

APPENDIX A

FULL TEXT OF PROPOSED AMENDMENTS TO THE HANOVER ZONING ORDINANCE

Key Guide:

- Additions to existing text are indicated by *bold italics*
- Deletions to existing text are indicated by ~~stricken through~~.

FULL TEXT OF ARTICLE TWO: ZONING AMENDMENT NO. 1

Fully Re-number and Re-organize the Zoning Ordinance:

The full text of the re-organized and re-numbered Zoning Ordinance cannot be printed here but copies are available on the Town website and in hard copy at the Planning & Zoning Office. The re-organization is as follows:

Authority, Purpose and Applicability; Administration and Enforcement and Definitions have been moved to the beginning of the document.

Present Articles I and XI, X and II, IX

Become Articles I, II, III

Zoning Districts

Present Article II

Becomes Article IV

General Provisions

Present Articles III and IX

Becomes Article V

Principal Uses

Present Articles II, III, VI and IX

Becomes Article VI

Accessory Uses

Present Article II, Section 210; Article III, Section 317

Becomes Article VII

Non-Conforming Uses and Structures

Present Article VIII

New Article VIII

Self-Contained Residential Developments

Present Articles V and VI

Becomes Article IX

Off-Street Parking

Present Article IV

Becomes Article X

Flood Plain, Waterbodies, Intermittent Streams, and Wetlands

Present Article VII

Becomes Article XI

FULL TEXT OF ARTICLE THREE: ZONING AMENDMENT NO. 2

Replace the word “inclusionary” with the word “affordable” in the titles of Section 212 in the Table of Contents and the text of the Ordinance, create a separate definition for “density bonus” using the words existing in the definition of “inclusionary housing” and replace the definition of “Inclusionary Housing” with a new definition for “Affordable Housing”.

Table of Contents

Section 212 ~~Inclusionary~~ *Affordable* Housing

Section 212 Title

Section 212 ~~Inclusionary~~ *Affordable* Housing

Section 902

~~Inclusionary~~ *Affordable* Housing:

- ~~Affordable: For a unit which will be sold, “affordable” at a certain income level means that the total of mortgage payment or rent, real estate tax, and homeowners insurance for the dwelling unit is no greater than 30% of that income level.~~
- ~~For a unit which will be rented, “affordable” at a certain income level means that the rent plus any mandatory fees for the dwelling unit are no greater than 30% of that income level.~~
- ~~Density Bonus: A density bonus allows a developer to produce more units in a development than the base number of units which would otherwise be allowable under the zoning applicable to that development.~~
- ~~Median Family Income (MFI): The median income level for families in Grafton County as defined and published periodically by the United States Department of Housing and Urban Development (HUD) and used to determine the eligibility of applicants for HUD's assisted housing programs. Very low income families are those earning less than 50% of MFI. Low-income families are those whose earnings do not exceed 80% of the MFI. Moderate income families are those earning more than 80% but less than 120% of the MFI. The MFI applicable to a proposed development shall be the most recent such publication prior to the submission of application for the approval of the development. The MFI applicable to the resale of an affordable dwelling unit in such development shall be the most recent such publication prior to the resale.~~

Housing for which the occupant(s), whether owner or tenant, pays gross housing costs that do not exceed a percentage of the occupant's income that has been duly established by the United States Department of Housing and Urban Development (HUD) for the area in which the property is located. “Gross housing costs” may include mortgage payment, rent, real estate tax, homeowners insurance, and utilities.

Density Bonus:

A density bonus allows a developer to produce more units in a development than the base number of units which would otherwise be allowable under the zoning applicable to that development.

FULL TEXT OF ARTICLE FOUR: ZONING AMENDMENT NO. 3

Provided that Amendment No. 1 is approved for adoption by Town Meeting, modify Section 902, definition of “lot” to read: a parcel of land with defined boundaries and of sufficient size to meet the minimum zoning requirements for use, coverage and area.

