

SECTION III. DISTRICTS

For the purpose of regulating and restricting the use of land and the location, construction, and use of buildings, the Town is divided into four (4) districts, identified and defined as follows:

Business District; Village District; General Residence District; and Rural/Agricultural District

Superimposed over certain of the above Districts are Special Purpose Districts in which special regulations and restrictions apply. These Districts are identified and defined hereinafter as follows: Industrial District and the Wetland Conservation District. In all cases where Special Purpose Districts are superimposed within other zoning districts, that District whose regulations are more restrictive apply.

NOTE: The voters of the Town of Greenfield have adopted the New Hampshire Model Floodplain Development Ordinance, which places restrictions on building within the floodplain.

A. Business District:

1. The Business District shall observe the following regulations and restrictions:
 - a. This District shall be principally a District for the transactions of business and the following uses are permitted: stores & shops for the conduct of any retail business or personal service, offices, banks, filling stations, car washes, motor vehicle repair garages and food service facilities. All the above businesses must be conducted in permanent buildings. Residences are allowed in this District however, manufactured housing, mobile homes and/or travel trailers used as a residence shall not be permitted.
 - b. The lot area shall be not less than one and one-half (1.5) acres and the frontage not less than one hundred fifty (150') feet, provided, however, that a lot with less acreage or less frontage, or both, which is recorded in the Office of the Registry of Deeds at the time of passage of this amendment shall be deemed a conforming lot. There shall be between the nearest side of any public highway and the extreme front of any building, a yard having a minimum depth of fifty (50') feet. There shall be between the nearest part of any building or structure on the lot, a side or rear yard of not less than twenty-five (25') feet. There is, however, an exception to these setback requirements. For lots smaller than one and one-half acres in area and deemed conforming per the above, setback requirements will be reduced in proportion to the actual lot size divided by the minimum lot size, however, in no case will setbacks be less than thirty (30') feet at the front and twenty (20') feet at the sides and rear. No building addition shall have to be set back from the lot line any further than any existing building on the lot.
 - c. No business shall be permitted which is offensive or injurious to nearby residents or the general public or which does not meet State and Federal environmental and sanitary standards.
 - d. No entertainment halls shall be permitted in this District except those under public ownership.
 - e. Except for the following two exceptions, no building may house more than one (1) family as permanent residents.
2. By special exception, the Board of Adjustment may permit the addition of not more than one (1) accessory dwelling unit under the following conditions:

- a. Such addition is within or attached to the primary dwelling.
 - b. Either the accessory dwelling unit or the primary residence shall constitute the domicile of the person or persons who own the lot on which the residence is situated.
 - c. The accessory dwelling unit shall have a minimum floor area of three hundred (300') square feet but shall be no area greater than twenty-five (25%) percent of the total floor area of the building.
 - d. The accessory dwelling unit shall have a separate entrance and shall have adequate egress in case of fire or other hazard.
 - e. No change shall be made to the exterior of the residence, which would detract from its appearance as a one-family residence.
 - f. The sewage disposal system for the residence, either existing or as it may be modified, shall be shown adequate for all occupants, and shall have been approved by the Building Inspector,
 - g. The accessory dwelling unit shall comply with all the other ordinances of the Business District.
3. Buildings with up to twenty-five (25) dwelling units are permitted providing:
- a. It is a single story building consisting entirely of dwelling units for those elderly individuals with moderate or greater incomes, and that meet the Department of Housing and Urban Development (HUD) definition of elderly.
 - b. The building's location in the Business District is north of Forest Road and between lots V1-3 and V1-9.
4. The Board of Adjustment may, by special exception, permit in the Business District, a light industry or related operation that will comply with the following requirements:
- a. Demonstrate that it will not offend neighbors by objectionable odors or excessive noise, and that it will not become a public or private nuisance by meeting the following requirements:
 - b. *Vibrations*. Every use shall be so operated that ground vibrations inherently and recurrently generated is not perceptible, without instruments, at any point of the property line of the property on which the use is located.
 - c. *Noise*. Objectionable noise due to intermittent beat frequency, or shrillness shall be muffled or eliminated so as not to become a nuisance to adjacent property. No noise shall be perceptible without instruments at any point of the property line on which the use is located.
 - d. *Odor*. Every use shall be so operated as to prevent the emission of objectionable or offensive odors in any such concentrations as to be readily perceptible at any point at or beyond the lot line of the property on which the use is located.
 - e. *Smoke*. No use shall be so operated that it degrades the quality of the air by emitting smoke or particle matter.

f. *Discharges:*

- (1) No use shall be so operated that it emits hazardous waste or materials.
- (2) Demonstrate that it will not create traffic problems.
- (3) Provide a setback of at least one hundred (100') feet from the nearest edge of the right of way, with no buildings, parking areas, delivery areas, or storage areas less than twenty-five (25') feet from all side and rear boundaries.
- (4) Provide adequate loading and delivery facilities for trucks, and parking areas for employees and others, none of such facilities or areas to be located in the one hundred (100') foot front yard portion of the property.
- (5) Meet the requirements of this Ordinance and all statutes of the State of New Hampshire relating to air pollution and the disposal of sewage and industrial wastes.
- (6) Be conducted entirely within enclosed buildings or within enclosed structures.
- (7) Provide appropriate landscaping, including fencing and/or shrubs of adequate height and bulk at planting for adequate screening, as deemed necessary by the Board.
- (8) Otherwise meet the requirements of this Ordinance with regards to lot size, frontage, signs, etc.

