

SECTION IV. GENERAL REGULATIONS AND RESTRICTIONS

A. Advertising Signs:

No advertising sign is permitted in any district except in accordance with the terms of a written permit obtained from the Building Inspector. A permit shall be issued, without charge, upon written application showing conformance with the following specifications:

1. Size: Fifteen (15) square feet or smaller.
2. Location: No closer than twenty-five (25') feet to an abutting lot and sited so as not to obstruct the view of traffic.
3. Number: Except for the Business District, no more than one (1) sign affixed to a building and additionally no more than one (1) sign per lot. In all districts, if the lot fronts on more than one (1) road, at least one (1) sign is permitted on each road. In the Business District and at the discretion of the Building Inspector, multiple signs may be affixed to a building containing multiple businesses but never more than one sign per business.
4. Content: Advertisement only of the business being conducted on the premises or products or services supplied there.
5. Lighting: No light except steady white light for illumination only.
6. If an unusual need exists, the Board of Adjustment may grant a special exception to the size limitation for a sign, which only identifies the location of the business. The Board of Adjustment may grant a special exception to permit signs necessary for giving directions to a business that is not located on a State highway. In considering applications for special exceptions, the Board of Adjustment shall follow the procedure as that prescribed for appeals in New Hampshire RSA 31:71.
7. The foregoing notwithstanding, this section does not apply to signs existing and permitted as of the date of passage of this section.

B. Professional Uses and Customary Home Occupations:

Subject to the requirements of this Ordinance, nothing herein shall prevent a profession or customary home occupation from being conducted in a residence or in a structure accessory to the residence in any district, provided, however, that said profession or customary home occupation is first approved by the Greenfield Planning Board through a Site Plan Review and permit issued.

1. For purposes of this Section, an approved professional or customary home occupational use will be one that can be conducted in accordance with the conditions and requirements set forth in paragraph 2 below.
2. There shall be no adverse effect caused by the use on the residential character of the site or of any structure on it, on surrounding properties or on the natural environment. Thus, there shall be no nuisance or health hazard generated by noise, vibration, odors, heat, smoke, dust, light, glare, traffic or parking, or by soil, water or air pollution, or by any other effect of the use. Pursuant to these conditions the following requirements shall be met:
 - a. The use shall be clearly incidental and secondary to the residential use of the site.
 - b. The use shall be carried out wholly within a dwelling or a structure accessory to the dwelling. An accessory structure not attached to the dwelling shall be no closer than the dwelling to any public right-of-way. Buildings or other facilities on the same site that are

not customary to a residence, or farm in a Rural/Agricultural District, shall not be included in the use. The proposed Home Occupation shall be operated on the lot of the resident's dwelling unit. A special exception may be granted by, the Board of Adjustment for an abutting lot owned by the applicant.

c. The use shall be conducted by, members of the household occupying the dwelling. No more than two (2) persons outside the household shall be employed in the use.

d. The use shall cause no variation from the exterior residential character of the dwelling or other structure employed in the use. Thus, there shall be no display on the structure or in a window, and no other building feature normally associated with a non-residential use. There shall be no exterior storage of goods or equipment.

e. No more than four (4) off-street parking spaces will be used on a regular basis. No on-street parking will be used. No traffic, either in volume or in vehicle size, will be allowed that is not ordinarily associated with a residential use.

f. A sign shall be permitted for the home-based business provided that they comply with other Greenfield sign requirements, and that they may not be illuminated and may not exceed 3 square feet in area. The sign shall be reviewed by, the Planning Board.

g. A maximum of one (1) truck with a twelve thousand (12,000) pound gvwt, which is used for the home-based business, may be parked on the premise. More than one truck or larger equipment shall be allowed if the Planning Board determines that there shall be no adverse effect on the neighborhood.

h. The Home-Based Business permit shall become void if there are any significant changes in the business or if the business ceases operation, or when the residence is sold. If the business is proposed to continue following the sale or transfer of the property the new owner must file a Site Plan application with the Planning Board for their review and approval.

