.13.9. Underground storage tank systems and above ground storage tank systems that are in compliance with applicable state rules are exempt from inspections under Section 5.2.16 of this ordinance.

5.2.14. AMENDMENTS TO MAP: The Planning Board, after a public hearing held in accordance with RSA 675:6, may revise the "Combined Aquifer, Surficial Geology and Wellhead Protection Areas" map, as may be recommended from time to time by the New Hampshire Department of Environmental Services.

5.2.15. RELATIONSHIP BETWEEN STATE AND LOCAL REQUIREMENTS: Where both the State and the municipality have existing requirements the more stringent shall govern.

5.2.16. MAINTENANCE AND INSPECTION

5.2.16.1. For uses requiring planning board approval for any reason, a narrative description of maintenance requirements for structures required to comply with Performance Standards shall be recorded so as to run with the land on which such structures are located, at the Registry of Deeds for Rockingham County. The description so prepared shall comply with the requirements of RSA 478:4-a.

5.2.16.2. Inspections may be required to verify compliance with Performance Standards. Such

inspections shall be performed by the Director of Public Works or designee at reasonable times with prior notice to the landowner.

5.2.16.3. All properties within the Groundwater Conservation District known to be using or storing regulated substances in containers with a capacity of greater than 5 gallons, except for facilities where all regulated substance storage is exempt from this Ordinance under Section 5.2.13, shall be subject to inspections under this Section.

5.2.16.4. The Board of Selectmen may require a fee for compliance inspections. The fee shall be paid by the property owner. A fee schedule shall be established by the Board of Selectmen as provided for in RSA 41:9-a.

5.2.17. ENFORCEMENT PROCEDURES AND PENALTIES: Any violation of the requirements of this ordinance shall be subject to the enforcement procedures and penalties detailed in NH RSA 676.

5.2.18. SAVING CLAUSE: If any provision of this ordinance is found to be unenforceable, such provision shall be considered separable and shall not be construed to invalidate the remainder of the Ordinance.

5.2.19. EFFECTIVE DATE: This ordinance shall be effective upon adoption by the municipal governing body.

5.3. Sewer Overlay District

(03/2006) INTENT: The Sewer Overlay District (SOD) is designed to encourage a mixture of land uses as part of a unified development that could not otherwise occur in the underlying zones. Town water and sewer, either existing or as a component of the proposed development of a lot or lots, is a prerequisite to a site development plan approval under this Ordinance. All proposed site development plans considered under this Ordinance must conform to an approved Unified Development Plan. This Overlay District is specifically enacted in conjunction with the Town of Raymond's initiative to construct and operate a municipal wastewater treatment facility in conjunction with mixed-use development at Exit 4. This district is designed to foster economic development of primarily commercial and industrial development while allowing a limited amount of multi-family residential. Other mixed uses may be appropriate, except earth excavation and processing for commercial purposes which is not a compatible use within the SOD.

5.3.1. DISTRICT BOUNDARIES: The Sewer Overlay District (SOD) is hereby defined as consisting of the following properties identified on the Raymond Tax Maps as:

Tax Map #	Lot #	Approximate Acreage
22	9	39.10
22	37	2.66
22	38	1.0
22	39	1.0
22	40	1.0
22	41	1.0
22	42	1.0
22	43	22.57
22	44	2.18
22	45	15.86
22	46	29.59
22	47	12.84
22	48	13.16
23	24	8.03
23	25	67.11
27-4	32	1.84
28-3	43	4.24
28-3	120	10.54
28-3	120-1	61.21

5.3.2. UNIFIED DEVELOPMENT: All development within this SOD must take place in accordance with a Unified Development Plan approved by the Planning Board. For purposes of this Ordinance, a Unified Development Plan shall be defined as an overall plan that identifies in a conceptual nature how the lot or lots contained in the plan will be developed in a manner consistent with the intent of this Ordinance and how the plan will allow and encourage the development of other lots within the SOD zoning district, in a manner consistent with the intent of the Ordinance.

5.3.2.1. The Unified Development Plan must describe and illustrate, in written and graphic format, and shall specify the intended locations and types of proposed uses, the layout of proposed vehicle and pedestrian access and circulation systems, provision of transit facilities and water and sewer facilities, and areas designated to meet requirements for open space, parking, on site amenities, utilities and landscaping. It shall include statements or conceptual plans describing how signage and lighting will be designed in a unified and integrated manner within the district. In addition, the Unified Development Plan shall indicate how the proposed uses will relate to the surrounding properties both within and outside of the district.

5.3.2.2. The submittal of written concept statement(s) in lieu of a Unified Development Plan shall not be accepted. In determining whether to approve a Unified Development Plan, the Planning Board will consider the following criteria:

5.3.2.2.1. Compatibility of the plan with the goals and objectives set forth in the Town's Master Plan;

5.3.2.2.2. Compatibility of the plan with the permitted uses in the Sewer Overlay District.

5.3.2.2.3. Approval of the Unified Development Plan must occur prior to the consideration of individual site development plans for one or several contiguous lots within the SOD. All site development plans must be reviewed and approved in accordance with this Ordinance and the Planning Board's Site Plan, Subdivision and Earth Excavation Regulations prior to the issuance of any building permits within the district.

5.3.3. AMENDMENT TO UNIFIED DEVELOPMENT PLAN: Any Unified Development Plan may be changed or amended by an applicant and such changes may occur concurrently with, or prior to the submittal of individual site development plans. To the extent that the approved Unified Development Plan addresses lots within the SOD which are not owned by the applicant, then such approved plan shall be binding only on the applicant and the owners of such other lots may seek changes to the Unified Development Plan consistent with their own development project.

5.3.4. SPECIAL PROVISIONS: All new development, change of use, subdivision, site review or development requiring a building permit must be connected to both town water and town sewer services. Notwithstanding the above, application for new development may be made prior to the availability of town water and sewer, provided that the proposed use is permitted as a matter of right in the underlying districts or provided that relief is obtained from the Zoning Board of Adjustment, and provided that the applicant proposes development subject to a condition of approval that the property shall be connected to town water and sewer when it becomes available within one hundred (100) feet of the property line.

5.4. Mixed Use Business Campus Overlay District (03/2007) INTENT: The purposes of the Mixed Use Business Campus Overlay District (MUBCOD) are:

5.4.1. To provide areas in the Town of Raymond which encourage the voluntary development of business office campuses containing a wide range of office uses and which provide the opportunity for ancillary uses compatible with the needs of each business campus proposal, where such office and/or ancillary uses may not otherwise be permitted in the underlying zones;

5.4.2. To promote the creation of quality business campuses which contain a combination of open space, conservation, recreation and/or agricultural uses and which will help to create a pleasing working environment and preserve important historic and natural features of the land;

5.4.3. To contribute to the Town's economic vitality by providing employment opportunities and broadening the Town's tax base.

5.4.4. Furthermore, the MUBCOD is designed to foster economic development of primarily office business campus development while allowing ancillary uses limited to the following: hotel/motel, cafeteria, restaurant, daycare center, adult daycare center, testing labs, research labs, light manufacturing and warehouse establishments.

5.4.5. PERMITTED USES: Any use shown as a Permitted Use in the MUBCOD in the Allowed Uses Table in Article 14 shall be permitted in this district.

5.4.5.1. PROHIBITED USES: Any use not listed or shown as permitted in the Allowed Uses Table in Article 14 shall be prohibited in this district.

5.4.5.2. DISTRICT BOUNDARIES: The MUBCOD is hereby defined as consisting of any properties within the Town of Raymond which meet the eligibility criteria set forth in Section 5.4.7 below.

5.4.6. DEFINITION OF TERMS:

5.4.6.1. AGRICULTURE: For purposes of this section, the use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, biticulture and animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. The operation of commercial feed pens, sales yards and auction yards for cattle, hogs or other livestock is not an agricultural use for purposes of the MUBCOD.

5.4.6.2. ANCILLARY USE: An Ancillary Use is an activity or use on the developable land of the MUBCOD that supports an Office Establishment. Allowed ancillary uses are as follows: hotel/motel, cafeteria, restaurant, daycare center, adult daycare center, testing labs, research labs, light manufacturing and warehouse establishments. Ancillary Uses may be enjoyed by members of the public as well as individuals affiliated with the office use(s) within the MUBCOD.

5.4.6.3. BUSINESS CAMPUS: For the purposes of this section, a business campus is a development on the developable land consisting of one or more buildings primarily devoted to office establishments. The objective of a business campus is to create a work environment consisting of office space and ancillary uses.

5.4.6.4. CONSERVATION SPACE: For purposes of this section, Conservation Space shall mean the use of land for the protection, preservation, management, or restoration of wildlife and of natural resources such as forests, soil, and water. Conservation land shall be created under this section by submitting the land to restrictive covenants, or to a conservation easement or to the Town of Raymond with development restrictions.

5.4.6.5. OFFICE ESTABLISHMENT: For purposes of this section, Office Establishment shall mean a building or buildings used for business offices and/or by those providing professional services, such as engineers, doctors, bankers, buyers, realtors and insurance agents.

5.4.6.6. OPEN SPACE: For purposes of this section, Open Space shall mean the preservation of land with no buildings or improvements except walking trails. Open space land shall be created under this section by submitting the land to restrictive covenants, or to a conservation easement or to the Town of Raymond as open space with development restrictions.

5.4.6.7. RECREATION: The use of land for recreational purposes, including but not limited to playgrounds, sport fields, game courts, beaches, trails, picnicking areas, and leisure time

activities and accessory structures or improvements that directly support the accessory use as approved by the Planning Board.

5.4.7. DEVELOPMENT STANDARDS: If a property owner elects to propose a development pursuant to the terms of this Ordinance, then the proposed development shall conform to the following development standards:

5.4.7.1. The minimum initial lot size (prior to any subdivision) to qualify for inclusion in the MUBCOD is forty (40) acres. Lots may be assembled to create the forty (40) acre minimum parcel for inclusion in the MUBCOD.

5.4.7.2. Forty percent (40%) of the initial lot size shall be set aside for conservation, recreation, agriculture or open space uses; said uses may include baseball, track, soccer, tennis, basketball and other team sports as well as walking paths and/or agricultural use. The remaining sixty percent (60%) shall be the developable land.

5.4.7.3. The applicant shall determine whether the property is set aside for conservation, recreation, agriculture or open space or any combination thereof.

5.4.7.4. The property set aside shall be made accessible to all lots which may be subdivided out of the initial lot.

5.4.7.5. To qualify as a proposed development in the MUBCOD, the proposed development must have accessible frontage on a New Hampshire State Route, excluding limited access highways or portions thereof.

5.4.7.6. The proposed development must be served by the Town of Raymond Water Department.

5.4.7.7. At least sixty-seven percent (67%) of the developable land shall be devoted to Office Establishment. The remaining percentage of the developable land may be devoted to Ancillary Use.

5.4.8. DIMENSIONAL STANDARDS: Setbacks for proposed structures to the exterior lot line shall be one hundred (100) feet whenever the MUBCOD is either located within, or directly abutting, residentially zoned areas, whether currently developed or not. In all other cases, the structure setbacks and dimensional standards in the underlying zone shall be observed.

5.4.9. APPLICABILITY OF OTHER ORDINANCES: Unless otherwise specified within this section, the regulations of the underlying zoning districts and other Town Ordinances shall be applicable to all properties within the MUBCOD.

5.4.10. SPECIAL PROVISIONS:

5.4.10.1. COMPLIANCE PLAN DEVELOPMENT: All proposed development submitted pursuant to the terms of this Ordinance must take place in accordance with a Business Park Development Compliance Plan (Plan) approved by the Planning Board. The Plan must show at least sixty-seven percent (67%) of the developable land of the Business Campus devoted to Office Use. The intent of this Ordinance is that all other uses support the

Office Establishment as Ancillary Uses. The submission of a Business Park Development Compliance Plan shall not be a substitute for site plan review. A complete site plan review application shall be submitted in accordance with the Raymond Site Plan Review Regulations in addition to any approved Business Park Development Compliance Plan. The Plan shall include, at a minimum, the following information:

5.4.10.1.1. The owners of record of the parcel or parcels to be combined, clearly indicating their ownership tracts, acreage, property bounds, easements which burden the parcel or parcels, and easements either on the property or off the property which benefit the parcel;

5.4.10.1.2. Existing conditions of the parcel to include topography, and natural or historical features, scenic viewscapes, or other important features making the property unique in its appearance and or setting, any buildings or other structures in existence or previously approved for construction;

5.4.10.1.3. A conceptual layout of the proposed development showing proposed uses, square footages of buildings and improvements, in sufficient detail to clearly demonstrate the proposal's compliance with the sixty-seven/thirty-three (67/33) percentage split for Office and Ancillary Uses;

5.4.10.1.4. Actual calculations of the proposed building square footages and lot sizing to demonstrate the development's compliance with the base lot size minimum of forty (40) acres, conservation/recreation/agricultural set aside areas, and development minimum percentage requirements of the MUBCOD. Access to and availability of Town Water Service shall be demonstrated by written approval of the Raymond Water Department; and

5.4.10.1.5. The Plan information shall be provided on multiple sheets in order that the information is clearly delineated and easily understood.

5.4.10.1.6. Once the development standards set forth in Section 5.4.7 are met, then the land shown on the Business Park Development Compliance Plan may be subdivided, providing that the proposed subdivision complies with the Subdivision Regulations and providing that the following conditions are met:

5.4.10.1.7. An association of lot owners or condominium unit owners shall be formed for the perpetual maintenance and certification of continued compliance with approvals granted, including, but not limited to, all conservation and open space areas, private road networks, utilities, recreational spaces, and or any other commonly owned property within the MUBCOD.

5.4.10.1.8. Each separate lot created must front on an approved road network, whether the road is public or private, as shown on the approved subdivision plan.

5.4.10.1.9. Each lot created must have not less than fifty (50) feet of accessible road frontage.

5.4.10.1.10. Each lot shall be served by the Raymond Town Water System.

5.4.10.1.11. Each lot shall be a maximum of two (2) acres in size for Ancillary Uses and not less than five (5) acres in size for Office Establishment.

5.5. Elderly Housing Overlay District

5.5.1. INTENT: This article is established to provide an overlay zoning district within which elderly housing shall be a permitted use. It is declared to be in the public interest and general welfare of the Town of Raymond to encourage a diverse mixture of ages in the general population and to encourage the development of housing for the elderly. The Elderly Housing Overlay Zoning District is designed to establish minimum development standards to ensure that the needs of the elderly are met, to provide locations for elderly housing projects which are compatible with the needs of the elderly, and to encourage housing for the elderly by permitting an increased density above that which is allowed in the underlying zone. This Overlay Zone is designed to provide for the existence of facilities and services specifically designed to meet the physical, social and economic needs of older persons as opposed to any other residential use. The principal use of land may be for one or several building types ranging from independent senior housing, assisted living facility, congregate care, adult retirement community, and active adult community. The form of the unit can consist of attached or detached dwelling(s), with ownership including, but not limited to, condominium, or fee simple.

5.5.2. FAIR HOUSING ACT COMPLIANCE: Any housing development under this section must be established and operated in compliance with the Fair Housing Act as amended, 42 USC Sec. 3601 et seq. The Planning Board may require assurance of compliance with the Act by deed restriction, covenants, or other instruments as a condition of approval.

5.5.3. ADDITIONAL REVIEW: The Elderly Housing Overlay District shall require, pursuant to the provisions of the Site Review Regulations and Subdivision Regulations, site review and/or subdivision approval as appropriate.

5.5.4. FINDING: The Planning Board finds that the standards set forth herein, including the location of the overlay district, and the minimum standards which govern elderly housing developments, are chosen to further the goal of encouraging elderly housing which meets the needs of the elderly. As a result, any requests for use variances or variances from the minimum standards set forth herein are discouraged.

5.5.5. DEFINITIONS

5.5.5.1. ACTIVE ADULT HOUSING: As its name suggests, Active Adult Housing (AAH) describes a category of residences that is both independent of full time staff support and age restrictive. Housing that is specifically targeted to occupants' age fifty-five (55) years and older.

5.5.5.2. ADULT RETIREMENT COMMUNITY: A planned residential development for occupancy of person(s) fifty-five (55) years of age and older that emphasizes social and recreational activities but may also provide personal services, limited health facilities, and transportation.

5.5.5.3. ASSISTED LIVING FACILITY: Dwelling Units for occupancy of person(s) sixty-two (62) years of age and older where rooms, meals, personal care and supervision of self-administered medication are provided. Other services may be provided as an accessory use only, such as recreational activities, financial services and transportation.

5.5.5.4. BEDROOM: A room primarily intended for sleeping which has an interior door, closet, and means of egress window.

5.5.5.5. CONGREGATE CARE FACILITY: Units for occupancy of person(s) sixty-two (62) years of age or older where communal dining facilities and services such as housekeeping, organized social and recreational activities, transportation services, and other support services appropriate for the occupants are provided.

5.5.5.6. DWELLING UNIT: For the purpose of Section 5.5, the term Dwelling Unit shall mean:

5.5.5.6.1. For active adult housing, adult retirement community, assisted living facility, one or more bedrooms providing complete separate living facilities for the use of one or more persons constituting a single housekeeping unit, with permanent provisions for living, sleeping, eating, cooking and sanitation;

5.5.5.6.2. For congregate care, cooking and eating facilities are optional; however the unit shall in all other respects constitute a single housekeeping unit.

5.5.5.7. ELDERLY HOUSING DEVELOPMENT: Shall consist of active adult housing, adult retirement communities, congregate care facilities, assisted living facilities and ancillary facilities as defined and allowed under the provisions of this Ordinance.

