

Solar

## Saving Energy and Renewables

**Paying for energy is a major and growing concern for everyone from individual consumers and businesses to municipalities and state governments. While state and federal laws limit what governments can do to influence energy prices, all energy consumers have more power to control their energy costs and expenditures than they might realize.**

[Energy Conservation](#) | [Energy Efficiency](#) | [Renewable Energy](#) | [Deliverable Fuel Savings](#)

### Energy Conservation

One of the best ways to lower energy costs is to simply use less energy by employing conservation and efficiency measures. While efficiency measures sometimes require an investment in upgrades to a building, conservation efforts are easy changes that can start saving you money today! To get started, visit:

- OEP's [Energy Conservation Tips](#)
- NHSaves [Blog](#)

### Energy Efficiency

While conservation measures are a great first step, energy efficiency upgrades have an even greater savings potential. Upgrades can range from simple insulation of an attic or basement to comprehensive air sealing measures; the package of upgrades that is right for your building depends on many factors, and the best way to get started is to hire an [energy auditor](#).

- Consumers can seek out auditors or contractors who have a certification such as those from the [Residential Energy Performance Association of New Hampshire](#), the [Buildings Performance Institute](#), or the [Association of Energy Engineers](#).
- Municipalities can also make use of the [Field Guide to New Hampshire's Municipal Buildings & Energy Audit Guidelines](#) .
- For what to expect from your home audit, see this [video developed by the MassSaves program](#) .
- The US Government's Energy Star [Rule Your Attic](#) campaign provides tools and resources to save money by improving your home's insulation. (Including a rebate finder for product rebates and special offers!).

Once you have decided to move forward with an efficiency project, New Hampshire has a suite of rebate programs available to help with the cost. For more information, visit

- OEP's [Energy Efficiency Rebates and Incentives page](#)

### Renewable Energy

See the sections below for helpful consumer information and resources by renewable energy type.

The [Energy Project Connector](#) tool can help you locate contractors, installers, and vendors who provide energy efficiency and renewable energy products and services in and around New Hampshire.

[Solar](#) | [Wind](#) | [Wood](#) | [Biodiesel](#) | [Geothermal](#) | [Renewable Energy Incentives](#) | [Find Vendors](#)

#### Solar

[Resources for towns](#) | [Resources for individuals and businesses](#) | [Community Solar](#) | [Solar Policy](#)

### Solar Resources for Towns

#### Solar 101 for Municipal Officials

The [Solar 101 for Municipal Officials](#) is targeted at New Hampshire town officials so that towns can reduce costs and simplify the process of implementing residential solar installations in their community. Topics include:

- planning and zoning
- permitting PV solar
- codes and inspections

- municipal PV installations

### NH Guide to Residential Rooftop Solar PV Permitting, Zoning and Interconnection

OEP has developed the *NH Guide to Residential Rooftop Solar PV Permitting, Zoning and Interconnection* with information and tools to assist municipal officials, installers and others with implementing residential rooftop solar PV projects. The guide covers current laws and regulations impacting residential solar PV, recommendations for permitting and zoning and information about utility interconnection. Related tools are included in the Guide's Appendices; a Sample Solar PV Project Checklist, Sample Solar PV Permit Application, Sample Structural Review Worksheet (to be provided at a later date) and a Simplified Guide to Utility Interconnection Requirements.

- [New Hampshire Residential Rooftop Solar PV Permitting, Zoning and Interconnection Guide](#)  - January 2015
- [Appendix A - Sample Permit Checklist](#) 
- [Appendix A - Sample Permit Checklist](#) 
- [Appendix B - Sample Standardized Residential Solar Photovoltaic \(PV\) Permit Application](#) 
- [Appendix B - Sample Standardized Residential Solar Photovoltaic \(PV\) Permit Application](#) 
- [Appendix C - Sample Structural Review Worksheet](#) 
- [Appendix D - Simplified New Hampshire Utility Interconnection Requirements](#) 

### New Hampshire Solar Permitting Rules

Resources showing the distribution of solar PV, permitting requirements, and local ordinances across New Hampshire.

- [Permitting and Ordinances for Solar PV in New Hampshire](#)  (map produced at NH Office of Energy and Planning, January 13, 2015)

### Solar Friendly Planning for New Hampshire Communities

The Southern New Hampshire Planning Commission has created a quick resource guide for planning boards and municipal officials in crafting solar friendly regulations and developing solar friendly communities in new hampshire.

- [Solar Friendly Best Planning Practices for New Hampshire Communities](#)  - January 2015

### Solar Resources for Individuals and Businesses

#### Thinking about installing solar at your home?

- The [Solar 101 Workshops](#) available online provide an excellent overview for New Hampshire residents interested in learning more about going solar. The workshops were produced in partnership with the Clean Energy States Alliance and Lakes Region Community College. Topics include:
  - PV fundamentals
  - panel placement
  - permitting and grid interconnection
  - financing and incentives
  - installer selection
- The Clean Energy States Alliance is developing a number of resources for consumers including consumer protection information, community solar, and solar for low and moderate income residents through their [Sustainable Solar Education Project](#)
- The Clean Energy States Alliance has also published a [guide to solar financing for homeowners](#) in English and in [Spanish](#)
- EPA information about [Solar Power Purchase Agreements](#)
- See additional resources at the [Sustainable Energy Division](#) of the PUC
- New Hampshire Sustainable Energy Association [Resources Page](#)

#### Consumer Protection

- The Clean Energy States Alliance is developing a number of resources for consumers including consumer protection information, community solar, and solar for low and moderate income residents through their [Sustainable Solar Education Project](#)
- New Hampshire Sustainable Energy Association [Resources Page](#)
- NABCEP accredits solar companies that meet a standard of quality and integrity laid out by the American National Standards Institute. Their website offers a [tool](#) for finding certified professionals by state.