Lot:

A parcel of land occupied or to be occupied by only one principal building and the accessory buildings or uses customarily incidental to it, except as provided in Section 303 (Principal Buildings Including Dwellings on Lots), Section 502 (Planned Residential Development) and as approved in Section 503 (Continuing Care Retirement Community). A lot shall be of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such setbacks and other open spaces as are herein required except as provided below. Such lot shall have frontage on an improved public street, or other means of access approved in accordance with RSA 674:41, provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirement of these Regulations. A lawful lot may be used for any use permitted or allowed in the zoning district in which it is located as approved in this Ordinance or any amendment thereto, provided, however, that in the "GR" General Residence district, residential use of a lawful lot shall be limited to one family and uses accessory thereto, unless the lot meets the "Area per Additional Family" requirements set forth in Table 204.5. A lawful lot is a lot which meets the minimum requirements of the Zoning Ordinance in effect at the time the lot was created. All lots shown on a subdivision plan which has received Final Plat approval from the Planning Board shall be separate lots regardless of whether there is separate ownership or common ownership of contiguous lots.

a parcel of land with defined boundaries and of sufficient size to meet the minimum zoning requirements for use, coverage and area.

FULL TEXT OF ARTICLE FIVE: ZONING AMENDMENT NO. 4

Eliminate Appendix A and references to it in the Table of Contents and in Section 209.4 E; eliminate from Section 902 the definitions of "available land area" and "related land area"; and amend the definition of "Open Space Ratio" to read: *The ratio of the total available land area to the building footprint.*

From the Table of Contents, delete:

APPENDIX A

—————Special Exception for Height (Sec. 209.4 E)————— 110

From 209.4 E 3, delete the reference to Appendix A, as follows:

(3) Appropriate open space is maintained in association with the excepted building. The floor area ratio shall not exceed 3, and the open space ratio shall not be less than 4. Of the open space, not more than one-third may be used for walks, drives and parking areas. (See Appendix A for example of floor area ratio and open space ratio.)

From Section 902, delete the following definitions:

Available Land Area:

For the purposes of Section 209.4 E, the area of an individual lot or parcel of land on which a building is to be situated, plus its related land area, if any; used for the purposes of determining Floor Area Ratio and Open Space Ratio (see Appendix A).

Related Land Area:

For the purposes of Section 209.4 E (3), any contiguous open land having a common boundary with a lot or parcel of land on which a building is to be situated, and which shall be shown to have been removed permanently from construction, present and future, by legal means, but which need not be held under single ownership, or under the same ownership (in part or in

whole) as the said lot or parcel (see Appendix A). The following additional areas may be considered as part of the Related Land Area, when approved by the Zoning Board as being in the best interest of the Town of Hanover:

- (1) Permanently open space within 500 feet of the proposed building(s), or visually related to the proposed building(s).
- (2) In no case may the open space be counted as part of the related land area if it has been previously designated or is obviously more appropriately part of the related land area of another building. For calculation purposes, an open space may be divided between several buildings.

Amend the definition of Open Space Ratio in Section 902, as follows:

Open Space Ratio (O.S.R.):

The ratio of the total available land area to the largest plan area of the building(s) as defined by the outside dimensions of the building(s) (see Appendix A) *building footprint*.

Delete Appendix A

APPENDIX A. Special Exception for Height (Sec.209.4 E)

In the B-1, D-1, BM, OL, and I districts, a Special Exception for height in excess of the normal permitted height of a building within the district may be granted by the ZBA when two special conditions are met in addition to all other pertinent requirements as set forth elsewhere in this Ordinance. However, in no case may the height allowed be in excess of the stated maximum height limitation for that district, or of that listed separately for lots adjacent to residential districts. The conditions for excess height are a limitation on the size of the ground floor in proportion to the available land area, together with a limitation on gross floor area (counting all stories) in proportion to the available land area. These limitations are expressed in terms of two ratios, namely, the Open Space Ratio and the Gross Floor Area Ratio.

In applying the area limitations, "available land area" is considered to be the area of the individual lot or parcel of land on which the building is to be situated, plus any contiguous open land area ("related land area") having a common boundary with the said parcel or lot and which may be shown to have been removed permanently from construction, present and future, by legal means. Related land area, for the purposes of this requirement, need not be held under single ownership, or under the same ownership (in part or in whole) as the said parcel or lot. The related land area must be in the same zoning district as the actual lot area.

