

**PLANNING BOARD PUBLIC MEETING
TOWN OF LITCHFIELD**

Held on December 21, 2021

minutes approved on 1/4/2022

The Litchfield Planning Board held a meeting in the Town Hall conference room, 2 Liberty Way, Litchfield, NH 03052 on Tuesday, December 21, 2021 at 7:00 p.m.

MEMBERS PRESENT: Michael Croteau - Chairman, Kate Stevens - Vice Chairman, Ronn Stephens, Kimberly Queenan - Selectmen's Rep.

MEMBERS ABSENT: Curtis Sampson, James Boffetti, Sam Terrill - Alternate

ALSO PRESENT: Joan McKibben (P.B. Admin. Assistant), Jay Minkarah (Executive Director Nashua Regional Planning Commission - NRPC)

CALL TO ORDER

Mr. Croteau called the meeting to order at 7:00 p.m. and led the Board in the Pledge of Allegiance. Roll call of members.

Public Input: No Public input on non-agenda items.

AGENDA ITEMS:

- 1. Brief conceptual presentation of the Future of Olson's Mobile Home Park Route 3A**
- 2. Zoning and Regulations WorkShop**

Olson's Mobile Home Park, Map 1 Lot 32, Route 3A

Present are Jeremiah Boucher, owner; Chris Guida, Wetlands Scientist Fieldstone Land Consultants, PLLC; Attorney Bob Best.

The applicants explain the mobile home park has been in existence since the 50's pre-dates zoning map and probably zoning. The current owner is ready to fix the infrastructure. Bob Best explained the park definitely needs some love.

At the current park everything from water lines, septic, and roads needs repair.

There is a sewage lagoon in the rear section of the property that the owner is working with NH Department of Environmental Services (NHDES) to correct and redesign the entire sewage plan. The current lagoon is not up to modern standards.

Mr. Guida explained where the wetlands on the site are located.

As part of the upgrade of the 40 acres they are proposing to expand the park to include 59 lots with modular homes each on 10,000 sq. ft. lots with public water and on site septic (not individual septic). The owner hopes to keep the units affordable. He will be purchasing the structures and would like to keep the price under \$200,000 per dwelling unit.

There would also be green space with a playground, sitting area, and perhaps a dog park. The wetlands on the property would not be impacted.

Attorney Best explains this would be a triple opportunity for the Town since the State is mandating workforce housing, the State wants the Town to show reasonable opportunity for modular housing and this would turn around a distressed property to modern standards.

Attorney Best realizes that they will need a variance because they are in the southern commercial industrial zone.

Joan M. questions if any of the wetland areas are vernal pools. Mr. Guida said they did not see any evidence of vernal pools. They will be checking with the Natural Heritage Bureau for rare species.

Mike C. questions how far in is the new site from 3A and Ronn S. how many acres are undeveloped. The new area is approximately 800-900' from 3A and the current undeveloped area is about 30 acres.

Mr. Boucher feels it would be a 2-3 year build out. The homeowners will own the homes but rent the land. The road will always remain private roads not maintained or plowed by the Town. Kim Q. questions # of bedrooms per unit. Commonly three in a double wide unit with at least a one car garage. Many studies show the units will not have a lot of school age children some projections are .6 students per unit.

Mike C. recommends that they look at the Litchfield Master Plan.

The Chair allows public input although this is not a hearing.

Sharon Greenhalgh, 3 Josiah Dr. states her mother is an abutter and they welcome the project and thinks it is a good use for that area.

Zoning Workshop

The goal is to go through the changes and vote on changes to go to the first public hearing.

1100.00 Floodplain Conservation District

Section 1103.00 Special Exception a. 1) add *residential* use as a special exception. #1) to read: The erection of new and the enlargement of existing *residential or* nonresidential buildings and structures.

Originally an unintentional oversight to leave out residential.

Kate S. made a MOTION seconded by Kim Q. to send this change to public hearing. Motion passes 4-0-0.