C. Number of Buildings:

Lots in any district shall contain no more than one residential building. One detached accessory dwelling unit may be allowed by special exception of the Zoning Board of Adjustment if a property meets the following requirements:

1. The detached accessory dwelling unit shall not be sold separately without subdivision approval.
2. The property must contain a minimum of five (5) acres.
3. The maximum number of bedrooms or sleeping spaces allowed in any detached accessory dwelling unit is two (2).
4. There shall be no attached accessory apartment unit on the lot.
5. The detached accessory dwelling unit is subordinate and clearly secondary to the main residence and shall contain no more than seven hundred (700) square feet.
6. There can be no more than one (1) accessory dwelling unit.
7. There shall be a minimum of two (2) off-street parking spaces for each living unit.

D. Home produce and products:

Home produce and products may be bought and sold and exposed for sale in any district provided a nuisance is not created by offensive noise, vibration, smoke, dust, odors, heat, glare, traffic or activity at unreasonable hours. In the Business District only, home produce shall include campfire wood not grown on the property provided the sale of such wood is clearly incidental and secondary to the residential use of the site and conducted only by members of the household occupying the dwelling located on the lot, and provided that there is no nuisance or health hazard generated by noise, light, traffic or parking or by any other effect of the use. Individuals selling home produce and products may supplement their sales with agricultural products (as defined by NH RSA 21:34A) not grown on the property provided that at least half of their yearly sales, by value, are grown on the property.

E. Backlots/Reduction of Required Frontage:

1. For the purpose of implementing the policies and goals set out in the Town's Master Plan, avoiding strip development and encouraging good civic design, the Planning Board, at its sole discretion, is hereby authorized to approve subdivision proposals containing backlots with less frontage than otherwise required by this Ordinance. Such back lots may be approved in the Village District, General Residence District and the Rural/Agricultural District only and no such approval shall be granted unless the following conditions are met:

a. All backlots so approved shall be laid out in such a manner as to be capable of accommodating completely within the lot boundaries and completely behind the required front yard, a square with each side having a minimum dimension of not less than the frontage requirement for the district in which the lot is located.

b. In no case shall any backlot be approved which does not have at least one hundred (100') feet of frontage as defined in this Ordinance.

c. Not more than one (1) backlot shall be created on any lot of record, and no backlot so created shall be further subdivided except in full conformity with the provisions of this Ordinance.

d. In no case shall such backlots be so located as to have adjacent frontage.

e. Any backlots so created under the provisions of this Section shall have a minimum area of not less than ten (10) acres and any construction thereon shall be set back from public rights of way not less than three (3) times the distance usually required in the district. Such lots and any subsequent development thereon shall conform in all other respects to the requirements set out in this Ordinance and the Subdivision Regulations.

f. Proposed driveway (curb cut) locations for each lot in the subdivision shall be clearly shown on the subdivision plat which shall be accompanied by written comments as to location, design and safety by the Town's engineer/road agent, if such lots are located on a Town maintained road, or the Commissioner of the New Hampshire Department of Transportation or his duly authorized agent, if the lots are located on a State maintained road.

2. It is the intent of this Ordinance that the creation of backlots be allowed only in appropriate circumstances and not encouraged. The Planning Board may reject proposals for the creation of backlots if it determines that such proposals:

a. Involve land which is unsuitable for development.

b. Are scattered and premature.

c. Are otherwise inconsistent with the expressed purpose of this Ordinance or the Subdivision Regulations.

F. Junkyards:

No person shall locate or maintain in the Town a junkyard (as defined by NH RSA 236:91 and 236:112).

G. Unregistered Vehicles:

It shall be unlawful for the owner or occupant of any premises to have or permit thereon more than two unregistered motor vehicles unless kept in a fully enclosed structure. Vehicles that are registered shall be inspected and considered roadworthy. This shall not apply to vehicles used on the premises for agriculture or any work where registration is not required. A special exemption can be granted by the Board of Adjustment for ongoing vehicle restoration involving more than two unregistered motor vehicles. Any deviation from the above will be deemed a "junk yard".

Violations of the foregoing shall be punishable by a fine of not more than twenty (\$20.00) dollars. Each day of non-compliance shall constitute a separate offense.

H. Hunting & Game Preserves:

No person shall locate or maintain in the town, a hunting or game preserve herein defined as a place where game is released for hunting.

I. Personal Property Sales:

In any district, the sale of surplus or used personal or household property, commonly known as a yard sale, or garage sale, or barn sale, or tag sale, may be conducted under the conditions described below. These conditions are intended to help protect the residential character of the surrounding area.