Application of Open Space Ratio of 4; (Condition I):

Ground floor area (B^1) may be equal to or less than, but shall not exceed, $1/4$ the available land area ($A+A^1$)

Application of Gross Floor Area Ratio of 3; (Condition II):

Gross Floor Area ($B^1+B^2+...+B^N$) may be equal to or less than, but shall not exceed, 3 times the available land area ($A+A^1$).

Example 1:

Lot Area (A) = 6,000 sq. ft. No Related Land Area

($A^1 = 0$). ($A + A^1$) = 6,000 sq. ft.

(a) Apply Condition I: Ground Floor Area (B^1) may not exceed $1/4 \times (A + A^1) = 1/4 \times 6,000 = 1,500$ sq. ft.

(b) Choose N = number of stories for $H = 60$ ft. at 10 ft./story. $N = H/10 = 6$.

(c) Calculate Gross Floor Area (approximate): Assuming all floors have equal area,

($B^1+B^2+...+B^6$) = $6(B)$ = $6 \times 1,500 = 9,000$ sq. ft.

(d) Apply Condition II: Gross Floor Area ($B^1+B^2+...+B^6$) may not exceed $3 \times (A + A^1) = 3 \times 6,000 = 18,000$ sq. ft.

Therefore a ground floor area of 1,500 sq. ft. and a Gross Floor Area of approximately 9,000 sq. ft. satisfy Conditions I and II for a lot size of 6,000 sq. ft., and would be grounds for a Special Exception on a height of 60 ft.

Example 2:

Lot Area (A) = 6,000 sq. ft. Related Land Area = 4,000 sq. ft.

$(A + A - 1) = 10,000$ sq. ft.

(a) Apply Condition I. B may not exceed $1/4 \times (A + A - 1) = 1/4 \times 10,000 = 2,500$ sq. ft.

(b) Choose N = 6 stories.

(c) Calculate approximate Gross Floor Area = $6 \times 2,500 = 15,000$ sq. ft.

(d) Check Condition II. $(B - 1 + B - 2 + \dots + B - 6)$ may not exceed $3 \times (A + A - 1) = 3 \times 10,000 = 30,000$ sq. ft.

Therefore a ground floor area of 2,500 sq. ft. and a Gross Floor Area of 15,000 sq. ft. (approximately) would be grounds for a Special Exception on a height of 60 ft.

~~Note: In general, it may be anticipated that Condition I will control the limitation on Gross Floor Area so long as N, the number of stories, is less than 12 x (the product of the Open Space Ratio and the Gross Floor Area Ratio). However, both Condition I and Condition II should be checked in the final computation.~~

FULL TEXT OF ARTICLE SIX: ZONING AMENDMENT NO. 5

Amend Section 323, Noise Standards, by adding “GP” to Use District A.

Section 323 Noise Standards

323.1 Table of Restrictions:

Noise beyond the limits set forth in this section shall be prohibited:

A. Use Districts:

Use District A represents the RO, **GP**, GR-1, GR-2, GR-3, SR-1, SR-2, SR-3, RR, F and NP Zoning Districts.

B. Use District B represents the BM, B, D-1, D-2, OL, and I Zoning Districts.

Maximum Permissible A-weighted Sound Level Measured In Decibels:

| Use District | Day | Night |
|--------------|-----|-------|
| A | 60 | 50 |
| B | 70 | 55 |

For the purpose of this table, “day” shall be defined as 7:00 a.m. to 7:00 p.m., and “night” shall be defined as 7:00 p.m. to 7:00 a.m.

FULL TEXT OF ARTICLE SEVEN: ZONING AMENDMENT NO. 6

Amend Accessory Uses, Section 210.4 by adding “GP” to the list of districts in the first sentence.

Section 210 Accessory Uses

Subsections 210.1-210.3 are not copied here as they are not changed.

210.4 No accessory building or use is permitted in the NP, F, **GP**, RR, SR, GR and I district which involves the maintenance of stock in trade exposed to public view or the use of show windows, displays or advertising visible outside the premises to attract customers or clients, other than professional announcement signs. In the “I” district this restriction shall not apply when such displays are visible only from the “I” or “D” districts.