#### Community Solar and Power Purchase Agreements's

- Department of Energy [Guide to Community Solar](#)
- Solar Pathways [Community Solar Toolkit](#) provides websites, guides, case studies, white papers and more about community solar.
- [Energy Sage](#) is a start-up for-profit website to inform consumers about solar options in their state. The platform aims to work as a "Priceline" or "Travelocity", allowing consumers to compare and price vendors.
- Local Energy Solutions Resources and [New Hampshire Case Studies](#)

## Solar Industry Trends and Information

### Tracking the Sun

Now in its eighth edition, Lawrence Berkeley National Laboratory (LBNL)'s [Tracking the Sun report](#) series is dedicated to summarizing trends in the installed price of grid-connected solar photovoltaic (PV) systems in the United States. The present report focuses on residential and nonresidential systems installed through year-end 2014, with preliminary trends for the first half of 2015. This year's report incorporates a number of important changes and enhancements. Among those changes, this year's report focuses solely on residential and nonresidential PV systems; data on utility-scale PV are reported in LBNL's companion Utility-Scale Solar report series.

CESA has a [Summary of New England States' Solar Policies and Programs](#)

### Wind

Wind Power Resources can be found on our [Wind Turbines/Wind Resources Page](#)

### Deliverable Fuel Savings

For deliverable fuels (e.g. oil and propane), savings may be found by utilizing a [Pre-buy Contract for Heating Fuels](#) or a [Fuel Payment Budget Plan](#). Please note that these options provide potential monetary savings only, and do not reduce the amount of fuel used.

 Microsoft Word format. You can download a free reader from [Microsoft](#).

 Portable Document Format (.pdf). Visit [nh.gov](#) for a list of free [.pdf readers](#) for a variety of operating systems.

 Rich Text Format (rtf). Visit [nh.gov](#) for a list of free [.rtf reader/import programs](#) for different operating systems.

 Video format.

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Governor Hugh J. Gallen State Office Park  
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(603) 271-2155 | fax: (603) 271-2615

# Enabling State Statutes for Smart Solar PV Planning



Source: Picenser

- NH solar-friendly enabling statutes for municipal plans, zoning and ordinances:
  - RSA 477 Encourages use of solar skyspace easements
  - RSA 672:1 Encourages planning and zoning that allow access to sunlight for solar energy
  - RSA 674:2 Enables an energy section in municipal master plans
  - RSA 674:17 Enables zoning ordinances to encourage and protect solar access (setbacks, vegetation height, street orientation, etc.) [RSA 674:36 for subdivisions]
  - RSA 674:51 Allows municipalities to reduce or waive fees for renewable energy systems

# Examples of Smart Solar Planning

- Durham – Energy Chapter
  - Energy chapter “presents a vision ... of a resilient, efficient, and environmentally responsible municipality”
- Claremont – 2016 Master Plan revisions
  - Will include a new Energy chapter
  - Extensive public involvement activities
- Hollis – Zoning Ordinance
  - SECTION 24: SOLAR ENERGY SYSTEMS- Includes definitions, conditional use permits conditions and standards of review
- Lebanon – Zoning Ordinance
  - SECTION 612 RENEWABLE ENERGY FACILITIES- “...to accommodate and encourage renewable energy facilities ... while protecting the public’s health, safety and welfare.”

# Zoning for Ground-Mounted PV: Best Practices

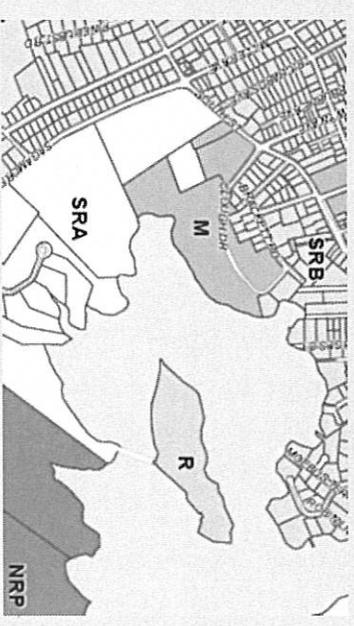
- Exclude or minimize free standing (ground-mounted) solar PV systems from impervious surface regulations
  - Other than footings, free-standing solar systems do not prevent water absorption
- Balance the benefits of solar with reasonable dimensional and lot coverage requirements
  - Consider more flexible height restrictions and setback requirements for ground-mounted PV systems
  - Also balance potential aesthetic concerns
- Consider zoning restrictions for large-scale solar facilities in rural areas
  - Potential beneficial use on marginal lands
  - Concern about loss of productive farmland
  - Aesthetics and security issues



Source: City of Nashua

# Other Zoning Issues

- Historic districts
  - Revise zoning restrictions to allow roof-top solar if not impairing historic character
  - See Clean Air Cool Planet document as a model
- Subdivision and site plan regulations
  - Encourage use of solar resources through street and lot layouts, building orientation, and plantings
  - Allow for solar access rights and solar sky space easements
- Homeowner and condo associations
  - In addition to municipal zoning and planning regulations
  - Association bylaws can be changed to accommodate solar