1. The sale is conducted personally, by an occupant of the household involved.
2. The sale does not interfere with the safety, convenience, or general welfare of the occupants of surrounding property.
3. The sale is conducted for no longer than three (3) consecutive days without the approval of the Board of Selectmen.
4. No one household shall conduct such a sale more than three (3) times in a twelve (12) month period without the approval of the Board of Selectmen.

J. Elderly Housing:

The Board of Adjustment may, by special exception, permit in any district, a home for the elderly or any municipal or similar use provided that the building conforms in general value to other structures in the neighborhood and the use does not substantially reduce the value of existing property in the neighborhood.

K. Building Height:

In any district, the maximum height for any building intended for human occupancy, either as a residence, business or for any other purpose, will be thirty five (35') feet above the ground or two (2) stories. For purposes of this Ordinance, an attic used for storage only is not considered a story.

The height of any other structure, except towers which are subject to the personal wireless service facility regulations, shall be not greater than fifty (50') feet from the ground except that special exceptions to this height restriction may be granted by the Board of Adjustment for silos for storage of feed crops, for other farm buildings, church towers, water storage structures or amateur radio antennas.

L. Food Service Facilities Requirements:

1. A restroom(s), including lavatory, conveniently located within the building. All wastes must discharge directly into an approved in ground sewage disposal system.
2. Provisions for washing utensils used in the preparation and/or consumption of food and/or beverages. Any waste water must discharge directly into an approved in ground sewage disposal system;
3. A water supply adequate for both the washing facilities and restroom(s).

M. Outdoor lighting:

Outdoor lighting shall be shielded in such a manner that it will not cause glare or direct lighting on any adjacent property or cause glare to passing vehicles on adjacent streets and it will be shielded to point the light downward.

In the case of flags, which cannot be illuminated with down-lighting, upward lighting may be used only in the form of one narrow-cone spotlight which confines the illumination to the flag.

N. Noise: *[Amended March 2013]*

It shall be unlawful for any person to make, continue, or cause to be made or continued any excessive, unnecessarily loud noise, or any noise which either annoys, disturbs, injures, or endangers the comfort, repose, health, peace or safety of others within the limits of the town, and in accordance with the concepts, measurement definitions and procedures set forth below.

1. Noises Prohibited-Decibel Provisions:

- a. Use Districts: It shall be unlawful to project a sound or noise, excluding noise emanating from cars, trucks or other vehicles, from one property into another, within the boundary of a use district, which exceeds the limiting noise spectra set forth in Table 1 below. Sound or noise projecting from one use district into another use district with a different noise level limit, shall not exceed the limits of the district into which the noise is projected.
- b. Loading and Unloading: It shall be unlawful to load, unload, open, or close or otherwise handle boxes, crates, containers, and building materials, trash cans, dumpsters, or similar objects between the hours of 10:00pm and 7:00am so as to project sound across a real property line, except as exempted under e below.
- c. Power Tools: It shall be unlawful to cause a noise disturbance across a real property line by operating any mechanically powered saw, sander, grinder, drill, garden tool, or similar device used outdoors, with the exception of snow blowers, before 7:00am. Snow blowers, lawnmowers, and chain saws shall be exempted from the L10 and Maximum Permissible- weighted Sound Level limits enumerated in Table 1 below.
- d. Radios, Televisions Sets, Musical Instruments and Similar Devices: It shall be unlawful to operate, play, or permit the operation or playing of any radio, television, phonograph, drum, musical instrument, sound amplifier, or similar device which

produces, reproduces, or amplifies sound between the hours of 10:00pm and 7:00am in such a manner as to cause a noise disturbance across a real property boundary.

e. Exemptions: The following uses and activities shall be exempt from noise level regulations:

- (1) Noises of safety signals, warning devices and emergency pressure relief valves;
- (2) Noises resulting from any authorized vehicle when responding to an emergency call or acting in time of emergency;
- (3) Noises resulting from emergency and maintenance work as performed by the town, by the state, by public utility companies or noises resulting from the provision of municipal services;
- (4) Any other noise resulting from activities of a temporary duration;
- (5) Parades and public gatherings for which the Selectmen have issued a permit;
- (6) Bells, chimes or carillons while being used for religious purposes or in conjunction with religious services, and those bells, chimes or carillons that are presently installed and in use for any purpose.