5.5.5.8. HOUSEHOLD MEMBER: A person who occupies a dwelling unit in an active adult or adult retirement elderly housing development.

5.5.5.9. OCCUPANT: The term occupant shall mean any person(s) residing in a dwelling unit who meets the requirements of Section 5.5.11.

5.5.5.10. QUALIFYING HOUSEHOLD MEMBER: For active adult and adult retirement development projects, a household member who meets the requirements of the elderly housing development and occupies an elderly housing dwelling unit.

5.5.6. PURPOSE: To provide standards for the location and development of appropriate sites within the Town for the following uses as more fully described herein:

5.5.6.1. Active Adult Community

5.5.6.2. Adult Retirement Community

5.5.6.3. Assisted Living Facility

5.5.6.4. Congregate Care Facility

5.5.7. LOCATION OF ELDERLY HOUSING OVERLAY DISTRICT: Elderly Housing Developments shall be an "allowed use" in the following Zoning Districts:

5.5.7.1. Zone A (Residential)

5.5.7.2. Zone B (Residential/Agricultural)

5.5.7.3. Zone C.2 (Commercial/Residential)

5.5.7.4. Zone E (Manufactured Housing)

5.5.8. SPECIAL EXCEPTION: Elderly Housing Developments may be allowed in the following Zoning Districts by "Special Exception":

5.5.8.1. Zone F (Historic): Prior to scheduling a public hearing on the request for special exception, the Zoning Board of Adjustment shall request that the Historic District Commission review and comment on the special exception request.

5.5.8.2. The Groundwater Conservation Overlay District (Section 5.2): Prior to scheduling a public hearing on the request for special exception, the Zoning Board of Adjustment shall request that the Conservation Commission review and comment on the special exception request.

5.5.9. PROHIBITION: Elderly Housing shall NOT be permitted in any of the following Zones:

5.5.9.1. Zone C.1 (Commercial)

5.5.9.2. Zone D (Industrial)

5.5.9.3. Zone G (Conservation District)

5.5.10. USES PERMITTED WITHIN ELDERLY HOUSING OVERLAY DISTRICT:

5.5.10.1. ACTIVE ADULT COMMUNITY: At least eighty percent (80%) of the dwelling units must be occupied by at least one person who is fifty-five (55) years or older.

5.5.10.2. ADULT RETIREMENT COMMUNITY: At least eighty percent (80%) of the dwelling units must be occupied by at least one person who is fifty-five (55) years or older.

5.5.10.3. ASSISTED LIVING FACILITIES: Occupants of these dwelling units must be sixty-two (62) years or older.

5.5.10.4. CONGREGATE CARE FACILITIES: Occupants of these dwelling units must be sixty-two (62) years or older.

5.5.10.5. Ancillary facilities as accessory uses supportive of the primary elderly overlay use.

5.5.10.6. Any elderly housing development may contain one or more types of the above described housing. However, if a proposed development contains one or more types, then each type will be segregated from the other to ensure compliance with the age restrictions for dwelling units set forth above.

5.5.11. OCCUPANCY ELIGIBILITY FOR DWELLING UNITS WITHIN ELDERLY HOUSING DEVELOPMENTS: Dwelling Units qualify for inclusion in this Zone provided the dwelling units are specifically designed for the needs and services of the targeted population. To qualify as a permitted dwelling unit in this Zone all of the units within the elderly housing development project must meet one (1) of the following criteria:

5.5.11.1. For active adult community and adult retirement, at least eighty percent (80%) of the dwelling units must be occupied by at least one (1) occupant fifty-five (55) years of age or older, the occupant(s) who are fifty-five (55) years of age or older shall be the qualifying household member(s); OR

5.5.11.2. For all other types of elderly housing developments as described above, the units are intended for and solely occupied by occupants sixty-two (62) years of age or older; OR

5.5.11.3. A dwelling unit in an active adult community and/or an adult retirement development project may be occupied by a household member who remains after the removal of the qualifying household member as a result of death, divorce, or legal separation. The surviving household member shall be allowed to occupy the unit until the rental period expires or until the next conveyance or transfer of the record title to that dwelling unit at which time the age restriction on occupancy must be re-established.

5.5.11.4. An occupant under the age of fifty-five (55), but over the age of eighteen (18), may live in a dwelling unit, which is part of an active adult or adult retirement community, if the other occupants of the unit meet the age requirements for occupancy and if the occupants can demonstrate that:

5.5.11.4.1. It is necessary for the underage occupant to reside at the site to provide care-taking services or to provide necessary medical assistance to the eligible occupant(s) OR;

5.5.11.4.2. One or both occupants who meet the age requirement have an adult child who is disabled and for whom they are the primary caregivers and/or who they serve as the legal guardians.

5.5.11.4.3. Any requests made under this provision shall be made to the Code Official for review and determination. The Code Official may require that the request be accompanied by documentation from qualified medical personnel indicating that care-taking or medical care is necessary for one

or more occupants of the dwelling unit. The Code Official may also require that the request be accompanied by documentation, which demonstrates the adult child is disabled, and that the parents are the primary caregiver/legal guardian for the child.

5.5.11.4.4. In no event shall more than three (3) occupants live in any dwelling unit of an elderly housing development. The underage occupant referenced in Section 5.5.11.4 above shall not be considered a "household member" as defined herein, and shall occupy the dwelling unit only during such time as they may qualify for occupancy under Section 5.5.11.4 above.

5.5.12. MINIMUM STANDARDS FOR DEVELOPMENT: The following standards are the minimum standards for any elderly housing development:

5.5.12.1. Each development shall be subject to review and approval under the Town of Raymond's Planning Board Site Review and/or Subdivisions Regulations.

5.5.12.2. The number of elderly housing dwelling units in Raymond, including those which are contained in any elderly housing project application accepted for review by the Planning Board, shall not exceed twenty percent (20%) of the total number of dwelling units in existence in the community which are approved as of April 1 of each calendar year. In determining what constitutes an elderly housing unit, the assessor's office will reference the portions of the Zoning Ordinance in effect when the dwelling unit was constructed and determine whether it shall be considered "elderly housing" for the purposes of the calculations required under this section. The Code Official will determine whether the number of units in any elderly housing project exceeds the maximum percentage described above.

5.5.12.3. MINIMUM LOT SIZE:

5.5.12.3.1. On lots serviced by municipal water: One (1) acre (43,560 sq. ft.) or larger.

5.5.12.3.2. On lots NOT serviced by municipal water: Two (2) acres (87,120 sq. ft.) or larger, depending on soil and slope conditions, as may be necessary to sustain development according to state lot-size standards.

5.5.12.3.3. Minimum lot frontage shall be seventy-five feet (75') in all districts.

5.5.12.4. MINIMUM UNIT SIZE:

5.5.12.4.1. A one (1) bedroom dwelling unit shall contain a minimum of 400 square feet of living space.

5.5.12.4.2. A two (2) bedroom dwelling unit shall contain a minimum of 600 square feet of living space.

5.5.12.4.3. No dwelling unit shall contain more than two (2) bedrooms.

5.5.12.5. NET DENSITY CALCULATION:

5.5.12.5.1. Zone G land shall not be considered as part of the Net Density Calculation.

Example:

Gross Acreage minus Zone G = Acres for Density Calculations

100 Gross Acres less 20 Zone G Acres = 80 Acres for Density Calculations

5.5.12.5.2. Open Space: Open space shall consist of a minimum of thirty percent (30%) of the gross acreage of the property. No more than twenty percent (20%) of the gross acreage, if calculated as open space, shall consist of Zone G land.

Example:

Step 1: Gross Acreage minus (-) Zone G Land equals (=) Developable Calculation Area
100 gross acres – 20 gross acres (Zone G) = 80 acres (developable calculation area)

Step 2: Minimum Open Space = 30% of Gross Acreage. 100 acres X 30% = 30 acres

Step 3: A maximum amount of 20% of gross acreage may consist of Zone G land in satisfying the open space requirement 100 acres 20% = 20 acres

Step 4: To meet the Open space set aside, required of 30%, 20 acres (as per step 3 above) and 10 acres of non-Zone G land would be required.

5.5.12.6. BEDROOMS: The number of bedrooms per acre shall not exceed the densities allowed as follows:

5.5.12.6.1. For active adult and adult retirement projects (age fifty-five (55) or older), there shall be no more than four (4) bedrooms per acre.

5.5.12.6.2. For all other elderly housing projects (age sixty-two (62) or older), there shall be no more than eight (8) bedrooms per acre.

5.5.12.7. SETBACKS:

5.5.12.7.1. Any structure shall be set back at least seventy-five feet (75') from the front lot line.

5.5.12.7.2. Any structure shall be set back at least thirty feet (30') from the side and rear lot line.

5.5.12.8. BUFFERS: The purpose of the buffer zones is to provide a transition area between adjoining land uses.

5.5.12.8.1. A minimum fifteen foot (15') wide landscaped area shall serve as a buffer on sides and rear.

5.5.12.8.2. There shall be a ten foot (10') wide landscaped area along the public right-of-way.

5.5.12.8.2.1. The buffer area shall contain year-round screening. Screening may consist of shrubs, trees, fencing, as directed by the Planning Board during Site Plan Review.

5.5.12.9. ANCILLARY FACILITIES AS ACCESSORY USES: Ancillary facilities, usually associated with the living needs for comfort, health, safety and welfare of seniors shall be provided to meet the need of the proposed population of the development. These facilities may include dispensaries, common dining, group recreation or other similar or related facilities primarily for the support of the residents of the development. The type and the size of such facilities shall be proportional to and suitable for the type and scope of the proposed elderly housing development.

5.5.12.10. OUTDOOR RECREATION FACILITIES: Outdoor recreation facilities shall be required and may be used for self-directed or structured activities that are either active or passive in nature. Outdoor recreation facilities may be incorporated in the minimum Open Space. Allowable impermeable surface for these facilities within the Open Space shall not exceed ten percent (10%) of the Open Space requirement.

5.5.12.10.1. Structured recreation shall be defined as activities that are scheduled, organized activities that may require equipment and that may take place on dedicated sites.

5.5.12.10.2. Self-directed activities shall be defined as activities that a person or people may engage in at will. The participant(s) decides the time, place and the activity.

5.5.12.10.3. Active recreation is defined as activities that require the expenditure of physical energy such as gardening, playing sports, and hiking.

5.5.12.10.4. Passive recreation is defined as activities that require limited expenditure of physical energy such as reading and playing cards.

5.5.12.11. ON-SITE PARKING:

5.5.12.11.1. No less than three (3) spaces per dwelling unit.

5.5.12.11.2. Covered parking spaces that cannot be used for or converted to storage or additional living space by the user/owner may be included in the calculation for required parking for the development.

5.5.13. HANDICAPPED CONVERTIBLE: All of the dwelling units shall be handicapped convertible in the following manner: Dwelling units shall be so designed that all rooms including the bathroom area may be converted to a full handicapped unit without the removal of walls, the widening of hallways and or the replacement of doors. All hidden blocking shall be installed in bathrooms for the future installation of handicapped accessible fixtures without the removal of wall surfaces.

5.5.14. AGREEMENTS, RESTRICTIONS AND PROVISIONS: The applicant shall provide copies of deed restrictions, condominium documents, or restrictive covenants which shall be binding on successors and assigns of the property and which shall require that the occupants comply with the applicable age restrictions. Such documents shall be reviewed and approved by the Planning Board. Enforcement of any and all agreements, restrictions and or covenants shall be the responsibility of the property owners as to initial and continued enforcement and compliance. In the event the property owner fails to do so, then the Planning Board reserves the right, but not the obligation, to enforce all age and occupancy restrictions which are set forth in applicable agreements.

5.5.15. Once approval for an elderly housing development project is obtained within the elderly housing Zoning Overlay District, then the use shall remain as elderly housing unless the following steps occur:

5.5.15.1. A majority of the owners of lots or units within the elderly housing development must decide that a use change for the property is desired.

5.5.15.2. The owners must apply for and receive new subdivision and/or site plan approval(s) as appropriate from the Planning Board pursuant to the provisions of the Zoning Ordinance in effect at the time of the request. At a minimum, the owners must apply for and receive a change of use approval pursuant to the site review regulations.

5.5.15.3. The owners must submit for review and approval, by the Planning Board, modified or replacement restrictive covenants, condominium declarations or such other documents as are required by the Planning Board as a result of the above referenced approval process.

5.5.15.4. In addition to the enforcement provisions described herein, the Town of Raymond reserves all rights to pursue, as a zoning violation pursuant to RSA 676:17, any change of use made to a dwelling unit or ancillary structure which is not in conformance with the Elderly Housing Overlay District.

5.5.16. OTHER REQUIREMENTS

5.5.16.1. Minimum safety standards: The development shall meet all applicable building codes and life safety codes that have been adopted by the Town of Raymond, as well as other state and federal statutes and regulations.

5.5.16.2. Sidewalks and/or suitable walkways shall be provided throughout the development.

5.5.16.3. There shall be a minimum of two (2) access points from existing or proposed public roads to the development. One (1) of the access points may be restricted for emergency access

only, upon review of the fire department, providers of emergency services and approval by the Planning Board.

5.5.16.4. The standards contained within this Ordinance shall supersede any conflicting standards contained in other portions of the Zoning Ordinance.

ARTICLE 6: MISCELLANEOUS PROVISIONS

6.1 Sign Regulations

6.1.1. DEFINITIONS (03/2009)

6.1.1.1. BILLBOARD: An off-premises sign that identifies or communicates commercial or non-commercial information related to an activity, service or product.

6.1.1.2. EFFECTIVE DATE: The date the amendment is adopted.

6.1.1.3. ELECTRONIC READER BOARD: An electrically activated, changeable sign whose variable message capability can be electronically programmed.

6.1.1.4. FREESTANDING SIGN: A sign supported by one or more upright poles, columns, or braces placed in the ground and not attached to any building or structure. A sign that stands without supporting elements, such as a "sandwich sign," is also a freestanding sign. A freestanding sandwich sign shall not exceed four (4) square feet and shall be removed from view when the business is not open.

6.1.1.5. INTERNALLY ILLUMINATED SIGNS: Signs where the source of the illumination is inside the sign and the light emanates through the message of the sign.

6.1.1.6. NON-ELECTRONIC CHANGEABLE LETTER SIGN: A sign that is designed so that the message, characters, letters or illustrations can be manually changed (as opposed to electronically changed) or re-arranged without altering the face or surface of the sign.

6.1.1.7. ON-PREMISES SIGN: A sign that communicates information about a business, service product, accommodation or attraction that exists or is conducted entirely on the site where the sign is located.

6.1.1.8. PROMOTIONAL TOOL: (03/2013) Any outside display of a non-permanent nature, which is not part of an approved site plan, that can be easily installed and taken down and is utilized for the purpose of publicizing a product, organization, or venture so as to increase sales or public awareness of the business, activity, product, service or special circumstance at the site. Examples of Promotional Tools include, but are not limited to: inflatables, flutter flags, air dancers and banners.

6.1.1.9. SIGN: A device or structure designed or intended to convey information to the public in written or pictorial form.

6.1.1.10. TEMPORARY SIGN: A sign or display that is used for a specific circumstance, situation or event intended or expected to take place or be completed within a short or definite period of time and will be up for not more than thirty (30) days, and not more than two (2) times per calendar year.

6.1.1.11. WALL SIGN: A sign painted, stenciled or affixed on a window, which is visible from a right-of-way.

6.1.2. PERMIT REQUIRED FOR SIGNS: Except as provided in Section 6.1.3, no sign may be constructed, erected, moved, enlarged, illuminated or substantially altered except in accordance with the provisions of this section. Painting or change of message is not a substantial alteration.

6.1.2.1. If plans are submitted for a building permit, site plan review or other land use approval and the plans are of sufficient detail to make a determination, the approving body shall determine whether the proposed sign complies with the provisions of this section; if compliance is determined, a sign permit will be issued as part of the overall approval process.

6.1.2.2. Signs not approved as provided for in Section 6.1.2.1 and not exempted, may be constructed, erected, moved, enlarged, illuminated or substantially altered, only in accordance with a sign permit issued by the Code Official. In the case of a lot occupied by multiple business enterprises (e.g. shopping center), the Code Official may issue the permit in the name of the lot owner or his agent. While the Town may assist the owner by suggesting a formula for the allocation of the maximum square footage of sign area, the Town shall be responsible for the enforcement of the provisions of this section and not the provisions of any allocation formula.

6.1.3. SIGNS EXCLUDED FROM REGULATION: The following signs are exempt from the Regulations:

6.1.3.1. Signs less than four (4) square feet of a residential nature.

6.1.3.2. Signs erected by action of a governmental body.

6.1.3.3. Official non-commercial signs erected by Public Utilities.

6.1.3.4. Flags, pennants etc. of any public or non-profit body.

6.1.3.5. Integral decorative or architectural features.

6.1.3.6. On site directional signs less than four (4) square feet.

6.1.3.7. Church bulletin boards less than sixteen (16) square feet.

6.1.3.8. Signs painted or permanently attached to vehicles.

6.1.3.9. Religious, political or non-commercial signs less than sixteen (16) square feet.

6.1.3.10. The following temporary signs are permitted without a zoning determination, site plan approval or a sign permit:

6.1.3.10.1. Residential Real Estate Signs with a maximum size of six (6) square feet.

6.1.3.10.2. Commercial/Industrial Real Estate Signs with a maximum size of thirty-two (32) square feet.

6.1.3.10.3. Limit of one Real Estate Sign (of any type) per lot.

6.1.3.10.4. Construction site identification signs.

6.1.3.10.5. Window signs.

6.1.3.10.6. Displays erected in connection with holidays.

6.1.3.10.7. Signs erected in connection with elections/campaigns.

6.1.3.10.8. Signs indicating a special event; two (2) weeks prior, plus three (3) days.

6.1.3.10.9. Other Temporary signs: one, with a maximum size of four (4) square feet, three (3) days/occasion.

6.1.3.10.10. Promotional Tools are permitted without a zoning determination, site plan approval or a sign permit as long as they comply with all of the following:

6.1.3.10.10.1. The number of Promotional Tools utilized at any given time does not exceed two (2) per business at any given time, dimensions not to exceed twelve (12) feet in height and three (3) feet in width per Promotional Tool;

6.1.3.10.10.2. The positioning of Promotional Tools does not impede drivers' sight lines entering or exiting a site;

6.1.3.10.10.3. Promotional Tools are adequately secured so as to prevent dislodging during weather events;

6.1.3.10.10.4. All Promotional Tools shall only be located on the lot where the activity, product, service or special circumstance is offered or taking place; and

6.1.3.10.10.5. Each Promotional Tool shall bear the name of the business or owner of the device for ease of identification of the responsible party due to its ease of removal.