A new section *704.00 Prohibited Uses* in the Southwestern Commercial District

- a. Warehouses, fulfillment or distribution facilities except as permitted under 701 (q)
- b. Large regional shopping type uses, such as department stores, exceeding a footprint of 20,000 square feet.
- c. Any use not listed in Section 701.00 or 703.00.

Northern Commercial/Industrial Service District.

Remove j. Transportation Terminals

Add in the Conditional Uses section 953.00

e. Warehouse, fulfillment or distribution facilities greater than 75,000 square feet, but not to exceed 150,000 square feet.

Building shall be set back not less than 250 feet from Route 3A.

Landscaped buffers must be provided sufficient to provide screening from Route 3A and adjacent residential uses.

Such uses shall not create undue traffic congestion or hazard.

Add new section *194.0 Prohibited Uses*

Warehouse, fulfillment or distribution facilities greater than 150,000 square feet

Any use not listed in Section 951.00 or 953.00.

Southern Commercial/Industrial Service District

Remove j. Transportation Terminals

Add in the Conditional Uses section 1003.00

e. Warehouse, fulfillment or distribution facilities greater than 75,000 square feet, but not to exceed 150,000 square feet.

Building shall be set back not less than 250 feet from Route 3A.

Landscaped buffers must be provided sufficient to provide screening from Route 3A and adjacent residential uses.

Such uses shall not create undue traffic congestion or hazard.

Add new section *1004.00 Prohibited Uses*

Warehouse, fulfillment or distribution facilities greater than 150,000 square feet

Any use not listed in Section 951.00 or 953.00.

Northern Commercial Zone

Section 800.03 Performance Standards

Add section d. Sidewalks shall be required along at least one side of Route 3A ...

Add seven new permitted uses and clarify other uses.

Add in the Conditional Uses section 803.00

d. Warehouse, fulfillment or distribution facilities greater than 75,000 square feet, but not to exceed 150,000 square feet.

Building shall be set back not less than 250 feet from Route 3A.

Landscaped buffers must be provided sufficient to provide screening from Route 3A and adjacent residential uses.

Such uses shall not create undue traffic congestion or hazard.

Add new section *804.00 Prohibited Uses*

Warehouse, fulfillment or distribution facilities greater than 150,000 square feet

Any use not listed in Section 951.00 or 953.00.

Kate S. makes a MOTION seconded by Kim Q. to copy permitted uses in 801 and add to 701 Southwestern Commercial District and send to first public hearing.

Motion passes 4-0-0.

Kate S. makes a MOTION seconded by Ronn S. to send the changes in the Northern Commercial Zone to the first public hearing. Motion passes 4-0-0.

Section 803.00 suggested language for new Conditional Use to permit limited residential development in the Northern Commercial District. (Mixed -Use Village Development) This was discussed at the Board level on a 5 acre parcel or larger and would have to have a net positive fiscal impact to the Town.

Kate S. makes a MOTION to send the mixed-use concept along Route 3A to public hearing. Hearing no second to the motion the motion fails.

Appendix I Conditional Use Permit (CUP) Application Form

Amend the form to add additional uses that a CUP may be requested for.

Submission Requirements for the Expedited Review of Farm Buildings and Minor Site Plans. Clarify what is needed on submission.

A MOTION to move CUP Application Form and Expedited Review submission to public hearing was made by Kate S. and seconded by Ronn S. Motion passes 4-0-0.

Committee Reports

Kim and Jay suggest the Town should hold a workshop to discuss excess land owned by the State for the Circumferential Hwy.

HR1275 was discussed. The proposal at the State level is to change the representation from the Towns to the Regional Planning Commissions to 1 per 10,000 people. This would give larger cities more of a voting advantage.

- 12/22 Board of Selectmen 6:30 pm
- 3/16 NRPC quarterly meeting in Nashua
- 1/06 Conservation Commission 6:30 pm
- 1/06 Budget Committee 7:00 pm
- January CIP Committee

12/7 GMS reimaging meeting. School Dept. is working on finding a new property.
1/18 Next GMS reimaging meeting.

