

**ARTICLE XX**  
**PERFORMANCE STANDARDS**

**175-109. Compliance Required.**

This article establishes performance standards for specific uses. These standards must be met for all activities involving the specified uses.

A. ***Accessory Agricultural Activities.*** Accessory Agricultural Activities shall conform to the following standards:

1. The total area cultivated shall not be more than thirty-five (35) percent of the total lot area.
2. The amount of herbicides, pesticides, and similar chemicals stored on the property shall not be greater than the amount associated with normal residential usage.
3. Any facilities for the sale of excess agricultural products shall be temporary, shall be located so as not to create a traffic hazard or obstruct vehicular or pedestrian traffic, and shall be used only during the period of the actual harvesting of the product.
4. No products that are not grown, raised, or produced on the premises shall be displayed or sold.

B. ***Accessory Animal Husbandry – Livestock, not including poultry.*** Accessory Animal Husbandry – Livestock shall conform to the following standards:

1. The lot on which the use is located shall have a minimum lot size of one hundred twenty thousand (120,000) square feet of area
2. No area or structure for the housing, stabling, or feeding of animals shall be located within one hundred (100) feet of any property line
3. No animals shall be pastured within twenty-five (25) feet of any property line

C. ***Accessory Animal Husbandry – Poultry.*** The following terms and conditions apply to Accessory Animal Husbandry – Poultry:

1. Roosters. Roosters are permitted only in the Rural Zoning District. However, they are not permitted on lots in the Rural Zoning District smaller than 20,000 square feet that were/are created as part of a conservation subdivision.
2. Single/Two Family. The keeping of poultry is permitted as an accessory use only to single family and duplex residences.

3. Number of animals. A maximum of 12 animals may be maintained per lot. There is no limit on the number of animals in the Rural Zoning District, except on lots smaller than 20,000 square feet that were/are created as part of a conservation subdivision.
4. Housing structure. An appropriate fully-enclosed structure for housing animals shall be provided in accordance with University of New Hampshire Cooperative Extension Housing and Space Guidelines. The structure shall be designed to prevent access from predators. Poultry shall be maintained in the structure from sunset to sunrise.

[Reference - [http://extension.unh.edu/resources/files/Resource000471\\_Rep493.pdf](http://extension.unh.edu/resources/files/Resource000471_Rep493.pdf)]

5. Housing structure setbacks. The structure for housing animals shall meet all setbacks applicable to structures under this zoning ordinance. The structure shall be placed in the rear yard or side yard and may not be placed closer to any public street than the primary facade of the house facing that street (including for corner lots). However, in the Rural Zoning District the structure may be placed forward of the primary façade of the house provided it is set back at least 50 feet from the front (or side, for corner lots) property line.
6. Manure. Manure, compost from manure, and odor from the animals shall be handled in accordance with best management practices as specified in Best Management Practices for Agriculture in New Hampshire, as revised. Manure must be removed from the structure and immediate area housing the animals and composted or disposed of in a timely manner.
7. Feed. Feed shall be stored in fully enclosed and secured containers in order to prevent pests and predators.
8. Yards. Animals shall be confined to the rear yard and side yard, and may not go closer to any public street than the primary façade of any house facing any public street (including for corner lots). However, in the Rural Zoning District animals may inhabit the area forward of the primary façade of the house provided they are kept at least 50 feet from the front (or side, for corner lots) property line. Animals shall be maintained on the subject property and kept under the control of the owner.
9. Fencing. Poultry owners may install a chicken wire fence or other appropriate barrier in the rear and side yards (as delineated above) on their property. In the Rural Zoning District the fencing or barrier may be placed forward of the primary façade of the house provided it is set back at least 50 feet from the front property line. Otherwise, there is no required setback for such fence or barrier. Any such fence or barrier shall not exceed 6 feet in height.
10. Slaughtering. Any slaughtering of poultry on the subject property must be carried out in accordance with best management practices.

11. Selling. Eggs may be sold on the premises provided the activity is conducted in accordance with the New Hampshire Department of Agriculture, Markets, and Food's Guidelines for Selling Shell Eggs and any signage conforms with the standards for residential accessory signs. The commercial sale of live poultry and poultry products other than eggs is prohibited.