6.1.3.10.10.6. Any Promotional Tool that does not easily lend itself to the application of this definition or application of the dimensional criteria shall require a Special Sign Permit from the Planning Board. The Planning Board may issue a Special Sign Permit if it finds that the Promotional Tool being proposed meets the intent of this section and is not adverse to public safety.

6.1.4. TOTAL SIGN SURFACE AREA FOR PERMANENT SIGNS

6.1.4.1. The maximum sign surface area permitted on any lot in a residential zone is four (4) square feet per side for a maximum of two (2) sides.

6.1.4.2. Subject to other provisions, the maximum sign surface area in the Commercial 1 (C.1), Commercial 2 (C.2), Commercial 3 East and West (C3E and C3W) and Industrial Zones shall be determined as follows(03/2020):

6.1.4.2.1. Single business enterprises within a multi-unit location are allowed a maximum of sixty-four (64) square feet of sign surface area on the building.

6.1.4.2.2. In no case may the total sign surface area on all sides exceed 300 square feet.

6.1.4.2.3. For lots with less than 100 feet of frontage, a maximum of fifty (50) square feet of surface area per side shall be allowed, two (2) sides maximum.

6.1.4.2.4. For those lots with 101 to 200 feet of frontage, there may be up to 0.5 square foot of sign surface area per linear foot of total street frontage per side, two (2) sides maximum.

6.1.4.2.5. For those lots in excess of 200 feet of frontage, there may be up to 0.75 square feet of sign surface area per linear foot, per side, two (2) sides maximum.

6.1.4.2.6. In no case may the total sign surface area on all sides exceed 300 square feet.

6.1.5. GENERAL PROVISIONS (03/2009): All signs and components shall be maintained and kept in a state of good repair. Non-electronic changeable letter signs shall only be allowed when permanently installed and wired in accordance with the State of New Hampshire Electrical Code. No person, for the purpose of enhancing the visibility of any sign shall damage, trim, destroy or remove trees or other landscaping within the right of way of a public street, on property not under his land use approval. Signs, or any component thereof, shall not substantially interfere with the view necessary for motorists, pedestrians or cyclists, to proceed, cause confusion with traffic or governmental signs, or be considered a hazard to public safety. **No flashing, animated, Electronic Reader Board or sexually descriptive or suggestive signs will be allowed**.

6.1.6. FREESTANDING SIGNS: A single side of a freestanding sign shall not exceed the square footage in sign surface area listed in Section 6.1.4.2.4, and in no case shall exceed 150 square feet. Where there is no discernible side, such as a sphere, the freestanding sign shall not exceed the maximum total surface area allowed. A development may have no more than two (2) freestanding signs. Freestanding signs shall be securely fastened to the ground or to some other substantial supportive structure, shall meet a ten (10) foot setback requirement and shall not exceed a height of thirty (30) feet as measured from ground level with a minimum base height of five (5) feet at the road elevation.

6.1.7. SIGN ILLUMINATION (03/2009): Signs may be illuminated if in accordance with this section.

6.1.7.1. No sign within 150 feet of a residential zone may be illuminated between the hours of 12:00 Midnight and 6:00 a.m., unless the impact of lighting on abutting lots is inconsequential.

6.1.7.2. Internally illuminated signs are not permissible in Zones A and B.

6.1.7.3. Externally or internally illuminated signs shall not cause vagrant lighting, which creates a traffic hazard.

6.1.7.4. LED (Light Emitting Diode), fluorescent, or neon lighting shall be allowed to internally illuminate signs.

6.1.7.5. Neon or LED building accent lighting shall not be allowed.

6.1.8. NON-CONFORMING SIGNS (03/2009): Non-conforming signs may not be moved or altered in any way which makes the sign more non-conforming. Repairs and maintenance may be performed, provided that such work shall not enlarge or expand the non-conformity. If the non-conforming sign is removed, it shall be replaced only with a sign conforming to the provisions of this ordinance. If non-conforming signs are damaged by fire or any other cause other than the willful act of the owner or agent, then such sign may be restored or reconstructed at its original site, provided that the restoration or reconstruction will not enlarge the non-conformity. Such restoration or reconstruction must be started within one year of damage or destruction and must be completed within two (2) years of such damage or destruction. Off-premises signs protected from enforced removal by the Outdoor Advertising Control Act shall not be subjected to the provisions of this section.

6.1.9. SEWER OVERLAY DISTRICT SIGNAGE (03/2007)

6.1.9.1. INTENT: The Sewer Overlay District Signage Ordinance is designed to be less stringent than the general signage restrictions in the Town of Raymond. The relaxing of the general signage requirements in the SOD recognizes that the anticipated signage needs for commercial and industrial development in the Sewer Overlay District (SOD) have needs which differ from those of other commercial and industrial activities in Raymond. The creation of signage requirements for the SOD will foster and allow development of primarily commercial and industrial development in the SOD while allowing the Town to regulate signage within the SOD to ensure the health, safety and welfare of the community. This Ordinance is specifically enacted in conjunction with the Town of Raymond's economic initiative in the SOD.

6.1.9.2. GENERAL: Signage within this District must be consistent with the signage provisions of the adopted Unified Development Plan referenced in Section 5.3 as it may be amended from time to time, while allowing the business occupants the use of their logo and specific colors associated with their brand or company affiliation. For purposes of this section, "business occupants" shall be defined to mean owners or tenants of any commercial or industrial site within the SOD.

6.1.9.3. DEFINITIONS:

6.1.9.3.1. BOX-TYPE SIGN, SURFACE MOUNTED CABINET SIGN OR BOX SIGN: A metal box framed sign, in which the face panel, whether flat or vacuum formed, can be easily interchanged.

6.1.9.3.2. BUILDING SIGN: Any sign connected to the wall of a building, projected or suspended from the building, or any sign attached to any exterior part of a building, including roof mounted signs.

6.1.9.3.3. CHANNEL LETTER-TYPE SIGN: A sign made up of channel letters, which are individually illuminated letters and graphics either mounted directly to a wall or mounted on a raceway.

6.1.9.3.4. ELECTRONIC READER BOARD: An electrically activated, changeable sign whose variable message capability can be electronically programmed.

6.1.9.3.5. MONUMENT SIGN: Permanent signs where the entire bottom of the sign is affixed to the ground, not to a building.

6.1.9.3.6. PYLON SIGN: A free-standing sign, usually double-faced, mounted on a round pole, square tube or other fabricated member or members affixed to the ground, not to a building without any type of secondary support.

6.1.9.3.7. WINDOW SIGN: A sign affixed to the surface of a window with its message intended to be visible to and readable from the public way or from adjacent property. Window signs shall not cover more than fifty percent (50%) of window area.

6.1.9.4. STANDARDS

6.1.9.4.1. All building signs shall be channel letter-type signs, internally illuminated by use of fluorescent, neon or light emitting diodes (LED).

6.1.9.4.2. No electronic reader boards, flashing signs or box-type surface mounted cabinet signs will be allowed on any building façade, monument sign or pylon sign.

6.1.9.4.3. Business occupants with a gross lease area (GLA) equal to or exceeding 10,000 square feet will be allowed up to 250 square feet of building mounted signage. Business occupants with a GLA less than 10,000 square feet, but more than 5,000 square feet will be allowed up to sixty-four (64) square feet of building mounted signage. Tenants with a GLA less than 5,000 square feet shall be allowed no more than thirty-two (32) square feet of building mounted signage. Window signs are not included in this calculation.

6.1.9.4.4. Building mounted signage shall be measured by squaring letters set on the vertical plane.

6.1.9.4.5. All building mounted, monument and pylon signage lighting shall be extinguished no later than one (1) hour after the center or building or business has closed to the public for business and shall be lit no earlier than one (1) hour prior to opening to the public for business.

6.1.9.4.6. One pylon sign and one monument sign shall be allowed for any lot that exceeds ten (10) acres in gross land area. Lots less than ten (10) acres in gross land area shall be limited to either one pylon or one monument sign.

6.1.9.4.7. The maximum height of any pylon sign shall not exceed forty (40) feet measured from the average ground elevation within fifty (50) feet in any direction from the sign location. The maximum height of any monument sign shall be six (6) feet measured from the average ground elevation within fifty (50) feet in any direction from the sign location.

6.1.9.4.8. Pylon signs shall not exceed two hundred fifty (250) square feet per side, including all business occupants' panels, for lots in excess of ten (10) acres. Pylon signs shall be limited to one hundred (100) square feet per side for lots less than ten (10) acres of gross land area.

6.1.9.4.9. The maximum size of any monument sign shall not exceed forty-eight (48) square feet per side.

6.1.9.4.10. The Town of Raymond Zoning Ordinance, Sections 6.1.1 through 6.1.8 shall govern all criteria not otherwise regulated in Section 6.1.9.

6.1.10. RAIL TRAIL SIGNAGE (RTS) DISTRICT (03/2015)

6.1.10.1. DISTRICT BOUNDARIES: The RTS District is shown on the Official Zoning Map of the Town of Raymond as two twenty feet-wide corridors parallel to the north and south sides of the Rockingham Recreational Rail Trail – Portsmouth Branch, within the Town of Raymond boundaries.

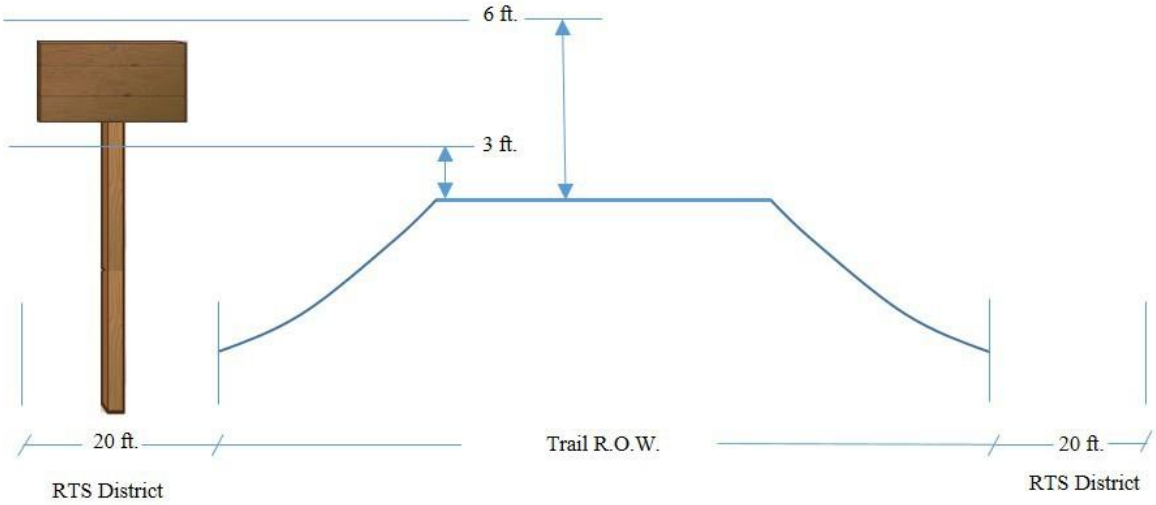
6.1.10.2. PURPOSE: The RTS district is established to orient rail trail users to the location of nearby attractions in Raymond.

6.1.10.3. STANDARDS

6.1.10.3.1. SIGN DESIGN: Signage within the RTS District, with the exception of signage within the RTS Commercial Zones, shall contain non-commercial directional and informational messages and be a design type similar to that pictured below and shall not be illuminated:

6.1.10.3.2. SIGN MATERIALS: Signage shall be of wood. Signs shall be mounted on treated posts as pictured above, using an adequate attachment method (lag bolts, etc.)

6.1.10.3.3. DIMENSIONAL REQUIREMENTS: Signage shall not exceed six square feet and must be located at a height so as to be visible between three feet and six feet above the surface grade of the trail.



6.1.10.3.4. SPACING REQUIREMENTS: Posts containing signage shall be spaced a minimum of 50 feet between signs, except within the RTS Commercial Zones as described below.

6.1.10.4. RTS COMMERCIAL ZONES: Within the RTS District, specifically at the approach to the intersection of Main Street and the Rail Trail **(Figure A)** and at the approach to the intersection of Freetown Road (Routes 102/107) and the Rail Trail **(Figure B)**, two commercial zones shall extend four hundred fifty feet along each corridor and on both sides of the intersections. Within the commercial zones, the sign specifications shall be as outlined in Sections 6.1.10.4.1 and 6.1.10.4.2 below and may contain commercial, directional and informational messages.

Figure A – Rail Trail at Main Street

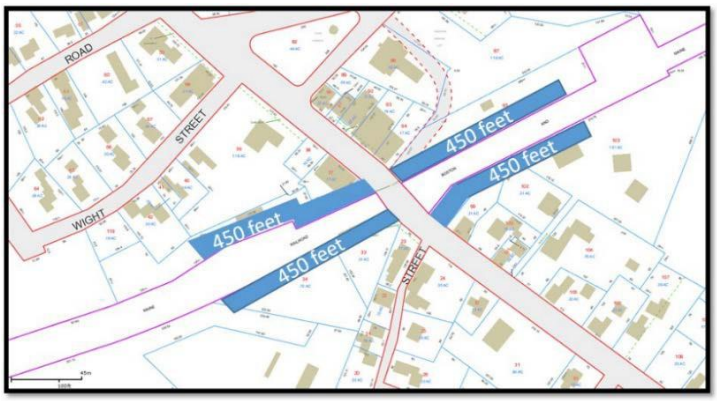
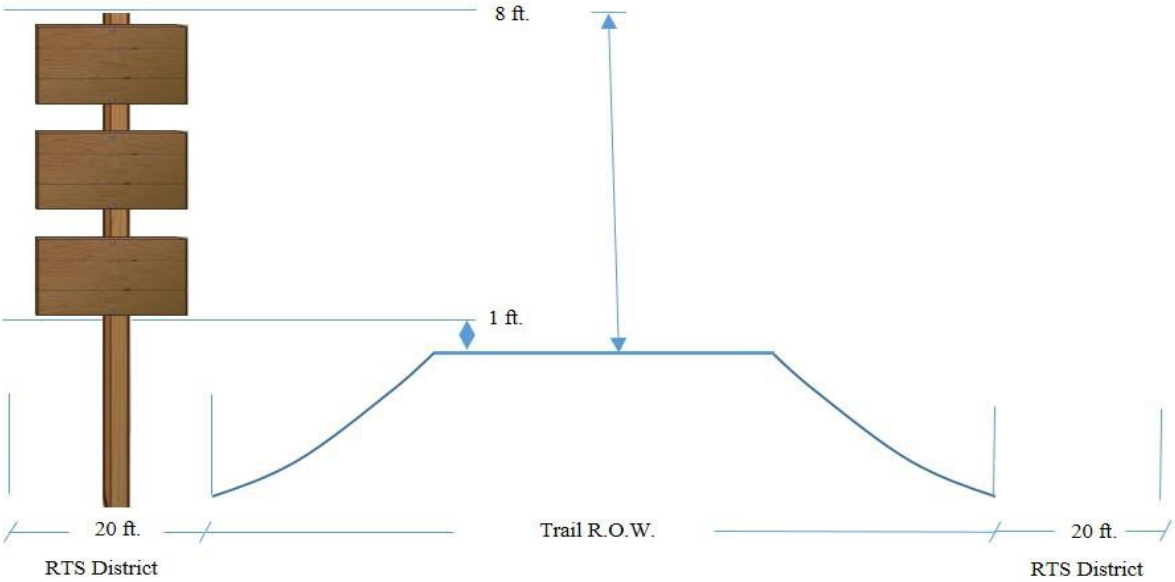


Figure B – Rail Trail at Freetown Road

6.1.10.4.1. RTS COMMERCIAL ZONE SIGN STANDARDS: Individual signs and mounting materials shall be of the same materials outlined in 6.1.10.3.2.



6.1.10.4.2. RTS COMMERCIAL ZONE DIMENSIONAL REQUIREMENTS: Individual signs shall not exceed six square feet and must located at a height so as to be visible between one foot and eight feet above the surface grade of the trail.

6.1.10.4.3. RTS COMMERCIAL ZONE SPACING REQUIREMENTS: Posts containing signage shall be spaced a minimum of thirty feet apart.

6.2. Wireless Communications Facilities (03/2001)

6.2.1. PURPOSE: This section provides requirements for the siting and construction of a wireless communications facility as defined in Article 13.