A letter was sent to the ZBA regarding the Eversource project near Cummings Dr. The Planning Bd. had no issues with the proposal.

Minutes of 12/7/2021

Ronn S. made a MOTION seconded by Kate S. to accept the minutes of 12/7. Motion passes 3-0-1.

The next meeting is January 4, 2022

Kate S. made a MOTION to adjourn the meeting, seconded by Kim Q. All in favor. Meeting adjourned at 9:25 pm

Minutes transcribed by
J. McKibben

1100.00 FLOODPLAIN CONSERVATION DISTRICT

1103.00 *Special Exceptions.*

- a. The Zoning Board of Adjustment may grant special exceptions for the following uses within the special flood hazard area. The ZBA shall notify the Conservation Commission and the Planning Board when an application for a special exception within the Floodplain Conservation District is received. The Planning Board and the Conservation Commission shall have the opportunity to submit written comment on the application prior to the public hearing:
 - 1) The erection of new and the enlargement of existing *residential or* nonresidential buildings and structures.
 - 2) The temporary storage of non-hazardous materials and equipment, as defined by the State of New Hampshire.
 - 3) The alteration of the surface configuration of the land.
- b. All special exceptions granted by the Zoning Board of Adjustment shall meet the following conditions:
 - 1) The proposed construction, use and/or alteration of the surface configuration of land shall be consistent with the purpose of the Floodplain Conservation District and is otherwise permitted by the Zoning Ordinance.
 - 2) The proposed construction, use and/or alteration of the surface configuration of land will not substantially obstruct nor divert flood flow, reduce natural floodwater storage capacity, nor increase stormwater runoff velocity so that water levels on other lands are substantially raised or danger from flooding increased.
 - 3) A safe means of vehicular and pedestrian escape is provided in the event of flooding.
 - 4) The proposed methods of drainage and sewage disposal will not cause pollution or endanger health during flooding.
 - 5) Any proposed construction, building or use allowed as a special exception under this section shall conform with Part 60.3 of the National Flood Insurance Program Regulations and Section 1106.00 of this Ordinance.

Proposed Zoning Amendments to Limit Warehousing & Distribution Facilities

SOUTHWESTERN COMMERCIAL DISTRICT

701.00 *Permitted Uses.*

The following uses are permitted in the Southwestern Commercial District. This zone is intended to provide for an accessible, well planned area for local community shopping functions. Clusters of shops or small-scale shopping centers as well as individual shops are encouraged for this zone. ~~Large regional shopping type uses, such as department stores, exceeding a footprint of 20,000 square feet are not permitted. Uses not listed in Section 701.00 or 703.00 are prohibited.~~ (March 12, 1991, Amended March 11, 2014 and March 2022)

- a. Banks and branch offices of financial institutions.
- b. Establishments offering goods for sale including dry goods, foods, hardware, clothing and apparel, antiques, and other general retail commodities, but not including automotive service or gasoline sales. (Amended March 11, 2014)
- c. Restaurants not including fast-food restaurants with take-out and/or drive-through service.
- d. Civic Centers.
- e. Professional offices.
- f. Health care facilities and services.
- g. Personal services and offices.
- h. Bed and breakfasts. (Amended March 11, 2014)
- i. Indoor theaters.
- j. Churches and associated parsonages.
- k. Public, private or non-profit recreational facilities, fraternal orders, or membership clubs.
- l. Schools, nurseries and day care centers.
- m. Funeral homes.
- n. Research and testing laboratories.
- o. Agricultural uses including:
 1. Agriculture
 2. Farm worker dwelling
 3. Farm roadside stand/storefront
 4. Accessory structures for agricultural use
 5. Agritourism
 6. Operation and maintenance of agricultural/forestry vehicles and processing machinery
 7. Agricultural processing plants

(Amended March 11, 2014)