Source: City of Portsmouth

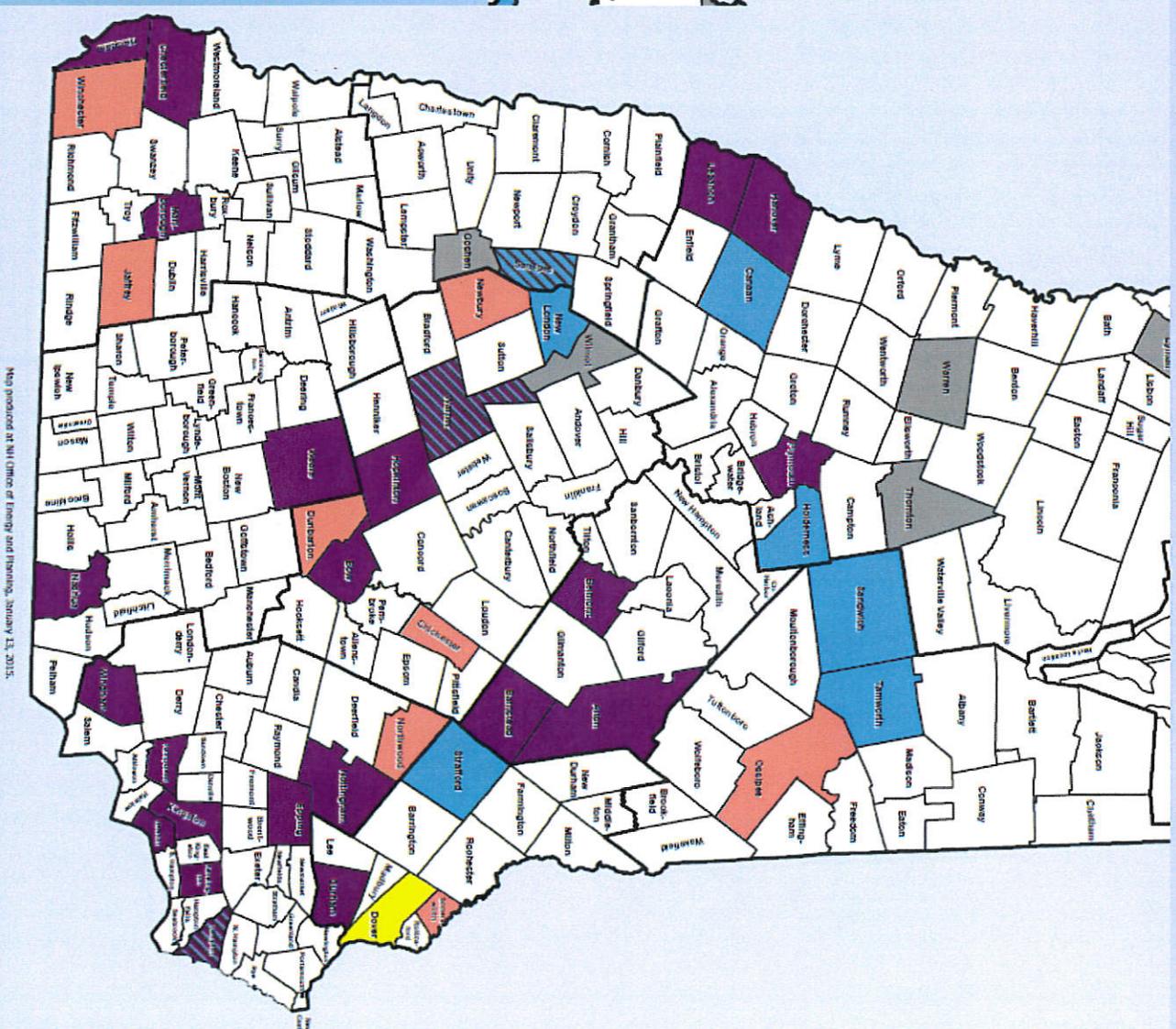
# Status of NH Municipal Solar PV Permitting

## Permitting and Ordinances for Solar PV in New Hampshire

Solar PV systems in these towns or cities require the following permits:

-  Solar and electrical permits
-  Building permit only
-  Electrical permit only
-  Building and electrical permits
-  No permit required
-  No information from municipality
-  Solar PV Ordinance

*Towns in white:  
permitting  
information not  
known*



Map produced at NH Office of Energy and Planning, January 13, 2015.

# Peterborough Large Municipal PV Case Study

- Town of Peterborough array
  - Large 947 kW system
  - Power purchase agreement
    - 8 ¢/kilowatt-hour
    - 20 year term with 1% annual escalator
  - \$1.2 million NH PUC REF grant in 2013
  - Developer: Borrego Solar Systems, Inc.
  - Brownfield redevelopment- old wastewater lagoon
- *Peterborough solar tour- Wed., May 18, 5:00 pm*
  - *And Durham 640 kW solar tour- Tue., May 24, 5:00 pm*
  - *Before Residential Solar 101s -- [www.Ircc.edu/solar101](http://www.Ircc.edu/solar101)*



Solar - Selective pages From  
VARIOUS TOWNS attached:

Hollis  
Lebanon  
Bow  
Merrimack

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***TOWN OF HOLLIS, NEW HAMPSHIRE***