6.2.2. ALLOWED USE: Permitted in Zone D and allowed in Zones A, B, C.1 and C.2 by Special Exception.

6.2.3. REGULATION AND PERFORMANCE CRITERIA: This section requires that a Wireless Communication Antenna be placed on an existing wireless communications facility tower if such placement is physically, technically and legally possible.

6.2.4. New ground towers shall be subject to site plan review and the following requirements:

6.2.4.1. WIRELESS COMMUNICATIONS ANTENNA TO BE AFFIXED TO A NEW TOWER:

6.2.4.1.1. HEIGHT - MAXIMUM TOWER HEIGHT - No more than twenty (20) feet above the average height of trees (tree line) within 200 feet of tower location.

6.2.4.1.2. SETBACK: Tower Height plus ten (10) feet from street right-of-way or site boundaries and twice the tower height from abutting residential property lines.

6.2.4.1.3. BUFFERING:

6.2.4.1.3.1. Tower and tower compound shall be fenced to a minimum height of eight (8) feet topped with two strands of barbed wire.

6.2.4.1.3.2. When abutting a residential parcel, the tower and tower compound shall be buffered by a dense stand of trees or shrubs, which shall shield the fence to a height of ten (10) feet within five (5) years of planting on any side facing a residential property.

6.2.4.2. WIRELESS COMMUNICATIONS ANTENNA TO BE AFFIXED TO AN EXISTING BUILDING WITHOUT A ROOF TOWER: Antenna may be placed on the façade or roof of conforming building or structure without regard to the height or setback of the building.

6.2.4.3. WIRELESS COMMUNICATIONS ANTENNA TO BE AFFIXED TO A NEW ROOF TOWER: Roof towers may be placed on the roof of a conforming building using either method:

6.2.4.3.1. Tower height above roof may be as high as the setback to the nearest roof edge.

6.2.4.3.2. The heights for a ground tower may be used for a roof tower if the required setbacks for a ground tower are met.

6.2.4.4. WIRELESS COMMUNICATIONS ANTENNA TO BE ADDED TO EXISTING APPROVED OR PERMITTED TOWER: Allowed if the following conditions are met:

6.2.4.4.1. Tower height is not increased.

6.2.4.4.2. No ancillary features are added other than antenna, required safety hardware and ancillary equipment buildings.

6.2.4.4.3. All conditions of the previous tower approval have been satisfied.

6.2.5. GENERAL CONDITIONS

6.2.5.1. EXISTING NON-CONFORMING TOWER: Subject to zoning requirements concerning non-conforming structures.

6.2.5.2. ANCILLARY EQUIPMENT BUILDINGS: Subject to all requirements of the appropriate zone.

6.2.5.3. INOPERABILITY: If the tower becomes inoperable for a period of six (6) months for whatever reason and the owner shows no intention to repair the facility, the tower shall be removed at the owner's expense. The Planning Board shall be permitted to require a performance guarantee sufficient to provide for the decommissioning of the tower.

6.2.5.4. CAMOUFLAGE: All towers or other devices supporting antennas shall be camouflaged to reduce their visual impact on the surrounding property uses. The Planning Board shall make a determination for all new structures to determine if the camouflage is adequate.

6.2.5.5. LOCATION: No tower of any kind as defined in this Ordinance may be located within a one (1) mile radius of any other tower.

6.3. Manufactured Home Parks (03/2010): Manufactured Home Parks, as defined in Article 13, require site plan approval by the Planning Board. The following regulations shall apply with respect to Manufactured Home Parks:

6.3.1. Manufactured Home Parks, as defined in Article 13, require site review and subdivision approval by the Planning Board;

6.3.2. Manufactured Home Parks shall provide for individual home spaces, driveways, parking and recreational open space;

6.3.3. A minimum of 10 percent of the non-Zone G land shall be dedicated for recreational purposes;

6.3.4. All utilities (i.e. electric telephone, gas, cable TV, etc.) shall be provided underground to each site by the developer;

6.3.5. All access rights-of-way within the park shall be built to Town of Raymond roadway construction standards. The Planning Board reserves the right to waive these standards if overriding circumstances require it;

6.3.6. A one-hundred foot (100') wide "no cut" buffer shall be provided along all exterior property lines of the Manufactured Home Park.

6.3.7. All Manufactured Home Parks shall include, but not be limited to a clubhouse which shall be no less than a minimum fifty (50) square feet per unit to be constructed for the Manufactured Home Park.

6.3.8. ALLOWED DENSITY: Allowed density of a Manufactured Home Park shall be as follows:

6.3.8.1. Up to the first 20 acres shall be 1.0 units per acre, less Zone G land.

6.3.8.2. Over 20 acres shall be 0.5 units per acre, less Zone G land.

6.4. Dwelling – Two Family Unit: Dwelling – Two Family Units shall meet the following conditions:

6.4.1. Please refer to the Allowed Uses Table in Article 14.

6.4.2. Please refer to the Area and Dimensional Requirements in Article 15.

6.4.3. Located in a subdivision so designed, located and engineered to accommodate such structures, OR

6.4.4. By special permit of the Planning Board, requiring a residential site plan showing the proposed layout of any proposed and existing structures and location of all parking and utilities.

6.4.5. The minimum lot size for a Dwelling - Two Family Unit in Zone A shall be 45,000 square feet1. A Dwelling - Two Family Unit in Zone B shall require a minimum of three (3) acres, unless serviced by town water, in which case it shall be eligible for the same area reduction as for Zone B lots serviced by town water (03/2012). Zone G land shall not be used to satisfy lot size requirements (03/2010).

6.4.6. The Planning Board may request further investigative studies to ensure adequate protection of the residents of the subdivision and the Town. The cost of such studies shall be borne by the applicant in accordance with NH RSA 676:4 I (g).

6.5. Multi-Family Housing

6.5.1. Please refer to the Allowed Uses Table in Article 14.

6.5.2. Please refer to the Area and Dimensional Requirements in Article 15.

6.5.3. All multi-family developments must comply with all other required local, state, or federal regulations including, but not limited to, the Raymond Subdivision Regulations and the Condominium Act as may be amended.

6.5.4. Minimum lot size for multi-family housing shall be five (5) acres.

6.5.5. In calculating the number of allowed bedrooms per acre of developable land, an applicant shall use data from the New Hampshire Code of Administrative Rules, ENV-WQ 1000-Subdivisions; Individual Sewage Disposal Systems." In no case shall density exceed eight (8) bedrooms per acre of non-Zone G land. Any multi-family permitted within the C.3 East and C.3 West Zoning Districts, shall comply with all requirements of Section 6.5 except that in no case shall density exceed three (3) bedrooms per acre of Developable land. (3/2017)

6.5.6. The building setbacks shall not be less than that of the underlying zone, except that any structure shall be set back seventy-five feet (75') from any existing Town or State road and the additional side and rear setback requirements set forth in Section 15.2.6 and Section 15.2.7 shall be applicable as appropriate, except that within Zone C.1, Section 15.2.6 and Section 15.2.7 shall not apply.

6.5.7. All multi-family developments not on public water and sewer must receive a permit from the NH Water Supply and Pollution Control Commission for their septic and water supply proposal prior to obtaining final Planning Board approval.

6.5.8. SPECIAL EXCEPTION: A Special Exception may be granted to allow multi-family within Zone C.1 if, as well as the conditions listed in Section 9.2 for the granting of a special exception and all other requirements of Section 6.5 are met, the following conditions shall be required:

6.5.8.1. Any residential units are included as an upper story of an allowed commercial use on the site.

6.5.8.2. Total square footage of such housing shall not exceed 40% of the total square footage of the proposed project.

6.6. Earth Excavation (03/2001)

6.6.1. PURPOSE: To provide for reasonable opportunities for excavation; to minimize safety hazards which can be created by open excavation; to ensure that the public health and welfare will be safeguarded; to protect natural resources and environment; and to maintain the aesthetic features of the Town.

6.6.2. DEFINITIONS

6.6.2.1. EXCAVATION: The commercial taking of soil and materials such as loam, sand, gravel, stone or other fill material including slopes, for sale or for use in another location, as governed by RSA 155:E and the Town of Raymond's Earth Excavation Regulations.

6.6.2.2. PROCESSING: The conversion of a product from one size shape or use to another size shape or use by the systematic use of machinery or human effort.

6.6.2.3. SCREENING: The mechanical screening to separate naturally occurring different sized materials.

6.6.3 ALLOWED EXCAVATION USES AND SPECIAL PERMIT REQUIREMENTS (03/2019)

6.6.3.1 ZONE D – Screening of imported materials allowed, processing allowed.

6.6.3.2 The following activities are allowed in the following zones by Special Permit:

6.6.3.2.1 ZONE C.1 – Screening of on-site materials is allowed, screening of imported materials are allowed only if the screening of such imported materials is secondary and incidental to a primary commercial use or excavation. No processing is allowed.

6.6.3.2.2 ZONES B, C.2 AND C.3 – Screening of on-site materials is allowed as an accessory use only, no screening of imported materials is allowed. No processing is allowed.

6.6.3.3 In order for the Planning Board to grant a Special Permit for the activities described in Sections 6.6.3.2.1 and 6.6.3.2.2, it must find that all of the following requirements and any other specific applicable requirements as set forth in this Ordinance are met:

a. The specific site is an appropriate location for the proposed use or structure.

b. Considering the zoning designation of the proposed location, a proposed use will not unreasonably impact the quality of life, character, or public health, safety and welfare of the area.

c. The proposed use will not create an undue nuisance or hazard to vehicles or pedestrians.

d. Adequate and appropriate facilities and utilities will be provided for the proper operation of the proposed use.

e. The proposed use will not result in unmitigated additional municipal expense.

6.6.3.4 Screening and processing are not allowed in ZONE A.

6.6.4 Exceptions Defined by RSA 155: E 2-a

6.6.4.1 No permit shall be required for the following types of excavations:

6.6.4.1.1 Excavation that is exclusively incidental to the construction or alteration of a building or structure(s) or the construction or alteration of a parking lot or way including a driveway on a portion of the premises where the removal occurs; provided, however, that no such excavation shall be commenced without a permit under this chapter unless all state and local permits required for the construction or alteration of the building, structure, parking lot, or way have been issued.

6.6.4.1.2 Excavation that is incidental to agricultural or silvicultural activities, normal landscaping, or minor topographical adjustment.

6.6.4.1.3 Excavation from a granite quarry for the purpose of producing dimension stone, if such excavation requires a permit under RSA 12-E.

6.6.4.1.4 A person owning land abutting a site which was taken by eminent domain or by any other governmental taking upon which construction is taking place may stockpile earth taken from the construction site and may remove the earth at a later date after written notification to the appropriate local official.

6.6.5 REGULATION AND PERFORMANCE CRITERIA: The regulation and performance criteria shall be set forth in the Raymond Earth Excavation Regulations, as amended.

6.7. Adult Business Establishments: Notwithstanding any other provisions of this Ordinance, adult business establishments shall be permitted only in the commercial 1 District (C.1) as a special exception, provided that such establishments are subject to the following special requirements. In addition, these regulations are established for the following stated purposes:

6.7.1. PURPOSE: It is the purpose of this Ordinance to establish reasonable and uniform regulations to prevent the concentration of adult business establishments within the Town of Raymond; and, it is the intent to promote the health, safety and general welfare of the citizens of the Town of Raymond; and, it is the intent of this Ordinance that its regulations be utilized to prevent the harmful, secondary effects which commonly accompany and are brought about by the concentration of adult business establishments; and, the provisions of this Ordinance have neither the purpose nor the effect of imposing limitation or restriction on the content of any communicative materials, including adult or sexually oriented materials; and, it is not the intent nor effect of this Ordinance to restrict or deny access by adults to adult or sexually oriented materials protected by the First Amendment of the U.S. Constitution.

6.7.2. REQUIREMENTS

6.7.2.1. Such establishments shall be located at least a two (2) mile radius from any other adult business establishment and at least five hundred (500) feet from the nearest property line of any public, private or parochial school, church, synagogue or similar place of worship, child care facility, group day care facility, public library, playground and any Town Office or other Town facility and at least two hundred fifty (250) feet from the nearest property line of a single or multi-family dwelling.

6.7.2.2. No sexually explicit materials, entertainment or activity shall be visible from the exterior of the premises.

6.7.2.3. Except as provided herein, nothing in this section shall be construed to waive or otherwise affect any other provision of this section.

6.7.2.4. In addition to the above, signs shall not visually depict any person in a “state of nudity” or “semi-nudity.” Signs, or other external displays, shall not depict any written sexually oriented material.

6.7.2.5. Because of the high impact nature of an Adult Business Establishment, the business shall submit a community impact statement to the Town of Raymond for review by the Town’s local land use boards.

6.8. Conservation Development:

6.8.1. PURPOSE: In conformance with the authority provided by State Statute (NH RSA 674:21), the purposes of Conservation Development, among others, are as follows:

6.8.1.1. To maintain rural character, preserve farmland, forest and rural viewscapes, and conserve open land, including those areas containing unique and sensitive natural features such as woodlands, steep slopes, streams, floodplains, and wetlands, by setting them aside in perpetuity from development;

6.8.1.2. To provide greater design flexibility and efficiency in the siting of services and infrastructure and reduce the amount of roads, sidewalks, and stormwater management structures that must be constructed and maintained.

6.8.1.3. To reduce erosion and sedimentation by the retention of existing vegetation and the minimization of the alteration of and/or development on steep slopes;

6.8.1.4. To provide for a diversity of lot sizes, building siting opportunities, and housing choices for single family detached homes to accommodate a variety of age and income groups, and residential preferences, so that the community's population diversity may be maintained;

6.8.1.5. To create neighborhoods with direct visual access to open land, with amenities in the form of neighborhood open space and with a strong neighborhood identity;

6.8.1.6. To provide for the conservation and maintenance of open land within the Town to achieve the above mentioned goals and for active or passive recreational use by residents;

6.8.1.7. To create a contiguous network of open spaces or "greenways" by linking the common open spaces within a conservation subdivision with open space on adjoining lands wherever possible;

6.8.1.8. To provide multiple options for landowners in order to minimize impacts on environmental resources (sensitive lands such as wetlands, floodplain, and steep slopes) and disturbance of natural or cultural features (such as mature woodlands, hedgerows and tree lines, critical wildlife habitats, historic buildings, and fieldstone walls);

6.8.1.9. To provide standards reflecting the varying circumstances and interests of individual landowners and the individual characteristics of their properties; and

6.8.1.10. To conserve scenic views and elements of the Town's character, and to minimize perceived density, by minimizing views of new development from existing roads.

6.8.2. DEFINITIONS

6.8.2.1. CONSERVATION SUBDIVISION: A subdivision of land consisting of protected open space and single-family detached homes located on unconventional lots that would not otherwise be permitted by the minimum lot size, frontage and yard requirements of this

Ordinance. Private roads built to Town standards are permitted in a Conservation Subdivision, but a Homeowner's Association must be established to maintain the roads.

6.8.2.2. YIELD CALCULATION: An analysis showing the maximum number of single-family lots that will be permitted within a Conservation Development, as determined by the underlying zoning as outlined in Article 15 (03/2010).

6.8.3. MINIMUM SIZE AND SETBACK REQUIREMENTS

6.8.3.1. The minimum area required for a Conservation Subdivision shall be ten (10) acres. A side and rear dense vegetative buffer of at least twenty feet (20') must exist or be created at all side and rear exterior boundaries of the original parcel. This buffer must screen visibility by at least seventy-five percent (75%) to a minimum height of six feet (6') above finished grade.

6.8.3.2. When any Conservation Subdivision abuts another lot which was not developed as part of a conservation subdivision, then any proposed structure within the conservation subdivision shall be no closer than fifty (50) feet from the lot line of the abutting non-conservation subdivision lot.

6.8.3.3. Buildings within the Conservation Subdivision must conform to Section 2.7. Furthermore, a minimum building separation of thirty-five (35) feet and a minimum side and rear setback of thirty-five (35) feet must be provided for all structures in a Conservation Development. In cases described in Section 6.8.3.2, side or rear setbacks for any proposed structure shall be fifty 50 feet.

6.8.4. ALLOWED ZONES: Conservation developments are allowed in Zones A or B of the Raymond Zoning Map.

6.8.5. REVIEW CRITERIA: In general, the proposed development shall be consistent with the general purpose and goals and objectives of the Master Plan and this Zoning Ordinance. Approval for Conservation Development will be granted only after the Planning Board has rendered a "Finding of Fact" that all of the following criteria have been adequately addressed, including the purpose statements outlined in Section 6.8.1.

6.8.5.1. A conservation plan shall be developed and submitted for review, which identifies the natural, environmental, historical and view shed areas to be protected. Such plan shall include irreplaceable natural and historic features located in the tract, such as, but not limited to, stream beds, stone walls, agricultural areas, significant stands of trees, individual trees of 36" in size or greater, rock outcroppings and other areas which may be considered sensitive.

6.8.5.2. DEVELOPMENT PLAN: A development plan shall be developed and shall include:

6.8.5.2.1. Individual lots, buildings, streets, and parking areas shall be designed and situated to minimize alteration of the natural site features to be preserved;

6.8.5.2.2. The usability of conservation open space intended for recreation or public use shall be shown to be suitable for such proposed use;

6.8.5.2.3. Conservation open space intended for recreation or public uses shall be easily accessible to pedestrians;

6.8.5.2.4. Areas to be dedicated to conservation easements or deed restrictions which will restrict ability to make improvements;

6.8.5.2.5. Diversity and originality in lot layout and individual building design shall be encouraged to achieve the best possible relationship between development and the land;

6.8.5.2.6. Individual lots, buildings, and single-family homes shall be arranged and situated to relate to surrounding properties, to take advantage of natural viewscapes and to not obstruct the views of other units, and to lessen the land area devoted to motor vehicle access;

6.8.5.2.7. Individual lots, buildings, units, and parking areas shall be situated to avoid the adverse effects of shadows, noise, and traffic on the residents of the site;

6.8.5.2.8. All plans shall adhere to the Town of Raymond's Subdivision Regulations.

6.8.5.2.9. (03/2018) All Conservation Subdivision applications shall be submitted to the Conservation Commission concurrent with submission to the Raymond Planning Board to allow for timely input from the Conservation Commission to the Raymond Planning Board.