- p. Accessory uses to permitted uses including the servicing or repair of machinery, large appliances or equipment having internal combustion engines where such uses are secondary and customary to the principle use.
- q. Warehousing of goods **as an accessory use to permitted uses** ~~including those~~ listed in (b) above. *(Amended March 2022.)*
- r. Mixed use - Commercial/Residential as follows: A maximum of one residential unit may be developed in conjunction with a commercial use. The residential unit shall be accessory and subordinate to the use of the lot for commercial purposes. Minimum lot size shall be one acre (43,560 square feet). Septic systems must be designed, sited and constructed to adequately handle all wastes from the commercial use and the residential unit. *(Amended March 1992.)*
- s. Utility structure of less than 200 square feet in area. *(March 1996)*

704.00 ***Prohibited Uses.*** *(Amended March 2022)*

- a. **Warehouses, fulfillment or distribution facilities except as permitted under 701 (q).**
- b. **Large regional shopping type uses, such as department stores, exceeding a footprint of 20,000 square feet.**
- c. **Any use not listed in Section 701.00 or 703.00.**

NORTHERN COMMERCIAL/INDUSTRIAL SERVICE DISTRICT

951.00 ***Permitted Uses.***

~~Uses not listed in Section 951.00 or 953.00 are prohibited.~~

- a. The assembly, testing, repair and packaging of pre-manufactured components, devices, and equipment systems.
- b. **Warehouses and distribution facilities 75,000 square feet and under** and storage of non-explosive, non-toxic materials in an enclosed building.
- c. Wholesale businesses.
- d. Research or testing laboratories.
- e. Computer Services.
- f. Professional offices.
- g. Municipal uses.
- h. Restaurants, not including fast-food restaurants with take-out and/or drive-through service.
- i. Accessory uses, including but not limited to retailing, personal and professional services, day care, recreation, auditoriums, and residences for security purposes, which are accessory with and incidental to the principal use.
- ~~j. **Transportation Terminals.**~~

- k. Churches and associated parsonages.
- l. Excavation, mining and processing of aggregate materials, subject to RSA 155-E and such regulations as may be enacted or adopted pursuant thereto.
- m. Agricultural uses including:
 - 1. Agriculture
 - 2. Farm worker dwelling
 - 3. Farm roadside stand/storefront
 - 4. Accessory structures for agricultural use
 - 5. Agritourism
 - 6. Operation and maintenance of agricultural/forestry vehicles and processing machinery
 - 7. Agricultural processing plants
(Amended March 11, 2014)
- n. Utility structures of less than 200 square feet in area.

953.00 ***Conditional Uses. (Amended March 2022)***

The following uses are permitted by a Conditional Use Permit granted by the Planning Board to meet the standards and requirements of this ordinance. The Planning Board shall determine if the proposed commercial use will meet the standards established herein for that use:

- a. Gasoline Sales:
 - 1) Shall not be located within a 500 feet radius of another gasoline sales station.
 - 2) Pumps shall be set back at least 50 feet from the right-of-way.
 - 3) Two access/egress points shall be provided.
 - 4) Frontage shall be at least 200 feet on a Town approved road.
 - 5) All underground storage tanks shall be double lined and contain a leak detection system in accordance with State of New Hampshire standards.
 - 6) Such uses shall not create undue traffic congestion or hazard.
- b. Automobile Service and Repair:
 - 1) Two access/egress points shall be provided.
 - 2) Frontage shall be at least 200 feet on a Town approved road.
 - 3) The service entrance for the storage or repair of automobiles or other motorized vehicles shall be to the rear.
 - 4) Such uses shall not create undue traffic congestion or hazard.
- c. Fast-Food Restaurant with Take-Out and/or Drive-Through Service:
 - 1) Two access/egress points shall be provided.
 - 2) Frontage shall be at least 200 feet on a Town approved road not including Route 3-A.
 - 3) Such uses shall not create undue traffic congestion or hazard.
- d. Retail establishments for the sale of automotive supplies and the sale and maintenance of automobiles, trucks, motorcycles, boats, snowmobiles, trailers, mobile homes, recreational vehicles, and other similar type vehicles.
- e. **Warehouse, fulfillment or distribution facilities greater than 75,000 square feet, but not to exceed 150,000 square feet:**

- 1) Buildings shall be set back not less than 250 feet from Route 3A.
- 2) Landscaped buffers must be provided sufficient to provide screening from Route 3A and adjacent residential uses.
- 3) Such uses shall not create undue traffic congestion or hazard.