[Reference - <http://agriculture.nh.gov/divisions/markets/documents/egg-guidelines.pdf>]

12. Complaints. When a complaint is issued regarding the keeping of poultry as an accessory use, at the option of the Town's enforcement official, the complaint may be referred to the Agricultural Commission which may then investigate the complaint and seek to resolve it, as appropriate. When such a complaint is reviewed by the Agricultural Commission, regardless of the outcome of the Agricultural Commission's review, the Town's enforcement official shall nonetheless maintain responsibility for ultimate disposition of the complaint, in accordance with Town law. The Town's enforcement official and the Agricultural Commission may refer to the Manual of Best Management Practices (BMPs) for Agriculture in New Hampshire, as revised, and pertinent NH RSA's for guidance in this process, as appropriate.
13. Best Management Practices. The enforcement official shall use his/her reasonable judgment in applying the required best management practices (BMPs) that are referred to in this section C. Practices included in the BMP's which clearly should not pertain in the implementation of this ordinance, based upon his/her reasonable judgment, shall not apply. Where the relevance of a particular practice is debatable, the enforcement official, at his option, may consult with the Agricultural Commission for nonbinding guidance, as appropriate.
14. Permits. Please note that a building, fence, and/or sign permit may be required depending on specific circumstances. See the Code Enforcement Officer for clarification, where appropriate.

D. ***Accessory Apartments and Dwelling Units.*** Accessory apartments and accessory dwelling units shall conform to the following standards:

1. Only one accessory apartment or one accessory dwelling unit shall be located on a lot with a single-family residence. The location of an accessory apartment and an accessory dwelling unit in conjunction with one single-family residence shall not be permitted.
2. An accessory apartment shall contain at least three hundred (300) square feet of floor space, but shall not contain more than twenty-five (25) percent of the total floor space of the dwelling in which it is located, and shall be an integral part of the dwelling.
3. An accessory dwelling unit shall contain at least three hundred (300) square feet of floor space, but shall not contain more than twenty-five (25) percent of the total floor space of the single-family residence to which it is accessory.

4. If the occupancy of the single family dwelling, including the integral accessory apartment or accessory dwelling unit, becomes an unrelated household, the total occupancy is limited to three unrelated persons.
  5. The location and design of the accessory apartment or dwelling unit shall maintain the single-family character of the premises.
- E. **Accessory Structures.** Accessory structures shall be limited to a maximum of two (2) accessory buildings per lot plus one (1) additional accessory building for each eighty thousand (80,000) square feet over the required minimum lot size.
- F. **Child Care Center.** A child care center shall conform to the following standards:
1. Any outside play area shall be fenced and shall not be located within required yard setbacks.
  2. Provisions shall be made for the safe drop-off and pick-up of children such that this activity will not create a traffic hazard, obstruct vehicular or pedestrian traffic, or adversely impact adjacent properties including those located on the other side of the street.
  3. A child care center shall not be located on a minor street that is residential in character unless the Zoning Administrator finds that such a use will not create traffic in excess of what would be typically found on a residential street based upon a traffic study prepared by the applicant.
- G. **Child Care Home.** All child care homes shall conform to the following standard:
1. Provisions shall be made for the safe drop-off and pick-up of children such that this activity will not create a traffic hazard, obstruct vehicular or pedestrian traffic, or adversely impact adjacent properties including those located on the other side of the street,

In addition, child care homes licensed to accommodate more than six children at any time shall conform to the following standards:

1. Any outside play area shall be fenced and shall not be located within required yard setbacks.
  2. The child care home shall not be located on a minor street that is residential in character unless the Zoning Administrator finds that such a use will not create traffic in excess of what would be typically found on a residential street based upon a traffic study prepared by the applicant.
- H. **Hotels and Motels.** Hotels and motels shall conform to the following standards:

1. No person may stay in a hotel or motel as a guest for more than fourteen (14) days in any thirty (30) day period.
- I. ***Manufactured Housing.*** A manufactured housing unit shall conform to the following construction and siting standards in addition to any state requirements:
1. It was constructed after June 15, 1975, and certified as meeting the mobile home construction and safety standards of the Department of Housing and Urban Development.
  2. It is at least twenty (20) feet wide at the narrowest point.
  3. The roof pitch shall be not less than a two-foot rise for each twelve (12) feet of horizontal run [two to twelve (2:12)], and the roof shall have minimum six-inch eaves or eaves and gutter.
  4. It has roofing materials which are generally acceptable for site-built housing. Any roofing material may be used, provided that it has the appearance of a nonmetallic shingle, shake or tile roof.
  5. It has siding material which has the appearance of wood, masonry or horizontal metal siding. Reflection from horizontal metal siding shall be not greater than that from siding coated with white gloss enamel.
  6. It has a perimeter skirting that resembles a conventional house foundation and is constructed of brick, concrete, concrete block or pressure-treated wood.
  7. It is placed on a permanent foundation approved by the Code Enforcement Officer.
  8. The hitch and tongue of the manufactured home shall be removed.
- J. ***Reuse of an Existing Agricultural Building.*** Any reuse of an agricultural building for a use other than an agricultural use shall conform to the following standards:
1. Any residential reuse shall conform to the use and dimensional requirements for residential uses for the zone in which it is located including, but not limited to, minimum lot size and minimum usable area per dwelling unit.
  2. Any nonresidential reuse shall conform to the following standards:
    - a. There shall be no retail sale of goods not otherwise allowed in the zone.
    - b. The nonresidential activity shall occur completely within the agricultural building and there shall be no outside storage of material, equipment, or products.
    - c. The architectural character of the building shall be maintained.
    - d. Exterior changes to the building shall be limited to minor changes or additions needed to provide access or comply with code requirements.
- K. ***Reuse of an Older Single-Family Home for a Low Impact Nonresidential Use.*** Any reuse of an older single-family home or residence shall conform to the following standards:

1. The nonresidential activity shall occur completely within the building and there shall be no outside storage of material, equipment, or products. The nonresidential activity may occupy all of the building or a portion of the building together with a single-family residential use.
2. The architectural character of the building shall be maintained.
3. Exterior changes to the building shall be limited to minor changes or additions needed to provide access or comply with code requirements.
4. The volume of traffic generated by the use shall not be more than twice the volume resulting from a typical single-family residence.
5. Any off-street parking created to serve the reuse shall be located to the side or rear of the building and shall be buffered from any abutting residential use by a landscaped buffer at least twenty (20) feet in width that meets the requirements of Article XXII.
6. No noise, odors, dust, vibrations, or similar factors shall be produced in amounts greater than those typically resulting from a typical single-family residence.

L. ***Temporary Sawmill.*** A temporary sawmill shall conform to the following standards:

1. The sawmill shall not be located or used on a property for more than thirty (30) days in any calendar year.
2. The sawmill shall be not located in any required front, side, or rear yard setback and shall be at least two hundred (200) feet from any residence on an abutting lot.
3. Processed materials shall not be stored on the site for more than two weeks.
4. Upon the cessation of processing activity, the location of the sawmill, storage and processing areas, and vehicle areas shall be re-graded and seeded to restore the original condition of the site.

M. ***Forestry.*** All forestry activities shall be conducted in accordance with the Basal Area Law RSA 227-J:9, RSA 79:10., and shall use as guidance for best forest management practices the “Best Management Practices for Erosion on Timber Harvesting Operations in New Hampshire” 2004 as amended, Best Management Practices for Forestry: Protecting New Hampshire’s Water Quality 2005 as amended, and Good Forestry in the Granite State (DRED).

N. ***Light Manufacturing.*** Light Manufacturing shall conform to the following standards:

1. All manufacturing, processing, or fabrication shall occur within a building or fully enclosed structure.

2. Manufacturing activities shall be limited to the processing or fabrication of materials which does not involve basic processes such as the mechanical or chemical transformation of materials or substances into new products unless such basic processes do not result in any noise, odors, or vibrations that are perceptible at the property line of the parcel on which the use is located.

3. Assembly, processing, and fabrication activities not involving basic processes shall be conducted so that they will not result in objectionable noise, glare, vibration, odor, or electrical interference that will disturb or endanger adjacent properties,

4. All outside storage of raw materials, products, and wastes shall occur within fenced and screened areas. Storage areas shall be buffered from view from public streets and adjacent residential uses through a combination of fencing, landscaping, and/or berms.

5. Truck loading and material handling areas shall be located to the side or rear of the building. No overhead doors or other service or material delivery facilities shall be allowed on the side of the building facing a public street unless the Planning Board determines that there is no practical alternative.

O. ***Accessory Shed.*** An accessory shed used in conjunction with a residential use shall conform to the following:

1. The maximum floor area of the shed shall be one hundred (100) square feet and no dimension shall be greater than fourteen (14) feet.

2. The height of the highest point on the shed shall be not more than fourteen (14) feet above grade.

3. The shed shall not be placed on a permanent foundation but may be located on blocks or similar supports.

4. The shed shall not be supplied with electricity, water, sewerage, or heat.

5. The shed shall only be used for the storage of personal effects of the occupants of the premises on which it is located.

6. The shed shall be located to the side or rear of the principal building.

7. The shed shall be setback at least ten (10) feet from any property line unless the abutter provides written approval to the Zoning Administrator for a reduced setback.

8 The shed shall be separated from any principal residential building on an abutting lot by not less than twenty (20) feet.