***ZONING ORDINANCE***



*Amended*

*Recodification April 3, 2001*

*March 12, 2002, March 12, 2003*

*March 10, 2004, March 9, 2005*

*March 14, 2006, March 13, 2007*

*March 11, 2008, March 10, 2009*

*Adoption of Revised Flood Maps – June 22, 2009*

*Amended March 10, 2010*

*Amended March 9, 2011*

*Recodification March 2011*

*Amended March 13, 2012*

*Amended March 12, 2013*

*Amended March 19, 2014*

*Amended March 10, 2015*

*Amended March 08, 2016*

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**SECTION XXIV: SOLAR ENERGY SYSTEMS (Adopted March 2016)**

**A. AUTHORITY AND PURPOSE** This renewable energy systems ordinance is enacted in accordance with RSA 674:17(I)(j), 674:62-66, and the purposes outlined in RSA 672:1-III-a as amended. The purpose of this ordinance is to accommodate Solar Energy Systems and Distributed Generation Resources in appropriate locations, while protecting the public's health, safety and welfare. The Town of Hollis intends to facilitate the State and National goals of developing clean, safe, renewable energy resources in accordance with the enumerated polices of NH RSA 374-G and 362-F that include national security and economic and environmental sustainability.

**B. GOALS**

- a. Allow for the use of Solar Energy Systems in the community while maintaining Hollis's scenic vistas.
- b. Preserve the community's rural character, particularly as seen from public roads.
- c. Minimize potential adverse impacts of Solar Energy Systems in the community by ensuring that such facilities are properly screened and are properly sited within existing topographic features of the property.
- d. Ensure consistent maintenance and safety procedures are in place to protect public health.

**C. DEFINITIONS**

Solar Access: The access of a Solar Energy System to direct sunlight. Solar Collector: A device, structure or a part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a Solar Collector.

Solar Energy System: An arrangement of Solar Collectors and other electrical and/or mechanical devices, located on the property of a Customer-Generator, and whose primary purpose is to transform solar energy into electricity or another form of energy, using mechanical, electrical, or chemical means. Solar Energy Systems shall not exceed a footprint greater than 15% of the land area of lots 3 acres or less and no more than 20% of a lot greater than 3 acres. In no case shall any Solar Energy System exceed 43,560 square feet in area. The footprint of the Solar Energy System shall include all above ground components and Solar Access ways and shall be calculated by including the entire area within a single, continuous perimeter enclosing all elements of the Solar Energy System.

Solar Energy System, Ground-Mounted: A Solar Energy System that is structurally mounted to the ground and is not roof-mounted.

Solar Energy System, Roof-Mounted: A Solar Energy System that is structurally mounted to the roof of a building or structure; may be of any size.

Solar Thermal System: A Solar Energy System that uses collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling.

**D. SOLAR ENERGY SYSTEM CONDITIONAL USE PERMITS**

1. **Permit Required:** No Solar Energy Systems, except Roof Mounted Systems, shall be erected, constructed, installed or modified without first receiving a Conditional Use Permit (CUP) from the Planning Board. All Roof-mounted Solar Energy Systems shall be reviewed by Planning Staff prior to the issuance of a building permit. The CUP shall clearly set forth all conditions of approval and shall list all plans, drawings and other submittals that are part of the approved use. Everything shown or otherwise indicated on a plan or submittal that is listed on the CUP shall be considered to be a condition of approval.
2. **Application and Review Procedure:** An Application for a Conditional Use shall be initiated by filing with the Planning Board for an application for a Conditional Use Permit. The following procedures shall apply to the processing of such application: **Site Plan Approval Required:** A site plan application shall be submitted with any application for a Solar Energy System Conditional Use Permit. The application and review procedure for a CUP shall be made concurrently and in accordance with the Site Plan Regulations as applicable to the particular development.

3. Standards of Review: Following a fully noticed public hearing on the proposed use, the Planning Board may issue a Conditional Use Permit, if it finds, based on the information and testimony submitted with respect to the application, that:
- The use is specifically authorized by Section X as a conditional use;
  - The development in its proposed location will comply with all requirements of the Hollis Site Plan Regulations, as well as specific conditions established by the Planning Board.
  - The use will not materially endanger the public health or safety;
  - The use shall provide adequate screening to ensure adjacent property values are not adversely impacted. Screening may be provided by maintaining existing vegetation or through the installation of site specific evergreen landscaping, suitable fencing, or a combination thereof. Such screening shall be maintained during the operative lifetime of the Solar Energy System Conditional Use Permit. The screening shall be of such quality & quantity as to adhere to and meet the Objectives of the Hollis Rural Character Preservation Ordinance.
  - In granting a conditional use permit pursuant to this section, the Planning Board may impose any reasonable conditions or restrictions deemed necessary to carry out the intended purpose of this ordinance.
  - The Planning Board reserves the right to waive the Height conditions of the Conditional Use Permit if the Applicant proves to the Planning Board that the requested waiver will not be detrimental to public safety, adjacent property values or the rural character.
4. Duration of Solar Energy System Conditional Use Permit: Any ground-mounted solar energy system which has been abandoned or is no longer operational shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal.
- E. Minimum dimensional regulations: If the Planning Board grants a Conditional Use Permit pursuant to this section, any such use shall be conducted in a manner compliant with any conditions imposed by the Planning Board as well as the following minimum standards:
-  1. Height  
The maximum height of any ground mounted Solar Energy System shall be 10 feet off the ground. Roof Mounted Solar Energy Systems shall be considered exempt for height requirements as allowed for in Section IX, General Provisions, 1. Height Regulations, 2. Exceptions, b.
  -  2. Setbacks  
All ground-mounted Solar Energy Systems shall adhere to applicable required front, side and rear yard requirements, along with all required Wetland Setbacks, and shall not be considered accessory structures when determining required setback provisions. A detailed screening plan, as determined necessary by the Planning Board, may be required to address specific neighborhood sensitivities, mitigate visual impacts, and maintain the rural character of the neighborhood. Based upon the specific character of neighborhood, greater setbacks may be required by the Planning Board in order to meet the goals of the Rural Character Preservation Ordinance.
- F. Minimum Construction Standards
1. All Solar Energy Systems shall conform to applicable building, electrical codes and fire codes.