FULL TEXT OF ARTICLE EIGHT: ZONING AMENDMENT NO. 7

In Section 902, replace the definition of “outdoor recreation” with a new definition and makes clear that buildings and structures associated with outdoor recreation are allowed special exceptions by adding “Structure Associated with Outdoor Recreation” to the lists of Special Exceptions in tables 204.3, 204.4, 204.7 and 204.8.

Add to the list of Special Exceptions in Table 204.3, Table 204.4, Table 204.7 and Table 204.8:
Structure associated with Outdoor Recreation

Section 902 Recreation, Outdoor

Replace the existing definition:

~~Outdoor recreation activities which shall include such facilities as outdoor tennis courts, swimming pool, golf courses, play fields, and similar uses. No buildings shall be allowed except for the necessary related uses such as restrooms and maintenance facilities. In all cases, any building shall be treated as a Special Exception.~~

with:

Activities conducted in the outdoor environment either by individuals or in groups for purposes of relaxation or as a sport. Any building or structure proposed in support of such activities shall be treated as a Special Exception.

FULL TEXT OF ARTICLE NINE: ZONING AMENDMENT NO. 8

Amend Section 317, Signs, and Section 330, Athletic Scoreboards, to eliminate content type references to conform to the U.S. Supreme Court decision, Reed v. Town of Gilbert, and in Section 317.2, add “GP” to the list of districts.

Section 317 Signs

317.1 In all districts, signs or advertising devices shall conform to the following regulations:

- A. No sign other than official street signs or traffic directions shall be erected or maintained within the street right-of-way without approval of the Board of Selectmen or the New Hampshire Department of Transportation as appropriate.
- B. No sign shall be placed in such a position as to endanger motor vehicle or pedestrian traffic or obscure or otherwise cause confusion with official street or highway signs or signals.
- C. ~~Signs shall refer only to a use or activity carried on the lot upon which they are situated.~~ **Only ‘on-lot’ signs are permitted.**
- D. ~~except that~~ The Board of Adjustment may grant permission as a Special Exception for ***the*** erection, ~~off the premises,~~ of a limited number of ***off-lot*** signs, ~~provided the following conditions are met:~~ ***each*** sign ***does*** not exceeding two square feet in area on each of two sides.
 - (1) ~~Each sign not exceeding two square feet in area on each of two sides~~
 - (2) ~~Intended solely to give directional information.~~
- E. Signs may be illuminated only by continuous indirect white light. ~~Such indirect lighting~~, ***which*** may include an opaque, reverse channel back-lit halo-type lamp.
- F. Any sign whose face, or any portion thereof, is illuminated from within regardless of accompanying refracting or diffusing devices, whether attached to a building, freestanding, or placed upon an awning, will be considered directly lit and ***is*** not permitted.

- G. The light sources ~~shall~~ **must** be so placed that they will not constitute a hazard to street or highway driving by glare.
- H. ~~No flashing or animated signs with visible moving parts or intermittent lighting to create the visual effect of movement are permitted.~~ **No sign may emit flashing light or display animated images with visible moving parts or intermittent lighting to create the visual effect of movement.** Animation will be permitted on athletic scoreboards subject to the restrictions stated in Section 330 and as permitted by the Zoning Board of Adjustment as a Special Exception under Section 206.
- I. No sign ~~shall~~ **may** project more than six inches above the roof or parapet line of a building, nor more than sixteen inches out from the wall to which it is attached. Signs which project more than four inches out from the building shall be no less than 8'-6" above the finished grade in front of the building below the sign.
- J. Signs on awnings are limited to either ~~the name of the enterprise with~~ a maximum of eight-inch high letters, ~~or the logo of the enterprise~~ **a graphic** with a maximum dimension of twelve inches.
- K. Signs ~~shall~~ **must** be constructed of durable materials and ~~shall~~ **must** be maintained in good condition and repair.
- L. Posting of land shall conform to state law.
- M. The above regulations ~~shall~~ **do** not apply to non-illuminated signs and window posters that are displayed from within a building, **ordinary directory panels and information signs maintained within a building, or signs not intended for view from outside the property.**
- ~~L. The restrictions of this section shall not apply to ordinary directory panels and information signs maintained within a building, or not intended for view from outside the property.~~