194.0 *Prohibited Uses. (Amended March 2022)*

- a. Warehouse, fulfillment or distribution facilities greater than 150,000 square feet
- b. Any use not-listed in Section 951.00 or 953.00.

SOUTHERN COMMERCIAL/INDUSTRIAL SERVICE DISTRICT

1001.00 *Permitted Uses.*

~~Uses not listed in Section 1001.00 or 1003.00 are prohibited. (March 12, 1991)~~

- a. The assembly, testing, repair and packaging of pre-manufactured components, devices, and equipment systems.
- b. Warehouses or distribution facilities 75,000 square feet and under and storage of non-explosive, non-toxic materials in an enclosed building.
- c. Wholesale businesses.
- d. Research or testing laboratories.
- e. Computer Services.
- f. Professional offices.
- g. Municipal uses.
- h. Restaurants, not including fast-food restaurants with take-out and/or drive-through service.
- i. Accessory uses, including but not limited to retailing, personal and professional services, day care, recreation, auditoriums, and residences for security purposes, which are accessory with and incidental to the principal use.
- ~~j. Transportation Terminals.~~
- k. Churches and associated parsonages.
- l. Excavation, mining and processing of aggregate materials, subject to RSA 155-E and such regulations as may be enacted or adopted pursuant thereto. (March 12, 1991)
- m. Agricultural uses including: *(March 1994, Amended March 11, 2014)*
 1. Agriculture
 2. Farm worker dwelling
 3. Farm roadside stand/storefront
 4. Accessory structures for agricultural use
 5. Agritourism
 6. Operation and maintenance of agricultural/forestry vehicles and processing machinery
 7. Agricultural processing plants
- n. Utility structures of less than 200 square feet in area. (March 1996)

1003.00 ***Conditional Uses. (Amended March 2022)***

The following uses are permitted by a Conditional Use Permit granted by the Planning Board to meet the standards and requirements of this ordinance. The Planning Board shall determine if the proposed commercial use will meet the standards established herein for that use:

- a. Gasoline Sales:
 - 1) Shall not be located within a 500 feet radius of another gasoline sales station.
 - 2) Pumps shall be set back at least 50 feet from the right-of-way.
 - 3) Two access/egress points shall be provided.
 - 4) Frontage shall be at least 200 feet on a Town approved road.
 - 5) All underground storage tanks shall be double lined and contain a leak detection system in accordance with State of New Hampshire standards.
 - 6) Such uses shall not create undue traffic congestion or hazard.

- b. Automobile Service and Repair:
 - 1) Two access/egress points shall be provided.
 - 2) Frontage shall be at least 200 feet on a Town approved road.
 - 3) The service entrance for the storage or repair of automobiles or other motorized vehicles shall be to the rear.
 - 4) Such uses shall not create undue traffic congestion or hazard.

- c. Fast-Food Restaurant with Take-Out and/or Drive-Through Service:
 - 1) Two access/egress points shall be provided.
 - 2) Frontage shall be at least 200 feet on a Town approved road not including Route 3-A.
 - 3) Such uses shall not create undue traffic congestion or hazard.

- d. Retail establishments for the sale of automotive supplies and the sale and maintenance of automobiles, trucks, motorcycles, boats, snowmobiles, trailers, mobile homes, recreational vehicles, and other similar type vehicles.