## APPENDIX A: TABLE OF AMENDMENTS

**SECTION I: AUTHORITY. 1998.** entire ordinance amended to replace all references to “High Intensity Soil Surveys (HISS) and/or Order 1 Soil Surveys” with “Site Specific Soil Map(s).”

**C. 2006:** Add new section **PLANNING BOARD** authorizing pre-application review. *Justification for amendment:* Provide authority for site plan and subdivision regulations enabling planning board to require pre-application review.

### **SECTION IV: ENFORCEMENT AND ADMINISTRATION**

**A. & B. 2010:** Clarification that the Building Inspector is the Code Enforcement Officer and is authorized to enforce the Hollis Zoning Ordinance.

**B. 2011:** Wording adding to provide flexibility as to who can enforce the provisions of the Hollis Zoning Ordinance

### **SECTION V: PENALTIES AND FINES**

**A. 1996:** generally amended.

### **SECTION VI: BOARD OF ADJUSTMENT**

**C. 2009:** Delete C. referencing specific fee amount.

### **SECTION VII: ZONING**

**A. ZONING DISTRICTS 1996:** amended to eliminate need for Town Clerk to certify zoning map.

- 1. AGRICULTURAL AND BUSINESS ZONE (A&B). 1996:** redefined boundaries of zone to follow lot lines; added to zone, extending it eastward to Wheeler Road and westward to vicinity of Rocky Pond Road; generally amended. **1998:** corrected typographical error by deleting Map 17, Lot 18 from section VII.A.1. **2013:** Permitted Uses; r. added Sale of vehicle fuel prohibited ; added to cc. except tattoo parlors; removed ii. Sale of motor vehicles; section 6, Area and Height Requirements; removed e. minimum separation between commercial buildings; 30 feet
- 2. COMMERCIAL ZONE (C). 1996:** created new zone in vicinity of Pineola Drive. **2013:** Permitted Uses; added r. Tattoo parlors; section 2, Area and Height Requirements; removed e. minimum separation between commercial buildings; 50 feet
- 3. FLOOD PLAIN ZONE. 1996: moved to SECTION VII.B.2. OVERLAY ZONING DISTRICTS**
- 4. INDUSTRIAL ZONE (IN). 1996:** reduced depth of zone on south side of Proctor Hill Road from 4,000 feet to 2,000 feet.
- 5. MOBILE HOME-1 ZONE (MH-1). 1996:** changed name from Trailer Park (Mobile Home) Zone.
- 6. MOBILE HOME-2 ZONE (MH-2). 1996:** changed name from Mobile Home Zone; generally amended.
- 7. RESIDENTIAL AND AGRICULTURAL ZONE (R&A). 1996:** generally amended.
- 8. RURAL LANDS ZONE (RL). 1996:** generally amended.
- 9. TOWN CENTER ZONE (TC). 1996:** changed name from Historical Center Zone; generally amended.
- 10. WATER SUPPLY CONSERVATION ZONE (WSC). 1996:** redefined zone generally to match the boundary of the underlying stratified drift aquifer.

**B. OVERLAY ZONING DISTRICTS. 1996:** created new section.

- 7. AQUIFER PROTECTION OVERLAY ZONE (APO). 1996:** added description of zone boundaries. **2013:** Performance Standards in the Aquifer protection Overlay Zone; added (x) Hazardous or Toxic Materials; section 2, Area and Height Requirements; removed e. minimum separation section b. (ii) removed; not cause a significant reduction in the long term volume of water contained in the aquifer or in the storage

# ZONING ORDINANCE



## Ordinance #2

CITY OF LEBANON, NEW HAMPSHIRE

*ADOPTED: January 16, 2013*  
*LAST AMENDED: May 4, 2016*

201.6 Antennae, Satellite Dishes, Etc..

Radio, TV and communications antennae, satellite dishes and the like shall not occupy the areas of front yards or required side and rear yards; provided, however, that this restriction may be relaxed by special exception, if the Board of Adjustment finds, in addition to the standards set forth in Section 801.3, that such a relaxation is required by applicable federal regulations and RSA 674:16, IV, in order to reasonably accommodate such facilities.

201.7 Driveways and Parking Areas.

Driveways may occupy required yard areas. Parking areas in the residential districts and the R-O District shall be setback no less than the lesser of the minimum yard requirement or the building line, but in no case less than five (5) feet.

201.8 Accessory Structures and Buildings of 130 Square Feet or Less.

One-story detached accessory structures and buildings of 130 sq. ft. or less and not exceeding twelve (12) feet in height may be located within the minimum required side and rear yards, in all zoning districts, provided they are placed a minimum of 5 feet from the side and rear property lines. A zoning permit shall be required for an accessory building.



201.9 Accessory Renewable Energy Facilities.

Accessory renewable energy facilities shall not occupy the areas of required front, side and rear yards (a.k.a. front, side and rear setbacks); except as provided in Section 612. This restriction may be relaxed by special exception, if the Board of Adjustment finds, in addition to the standards set forth in Section 801.3, that such (see 201.6) relaxation is required for the reasonable use of the proposed facility (i.e., renewable energy facilities can only encroach into the required yard setbacks for the respective zoning districts by special exception). Special setback conditions apply to accessory wind power facilities as provided in Section 612.2.