317.2 In NP, F, **GP**, RR, RO, SR, GR and I districts, signs or advertising devices ~~pertaining to the use of the premises on which they are placed~~ are permitted only as follows:

- A. ~~One sign~~ **Two signs**, displaying the street number and name of the occupant of a dwelling not exceeding one square foot in area on each of two sides. ~~Such sign may identify an accessory professional office.~~ **These signs may be erected without a zoning permit.**
- B. ~~In addition, A commercial use in the RO, GR, and RR districts may display a sign for multi-family dwellings, or PRD's, or professional offices shall be that is~~ no more than 12 square feet on each of two sides and not located nearer to the street than one-half the depth of the required front setback.

~~A property containing professional offices or other non-residential uses in the RO district may display one sign which shall identify such uses, not be larger than 12 square feet on each of two sides, and not be located nearer to the street than one-half the depth of the required front setback.~~

~~One bulletin or announcement board or identification sign for a permitted non-residential building or use, or for a lawful non-conforming building use, not exceeding twelve square feet in area on each of two sides and not located nearer to the street lot line than one-half the depth of the required front setback.~~
- C. For churches and institutional buildings not more than two ~~bulletin or announcement boards or identification~~ signs are permitted, none of which may exceed thirty square feet in area on each of two sides, nor may be located nearer to a street lot-line than one-

half the depth of the required front setback.

- D. ~~For all real property for sale or for rent, a sign, A "For Sale" or "For Rent" sign not exceeding four square feet in area on each of two sides and not located nearer to a street lot-line than one-half of the depth of the required front setback ten feet. These signs may be erected without a zoning permit.~~
- E. ~~For recreational uses, any number of directional signs, not exceeding one square foot in area on each of two sides, may be located on the lot. In addition to the signs allowed above, an unlimited number of signs, not exceeding one square foot in area on each of two sides, may be located on any lot provided only that none of the additional signs is visible either from a public right-of-way or from an abutting lot. These signs may be erected without a zoning permit.~~

317.3 In B and D Districts, signs or advertising devices ~~pertaining to the use of the premises on which they are placed~~ are permitted only as follows:

- A. Any sign permitted in Section 317.2 above, or the following as an alternative:
- B. One or more signs not to exceed 25 square feet of total area per sign attached to a building and/or a permanently extended awning the sum of which shall not exceed a total area of one square foot for each foot of building frontage upon a public street or highway. The area of the sign or signs shall not exceed two hundred square feet of total area on each street upon which the building has frontage. For buildings with frontage of less than fifty feet on a public street or highway, the total area of signs for that frontage shall not exceed seventy-five square feet. For buildings with frontage greater than or equal to fifty and less than one hundred feet on a public street or highway, the total area of signs for that frontage shall not exceed one hundred square feet. The total size of signs on any building front shall not exceed that calculated using the dimensions of that building frontage. The total area of signs having more than one surface shall not exceed the limits in this paragraph.
- C. A non-illuminated ~~directory sign, bearing the name or type of business of the principal tenants,~~ **attached to the building** provided it is located at the principal entrance or access to such ~~rented business areas,~~ **and** the area of such sign devoted to each ~~tenant occupant~~ shall not exceed 72 square inches, and the total area of such a sign does not exceed eight square feet.
- D. Each business building located 50 feet or more from the street line and having this setback in open land may display one free-standing sign, not to exceed 30 square feet on each of two sides nor to be located nearer to the street lot-line than one-half the depth of the required front setback.

~~One menu sign bearing the name and type of offering of each restaurant not to exceed six square feet in area. The sign may be attached to the restaurant building, or may be free-standing, provided it is located at or near the principal entrance to the restaurant and is set back at least one foot from all lot lines.~~

- E. One temporary sign per business. ~~not to exceed five per building.~~ The temporary sign(s) may be attached to the building or displayed on the lot containing the building in which the business is located, **at or within fifteen feet of the principal entrance to the business** that lot and so as not to impede pedestrian or vehicular access. ~~and shall not be subject to the restrictions of Section 317.1 F. Each temporary sign, such as, but not limited to, sandwich boards, banners, flags, mannequins, or other advertising devices, must be strictly pertinent to the business operated on the premises and shall~~ **may** be displayed only during the actual hours of that business' operation. The total area of any temporary sign shall not exceed six square feet on each of two sides. No

temporary sign ~~shall~~ *may* be erected without first obtaining a Zoning Permit from the Zoning Administrator as provided in Article X. Permits shall be issued for a period not to exceed one year *and are renewable*.