2. Measurement of Noise:

- a. The measurement of sound or noise shall be made with a sound level meter meeting the standards prescribed by ANSI SI.4-1971 TYPE 1 or TYPE 2 and IEC 179. The instrument shall be maintained in calibration and good working order. A calibration check shall be made of the system at the time of any noise measurement. Measurements recorded shall be taken so as to provide a proper representation of the noise source. The microphone during measurement shall be positioned so as not to create any unnatural enhancement or diminution of the measured noise. A windscreen for the microphone shall be used when required. Traffic, aircraft and other transportation noise sources and other background noises shall not be considered in taking measurements except where such background noise interferes with the primary noise being measured.
- b. The slow meter response of the sound level meter shall be used in order to best determine that the amplitude has not exceeded the limiting noise levels set forth in Table I below.
- c. The measurement shall be made at the location the noise is perceived by the complainant, or upon a public way, at a level of five (5') feet above the ground.

3. Tables:

Table I: Limiting Noise Level For Use Districts

Use District A represents the Village, Residential, and Rural/Agricultural Districts. Use District B represents the Business District. Use District C represents the Industrial Districts.

Use District	Maximum Permissible A-weighted Sound Level	
	Day 7am-10pm	Night 10pm-7am
A. L-10 level Maximum	55 68	45 58

B. L-10 level	60	45
Maximum	70	58
C. L-10 level	60	60
Maximum	70	70

L-10 refers to a national guideline for measuring noise levels over time and is recommended by the Environmental Protection Agency.

Sound levels are in decibels re: 20 micro pascals measured on the A. weighting network of a sound-level meter meeting the standards referenced in paragraph 2a above.

For the purpose of this Table, "Day" shall be defined as 7:00am to 10:00pm and "Night" shall be defined as 10:00pm to 7:00am. If the noise is not smooth and continuous, one or more of the corrections in Table II below shall be added to or subtracted from each of the decibel levels given in Table I of this section.

Table II: Type of Operation in Character of Noise (correction in decibels)

Noise of impulsive or intermittent character (hammering, discharging of weapons, etc.): minus 5

Noise of periodic character (hum, screech, etc.): minus 5

4. Application for Special Permit: Application for a permit for relief from the noise level designated in this ordinance on the basis of undue hardship may be made to the Board of Selectmen. Any permit granted by the Selectmen shall set forth all conditions pertaining to the specific noise and a reasonable time limit for its abatement.

5. Upon an apparent violation of this ordinance and the issuance of a complaint, the enforcing officer shall give a verbal order to cease or abate the noise immediately or within a specific period of time. If the order is not complied with, the person or persons responsible for the noise shall be charged with a violation of the ordinance. Anyone who violates the ordinance shall be subject to fine of twenty-five (\$25.00) dollars per offense. Written record of all measured violations shall be kept by the police department.

O. Temporary Use of Manufactured Housing:

1. In the event of a catastrophe rendering an existing dwelling unusable, a manufactured home may be temporarily allowed on an occupied or unoccupied lot for a period not to exceed 12months, to allow for repair or rebuilding of the dwelling, provided that safe and adequate sewage and a safe water supply can be provided and that a valid building permit has been issued.

2. During the period of construction of a new home, a manufactured home may be temporarily allowed on the lot for a period not to exceed twelve (12) months, provided that safe and adequate sewage and a safe water supply can be provided and that a valid building permit has been issued.

P. Building Code: *[Amended March 2013]*

The purpose of the adoption of these codes is to establish uniform rules and regulations for the construction of buildings and structures within the Town of Greenfield.

1. International Residential Code *[Adopted 2004]*.

2. International Existing Building Code.
3. Current State of New Hampshire Codes *[Adopted 2006]*.

Q. Unregistered Trailers and Storage Containers *[Adopted 2012]:*

It shall be unlawful for the owner or occupant of any premises to have or permit thereon any unregistered trailer or storage container within the lot's building setback unless such placement is temporary and associated with on site building construction or renovation. Such placement shall occur only after receiving a permit issued by the Code Enforcement Officer for a period of sixty (60) days or less. Such permit is renewable.