SECTION 202 REDUCTION OF LOT AREA OR DIMENSIONS.

The configuration of a lot shall not be altered so that the area, yards, lot width, frontage, coverage or other requirements of this Ordinance are less than the minimums required herein. This requirement shall not apply when part of a lot is taken for a public purpose.

SECTION 203 EXCEPTIONS TO HEIGHT REQUIREMENTS.

Except as provided in Section 407 for structures near the airport or in the airport approach zone, the following structures may exceed the maximum height limitations of Article III by not more than 20 percent.

- A. Flagpoles.
- B. Chimneys, spires, silos, towers, lightning rods, heating, ventilation and air-conditioning equipment, elevator shafts, accessory solar energy facilities or similar structures/equipment. The Board of Adjustment may allow a greater height for silos in the RL Districts by special exception granted pursuant to Section 801.3.
- C. Radio or TV antennae or satellite dish for private, non-commercial reception.



- |                   |                        |
|-------------------|------------------------|
| 2 to 5 acres      | up to 8 hives          |
| More than 5 acres | up to 2 hives per acre |
2. Location of Hives on a Lot. Any structure used for apiculture shall comply with the following yard and setback requirements:
    - a. Hives shall be located in the side or rear yard and shall not be located in the front yard.
    - b. Hives shall be located at least 15 feet from any property line, subject to the requirements of sub-section (3)(c) below ("Flyway Barriers").
  3. Flyway Barriers. In each instance in which a hive is situated within 30 feet of a property line, as measured from the nearest point of a hive to the property line, the beekeeper shall establish and maintain a flyway barrier in the following manner so that all bees are forced to fly at an elevation of at least 6 feet above ground level over the property lines in the vicinity of the apiary:
    - a. Height: shall be no less than six feet in height
    - b. Material: shall consist of a solid wall, fence, dense vegetation or combination thereof.
    - c. Location: shall be parallel to the property line, within 15 feet of the colony and extending at least 10 feet beyond the colony in each direction.
  4. Hive Type. All hives shall be of the movable frame type, as accepted by the State of New Hampshire Department of Agriculture, Markets and Food, Division of Plant Industry.
  5. Water. A convenient and consistent source of fresh water shall be made available to the bees at all times during the year. Water shall be located within twenty (20) feet of all hives or no more than one-half (1/2) the distance to the nearest property line, whichever distance is less.

SECTION 612

RENEWABLE ENERGY FACILITIES.

612.1 Purpose.

This section is enacted to accommodate and encourage renewable energy facilities and energy-efficient patterns of development in accordance with the purposes outlined in RSA 672:1-III-a, while protecting the public's health, safety and welfare.

612.2 Accessory Wind and Solar Energy Facilities.

 Accessory wind and solar energy facilities are allowed in all zoning districts; except as provided in Sections 201 and 203. Such facilities shall be subordinate and incidental to the main building on the same lot and shall be used primarily to reduce on-site consumption of utility energy or other energy sources.

A. Required Permits.

 No accessory wind or solar energy facility shall be erected, constructed, or installed without first receiving zoning and building permits.

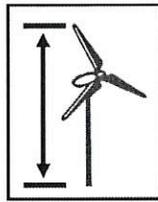
B. Accessory Wind Energy Facilities.

This ordinance is enacted in accordance with RSA 674:62-66.

1. Generating Capacity: There shall be one facility allowed on a lot, which shall not produce in excess of 100 kW of electricity.

2. Abutter and Regional Notification: The applicant shall supply a list of abutters to the property to the Zoning Administrator upon application for a zoning permit. The Zoning Administrator shall notify all abutters by certified mail at the applicant's expense. The public shall be afforded 30 days to submit comments prior to issuance of the building permit. If the proposal is determined to have potential regional impacts, the Zoning Administrator shall follow the procedures set forth in RSA 36:57, IV.
3. Setbacks: The minimum required setback distance, measured from the center of the tower base to the property line, shall be 110% of the system height (ground to blade tip as illustrated). For example, the setback for a 100-ft. facility would be 110 feet.

Illustration of facility height.



4. Noise Limit: The sound from the system shall not exceed 55 decibels using the A scale (dBA) measured at the property line in accordance with the methodology described in Section 303A.6.B, except during short term events such as severe wind storms or utility outages.
5. Signs: There shall be appropriate signs warning the public that unauthorized access may cause injury or death. Such signs are not to exceed two (2) square feet in size and posted five (5) feet above grade on or near the tower.
6. Access: The tower shall be constructed as a tilt-down or shall not provide step bolts or ladder readily accessible to the public for a minimum height of eight (8) feet.

C. Accessory Solar Energy Facilities.

1. Building-mounted or roof-mounted systems are permitted, except as provided in Section 203.
2. Ground-mounted systems shall not occupy any part of any yard required in Article III, except as provided in Section 201.
3. The solar energy facility shall be designed and located to avoid glare or reflection onto adjacent properties and adjacent roadways and shall not create a safety hazard.

SECTION 613 ALTERNATIVE TREATMENT CENTERS

613.1 Purpose.

## APPENDIX A

### DEFINITIONS

For the purposes of this Ordinance, certain terms or words used herein shall be interpreted as follows:

The word person includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.

The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

The words shall and will are mandatory, the word may is permissive.