- F. *For a business or businesses with principal entrance(s) from a private access way, the placement of one sign over ~~the~~ a private access way between two buildings ~~for a business or businesses with principal entrance(s) from the private access way shall be is~~ allowed, provided that the sign ~~shall~~ *does* not exceed a total area of fifteen square feet for each of two sides per business and twenty square feet for each of two sides in total area. The sign shall be a minimum of 8'-6" above finished grade, except that if the access way is used by vehicles, the sign shall be a minimum of 13'-6" above finished grade.*

317.4 In OL and BM districts, signs or advertising devices ~~pertaining to the use of the premises on which they are placed~~ are permitted only as follows:

- A. Any sign permitted in Section 317.3 above, or the following as an alternative:
- B. Not more than two signs not attached to a building, provided that the total area of any one side of such a sign shall not exceed 30 square feet and the area of each sign counted separately, shall not exceed 60 square feet. Any such sign or signs shall not be located nearer to a street lot-line than one-half the depth of the required front setback.

317.5 Temporary Signs for Construction Purposes:

In any district, signs which exceed the limitations of Sections 317.2, 317.3, and 317.4 above, will be allowed as follows:

- A. *Signs accompanying construction* ~~The signs shall not exceed 12 square feet in area on each of two sides., shall be used only incidental to construction projects., and shall refer to a use or activity occurring on the lot on which they are situated.~~
- B. It shall be a condition of the zoning permit issued for such a sign that the sign be removed at the end of the construction period of up to one year. Such permits may be renewed for one year if construction continues for that period.
- C. Such signs shall comply with Section 317.1 A, B, ~~D~~, E, F, G, H and J of this Ordinance.

317.6 Banners:

- A. In the "I" district, Institutional building owners are permitted, in addition to signs and banners otherwise permitted, to install banners on private property ~~related to institutional activities.~~ Banners may be affixed to standards, lamp posts, or buildings and may be posted throughout the year for up to twelve (12) weeks at a time for each installation at each location. ~~or for the period of time commensurate with the term of the institutional activity reflected in the banner.~~ Not more than three banners may be posted at one time on any building facade visible from a public street. Banners shall not exceed one hundred and fifty square feet in area on each of two sides. *These signs may be erected without a zoning permit.*

Section 330 Athletic Scoreboards

Athletic scoreboards will be a permitted use in any district, must be located on the same lot as the athletic facility served, and are subject to review and approval by the Zoning Board of Adjustment as a Special Exception pursuant to Section 206 of the Zoning Ordinance. ~~Athletic scoreboards may display:~~

- A. ~~Information pertinent to the event and facility~~
- B. ~~Recognition of donors and sponsors by name only~~
- C. ~~Other general athletic or institutional information~~

D. ~~Any other information customarily displayed on contemporary scoreboards, but not to include commercial advertising.~~

FULL TEXT OF ARTICLE TEN: ZONING AMENDMENT NO. 9 – (See map in Appendix B)

Amend Table 204.4 to modify building setbacks in the “I” zoning district adjoining GR-2 residential lots abutting NH Route 10A reducing the rear setback from 75 to 20 feet and reducing the side setback from 75 feet to 10 feet; and amend Table 204.4 to allow the maximum building height to be 60 feet in the “I” zoning district within 150 feet of a “GR-2” residential district abutting NH Route 10A.