6.8.6. OPEN SPACE REQUIREMENTS: At a minimum, the open space set aside and preserved in the conservation development must be equivalent to fifty percent (50%) of the total parcel. A portion of the open space may be dedicated to recreation and other uses occasioned by the development and public.

6.8.6.1. Depending on the size and design of the development, it may be necessary that a common open space, permanently reserved and maintained as a landscaped park or recreational space, be provided to serve the homeowners within the development. The area, configuration, and location of such open spaces shall be subject to review and approval by the Planning Board.

6.8.6.2. At least 75% of the designated open space should be contiguous with no portion less than one hundred (100) feet in any dimension.

6.8.6.3. If conservation open space is not dedicated to public use, it shall be protected by legal arrangements, satisfactory to the Planning Board, sufficient to ensure its maintenance and preservation for whatever purpose it is intended. Covenants or other legal arrangements shall specify ownership of the conservation open space; method of maintenance; responsibility for membership and compulsory assessment provision; guarantees that any association formed to own and maintain conservation open space will not be dissolved without the consent of the Planning Board; and any specifications deemed necessary by the Planning Board.

6.8.6.4. The open space, recreational or common land shall be retained and managed by the developer until it is transferred to a Homeowners' Association, the Town, a conservation trust or other suitable public or private organization, which will ensure its retention and maintenance as open space by means of deed restrictions or conservation easement.

6.8.7. ASSOCIATION RESPONSIBILITIES

6.8.7.1. When applicable, the applicant shall establish a private organization commonly referred to as a Homeowners' or Property Owners' Association whose responsibilities will be to assess the homeowners a reasonable fee for general maintenance and upkeep of any roads the Planning Board may deem to be private, common land, community sewerage and water systems, open space, and recreational amenities. If for any reason, the developer or any subsequent organization fails to adequately maintain the utilities and open space as indicated on the subdivision plan and in the Performance Agreement, the Board of Selectmen, after a duly noticed hearing, may assume such responsibility and assess the homeowners and property owners the cost of such maintenance.

6.8.8. ZONING EXCEPTIONS

6.8.8.1. Acceptance by the Planning Board of a subdivision plan under this section shall relieve the applicant from restrictions dealing with minimum lot sizes and road frontage requirements as may be set forth in the Raymond Zoning Ordinance. Such relief to allow innovative layout and for protection and conservation of the site shall not conflict with the purpose and intent of the Raymond Master Plan or any health or safety codes within the Town. Applicants shall not be relieved of the following requirements:

6.8.8.2. BUILDING CONFORMANCE: Buildings must conform to the requirements set forth in Section 2.7.

6.8.8.3. BUFFER: A side and rear dense vegetative buffer of at least twenty feet (20') must exist or be created at all boundaries abutting other properties. This buffer must screen visibility by at least seventy-five percent (75%) to a minimum height of six feet (6') above finished grade.

6.9. Home Occupations (03/2015)

6.9.1. Home Occupations meeting all of the following requirements are exempt from Site Plan Review:

6.9.1.1. The Home Occupation is conducted entirely within the residential dwelling or an accessory building thereto, but not both, and shall comprise no more than 25% or 400 square feet of the gross floor area of that structure, whichever is less.

6.9.1.2. The Home Occupation shall be conducted solely by the family residing in the dwelling with no more than two (2) employees not residing at the dwelling allowed.

6.9.1.3. No materials or equipment associated with the Home Occupation shall be stored outside of the structure housing the Home Occupation.

6.9.1.4. No equipment or process shall be used that creates noise, vibration, glare, fumes, odors, dust or electrical interference detectable to the normal senses outside the dwelling or accessory building housing the Home Occupation.

6.9.1.5. One (1) non-illuminated sign consisting of a maximum of three (3) square feet is allowed.

6.9.1.6. Adequate parking for both the residential use and the Home Occupation shall be provided entirely on-site.

6.9.1.7. The Home Occupation shall not utilize commercial vehicles over twelve thousand (12,000) pounds GVWR (gross vehicle weight rating) for either delivery of materials to or from the premises, or overnight parking. The intent is to permit delivery vehicles, such as United Parcel Services vehicles, but to prohibit tractor trailers and other large, heavy commercial vehicles.

6.9.2. Home Occupations not meeting all the requirements listed under Section 6.9.1 shall be subject to Site Plan Review under the Home Occupation Site Plan Review Regulations and shall be reviewed and decided upon by the Technical Review Committee.

6.9.3. Approvals of Home Occupations are not transferable.

6.10. Accessory Dwelling Units (RSA 674:71, 72 & 73) (03/2017)

6.10.1. Please refer to the Allowed Use Table in Article 14.

6.10.2. Please refer to the Area and Dimensional Requirements in Article 15.

6.10.3. PURPOSE: Accessory dwelling units are intended as an option for homeowners to offer separate and independent living space for their extended families, caregivers or others, or to offer small dwelling units as rentals to offset the expense of maintaining the dwelling. Accessory dwelling units add diversity of housing options without further land development, additional buildings, increased roads and/or infrastructure in the Town of Raymond.

6.10.4. DEFINITIONS

6.10.4.1. Accessory Dwelling Unit: a residential living unit that is within or attached via common walls or foundation to an existing or proposed single-family detached dwelling, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies. An accessory dwelling unit may not be subdivided or sold separately from the principal dwelling unit.

6.10.4.2 Principle Dwelling Unit: an existing or proposed single family detached dwelling unit to which an accessory dwelling unit may be added according to the requirements and standards in this ordinance.

6.10.4.3 Property owner: if the owner of the property is a trust, the term “property owner” shall mean the creator or beneficiary of the trust. If the owner of

the property is a corporation, the term "property owner" shall mean the principal stockholder.

6.10.4.4 Principal place of residence: may be demonstrated by voter's registration, vehicle registration, driver's license or the placement of children in local public schools.

6.10.5. REQUIREMENTS

6.10.5.1. Only one accessory dwelling unit shall be allowed as a matter of right in all zoning districts that permit single-family detached dwellings and on any parcel where only one existing, legally conforming single family dwelling already exists.

6.10.5.2. The accessory dwelling unit shall be clearly incidental and subordinate in extent, use and purpose to the principal dwelling unit.

6.10.5.3. No additional requirements for lot size, frontage, space limitations, or other controls beyond what would be required for a single-family detached dwelling without an accessary dwelling unit shall be required except that the accessory dwelling unit added within or attached to existing homes shall require a zoning determination and a building permit.

6.10.5.4. An accessory dwelling unit shall be deemed a unit of workforce housing for purposes of satisfying the Town of Raymond's obligation under RSA 674:59, provided the unit meets the criteria in RSA 674:58 IV for rental units.

6.10.5.5. Either the principle dwelling unit or the accessory dwelling unit shall be occupied by the owner of the property as his/her principal place of residence.

6.10.5.6. The owner shall provide proof of residence to the Assessor's Office no later than January 1st.

6.10.6. STANDARDS

6.10.6.1. The exterior of an attached accessory dwelling unit shall maintain aesthetic continuity and compatibility (doors, windows, siding, trim type and color, and roofing) with the existing single family detached dwelling so that the attached accessory dwelling unit shall not detract from the overall character of the neighborhood. If the only entrance to the accessory dwelling unit is on the street side of the building, the accessory dwelling unit shall utilize the main entrance to the single-family dwelling as a shared access. Any additional entrances or exits shall be located to the side or rear of the units. The Code Enforcement Officer shall be responsible for reviewing and evaluating architectural designs for compatibly prior to issuance of a building permit.

6.10.6.2. The accessory dwelling unit shall be limited to a maximum of two (2) bedrooms.

6.10.6.3. The minimum area for an accessory dwelling unit, whether within or attached, shall not be less than five-hundred (500) square feet, and the maximum

area for an accessory dwelling unit shall not be more than either seven-hundred-fifty (750) square feet or one-third (1/3) of the combined heated living area of both units, whichever area is larger; however, maximum area shall not exceed one thousand (1,000) square feet.

6.10.6.4. An interior connecting door shall be provided between the principal dwelling unit and the accessory dwelling unit.

6.10.6.5. Off-street parking for at least four vehicles shall be provided.

6.10.6.6. Adequate provisions must exist or be made for ingress, egress and turning of vehicles within the site, and only one driveway shall serve both dwelling units.

6.10.6.7. The applicant shall obtain a New Hampshire Department of Environmental Services approved plan pursuant to the requirements of RSA 485-A:38 to meet any anticipated increased waste volume demand created by the proposed accessory dwelling unit.

6.10.6.8. Detached accessory dwelling units are not allowed in the Town of Raymond.

6.10.7 NONCONFORMING ACCESSORY DWELLING UNITS: To be considered a nonconforming ADU, an accessory dwelling unit must have been granted a building permit or certificate of occupancy prior to the enactment of this ordinance. Accessory dwelling units constructed before March 2015 that do not have a building permit or certificate of occupancy shall apply to the Raymond Code Enforcement Officer for a determination of compliance with the provisions of this article.

ARTICLE 7: ADMINISTRATION

7.1 Impact Fee Ordinance for Public Capital Facilities

7.1.1. AUTHORITY AND APPLICABILITY (03/2004) - This article is authorized by New Hampshire RSA 674:21 I. (m) as an innovative land use control. The administration of this Article shall be in compliance with RSA 674:21 V (a. through i.). This article, as well as, regulations, studies and methodologies adopted by the Planning Board consistent with and in the furtherance of this article, shall govern the assessment of impact fees imposed upon new development in order to meet the needs occasioned by that development for the construction or improvements of capital facilities owned or operated by the Town of Raymond or the Raymond School District.

7.1.2. The public facilities for which impact fees may be assessed in the Town of Raymond may include:

7.1.2.1. Water treatment and distribution facilities;

7.1.2.2. Waste water treatment and disposal facilities;

7.1.2.3. Sanitary sewer;

7.1.2.4. Storm water;

7.1.2.5. Drainage and flood control facilities;

7.1.2.6. Public road systems and rights of way;

7.1.2.7. Public works equipment and facilities;

7.1.2.8. Municipal office structures, equipment and facilities;

7.1.2.9. Fire, ambulance, emergency management;

7.1.2.10. Police and dispatch equipment and facilities;

7.1.2.11. Public school facilities;

7.1.2.12. Solid waste collection;

7.1.2.13. Transfer, recycling, processing and disposal facilities;

7.1.2.14. Public library facilities;

7.1.2.15. Public recreation facilities not including public open space.

7.1.3. Prior to assessing an impact fee for one or more of the public facilities enumerated above, the Planning Board shall have adopted such studies or methodologies and related fee schedules that provide for a process or method of calculating the proportionate share of capital improvement costs associated with the increased demand placed on capital facility capacity by the new development. (03/2004)

7.1.4. The regulations shall govern the assessment of impact fees for public capital facilities in order to accommodate increased demand on the capacity of these facilities due to new development. (03/2004)

7.1.5. This Ordinance is intended to require new development to contribute its proportionate share of funds necessary to accommodate its impact on public facilities having a rational nexus to the proposed development, and for which the need is attributable to the proposed development; and implement the relevant portions of the Town of Raymond's Subdivisions Regulations and Site Review Regulations. (03/2004)

7.1.6. Implement the relevant portions of the Town of Raymond's Subdivision Regulations and Site Review Regulations. (03/2004)

7.1.7. FINDINGS - In review of the impact of growth relative to the existing and planned capital facility capacity available to the Town of Raymond for its municipal and school needs, the Town of Raymond hereby finds that:

7.1.7.1. New development in Raymond will create the need for the construction, equipping, or expansion of public capital facilities in order to provide adequate facilities and services for its residents; (03/2004)

7.1.7.2. Impact fees may be used to assess an equitable share of growth related cost of public

facility capacity to new development in proportion to the facility demands created by that development. (03/2004)

7.1.7.3. In the absence of impact fees, anticipated residential and non-residential growth and associated capital improvement costs could necessitate an excessive expenditure of public funds in order to maintain adequate facility standards and to promote and protect the health, safety, and welfare; (03/2004)

7.1.7.4. As documented by the Master Plan and the Capital Improvements Program of the Town of Raymond, recent and anticipated municipal growth rates and associated improvements and costs would necessitate an excessive expenditure of public funds in order to maintain adequate municipal and school facility standards and to promote and protect the public health, safety, and welfare.

7.1.7.5. The imposition of impact fees is one of the methods available to ensure that public expenditures are not excessive and new development will bear a proportionate share of the capital costs necessary to accommodate such development.

7.1.7.6. The impact fee methodology adopted by the Raymond Planning Board, and as amended represents a reasonable, rational and proportional method for the assessment of growth-related facility costs to new development.

7.1.7.7. An impact fee ordinance for public capital facilities is consistent with the goals and objectives of the Master Plan and the Capital Improvements Program of the Town of Raymond.

7.1.8. DEFINITIONS

7.1.8.1. FEE PAYER: The applicant; for the issuance of a building permit which could create new development.

7.1.8.2. NEW DEVELOPMENT (03/2004): Any activity which results in a net increase in the demand for additional public capital facilities, as defined in this Ordinance:

7.1.8.2.1. The creation of a new dwelling unit, except for the replacement of existing units of the same size and density.

7.1.8.2.2. The expansion of a dwelling unit to create additional bedroom area.

7.1.8.2.3. The net increase in the gross floor area of any non-residential building/structure or in the habitable portion of a residential building.

7.1.8.2.4. The conversion of an existing use to another use if such changes creates a net increase in the demand on public capital facilities that are subject to impact fee assessment methodologies adopted by the Planning Board.

7.1.8.3. NEW RECREATION FACILITIES: Land and facilities owned or operated by the Town of Raymond or the Raymond School District, other than public open space, which are designed for the conduct of recreational sports or other active uses of an organized nature, and which include equipment or improvements to the land to support indoor or outdoor public recreation programs and activities.

7.1.8.4. PUBLIC CAPITAL FACILITIES (03/2004): Facilities and equipment owned, maintained, or operated by the Town of Raymond as defined in the Capital Improvement Program and which are listed in the adopted impact fee schedule.

7.1.8.5. PUBLIC OPEN SPACE: An unimproved or minimally improved parcel of land or water available to the public for passive recreational uses such as walking, sitting, or picnicking which does not include "public recreation facilities."

7.1.8.6. SCHOOL DISTRICT: The Raymond School District.

7.1.9. IMPOSITION OF IMPACT FEES - Impact fees shall be assessed to new development to compensate the Town of Raymond and the Raymond School District for the proportional share of capital facilities generated by new development in the Town of Raymond, including municipal and public school facilities to be constructed, or which were constructed in anticipation of new development.

7.1.9.1. Any person who seeks a building permit for new development is hereby required to pay a capital facility impact fee upon adoption of this article in the manner set forth herein.

7.1.9.2. Public school facility impact fees may be waived, in the discretion of the Planning Board, for those units within an elderly housing development approved pursuant to the provisions of Section 5.5.11 of this Ordinance, in which at least one (1) occupant of the dwelling unit is required to be fifty-five (55) years of age or older, and where such requirements are documented in restrictive covenants recorded in the Rockingham County Registry of Deeds. (03/2005)

7.1.9.3. A person may request, from the Planning Board, a full or partial waiver of impact fees for any residential units or non-residential development that was approved for construction prior to the effective date of this article.

7.1.10. COMPUTATION OF IMPACT FEES - The amount of each impact fee shall be as set forth in the Impact Fee Schedules prepared and updated in accordance with a report prepared and adopted by the Planning Board for the purposes of impact fee assessment.

7.1.10.1. In case of the new development created by conversion or modification of an existing use, the impact fee shall be based upon the net increase in the impact fee assessed for the new use as compared to the highest impact fee that was or would have been assessed for the previous use in existence on or after the effective date of this Ordinance.

7.1.11. ASSESSMENT AND PAYMENT OF IMPACT FEES - Assessment and payment of impact fees shall be implemented pursuant to the provisions of RSA 674:21(V) (d) as amended. Pursuant to the provisions of RSA 674:21, the Town of Raymond and the assessed party may establish an alternate payment schedule, and the Town of Raymond may require that the future payment of such fees be secured by bonds, letters of credit or other forms of security which are acceptable to the Town of Raymond. (03/2005)

7.1.12. APPEALS - If a fee payer believes the Planning Board acted improperly in imposing or calculating the impact fee, their action may be appealed to the Superior Court as provided by RSA 677:15.

7.1.13. ADMINISTRATION OF FUNDS COLLECTED

7.1.13.1. All funds collected shall be properly identified and promptly transferred for deposit into

separate impact fee accounts for each of the capital facility categories for which impact fees have been assessed. This impact fee account shall be a non-lapsing special revenue fund account and under no circumstances shall such revenues accrue to the General fund.

7.1.13.2. The Town Treasurer shall record all fees paid, by date of payment and the name of the person making payment, and shall maintain an updated record of the current ownership tax map and lot reference number of properties for which fees have been paid under this Article, for each building permit so affected for a period of at least six (6) years from the date of receipt of the impact fee payment associated with issuance of each permit. (03/2004)

7.1.13.3. Impact fees collected may be spent from time to time by order of the Board of Selectmen and shall be used solely for the reimbursement of the Town and the School District for the cost of public capital improvements for which they were collected, or to recoup the cost of capital improvements made by the Town or District in anticipation of the needs for which the impact fee was collected.