- e. **Warehouse, fulfillment or distribution facilities greater than 75,000 square feet, but not to exceed 150,000 square feet:**
 - 1) **Buildings shall be set back not less than 250 feet from Route 3A.**
 - 2) **Landscaped buffers must be provided sufficient to provide screening from Route 3A and adjacent residential uses.**
 - 3) **Such uses shall not create undue traffic congestion or hazard.**

1004.00 ***Prohibited Uses. (Amended March 2022)***

- a. **Warehouse, fulfillment or distribution facilities greater than 150,000 square feet**
- b. **Any use not listed in Section 1001.00 or 1003.00.**

Northern Commercial Zone

800.01 *District Boundaries. (Amended March 11, 2014)*

The boundaries of the Northern Commercial District are established based on the December 2008 tax map and lot numbers, map number precedes lot number.

- a. West Side of Route 3A: Beginning at the southern lot line of 22-14 and extending to the southern lot line of 20-7, including 22-13 (the lot known as the Moores Falls Lot); 22-10; 22-11; 22-9; 22-7; 22-96; 22-5; 22-4; 22-2; 22-1; 21-12; 21-10; 21-9; 21-7; 21-5; 21-3; 21-1; 20-21; 20-17; 20-19; 20-15; 20-13; 20-12; 20-10; 20-8; 22-98; 22-99; 22-100; 20-5; and 20-7.
- b. East Side of Route 3A: Including lot 22-8 (west of a line from the intersection of the southern lot line of 22-12 and the eastern boundary of the New England Power Company right-of-way to the northeast corner of 22-6); 22-6, 22-3, 21-64, 21-11, 21-13, 21-8, 21-4, 21-23, 21-2, 20-30, 20-29, 20-27, 20-25, 20-23, 20-28, 20-26, 20-24, 20-22, 20-20, 20-18, 20-16, 20-14, 20-11, 20-9, 20-6, 21-6, 21-20, and 21-24.

800.02 *Site Plan Review.* In each case where construction of a building for non-residential use, or alteration and rehabilitation of an existing residential or non-residential structure, the building inspector shall refer the applicant for a building permit to the Planning Board for site plan review in accordance with Site Plan Review Regulations in effect at the time of application. The Planning Board, after holding one or more public hearing(s) upon each application for site plan review, shall approve, approve with modifications, or disapprove said site plan. When modifying or disapproving a site plan after review, the Board shall enter its reason for the modification or disapproval into its records.

800.03 *Performance Standards. (Amended March 11, 2014)*

- a. All land use activities shall be conducted and operated to minimize negative environmental impacts to neighboring properties from emissions of smoke, noise and odors, vibrations, discharges and stormwater runoff, and shall conform to all State and Federal regulations and the following performance standards contained in Section 403.00.
- b. All non-residential uses shall be compatible in character, scale and design with existing developed properties in close proximity and abutting the proposed development. Within a development project, site design elements should be compatible with small New England Village character and the town's agricultural history. Applicants must submit building elevations and landscaping plans to the planning board for review as part of their Site Plan Application. The Planning Board shall determine whether building design is compatible with mixed commercial/residential and historic character of the area.
- c. All applications shall meet the General Requirements for Non-Residential Uses as set forth in section 408 of this Ordinance.
- d. Sidewalks shall be required along at least one side of Route 3A to facilitate the development of an interconnected, walkable village environment, and to connect existing and proposed commercial uses to the Albuquerque Avenue multi-use path. Where construction of a building for multi-family residential or non-residential use, or alteration and rehabilitation of an existing residential or non-residential structure is proposed, construction of a sidewalk not less than six (6) feet in width shall be constructed along the entire length of frontage along Route 3A in a location to be determined by the Planning Board. Where the Planning Board determines that construction of a sidewalk is not needed due to the presence of a suitable existing or planned sidewalk on the opposite side of Route 3A, the Board may require a payment in lieu of construction to facilitate completion of the sidewalk network.