The words used or occupied include the words intended, designed, or arranged to be used or occupied.

The word lot includes the word parcel.

**ABUTTER**: Abutter means any person whose property is located in New Hampshire and adjoins or is directly across the street or streams from the land under construction.

**ACCESSORY BUILDING**: A building subordinate and customarily incidental to the main building on the same lot. The term "accessory building", when used in connection with agriculture shall include all buildings customarily used for farm purposes.

**ACCESSORY DWELLING UNIT (ADU)**: A separate complete housekeeping unit that is either contained within or is attached to a single-family dwelling, or within a detached accessory building on the same lot, for which the title is inseparable from the primary dwelling. (See Section 610)



**ACCESSORY SOLAR ENERGY FACILITY**: Any renewable energy facility, equipment or system utilizing solar energy to provide electricity and/or space heating or cooling, hot water heating and swimming pool heating. Such facilities shall be subordinate and incidental to the main building on the same lot and shall be used primarily to reduce on-site consumption of utility energy or other energy sources. (Section 612.2.C.)

**ACCESSORY USE**: A use subordinate and customarily incidental to the principal use of the premises.

**ACCESS WAY**: A path, lane, byway, or clearing that has been sufficiently constructed to allow for the passage of motorized or non-motorized vehicles with a minimum axle width of four feet.

**ACCESSORY WIND ENERGY FACILITY**: Any renewable energy facility or device designed to mechanically harness the energy of moving currents in the atmosphere so as to store or convert that energy to machinery (e.g. pumps), electric current or heat. Such facilities include windmills and tower-mounted turbines or other generators to be used in generating electric current. Such facilities shall be subordinate and incidental to the main building on the same lot and shall be used primarily to reduce on-site consumption of utility energy or other energy sources. (Section 612.2.B.)

**ADVERTISING**: The term "advertising" includes goods, products, samples and models arranged for display and/or sale when such items are located where they can be seen by passers-by.

7. Menu and sandwich boards.

**SIGN, PROJECTING**: A sign attached perpendicularly to a building wall.

**SIGN, SANDWICH BOARD**: A free standing, temporary A-Frame ground sign having a message on both sides.

**SOCIAL SERVICE CENTER**: An establishment providing assistance and aid to those persons who may need or benefit from counseling for psychological problems, employment, learning disabilities, and/or physical disabilities. Said establishments may include temporary lodging facilities.

**SPECIAL EXCEPTION**: A use of a building or lot which may be permitted under this Ordinance only upon application to the Board of Adjustment and subject to the approval of the Board in accordance with provisions explicitly set forth herein.

**STREET OR PUBLIC STREET**: A public right-of-way which the town or state has the duty to maintain regularly or a right-of-way shown on a subdivision plat approved by the Planning Board and recorded with the County Registry of Deeds which provides the principal means of access to abutting property.

**STREET LINE**: Right-of-way line of a street as dedicated by subdivision plat or a deed or record. Where the width of the street is not established, the street line shall be considered to be 25 feet from the centerline of the street pavement.

**STRUCTURE**: Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. The term includes, but is not limited to, buildings, swimming pools, tennis courts, manufactured homes, billboards, poster panels, wind and solar energy facilities, satellite dishes and antenna. The term does not include minor installations such as fences less than three and a half feet high, agricultural and safety fences, mail boxes, flagpoles and children's play equipment, nor does it include subsurface waste disposal systems.

**TELECOMMUNICATION FACILITIES**: A personal wireless service facility, as defined in the federal Telecommunications Act of 1996, as amended. Such facilities generally include, but are not limited to, a tower, mount, antenna, equipment shelter, fencing and other related equipment. A telecommunication facility is not a commercial broadcast radio or television station antenna or tower.

**TOURIST HOME (OR BED & BREAKFAST FACILITY)**: Any dwelling (other than a hotel or motel) in which living accommodations without kitchen facilities are rented to ten or fewer transient guests for more than 12 days per year.

**TREE**: Any woody plant which normally grows to a mature height greater than 20 feet and which has a diameter of 6 inches or more at a point 4 1/2 feet above the ground.

**TRUCK DELIVERIES, NON-RESIDENTIAL**: Deliveries by vehicles representing businesses such as Federal Express, United Parcel Service, courier services and the like.

**TRUCK TERMINAL**: A truck terminal shall be allowed to have facilities for transfer of merchandise, repair, maintenance, and servicing of trucks and trailers and indoor and outdoor storage of equipment including tractors, trucks, and trailers. Any outdoor storage shall be fenced or screened.

# ZONING ORDINANCE

TOWN of BOW, NEW HAMPSHIRE

**Article 15. Business Development District  
and  
Article 16 Impact Fee Ordinance and Methodology Reports**

**ARE PUBLISHED SEPARATELY**

ADOPTED AND REVISED THROUGH MARCH, 2015

**Bow.** Discharge includes, without limitations, leakage of such materials from failed or discarded containers or storage systems, and disposal of such materials into any on-site sewage disposal system, dry well, catch basin, or unapproved landfill.

**Dwelling Unit:** Within a structure, housekeeping quarters with cooking, living, sanitary and sleeping facilities for one (1) family.

**Dwelling, Single Family:** Occupied exclusively by one (1) family. Does not include Manufactured Housing as defined in section 7.03 and RSA 674:31.

**Dwelling, Two Family:** A structure designed for or occupied exclusively by two (2) families living independently of one another.

**Dwelling, Multi-Family:** A structure designed for or occupied exclusively by three (3) or more families living independently of one another.