7.1.13.4. In the event that bonds or similar debt instruments have been, or will be, issued by the Town or the District for the funding of capacity related facility improvements, impact fees may be transferred to pay debt service on such bonds or similar debt instruments.

7.1.13.5. At the end of each fiscal year, the Town Treasurer shall make a report to the Board of Selectmen, giving a particular account of all impact fee transactions during the year.

7.1.14. REFUND OF FEES PAID - The current owner of record of property for which an impact fee has been paid shall be entitled to a refund of that fee, plus accrued interest, where:

7.1.14.1. The impact fee has not been encumbered or legally bound to be spent for the purpose of which it was collected within a period of six (6) years from the date of the full and final payment of the fee; or

7.1.14.2. The Town or, in the case of school facilities, the School District, has failed within the period of six (6) years from the date of the full and final payment of such fee, to appropriate any of the non-impact fee share of related capital improvement costs, thereby permitting the capital improvement or capital improvement plan for which the impact fee was collected to be commenced. If any capital improvement or capital improvement program for which an impact fee is collected has been commenced either prior tom or within six years from, the date of final collection of an impact fee, that impact fee payment shall be deemed to be encumbered and legally bound to be spent for said capital improvement or capital improvement program and shall not be refunded, even if it is not fully expended within the six year period.

7.1.14.3. The Board of Selectmen shall provide all owners of record who are due a refund written notice of the amount due, including accrued interest, if any, and shall promptly cause said refund to be made.

7.1.15. ADDITIONAL ASSESSMENTS - Payment of the impact fee under this article does not restrict the Town or the Planning Board from requiring other payments from the fee payer, including such payments relating to the cost of the extensions of water and sewer mains or the construction of roads or streets or other infrastructure and public capital facilities specifically benefiting the development as required by the subdivision or site plan review regulations, or as otherwise authorized by law.

7.1.16. PREMATURE AND SCATTERED DEVELOPMENT - Nothing in this article shall be construed so as to limit the existing authority of the Planning Board to deny new proposed development which is scattered or premature, requires an excessive expenditure of public funds, or otherwise violates the Town of Raymond Zoning Ordinance, or the Raymond Planning Board Site Plan Review Regulations or Subdivision Regulations, or which may otherwise be lawfully denied.

7.1.17. REVIEW - The Impact Fee Assessment Schedule shall be reviewed at least once every five years by the Planning Board (3/2017), according to the methodologies established within a report adopted by the Raymond Planning Board, and as amended. Such review may result in recommended adjustments in one or more of the fees based on the most recent data as may be available including,

but not limited to, current construction cost information or capital improvement plans or programs, property assessment data, demographic data, U.S. Census information, and other sources. Based on its review, the Board may consider the adoption of an updated or amended impact fee methodology, or may modify the schedule to correct errors or inconsistencies identified in the review process. No change in the methodology or in the impact fee schedules shall become effective until it shall have been the subject of a public hearing before the Planning Board, noticed in accordance with RSA 675:7. (03/2016).

ARTICLE 8: PROCEDURE AND ENFORCEMENT

8.1 Administrative Procedure

8.1.1. This Ordinance shall be administered by a Code Official who shall be appointed by the Town Manager. In the absence of the Code Official, this Ordinance shall be administered by the Board of Selectmen.

8.1.2 There shall be no start of construction nor shall any building be enlarged, replaced or altered until a building permit shall first have been obtained from the Code Official. (03/1976)

8.1.3 Any request for a building permit, in which a permanent structure shall be constructed, shall be accompanied by a certified plot plan unless one is already on file with the Planning Office, Assessor's Office or with the Code Official, in which case a photocopy of the same shall be submitted. All certified plot plans shall bear the stamp of a Licensed Land Surveyor, as required by the New Hampshire Board of Licensure for Land Surveyors. In cases where a septic plan is required, the septic plan may be used as a certified plot plan if a note is included on the plan by the owner of the plan that it may be used for this purpose and it also bears the stamp of a Licensed Land Surveyor. (03/2016)

8.1.3.1 A permanent structure is one that has, as part of its construction, either a concrete, post, or pier foundation. Examples of permanent structures are homes, additions, garages, barns, pools, commercial or industrial buildings. (03/2002)

8.1.3.2 Open non-roofed decks, wheelchair ramps and similar disability access structures and sheds shall be considered non-permanent, for the purpose of providing a certified plot plan only, when applying for the required building permit. (03/2010)

8.1.3.3 The certified plot plan shall indicate the location of all permanent buildings, septic systems, well location, driveway(s), and other existing structures such as pools, patios, etc., or in the case of a vacant lot, the lot's boundaries and any permanent existing

monumentation. (03/2002)

8.1.3.4 The plan shall enumerate the exact lot dimensions, acreage, and square footage of the lot calculated to the nearest one one-hundredth of an acre. (03/2002)

8.1.4 The Code Official shall receive all applications for construction, erection, or placement of all buildings and for the enlargement of all buildings as provided in this Ordinance. He shall issue building permits as applied for upon payment of the required fees if, in his opinion, the application complies with all applicable laws of the State of New Hampshire, this Ordinance, and other Town laws and ordinances, provided, however, that in any instance where licenses or permits other than the building permit are required, this building permit shall constitute only an approval upon which the proper authority may issue such licenses or permits, and shall in no way be considered as a substitute or alternative for them.

8.1.5 Any permit obtained after construction has begun shall be subject to a payment of twice the normal fee. (3/2017)

8.1.6 The Code Official shall keep the records necessary to submit to the Town a report, monthly, of all permits issued and fees paid.

8.2 Enforcement, Legal Procedure and Penalties

8.2.2 The Code Official or the Selectmen in his stead, as to the enforcement hereof only, shall make orders and decisions and take any and all actions as may be deemed by him or by them to be reasonable necessary to prevent violation of this Ordinance as well as to secure the intent of the Ordinance.

8.2.3 It shall be the duty of the Board of Selectmen, upon any well-founded information or upon complaint of the Code Official, to take any appropriate action or institute legal proceedings necessary or desirable to prevent any unlawful use or development of any land, building, structure, or premises, in violation of any provisions of this Ordinance, whether or not such violation is present or only reasonably anticipated. For this purpose, the Selectmen shall take immediate steps to enforce the provisions of the Ordinance by seeking an injunction or other appropriate redress in the courts, or by any other means, or administrative or legal action, reasonably calculated to enforce this Ordinance, including without exception, seeking conviction of any violator of its terms under the penalty clause of this Ordinance.

8.2.4 Any person, firm or corporation violating any of the provisions of the Ordinance shall be subject to the penalties specified in New Hampshire RSA 676:17.

8.3 Codes

8.3.2 All construction in the Town of Raymond shall conform to the State Building Code as referenced in RSA 155-A: 2 as it may be amended from time to time. The application of the above codes shall be made in accordance with the provisions of RSA 155-A: 2. (03/2004 & 3/2017)

8.3.3 As allowed by RSA 674:52-I pursuant to RSA 674:51 and that all commercial (to include multi-family housing) and industrial uses newly constructed shall be fully sprinkler protected in compliance with NFPA 13 (the standard for the installation of sprinkler systems) design criteria.

8.3.4 The Town of Raymond shall conform to the National Fire Protection Association 17, standard for dry chemical extinguishing systems, requiring all new and substantially renovated fuel distribution

locations to install pre-engineered fire suppression systems to comply with this code. (Note: For new facilities and does not affect existing facilities unless modifications are done to the fuel distribution system). (03/1997)

8.3.5 BUILDING SEPARATION REQUIREMENTS: Regardless of zone, all construction in the Town of Raymond shall conform to the following minimum building separation requirements and the following maximum building height requirements which equals or exceeds the latest NFPA 80A, Recommended Practice for Protection of Buildings from Exterior Fire Exposures and NFPA 220 Construction Classifications. A story is considered to be a maximum of ten (10) feet in height.

Number of Stories	Separation Between Principle Buildings
1	30 feet
2	35 feet
3	45 feet
4	55 feet
5 or greater	65 feet

NFPA Construction Classification	Maximum Building Height
Type 1	6 Stories
Type 2	5 Stories
Type 3	4 Stories
Type 4	40 feet
5 or greater	35 feet

8.3.6 For any building exceeding 30 feet in height, the minimum building setbacks from the property line must equal the height of the building. This requirement shall not supersede the minimum dimensional requirements set forth under Article 15 of the Zoning Ordinance.

8.4 Damage or Destruction: In the event of the damage or destruction by fire, storm or Act of God of any building or structure not conforming to the regulations of this Ordinance, said building or structure may be rebuilt for its former nonconforming use on its original foundation provided such construction is started within one year from its damage or destruction and is completed within two years from the date of damage or destruction.

8.5 Foundation Certification Required: Prior to construction proceeding, past placement of the foundation footings, a plot plan certified by a registered land surveyor shall be presented to the Code Official showing acceptable setback from all lot lines. A sketch plan is required at the time the permit is first requested. (03/1987)

8.6 Building Permit Validity: All building permits shall be valid for one (1) year, provided that the actual building construction applied for has commenced within six months of the issuance of the permit. An extension may be granted upon request and with no additional fee. A building permit shall be required for all alterations and conversions. Building permits are not transferable.

8.7 Building Permit Fees: Building permit fees will be set by the Selectmen.

ARTICLE 9: ZONING BOARD OF ADJUSTMENT

9.1 Makeup and Authority: A five (5)-person Zoning Board of Adjustment and up to five (5) alternates shall be appointed by the Board of Selectmen as provided by NH RSA 673:3, as may be amended from time to time. Pursuant to RSA 674:33 and 674:33-a, as may be amended from time to time, the Zoning Board of Adjustment shall have the power to:

9.1.1. Review and decide on alleged error in administrative finding or decision;

9.1.2. Review and decide on a Special Exception request;

9.1.3. Review and decide on a Variance request; and

9.1.4. Review and decide on Equitable Waivers of Dimensional Requirements.

9.2. Criteria for Special Exceptions (03/2014)

9.2.1. When applying to the Zoning Board of Adjustment for a special exception, the applicant shall first submit a completed application stating the reasons for granting thereof. If it is determined by staff that the application will also be subject to site plan review with the Raymond Planning Board, then the applicant will be encouraged to also file the required site plan review application and request, in writing, a joint meeting with both the Zoning Board of Adjustment and the Planning Board per NH RSA 676:2. If the request for a joint meeting is granted by both Boards, then a joint meeting shall be scheduled within thirty (30) days of the date the application was initially received. If the request for a joint meeting is denied, then a public hearing with the Zoning Board of Adjustment shall be scheduled within thirty (30) days of the date the application was initially received.

9.2.2. In order for the Zoning Board of Adjustment to grant a special exception, it must find that all of the following requirements and any other specific applicable requirements as set forth in this Ordinance are met:

9.2.2.1. The specific site is an appropriate location for the proposed use or structure.

9.2.2.2. Considering the zoning designation of the proposed location, a proposed use will not unreasonably impact the quality of life, character, or public health, safety and welfare of the area. (3/2017)

9.2.2.3. The proposed use will not create an undue nuisance or hazard to vehicles or pedestrians.

9.2.2.4. Adequate and appropriate facilities and utilities will be provided for the proper operation of the proposed use.

9.2.2.5. The proposed use will not result in unmitigated additional municipal expense.

9.3. Criteria for a Variance (03/2010) - Before authorizing a Variance from the Ordinance, the Board of Adjustment shall find that the five (5) following conditions as set forth by RSA 674:33, I(b), as may be amended from time to time, have been met:

9.3.1. The variance will not be contrary with the public interest;

9.3.2. The spirit of the Ordinance is observed;

9.3.3. Substantial justice is done;

9.3.4. The values of surrounding properties are not diminished; and

9.3.5. Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship.

9.4. Criteria for Equitable Waivers of Dimensional Requirements (03/2010): Pursuant to RSA 674:33-a, as may be amended from time to time, the Zoning Board of Adjustment may grant an equitable waiver of dimensional requirements provided that the Zoning Board of Adjustment makes findings that the provisions of RSA 674:33-a are met. Alternatively, the ZBA may grant an equitable waiver under RSA 674:33-a as amended from time to time from a physical layout or dimensional requirement if the owner of the property in violation demonstrates to the satisfaction of the Board that the violation existed for the period of time set forth in the statute and that no enforcement action, including written notice of violation, has been commenced against the violation during that time by the Town of Raymond or any person directly affected.

9.5. Limits of Approvals of Special Exceptions and Variances (03/2010)

9.5.1. Purpose: The purpose of this provision is to provide a reasonable time limitation on an approval by the Zoning Board of Adjustment (ZBA) of any relief granted pursuant to an application before it for a Variance or Special Exception. Recognizing that changes in the ordinances, and/or conditions in the neighborhood may conflict with a prior approval that has not been implemented within a reasonable time thereafter, it is in the public interest to require improvements for which said Variance or Special Exception shall have been granted, be substantially completed within the time period set forth in subparagraph 02 below. Failure to do so within this designated time period will result in the approval becoming null and void without further action of the Zoning Board of Adjustment. Thereafter, any site development or use of the property will be subject to all state and town land use regulations then in effect.

9.5.2. All approvals for Variances or Special Exceptions shall only be valid for a period of 4 (four) years from the date such approval was granted; provided, however, that upon substantial completion of any improvements, modifications, alterations or other changes in the property for which said approval was granted, the rights of the owner or any successor in interest shall vest.

9.5.3. An applicant whose approval will otherwise lapse may apply to the Zoning Board of Adjustment for an extension of time to substantially complete the improvement for which relief was granted. The Zoning Board may grant a reasonable extension of time to the applicant following a duly noticed public hearing and upon a showing of good cause. “Good Cause” shall mean any reasonable explanation for delay in completion of the improvements for which the relief from the ordinance or approval of special exception was granted. The Zoning Board shall make a specific finding of the basis for its decision to grant the extension.

ARTICLE 10: AMENDMENTS

10.1 Amendments: This Ordinance may be amended with the provisions of NH RSA 674 as it is or may be amended.

ARTICLE 11: SAVINGS CLAUSE

11.1 Savings Clause: The invalidity of any provision of this Ordinance shall not affect the validity of any other provision of this Ordinance.

ARTICLE 12: EFFECTIVE DATE

12.1 Effective Date: This Ordinance shall become effective immediately upon its passage.

ARTICLE 13: DEFINITIONS

13.1 Definitions: For terms for which no definition is provided, Raymond's Ordinances and Regulations may reference The New Illustrated Book of Development Definitions by Moskowitz and Lindbloom, published by the Center for Urban Policy and research, dated 1993 and as may be amended. For the purposes of this Ordinance, the present tense includes the future tense; the singular number includes the plural; and the plural number includes the singular. The word "shall" is mandatory; the word "may" is permissive; the words "used" or "occupied" include the words "intended," "designated," or "arranged" to be used or occupied; and certain terms or words shall be interpreted as follows:

13.1.1. ABANDONED: Abandonment means the stated intention or otherwise apparent action of an owner to discontinue a non-conforming use of a structure or lot.

13.1.2. ACCESSORY BUILDING: A building or structure, detached from but located on the same lot, which is customarily incidental and subordinate to the principal building. Accessory buildings shall not contain bedrooms. (3/2017)

13.1.3. ADULT BUSINESS ESTABLISHMENT: (03/1999) Means any business open to the public, including, but not limited to, any bookstore, video store, newsstand, novelty store, nightclub, bar, cabaret, amusement arcade, theater, sexual encounter center or another business which derives revenue from the sale, rental or viewing of live performances or representations in any form involving displays or materials which meet the definition of "harmful to minors" and/or "sexual conduct" as set forth in NH RSA 571-B:1, et. seq., and which devotes more than twenty percent (20%) of the total display, shelf, rack, table, stand or floor area for live performances or representations in any form of displays or material which meet the definition of "harmful to minors" and/or "sexual conduct" as set forth in NH RSA 571-B:1, et. seq.

13.1.4. AGRICULTURAL USE: (03/1990) The use of land for the purpose of cultivating the soil, producing farm, forest or horticultural crops/dairy and/or raising livestock, poultry or other farm animals.

13.1.4.1. COMMERCIAL AGRICULTURE: Agricultural use of land for the principal purpose of sale either on or off the premises, including any sale facilities located on the premises. A single family detached dwelling is a permitted accessory use.

13.1.4.2. NON-COMMERCIAL AGRICULTURE: Agricultural use of land accessory to a residential use where the lot size exceeds two acres.

13.1.4.3. PRODUCE STAND: A structure used solely for the sale of produce/vegetables accessory to a non-commercial agricultural use of land where the floor area of the structure does not exceed 150 square feet.

13.1.5. AUTOMOTIVE OR SIMILAR SALES FACILITY: (03/1992) A building and/or lot used principally for the sale, display or rental of new or used automobiles or other similarly sized vehicles, with or without an accessory use for the repair or reconditioning of such vehicles.

13.1.6. AUTOMOTIVE REPAIR SHOP: (03/1992) A building and/or lot where automobiles or other similarly sized vehicles are serviced and repaired. No unregistered vehicles shall be allowed on site as per the NH RSA 236:111 et. seq.

13.1.7. AUTOMOTIVE SERVICE STATION: (03/1992) A building and/or lot where gasoline, oil, grease, batteries, tires and automotive accessories are sold at retail, minor servicing and repairs are made and cold drinks, candy, tobacco and similar goods may be sold.