801.00***Permitted Uses.***

The following uses are permitted in the Northern Commercial District. This zone is intended to provide for an accessible, walkable, well-planned area for local community shopping functions. Clusters of shops or small-scale shopping centers as well as individual shops are encouraged for this zone. ~~Large regional shopping type uses, such as department stores, exceeding a footprint of 20,000 square feet are not permitted. Uses not listed in Section 801.00 or 803.00 are prohibited.~~ *(March 12, 1991, Amended March 11, 2014, and March __, 2022)*

- a. Banks and branch offices of financial institutions.
- b. Establishments offering goods for sale including dry goods, foods, hardware, clothing and apparel, antiques, and other general retail commodities, but not including automotive service or gasoline sales. *(Amended March 11, 2014)*
- c. Convenience stores.
- d. Breweries, distilleries, and wineries.
- c. Restaurants not including fast-food restaurants with take-out and/or drive-through service.
- d. Professional offices including medical, dental, legal, accounting, real estate, and other similar professional services.
- e. Health care facilities and services including urgent care facilities.
- f. Personal services and offices including barbershops, hair and nail salons, tailors, dry cleaning, and other similar services.
- g. Drugs stores and pharmacies with or without health, beauty, grocery, and other convenience product sales.
- h. Bakeries and confectionary shops with on-site retail sales.
- i. Contractor services including plumbing, heating, electric, carpentry, landscaping, and other similar services.
- j. Health, athletic and fitness establishments including yoga, dance and martial arts studios, boxing gyms, and other similar establishments.
- g. Bed and breakfasts. *(Amended March 11, 2014)*
- h. Indoor theaters.
- i. Churches and associated parsonages.
- j. Public, private or non-profit recreational facilities, fraternal orders, or membership clubs.
- k. Schools, nurseries and day care centers.
- l. Funeral homes.

- m. Residential units constructed prior to March 14, 1989 and home occupations within these units subject to the provisions of Section 504.00. (March 12, 1991)
- n. Mixed use - Commercial/Residential as follows: A maximum of one residential unit may be developed in conjunction with a commercial use. The residential unit shall be accessory and subordinate to the use of the lot for commercial purposes. Minimum lot size shall be one acre (43,560 square feet). Septic systems must be designed, sited and constructed to adequately handle all wastes from the commercial use and the residential unit. (Amended March 1992)
- o. Agricultural uses including: (March 1994)
 - 1. Agriculture
 - 2. Farm worker dwelling
 - 3. Farm roadside stand/storefront
 - 4. Accessory structures for agricultural use
 - 5. Agritourism
 - 6. Operation and maintenance of agricultural/forestry vehicles and processing machinery
 - 7. Agricultural processing plants.
 (Amended March 11, 2014)
- p. Utility structures of less than 200 square feet in area. (March 1996).
- q. Warehouse, fulfillment or distribution facilities up to 75,000 square feet.

801.01 Multiple Principal Uses. Two or more principal uses may be located on the same parcel without subdivision provided that the minimum standards set forth in this ordinance are adhered to.

802.01 Additional Requirements within Setbacks. All buildings, structures, parking areas and other site improvements, excluding access drives, walkways, fire lanes, and landscaped areas, shall be set back from the lot lines as specified in Section 310.00. Where a commercial site provides for pedestrian and vehicular access to an adjacent commercial site, site improvements, other than buildings, may be located within side or rear setbacks. (Amended March 2005)

802.02 Building Height. Except for structures not intended for human occupation, (chimneys, water towers, church spires, etc.) maximum building height is 35 feet.

802.03 Site Coverage, Maximum Impervious Surface. A maximum of 65 percent of the gross area of the site shall be comprised of impervious surfaces or occupied by buildings, structures, parking areas, driveways/roads and other site improvements excluding landscaping.

803.00 Conditional Uses. (Amended March 2020)

The following uses are permitted by a Conditional Use Permit granted by the Planning Board to meet the standards and requirements of this ordinance. The Planning Board shall determine if the proposed commercial use will meet the standards established herein for that use:

- a. Gasoline Sales:
 - 1) Shall not be located within a 500-foot radius of another gasoline sales station located in the Town of Litchfield except where the existing station is located across a major road from which the proposed station takes access.
 - 2) Pumps shall be set back at least 50 feet from the right-of-way.
 - 3) Two access/egress points shall be provided.
 - 4) Frontage shall be at least 500 feet on Route 3-A and 200 feet on other Town approved roads.