Amend the following sections of Table 204.4, Area and Dimensions: Setback Requirements and Maximum Height:

Setback Requirements:

For Buildings on lots adjoining residential districts the minimum side and rear setbacks adjoining the districts shall be 75 feet, *except for Buildings on lots adjoining GR-2 residential districts abutting New Hampshire 10A, where the rear setback shall be 20 feet and the side setback shall be 10 feet.*

Maximum Height:

Sixty (60) feet, except that the maximum height shall be 35 feet within 150 feet of a residential district *other than the GR-2 residential districts abutting New Hampshire 10A.*

FULL TEXT OF ARTICLE ELEVEN: ZONING AMENDMENT NO. 10

Ensure that parcels of land in the “F”, “NP”, or “RR” zoning district designated for specific low density uses are not subsumed into other lots with different, and maybe more intense use that may result, either intentionally or by accident or by oversight, in the degradation or elimination of the value of the subsumed land.

Amend Section 302, paragraph 2 as follows:

Section 302 Lots in Two Zoning Districts:

Where a district boundary line divides a lot of record at the time such line is adopted, the regulations for the less restrictive part of such lot shall extend not more than 30 feet (100 feet in the Rural Districts) into the more restricted part, provided the lot has frontage on a street in the less restricted district.

A new lot may be created, whether by subdivision, lot line adjustment or by merger, with land in more than one zoning district provided only that the portions of land in each zoning district within the new lot separately meet the area requirement for that zoning district, as defined in Article II, in which they reside. This applies only when part of the land used to create a new lot is located in the F, NP or RR district. The land in each district will be used only for those uses permitted, or allowed by Special Exception, for that district. ~~Where a lot is in two zoning districts, in order to use the land in either district, the minimum lot area requirement for that district must be satisfied.~~

FULL TEXT OF ARTICLE TWELVE: ZONING AMENDMENT NO. 11

Add a new Section 331, Development in and Near Cemeteries which will allow construction, excavation or building within a known burial site or cemetery under certain circumstances.

Add a new *Section 331 Development In and Near Cemeteries*

Construction, excavation or building within a known burial site or cemetery or within 25 feet of the boundary of a known burial site or cemetery may be permitted by the Zoning Administrator, provided that:

- A. The proposal complies with all relevant requirements of this Ordinance.*
- B. The Zoning Administrator has determined that the proposed construction, excavation, or building will not:
 - 1) disturb a grave, burial site or deeded lot;*
 - 2) render a burial site or deeded lot inaccessible;*
 - 3) adversely affect Town services and facilities;*
 - 4) adversely affect the character of the area where the proposed construction, excavation, or building is located; and*
 - 5) adversely affect the highways and sidewalks located in the area and the uses thereof.**
- C. The Hanover Director of Public Works and the Hanover Board of Selectmen have each set forth in writing their determination that the proposed construction, excavation, or building will not endanger public health and safety.*

FULL TEXT OF ARTICLE THIRTEEN: ZONING AMENDMENT NO. 12

Add to Section 209.4, Height Regulations and Exceptions, a different method for calculating height in the “GR” and “SR” zoning districts.

209.4 Height Regulations and Exceptions:

- A. The height of any building shall be measured *as follows*: ~~from the average finished grade along the building front, and shall not exceed the height specified in Section 204. See also Section 209.4F.~~
 - (1) In the GR (General Residence) and SR (Single Residence) zoning districts the height of any building shall be measured from the average finished grade along the building front to the highest point of the building roof, and except as may be otherwise provided in Section 209.4, shall not exceed the height specified in Section 204.*
 - (2) In zoning districts other than GR (General Residence) and SR (Single Residence), the height shall be measured from the average finished grade along the building front to the highest point of the building roof for flat and mansard roofs, not including any parapet less than 2 feet high, and to the average height between the eaves and the ridge for other types of roofs including the upper slope of gambrel roofs. Except as may be otherwise provided in Section 209.4, the height of any building shall not exceed the height specified in Section 204.*

FULL TEXT OF ARTICLE FOURTEEN: ZONING AMENDMENT NO. 13

Modify Section 802, Change and Expansion of Non-Conforming Use, to increase the limit of allowed expansion of structures associated with non-conforming uses from 20% to 65%.

Section 802 Change and Expansion of Non-Conforming Use

Unless a Variance is obtained under Article X, no non-conforming use shall be changed to another non-conforming use and no such non-conforming use shall be enlarged or extended, except that any building or structure associated with a non-conforming use may be expanded up to ~~20~~ **60** percent of the gross floor area of the principal building existing at the time of adoption of the Ordinance, providing the other provisions are complied with.