13.1.8. BED AND BREAKFAST INN: (03/1993) A residential dwelling unit or a portion thereof where short term lodging and meals, incidental to lodging, are provided. The operator of the Inn shall live on the premises.

13.1.9. BOARD: The Town of Raymond Zoning Board of Adjustment.

13.1.10. BOARDING OR ROOMING HOUSE: A building principally containing Boarding Units.

13.1.11. BOARDING UNIT: Residence of one or more persons not living as a single housekeeping unit and not having individual cooking facilities.

13.1.12. BUILDING: Any structure that has a roof on it and is intended or used for the shelter, housing or enclosure of persons, animals or property.

13.1.13. CAMPER: Any type of readily transportable shelter which was designed and/or is commonly used for camping, including but not limited to: motor homes, pickup truck mounted shelters and towed trailer-type shelters, to include hard and soft body trailers, which do not qualify as Manufactured Housing as defined in this section.

13.1.14. CAMPING AREA: Any parcel of land which contains three (3) or more separate lots or sites and/or contains permanent buildings or other structures commonly used for camping including accessory buildings and, if necessary, privately owned and maintained roads to provide access thereto; contains lots or sites which are rented, leased or otherwise let, for the placement of tents, campers, or other normally accepted camping shelters thereon for the purpose of camping; occupancy thereof is for not more than nine (9) months of the year; meets or exceeds all of the current requirements of the State of New Hampshire for that type of camping area.

13.1.15. CERTIFIED PLOT PLAN: (03/2004) A survey, sketch plan, map plat, or other exhibit of a lot, drawn to scale, showing the actual measurements, the size and location of any existing structures or structures to be erected, the location of the lot in relation to abutting streets, and other such information, containing a written statement regarding accuracy, signed and sealed by a New Hampshire licensed land surveyor under whose supervision said plan was prepared.

13.1.16. CHURCH: (03/1990) A building and/or other structure used principally by a body or organization of religious believers to regularly assemble for worship.

13.1.17. CODE OFFICIAL: (03/2013) Any employee of the Town of Raymond authorized by the Town Manager to administer or enforce the Zoning Ordinance, including but not limited to the Community Development Director and the Building Inspector, but in all cases someone who is qualified to carry out the duties of the position.

13.1.18. COMMERCIAL SERVICE ESTABLISHMENT: (03/1990) A building and/or other structure used principally for providing commercial services to the public, such as a beauty shop, shoe repair shop, dry cleaner, laundry, electrician, plumber, repair service, installation service, general contractor, rental shop and the like. No accessory use for residential purposes shall be permitted.

13.1.19. CONSERVATION SUBDIVISION: A subdivision of land consisting of protected open space and single-family detached homes located on unconventional lots that would not otherwise be permitted by the minimum lot size, frontage and yard requirements of this Ordinance. Private roads built to Town standards are permitted in a Conservation Subdivision, but a Homeowner's Association must be established to maintain the roads. Private roads built to Town standards are permitted in a Conservation Subdivision, but a Homeowner's Association must be established to maintain the roads.

13.1.20. DAY CARE: Means a building used principally or as an accessory use to a single family attached dwelling or a free standing building or structure used to provide custodial care for children without a teacher or formal education program.

13.1.20.1. FAMILY DAY CARE HOME: Means a residence occupied by a provider in which child care is regularly provided for any part of a day (but less than twenty-four (24) hours except in emergencies) for one (1) to six (6) children from one (1) or more unrelated families. The maximum of six (6) children includes children under six (6) years of age who are living in the home and children related to the applicant who are received for childcare.

13.1.20.2. ADULT DAY CARE FACILITY: An establishment, located in either a private residence or other building, which provides care, supervision and protection of adult persons.

13.1.20.3. DAY CARE CENTER: (03/2002) A facility licensed by the state, where seven (7) or more children are provided care, supervision and protection.

13.1.21. DENSE VEGETATIVE BUFFER: (03/2002) A natural and/or planted vegetative buffer, which shall provide year-round screening, e.g. evergreen plantings.

13.1.22. DRIVEWAY: An access way with two (2) or less dwellings except in the case of a conservation subdivision which may have four (4) dwellings served by one driveway.

13.1.23. DUMP: A land site used primarily for the disposal by dumping, burial, burning, or other means, and for whatever purposes, of garbage, sewage, trash ,refuse, junk, discarded machinery, vehicles or parts thereof, and other waste, scrap, or discarded material of any kind.(03/2020)

13.1.24. DWELLING: A structure designed for residential occupancy by one (1) or more families by excluding hotels, motels, tourist homes, overnight cabins.

13.1.25. DWELLING UNIT: One (1) or more rooms providing complete separate living facilities for the use of one (1) or more persons constituting a single housekeeping unit, with permanent provisions for living, sleeping, eating, cooking and sanitation.

13.1.26. DEWLLING – TWO FAMILY UNIT: A structure on a single lot containing two (2) dwelling units, each of which is separated from the other by an un-pierced wall extending from ground to roof or by an un-pierced wall extending from exterior wall to exterior wall, except for a common stairway exterior to both dwelling units.

13.1.27. FLEA MARKET: (03/1998) A commercial venture consisting of rented space to sell items and/or admission is charged.

13.1.28. FLOODWAY: The area subject to regular flooding, the limits of which are determined by the normal annual high watermark of any lake, pond, river or other major water way.

13.1.29. FLOOR AREA: (03/2012) The area of floor space which may be occupied on all stories of a building measured between the faces of the interior walls.

13.1.30. FORESTRY: (03/2012) The operation of timber tracts, tree farms, forest nurseries, the gathering of forest products, or the performing of forest services.

13.1.31. FRONTAGE: The length of a lot at its front lot line which borders on a public street or a street paved in a subdivision approved by the Planning Board.

13.1.32. GASOLINE STATION AND CONVENIENCE CENTER: (03/2012) A gasoline station and convenience store comprising the principal use, which may also include a fast food component operated and maintained as a use within the principal structure.

13.1.33. HEAVY INDUSTRIAL ESTABLISHMENT: (03/2012) Processing or manufacturing activities in which raw materials are transformed into finished goods on a large scale to be further manufactured, fabricated, assembled or packaged in a Light Industrial Establishment, as defined in this Ordinance.

13.1.34. HEAVY MANUFACTURING ESTABLISHMENT: (03/2012) A structure and/or lot used principally for manufacturing activities not meeting the definition of Light Manufacturing Establishment, as defined in this Ordinance."

13.1.35. HOME OCCUPATION: (03/2015) Any activity carried out for gain by a resident which is conducted in the resident's single-family detached dwelling, or an accessory building thereto, that is clearly secondary and subordinate to the residential purposes of the dwelling and does not change the residential character of the neighborhood.

13.1.36. HOTEL/MOTEL: A building principally containing rooms without individual cooking facilities used

for transient occupancy, including an inn, motel, motor inn or tourist court, but not including a boarding or rooming house. A restaurant is a permitted accessory use.

13.1.37. INDOOR COMMERCIAL RECREATION FACILITY: A building used principally for indoor commercial recreation such as bowling alley, pool hall, indoor pool, tennis court, gymnasium, roller or ice skating rink, indoor movie theater and the like.

13.1.38. INDUSTRIAL REPAIR GARAGE: A structure and/or lot used principally for the repair of heavy-duty vehicles and machines.

13.1.39. JUNKYARD: Means any business and any place of storage or deposit, whether in connection with another business or not, which has stored or deposited two (2) or more unregistered motor vehicles which are no longer intended or in condition for legal use on the public highways, or used parts of motor vehicles, old iron, metal, glass paper, cordage or other waste of discarded or second hand material which has been a part, or intended to a part of any motor vehicle, the sum of which parts or material shall be equal in bulk to two (2) or more motor vehicles. Junk Yard shall also include any place of business or storage or deposit of motor vehicles purchased for the purpose of dismantling the vehicles for parts of which are parts of a motor vehicle or cut up the parts thereof. Intended use shall be defined as the vehicle's ability to meet current state motor vehicle inspection requirements.

13.1.40. LANDFILL: A disposal site in which refuse and earth, or other suitable cover material, are deposited and compacted in alternating layers of specified depth in accordance with an approved plan (03/2020)

13.1.41. LIGHT INDUSTRIAL ESTABLISHMENT: (03/2012) A structure and/or lot used principally for the manufacturing, fabricating, assembling, or packaging of components through the systematic use of machinery and labor to produce durable and/or non-durable finished goods or component parts. All manufacturing, fabricating, assembly or packaging must take place wholly within a structure or structures and involve no permanent outside storage of equipment or materials, unless such storage is approved by the Planning Board.

13.1.42. LIGHT MANUFACTURING ESTABLISHMENT: (03/2012) Those manufacturing activities which utilize materials manufactured elsewhere to mechanically produce or assemble a product. All production and assembly must take place wholly within a structure or structures and involve no permanent outside storage of equipment or materials, unless such storage is approved by the Planning Board.

13.1.43. LOT LINE FRONT: Any lot line that coincides with a line of a street or a right of way.

13.1.44. LOT LINE REAR: The lot line most distant from the front line, except that in the case of a corner lot, the owner shall have the option of choosing which of the lot lines shall be the rear lot line.

13.1.45. LOT LINE SIDE: Any lot line not a front or rear lot line.

13.1.46. LOT, PRE-EXISTING, NON-CONFORMING: A lot lawfully used or existing at the effective date of this ordinance, or any subsequent amendment thereto, which is not in accordance with all the area, yard, height and frontage requirements of this ordinance or any subsequent amendment thereto for the district in which it is located.

13.1.47. LUMBER TREATMENT ESTABLISHMENT: A structure and/or lot used principally for the treatment and preparation of lumber, such as planning mills, sawmills and the like. Outdoor storage of goods

is a permitted accessory use only after site plan review.

13.1.48. MACHINE SHOP: (03/1990) Means any facility where parts for various types of machines are assembled and manufactured or repaired.

13.1.49. MANUFACTURED HOME PARK: (03/2006) A lot upon which ten (10) or more manufactured homes are located for use for residential purposes, whether or not a charge is made for such accommodations, as governed by Section 6.3 of this ordinance.

13.1.50. MANUFACTURED HOME SUBDIVISION: (03/1999) Is a subdivision as defined in NH RSA 672:14 created for the exclusive use of Manufactured Homes.

13.1.51. MANUFACTURED HOUSING: Any structure, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width and forty (40) body feet or more in length, or when erected on site, is three-hundred twenty (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, Manufactured Housing as defined in this section shall not include pre site built housing as defined in RSA 674:31-a.

13.1.52. MULTI-FAMILY HOUSING: A residential building designed for and occupied by three (3) or more families, regardless of the type of ownership, such as, but not limited to, condominiums, apartments or other common wall or row-type housing units of the same type.

13.1.53. NATURAL VEGETATED SHORELAND BUFFER: (03/2011): Preserved and/or restored trees, shrubs and natural groundcover, throughout Raymond's Shoreland Protection Area.

13.1.54. NO NET LOSS: (03/2009) As applied to area and function of wetlands, means that for any wetlands filled by any development, an equal area of wetlands with similar or better function, as designed by a certified soil or wetland scientist, must be reconstructed utilizing approaches outlined in Section 2.9.

13.1.55. NURSERY SCHOOL: (03/1990) A building used principally, or as an accessory use to a single-family detached dwelling for pre-elementary, non-public education, where there exists a curriculum and teacher to provide an educational program for children.

13.1.56. OFFICE ESTABLISHMENT: A building used principally for offices and/or by those providing professional and quasi professional services such as engineers, doctors, bankers, lawyers, realtors, insurance agents and the like, and commercial service establishment having in excess of 3,000 square feet in floor area.

13.1.57. OUTDOOR COMMERCIAL RECREATIONAL FACILITY: A lot and/or structure used principally for outdoor commercial recreation, such as golf courses, miniature golf, fish and game clubs, tennis courts and swimming pools, race tracks, outdoor movie theaters and the like.

13.1.58. PRIVATE EDUCATIONAL FACILITY: Any school, which is not a public educational facility and is not a nursery school.

13.1.59. PUBLIC EDUCATIONAL FACILITY: A building used principally to educate any child of the Town of Raymond where attendance at such school at the public expense is a right of that child.

13.1.60. PUBLIC RECREATIONAL FACILITY: Any lot and/or structure used principally for recreation, built or maintained at the public expense and open generally to the public, such as public tennis courts, ball fields and parks.

13.1.61. RECYCLING COLLECTION CENTER: (03/1991) A facility where predominately residential users can deposit cans, bottles, newspapers, glass and other suitable non-toxic, non-hazardous recyclable materials in separated boxes, bins, etc.

13.1.62. RECYCLING PROCESSING CENTER: (03/1991) A facility where recycled materials such as cans, bottles, newspapers, cardboard, glass and other materials are received and prepared for future processing either on site or off site. In addition, collection of household hazardous waste may be allowed by Special Exception.

13.1.63. RESEARCH LAB: (03/1990) A facility which conducts and supervises research into biological, chemical or mechanical activities. All activities, especially residue or waste material shall be handled and disposed of in strict conformance with appropriate state and federal laws.

13.1.64. RESTAURANT: (03/1990) A building or other structure used principally to provide refreshments 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 a fast food restaurant.

13.1.65. RESTAURANT, FAST FOOD: (03/1990) 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 by the customer by standing in line, and/or service to the customer in automobiles, and which generates a large volume and rapid turnover of entering and exiting motor vehicle traffic.

13.1.66. SALES ESTABLISHMENT: (03/1990) A structure and/or lot used principally for the sale of products to the public or at wholesale if principally on the premises, such as grocery, drug store, general merchandise store, bookstore, florist shop, building supply store, auto parts store and the like. Outdoor storage of goods shall be governed by the Site Plan Review regulations of the Town of Raymond.

13.1.67. SERVICED BY TOWN WATER: (03/2012) Receiving metered, potable water supply from the Town-owned and maintained water supply system.

13.1.68. SITE PLAN: (03/2004) A plan showing the location of all buildings, parking areas, abutters, traffic access and circulation drives, open spaces, landscaping and any other pertinent information that the Raymond Planning Board deems necessary in implementing its review on non-residential and multi family dwelling unit site plans in accordance with Chapter 674 NH Revised Statutes Annotated.

13.1.69. SINGLE FAMILY DETACHED DWELLING: A dwelling which stands apart from other buildings, except accessory buildings, and which is used for residence by a single housekeeping unit, with permanent provisions for living, sleeping, eating, cooking and sanitation.

13.1.70. SOCIAL FACILITY: A structure and/or lot used principally by clubs of a fraternal, social or non- profit nature to provide a meeting place and to conduct the business of said club.

13.1.71. SPECIAL EXCEPTION: (03/1992) As defined in NH RSA 674:33 IV, a use of a building or lot which may be permitted under this Ordinance only upon formal application to the Board of Adjustment and subject to the approval of that Board in accordance with Section 9.2 of the Raymond Zoning Ordinance.

13.1.72. SPECIAL PERMIT: (03/1999 & 03/2018) A permit issued by the Planning Board to allow specific uses and/or activities as required by the Raymond Zoning Ordinance.

13.1.73. STRUCTURE: (03/2000) A combination of materials to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

13.1.74. STRUCTURE, PERMANENT: (03/2000) Anything built with a footing or foundation and/or by nature of its size, positioning, projected use or construction and upon installation or removal, causes any destruction to surroundings or to the structure itself, exclusive of fences, wells and stone walls.

13.1.75. SUBDIVISION: (03/1990) As defined in NH RSA 672:14, means the division of the lot, tract, or parcel of land into 2 or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

13.1.76. STREET: A thoroughfare, road, avenue, freeway, highway, and other ways open to public use. "Street" shall mean the entire width of the right-of-way whether unimproved or improved, serving more than two (2) dwellings.

13.1.77. TESTING LAB: (03/1990) A facility which conducts tests of experimental activities in a regulated environment in strict conformance with State and Federal laws.

13.1.78. TRUCK AND HEAVY EQUIPMENT REPAIR SHOP: (03/1992) A building and/or lot where trucks and/or heavy equipment type vehicles are serviced and repaired. No unregistered trucks shall be allowed on site as per the NH RSA 236:111 et.seq.

13.1.79. TRUCK AND/OR HEAVY EQUIPMENT SALES FACILITY: (03/1992) A building and/or lot used principally for the sale, display or rental of new or used trucks and/or similarly sized vehicles with or without an accessory use for the repair or reconditioning of such vehicles.

13.1.80. USE: A purpose defined by this Ordinance for which a structure or lot is used, occupied or maintained or for which it is designed or intended to be used, occupied or maintained.

13.1.81. USE, ACCESSORY: A use secondary and subordinate to the principal use of a structure or lot. An accessory use shall not exceed twenty-five percent (25%) of the lot area. Non-commercial agriculture shall not, however, be limited in percentage of lot coverage.

13.1.82. USE, NON-CONFORMING: (03/1990) A use lawfully existing at the time of adoption of this Ordinance or any subsequent amendment thereto which does not conform to one or more of the use provisions of this Ordinance or any subsequent amendment thereto. This shall include a use for which a building permit was lawfully issued prior to the posting of the first required legal notice of the adoption of this Ordinance or any subsequent amendment thereto and for which the

construction is completed within one year of the effective date of this Ordinance or any subsequent amendment thereto or the time limit prescribed by the building permit or other approval, whichever is shorter.

13.1.83. USED MOTOR VEHICLE DEALERSHIP: (03/2002) The storage and display for sale of more than two (2) used motor vehicles. Motor vehicle sales shall include motor vehicles retail or wholesale sales.