- 5) All underground storage tanks shall be double lined and contain a leak detection system in accordance with State of New Hampshire standards.
 - 6) Such uses shall not create undue traffic congestion or hazard.
- b. Automobile Service and Repair:
- 1) Two access/egress points shall be provided.
 - 2) Frontage shall be at least 200 feet on a Town approved road.
 - 3) The service entrance for the storage or repair of automobiles or other motorized vehicles shall be to the rear.
 - 4) Such uses shall not create undue traffic congestion or hazard.
- c. Fast-Food Restaurant with Take-Out and/or Drive-Through Service:
- 1) Two access/egress points shall be provided.
 - 2) Frontage shall be at least 200 feet on a Town approved road not including Route 3-A.
 - 3) The Planning Board shall determine whether building design and landscaping is compatible with mixed commercial/residential and historic character of the area.
 - 4) Such uses shall not create undue traffic congestion or hazard.
- d. Warehouse, fulfillment or distribution facilities greater than 75,000 square feet, but not to exceed 150,000 square feet:
- 1) Buildings shall be set back not less than 250 feet from Route 3A.
 - 2) Landscaped buffers must be provided sufficient to provide screening from Route 3A and adjacent residential uses.
 - 3) Such uses shall not create undue traffic congestion or hazard.

804.00

Prohibited Uses. (Amended March 2022)

- a. Large regional shopping type uses, such as department stores, exceeding a footprint of 20,000 square feet.
- b. Warehouse, fulfillment or distribution facilities greater than 150,000 square feet
- c. Any use not-listed in Section 801.00 or 803.00.

Suggested language for new Conditional Use to permit limited residential development in the Northern Commercial District

Northern Commercial Zone

803.00 ***Conditional Uses. (Amended March 2022)***

- e. ~~Mixed-Use Village Development–Planned Residential/Commercial Developments:~~ A Mixed-Use Village Development (MUVD) is intended to provide opportunities for the development of a wide variety of housing types in a fiscally balanced way, based on traditional, mixed-use, New England mixed-use village design.
- 1) The area of a site proposed for a MUVD ~~PRCD~~ shall be not less than five (5) acres, however, the site may be further subdivided into smaller residential or commercial lots.
 - 2) Permitted Uses Include:
 - i) Single-family, two-family, and multi-family residential uses.
 - ii) Indoor or outdoor recreation facilities or open space of sufficient size and character to be suitable for recreational use by the residents of the MUVD ~~PRCD~~.
 - iii) Sales, rental, or management office for the benefit of property in the MUVD ~~PRCD~~.
 - iv) Commercial uses including retail, office, restaurant, personal and professional services, and other nonresidential uses developed in harmony with residential uses within the MUVD ~~PRCD~~ but not including gas stations, automobile service and repair or warehousing & distribution.
 - 3) Maximum of six residential units per building.
 - 4) Maximum residential density not greater than 2.5 units per acre.
 - 5) Not less than one-hundred (100) square feet of commercial space per residential unit shall be provided.
 - 6) Key natural and historic site features including buildings of historic value, stone walls, agricultural fields, large trees and other natural and historic features shall be preserved and integrated into overall site design to the greatest extent practicable.
 - 7) Not less than 20% of the site area shall be dedicated to internal open/greenspace.
 - 8) A fiscal impact study shall be provided demonstrating to the satisfaction of the Planning Board that the MUVD ~~PRCD~~ would have a net positive fiscal impact to the town.
 - 9) The Planning Board shall determine whether proposed uses, building design and landscaping is compatible with mixed commercial/residential and historic character of the area.
 - 10) A timing and phasing plan for both the commercial and residential portions of the development shall be submitted for approval by the Planning Board to ensure that a harmonious development pattern and a positive fiscal balance is maintained.