**Electricity Generation, Commercial:** A small power production facility with a total installed power production capacity of not more than thirty (30) megawatts designed for distribution to the electric grid or to four (4) or more offsite customers.

**Electricity Generation, Small:** A producer of power, as defined in RSA 362-A:1-a, II-b Eligible customer-generator, generated by solar, wind, or other renewable energy systems that will be used primarily onsite or sold to not more than three (3) abutting customers or sold within an approved Site Plan or Subdivision. As defined in the above statute, such generators shall have a total peak generating capacity of not more than 100 kilowatts. Small wind energy systems shall comply with section 7.25.

**Family:** One (1) or more persons related by blood or marriage or recognized by other state statutes occupying a single housekeeping unit.

**Frontage:** The length of the lot bordering on a public street or a non-interstate highway categorized as Class I, Class II or Class V pursuant to RSA 229.

**Fuel Station:** Building and premises where gasoline, propane, diesel fuel, oil, grease, batteries, tires, automobile accessories and incidentals are sold at retail and where minor servicing and repairs take place. Major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles not in operating condition, or other work involving noise, glare, fumes, or smoke are not included in this definition.

**Golf Course:** The term shall include standard courses and executive par three courses. The term does not include miniature golf.

**Green Space:** Land not built upon or not covered by gravel or impervious cover which is planted with, or can support grass, flowers, shrubs, plants, trees or similar ground cover.

**Groundwater:** The slowly moving subsurface water present in aquifers and recharge areas.

**Habitable Floor Area:** Shall be as defined in the International Residential Code for One- and

## ZONING ORDINANCE & BUILDING CODE

### TOWN OF MERRIMACK [Revised October 27, 2016]

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TOWN OF MERRIMACK ZONING ORDINANCE & BUILDING CODE

**Section 2.01.9 - Aquifer Conservation District (continued)**

1. Wellhead Protection Areas.
2. Balance of the Aquifer District.
3. The Balance of the Watershed

The Aquifer Conservation District maps are hereby declared to be a part of this ordinance and is incorporated by reference.

**2.02 - Permitted Uses - All Districts**

A. **Permitted Uses - General:** All uses set forth below are permitted in all zoning districts.

1. Streets, road and other access ways including foot, bicycle, horse paths and bridges and nature trails.
2. Farming, gardening, nursery, forestry, harvesting, grazing and other similar agricultural activities. The change of land to one or more agricultural uses as defined herein or expansion of an existing agricultural use shall be subject to nonresidential site plan review by the Planning Board.
3. Wildlife refuges, nature study and conservation areas and other activities designed to conserve soil, water, plants and wildlife.
4. Water impoundments and wells, drainage ways, streams, creeks and other paths of water runoff including the maintenance and operation of water control and supply devices such as dams, weirs and splash boards.
5. Excavation of sand and gravel providing all activities are conducted in accordance with an approved Earth Removal Permit issued pursuant to Section 14 of this ordinance.
6. Public Lands and Institutions.
7. The use or operation of equipment, vehicles or aircraft, including aircraft take offs and landings, for the purpose of emergency response, medical necessity, public safety, emergency landing, media coverage, building construction, equipment installation or political campaigning.
8. The installation of solar, wind, or other renewable energy systems designed to provide energy primarily for on-site use, and the building of any structures necessary for the collection of renewable energy provided that all applicable health and life and safety codes and requirements are adhered to and subject to any applicable building setback or height restrictions.

- H. To assure proper use of natural resources and other public requirements; and as granted by RSA 674:21 through 674:22:
- (1) To provide innovative land use controls; and
  - (2) To regulate and control the timing of development at an orderly and reasonable rate. This ordinance reflects the wishes of the citizenry as expressed through the ballot and through the comprehensive Master Plan. A principal ingredient of this ordinance is the effort to preserve the scenic beauty and healthfulness of the Town through particular attention to land use in the vicinity of lakes, ponds, streams, wetlands and steep slopes, to preserve the natural beauty of the land within view of the lakes and ponds, and to preserve for recreation and wildlife habitat forests, wetlands and wild lands. Because of the uniqueness of some wetlands, and the importance of water sources and quality to the well-being of the Town, the minimum distances specified in this ordinance may exceed the minimum distances specified in state statutes.
- I. To encourage the preservation of agricultural lands and buildings; and [Added 3-9-2004]
-  J. To encourage the installation and use of solar, wind, or other renewable energy systems and protect access to energy sources by the regulation of orientation of streets, lots, and buildings; establishment of maximum building height, minimum setback requirements, and limitations on type, height, and placement of vegetation; and encouragement of the use of solar skyspace easements under RSA Chapter 477. This ordinance may establish buffer zones or additional districts which overlap existing districts and may further regulate the planting and trimming of vegetation on public and private property to protect access to renewable energy systems. [Added 3-9-2004]

#### **§ 150-5. Definitions.**

As used in this ordinance, the following terms shall have the meanings indicated:

**ACCESSORY DWELLING** – Any accessory structure without kitchen and sanitary facilities whose interior spaces are designed, adapted or used to accommodate human habitation on an ongoing, seasonal, or occasional basis. [Amended 3-10-09]

**ACCESSORY STRUCTURE** - A structure subordinate and customarily incidental to the principal building on, or principal use of, the same lot. [Amended 3-11-08]

**ADDITION** — A structure added to the original structure at some time after the completion of the original, which creates an extension or increase in floor area or height of a building or structure. Access to the addition must be directly through a wall common to both the original structure and the addition. Multiple access points are permitted.