13.1.84. VARIANCE: (03/2010) As defined in RSA 674:33, a relaxation of the terms of this Ordinance granted by the Zoning Board of Adjustment as long as it complies with the variance criteria required under Section 9.3 of this Ordinance.

13.1.85. WAREHOUSE ESTABLISHMENT: (03/1990) A building or other structure used principally for the storage of products, including finished goods, fuels, lumber, food and chemicals, whether or not involving the wholesaling or retailing of such products principally off the premises.

13.1.86. WETLANDS: (03/2009) means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

13.1.87. WHOLESALE BUSINESS ESTABLISHMENT: (03/2012) Establishments or places of business primarily engaged in selling merchandise to other businesses, including retailers, industrial, commercial, institutional, or professional business users, other than wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

13.1.88. WIRELESS COMMUNICATIONS FACILITY: (03/1997) All towers, poles, antennas or other structures intended for use in connection with the commercial transmissions or receipt of radio or television signals or any other spectrum-based transmissions/receptions.

ARTICLE 14: ALLOWED USES TABLE

14.1 Allowed Uses Table

14.1.1. LEGEND: P =Permitted

P500 = Permitted 500 feet from property line abutting NH Route 102

SE = Permitted by Special Exception

A = Permitted as Ancillary Use (MUBCOD)

X = Not Permitted

Type of Use	Zone A	Zone B	Zone C.1	Zone C.2	Zone C.3 - West	Zone C.3 - East	Zone D	MUBCOD	Sewer Overlay District	
									Zone C.1	Zone D
ACCESSORY USES (i.e. with and incidental to a principle use, including but not limited to Factory Outlet Sales)	X	X	X	X	X	X	P	X	P	P
ADULT BUSINESS ESTABLISHMENT	X	X	SE	X	X	X	X	X	X	X
AGRICULTURAL USE										
COMMERCIAL AGRICULTURE	SE	P	SE	P	P	P	X	X	X	X
NON-COMMERCIAL, FORESTRY ONLY	P	P	P	P	P	P	P	X	X	X
NON-COMMERCIAL, NOT INCLUDING PRODUCE STANDS	P	P	P	P	P	P	P	X	X	X
PRODUCE STAND (see definition under Agricultural Use)	SE 14.2.2	SE 14.2.2	P	P	P	P	X	X	X	X
AUTOMOTIVE SERVICE STATION	X	X	P	X	X	X	X	X	P	P

Type of Use	Zone A	Zone B	Zone C.1	Zone C.2	Zone C.3 - West	Zone C.3 - East	Zone D	MUBCOD	Sewer Overlay District	
									Zone C.1	Zone D
AUTOMOTIVE REPAIR SHOP	X	X	P	X	X	X	P	X	P	P
AUTOMOTIVE OR SIMILAR VEHICLE SALES FACILITY 14.2.9	X	X	P	X	X	X	P	X	X	X
BED & BREAKFAST INN (limited to 5 or less rooms)	P	P	X	X	P	P	X	X	X	X
BED & BREAKFAST INN (limited to 10 rooms maximum)	X	X	P	P	P	P	X	X	P	X
BOARDING OR ROOMING HOUSE	SE	SE	P	P	X	X	X	X	P	X
CAFETERIA OR RESTAURANT	X	X	X	X	X	X	P	A	P	P
CAMPING AREA	X	SE	P	P	X	X	X	X	X	X
CHURCH	P	P	P	P	X	X	X	X	P	X
CONSERVATION SUBDIVISION (single family only)	P	P	X	X	P 500	X	X	X	X	X
COMMERCIAL SERVICE ESTABLISHMENT	X	X	P	P	P	P	X	X	P	P
CONVERSION APARTMENT	SE	SE	P	P	X	X	X	X	X	X
DAY CARE										

Type of Use	Zone A	Zone B	Zone C.1	Zone C.2	Zone C.3 - West	Zone C.3 - East	Zone D	MUBCOD	Sewer Overlay District	
									Zone C.1	Zone D
ADULT DAY CARE	X	X	X	P	P	P	P 14.2.1	A	X	P 14.2.1
DAY CARE CENTER	SE	SE	P	P	P	P	P 14.2.1	A	P	P 14.2.1
DAY CARE & ADULT DAY CARE (when associated with an existing business in Zone D)	X	X	X	X	X	X	P	X	X	P
FAMILY HOME DAY CARE/ADULT DAY CARE	P	P	X	X	P	P	X	X	X	X
DUMPS (03/2020)	X	X	X	X	X	X	X	X	X	X
DWELLING – TWO FAMILY UNIT	P	P	X	X	P500 14.2.5	P 14.2.5	X	X	X	X
ELDERLY HOUSING OVERLAY DISTRICT 14.2.8	P	P	X	P	P500	X	X	X	X	X
EXCAVATION, SOIL REMOVAL & PROCESSING	X	X	X	X	X	X	P	X	X 14.2.4	X 14.2.4
EXCAVATION & SOIL REMOVAL	X	SE	SE	SE	X	X	P	X	X 14.2.4	X 14.2.4
FLEA MARKET	X	X	P	P	X	X	X	X	X	X
GASOLINE STATION AND CONVENIENCE CENTER	X	X	P	X	X	X	P	X	P	P
HEAVY INDUSTRIAL ESTABLISHMENT	X	X	X	X	X	X	SE	X	X	X

HEAVY MANUFACTURING ESTABLISHMENT	X	X	X	X	X	X	SE	X	X	SE

Type of Use	Zone A	Zone B	Zone C.1	Zone C.2	Zone C.3 - West	Zone C.3 - East	Zone D	MUBCOD	Sewer Overlay District	
									Zone C.1	Zone D
HOME OCCUPATION	P	P	P	P	P	P	X	X	X	X
HOTEL/MOTEL (3/2017)	X	X	P	P	X	X	SE	A	P	P
INDOOR COMMERCIAL RECREATION FACILITY	X	X	P	P	P	X	P	X	P	P
INDUSTRIAL REPAIR GARAGE	X	X	X	X	X	X	P	X	X	P
JUNKYARD 14.2.10	X	X	X	X	X	X	X	X	X	X
Landfill (03/2020)	x	x	x	x	x	x	x	x	x	x
LIGHT MANUFACTURING ESTABLISHMENT	X	X	SE	SE	P	P	X	A	P	P
LIGHT INDUSTRIAL ESTABLISHMENT	X	X	X	X	P	P	P	X	P	P
LUMBER TREATMENT ESTABLISHMENT	X	X	P	P	X	X	P	X	X	X
MACHINE SHOP	X	X	X	X	P	P	P	X	P	P
MANUFACTURED HOME PARK	X	P	X	X	X	X	X	X	X	X

MANUFACTURED HOME SUBDIVISION	X	P	X	X	X	X	X	X	X	X
MULTI-FAMILY HOUSING (3/2017)	X	X	X	P	X	X	X	X	P 14.2.3	P 14.2.3

Type of Use	Zone A	Zone B	Zone C.1	Zone C.2	Zone C.3 - West	Zone C.3 - East	Zone D	MUBCOD	Sewer Overlay District	
									Zone C.1	Zone D
NURSERY SCHOOL	P	P	P	P	P	P	X	X	P	P
OFFICE ESTABLISHMENT	X	X	P	P	P	P	P	X	P	P
OFFICE ESTABLISHMENT/MUBCOD	X	X	X	X	P 14.2.6	P 14.2.6	X	P	X	X
OUTDOOR COMMERCIAL RECREATIONAL FACILITY	X	SE	P	P	P	X	X	X	X	X
PRIVATE EDUCATIONAL FACILITY	P	P	P	P	P	P	X	X	P	X
PUBLIC EDUCATIONAL FACILITY	P	P	P	P	P	P	X	X	P	X
PUBLIC RECEREATION FACILITY	P	P	X	X	P	X	X	X	X	X
RECYCLING COLLECTION CENTER	X	X	P	P	X	X	X	X	X	X
RECYCLING PROCESSING CENTER	X	X	X	X	X	X	SE	X	X	X

RESEARCH LAB	X	X	X	X	X	X	SE	A	P	P
RESTAURANT	X	X	P	P	P	P	X	A	P	P
RESTAURANT, FAST FOOD	X	X	P	P	X	X	X	X	P	P

Type of Use	Zone A	Zone B	Zone C.1	Zone C.2	Zone C.3 - West	Zone C.3 - East	Zone D	MUBCOD	Sewer Overlay District	
									Zone C.1	Zone D
SALES ESTABLISHMENT	X	X	P	P	P	P	SE	X	P	P
SANITARY LANDFILL (03/2020)	x	x	x	x	x	x	x	x	x	x
SINGLE-FAMILY DETACHED DWELLING	P	P	X	X	P500 14.2.7	P 14.2.7	X	X	X	X
SOCIAL FACILITY	X	X	P	P	P	P	X	X	X	X
TESTING LAB	X	X	X	X	X	X	SE	A	P	P
TRUCK & HEAVY EQUIPMENT REPAIR SHOP	X	X	SE	X	X	X	P	X	SE	SE
TRUCK AND/OR HEAVY EQUIPMENT SALES FACILITY	X	X	SE	X	X	X	P	X	X	X
USED MOTOR VEHICLE DEALERSHIP 14.2.9	X	X	P	X	X	X	P	X	X	X
WAREHOUSE ESTABLISHMENT	X	X	P	P	X	X	P	A	P	P

WHOLESALE BUSINESS ESTABLISHMENT	X	X	X	X	P	P	P	X	P	P
WIRELESS COMMUNICATIONS FACILITY	SE	SE	SE	SE	P	P	P	X	SE	P

14.2. Notes to Allowed Uses Table

14.2.1. As an accessory use to an operating primary allowed use. (03/2003)

14.2.2. Allowed only as an accessory to an allowed use and only for the sale of farm product or produce grown or made on-site as part of an approved home occupation or an allowed commercial or non-commercial agricultural use. (03/2003)

14.2.3. Where multi-family is a permitted use in the SOD it shall comply with all requirements of Section 6.5, Multi-Family Housing, except that the maximum density for multi-family in the SOD shall be sixteen (16) bedrooms per acre, not eight (8) bedrooms per acre. Only twenty-five percent (25%) of the total acreage of the parcel can be used in calculating the density and no more than twenty-five percent (25%) of the parcel may be developed for multi-family housing. Nothing in this provision shall prevent the balance of the parcel acreage to be used for non-residential purposes. (03/2007)

14.2.4. Excavation that is exclusively incidental to the construction or alteration of a building or structure or incidental to lot development consistent with the provision of the SOD overlay district are permitted provided that no such excavation shall commence without appropriate state and local permits required for such construction, alteration or development.

14.2.5. Duplexes may be located within the C.3 District only as part of a major subdivision consisting of minimum of 10 lots. (03/2012)

14.2.6. Within the C.3 District, all of the provisions regarding MUBCOD will be applied as written, except that only 20 contiguous acres are needed to qualify instead of 40 contiguous acres. (03/2012)

14.2.7. Single Family Detached Dwelling Units may be located within the C.3 District only as part of a major subdivision or a conservation subdivision with a minimum of 10 lots. (03/2012)

14.2.8. Elderly Housing developments may be allowed by Special exception in Zone H and the Groundwater Conservation Overlay District. Please Note: Elderly Housing shall NOT be permitted in any of the following zones: Zone C1; Zone D; Zone G; and Zone F.

14.2.9. On or after the effective date of this Ordinance, March 12, 2002, no used motor vehicle dealerships may be located any closer than 2,000 feet to any other used motor vehicle dealership. The distance between such dealerships shall be computed by measuring the lot line closest to an existing used motor vehicle dealership to the lot line of the proposed used motor vehicle

dealership, unless a certified and approved site plan shows a clearly defined area of use, in which case the area defined on the certified and approved site plan may be used to determine the distance between uses. (03/2002)

14.2.10. Please refer to Section 2.13: Junkyards.

ARTICLE 15: AREA AND DIMENSIONAL REQUIREMENTS & ASSOCIATED NOTES

15.1 Area and Dimensional Tables

15.1.1. MINIMUM LOT SIZE REQUIREMENTS

Zone	Minimum Square Feet	Minimum Acreage
A	40,000	0.92
B	87,120	2.0
C.1	21,780	0.5
C.2	21,780	0.5
C.3 (non-residential development) 03/2018	21,780	0.5
C.3 (Single-family Residential)	65,340	1.5
C.3 (Two-family Residential) 15.1.1.1	65,340	1.5
C.3 (Multi-family Residential) 15.1.1.2	217,80	5.0
D	21,780	0.5
E	87,120	2.0
F	N/A	N/A
G	87,120	2.0

15.1.1.1. Provisions of Section 6.4 shall be utilized in the design and review of these developments as proposed in the C.3 District as if it were Zone A.

15.1.1.2. Density and area for Multi-family dwellings shall be determined in accordance with Sections 6.5 and 6.5.8.

15.1.2. MINIMUM FRONTAGE REQUIREMENTS

Zone	Minimum Frontage
A (Serviced by Town Water)	100 Feet
A (NOT Serviced by Town Water)	150 Feet
B	200 Feet
C.1	50 Feet
C.2	50 Feet
C.3 (Non-residential)	50 Feet
C.3 (Single-family Residential)	150 Feet
C.3 (Two-family Residential)	150 Feet
C.3 (Multi-family Residential)	200 Feet
D	50 Feet
E	200 Feet
F	N/A
G	200 Feet

15.1.3. MINIMUM SETBACK REQUIREMENTS

Zone	Front	Sides	Rear
A (Serviced by Town Water)	25 Feet	10 Feet	10 Feet
A (NOT Serviced by Town Water)	25 Feet	25 Feet	25 Feet
B	30 Feet	30 Feet	30 Feet
C.1	15 Feet	15 Feet	15 Feet
C.2	15 Feet	15 Feet	15 Feet
C.3 (Non-residential)	15 Feet	15 Feet	15 Feet
C.3 (Single-family Residential)	25 Feet	25 Feet	25 Feet
C.3 (Two-family Residential)	25 Feet	25 Feet	25 Feet
C.3 (Multi-family Residential)	25 Feet	25 Feet	25 Feet
D	15 Feet	15 Feet	15 Feet
E	50 Feet	50 Feet	50 Feet
F	50 Feet	50 Feet	50 Feet
G	15 Feet*	15 Feet*	15 Feet*

*The wetland setback is 25 feet as per Section 15.3.2

15.2. Notes to Area and Dimensional Requirements

15.2.1. Excepted from this requirement are all buildings on any pre-existing lot in Zones B, C, D or E or less than two (2) acres, which shall require setbacks of twenty-five feet (25') from all property lines.

15.2.2. Accessory buildings 144 square feet or smaller shall be permitted no closer than 25 feet from side property lines. Larger accessory buildings shall be permitted no closer than thirty feet (30') from the side property lines. (03/2016)

15.2.3. All existing lots of one-third acres (14,520 sq. ft.) or less shall meet the setback requirements of Zone A.

15.2.4. No new buildings may be erected or established on any lot within the Town of Raymond which does not meet the requirements for lot size specified herein: Only one principle building will be permitted on any one lot except in Zone C.1, C.2 or C.3 Commercial and Zone D Industrial where more than one principal building will be permitted per lot. Within the C.3 District, however, Single Family Detached Dwelling and Dwelling–Two Family Unit developments will be limited to one principal building per lot. (03/2016)

15.2.5. Frontage for wedge-shaped lots, on the outside of a curving street, may have two-thirds of the otherwise required frontage, only if their average width meets frontage requirements normally used.

15.2.6. Any residential structure proposed for location within a Commercial (C.1 and C.2) or Industrial zone (D) shall require a minimum setback of one hundred feet (100'), or, in the alternative, fifty feet (50') inclusive of a minimum of twenty feet (20') of dense vegetative buffer and a fence of a type designed to shield the residential structures from light and noise generated by a commercial or industrial use. Security apartments which are accessory to any commercial or industrial use shall not be affected by this section. (03/2002)

15.2.7. Any commercial or industrial structure which is proposed to be located abutting a residential zone, or in C.2 only, an existing residential use, shall require a minimum setback of fifty feet (50'), which shall include a twenty foot (20') dense vegetative buffer and a fence to shield the residential zone or in C.2 only, an existing residential use, from light and noise generated by the commercial or industrial structure. If the entire fifty foot (50') buffer is developed and maintained as dense vegetative buffer, a fence is not required. (03/2002)

15.2.8. All proposed commercial and industrial uses shall meet the performance standards contained in the Raymond Site Plan Review Regulations. (03/1994)

15.2.9. Zones A, B & E, including all residential overlay zones, shall not include the use of Zone G land in determining the maximum number of units or lots being developed. (03/2010)

15.2.10. Within the C.3 District, the setbacks reflected in Section 15.1.3 are superseded by Sections 4.5.2.2 and 4.5.2.6, as applicable.

15.2.11. Lots in Zone A and Zone B, which become serviced by town water, will become eligible for a reduction of 50% of the required lot area, except for any lot for a "Dwelling – Two Family Unit" in Zone A.

15.3. Special Requirements in Zone G: All lots containing Zone G (Conservation District) land must meet the following dimensional and space requirements (03/2010):

15.3.1. Minimum usable area calculations shall require a minimum 20,000 contiguous square feet of non-Zone G land in Zone A, and a minimum of 40,000 contiguous square feet of non-Zone G land in Zone B within which there exists a developable area of either, 110' x 110' SQUARE, 125' DIAMETER CIRCLE, 180' EQUILATERAL TRIANGLE.

15.3.2. All lots containing Zone G land shall comply with the frontage and setback requirements of the underlying zone as set forth in Section 15.1.2 and Section 15.1.3, and shall have **minimum wetland setbacks of 25 feet**. (03/2010)