B. Business District Boundaries:

The Business District, as defined in Section III A, shall be bounded as follows:

Beginning at the railroad crossing on Forest Road; thence

To a point, four hundred (400') feet due north of the crossing, thence

Easterly, on a line four hundred (400') feet north of Forest Road, to a point four hundred (400') feet west of Sawmill Road; thence

Northerly and four hundred (400') feet west of Sawmill Road, to a point due west of the juncture of Sawmill Road and the northern boundary line of V2-3; thence

Due east to a point four hundred (400') feet east of Sawmill Road; thence

Southerly and four hundred (400') feet east of Sawmill Road, to the south side of Forest Road; thence

Along the south side of Forest Road to the northeast corner of V3-22, the Library property; thence

To a point on the southern boundary of V3-23 that is four hundred (400') feet east of Slip Road; thence

Southerly on a line four hundred (400') feet east of Slip Road to the railroad right of way; thence

Northerly and westerly along the east and north boundaries of the railroad right of way, to the point of beginning.

C. Village District:

The Village District shall observe the following regulations and restrictions:

1. It shall be a district of residences only. Manufactured housing, mobile homes and/or travel trailers used as residences shall not be permitted in this district.
2. No building shall house more than one (1) family as permanent residents. However, by special exception, the Board of Adjustment may permit the addition of not more than one (1) accessory dwelling unit under the following conditions:
 - a. Such addition is within or attached to the primary unit.
 - b. Either the accessory dwelling unit or the primary residence shall constitute the domicile of the person or persons who own the lot on which the residence is situated.
 - c. The accessory dwelling unit shall have a minimum floor area of three hundred (300) square feet but shall be no greater than twenty-five (25%) percent of the total floor area of the building.
 - d. The accessory dwelling unit shall have a separate entrance and shall have adequate egress in case of fire or other hazard.
 - e. No change shall be made to the exterior of the residence, which would detract from its appearance as a one-family residence.
 - f. The sewage disposal system for the residence, either existing or as it may be modified, shall be shown adequate for all occupants, and shall have been approved by the Building Inspector.
 - g. The accessory dwelling unit shall comply with all the other ordinances of the Village District.
3. There shall be between the nearest side of any public highway and the extreme front of any building, a yard having a minimum depth of one hundred (100') feet. There shall be between the nearest side and rear border of any lot a yard of not less than fifty (50') feet. There is, however, an exception to these setback requirements. For lots smaller than two acres in area and deemed conforming per the following paragraph 4, setback requirements will be reduced in proportion to the actual lot size divided by the minimum lot size, however, in no case will setbacks be less than thirty (30') feet at the front and twenty (20') feet at the sides and rear.
4. The lot area shall not be less than two (2) acres and frontage on a Class V or better highway of not less than two hundred fifty (250') feet, provided however, that a lot with less frontage or acreage which is recorded in the Office of the Registry of Deeds at the time of passage of this amendment shall be deemed a conforming lot.

D. Village District Boundaries:

The Village District, as defined in Section III C, shall be bounded as follows:

Beginning at a point four hundred (400') feet due north of the railroad crossing on Forest Road; thence;

Northerly to a point on Sawmill Road, opposite the juncture with Crotched Mountain Road; thence;

Easterly to the juncture of the Francestown Road and Pine Ridge Road; thence

For four hundred (400') feet easterly along Pine Ridge Road; thence

Southerly to a point four hundred (400') feet north of East Road and four hundred (400') feet east of Forest Road; thence

Southwesterly to the southernmost point of the Business District; thence

Along the eastern and northern boundaries of the Business District, to the point of beginning.

Also included in this district, all land included within four hundred (400') feet of the high water mark around Otter, Sunset, and Zephyr Lakes.

E. General Residence District:

The General Residence District shall observe the following regulations and restrictions:

1. It shall be principally a district of residences.
2. No building shall house more than four (4) families as permanent residents. The lot size shall be not less than one and one-half (1.5) acres for each dwelling unit and off-street parking for two (2) cars for each dwelling unit must be provided.
3. There shall be between the nearest side of any public highway and the extreme front of any building a yard having a minimum depth of one hundred (100') feet. There shall be between the side and rear borders of any lot and the nearest part of any building a yard of not less than fifty (50') feet. There is, however, an exception to these setback requirements. For lots smaller than two acres in area and deemed conforming per the following paragraph 4, setback requirements will be reduced in proportion to the actual lot size divided by the minimum lot size, however, in no case will setbacks be less than 30 feet at the front and 20 feet at the sides and rear. No building addition shall have to be set back from the lot line any further than any existing building on the lot.
4. The lot area shall be not less than two (2) acres and frontage on a Class V or better highway of not less than two hundred fifty (250') feet, except industrial lots in the Industrial District will require only one hundred fifty (150') feet of frontage, provided however, that a lot with less acreage or frontage which is recorded in the Office of the Registry of Deeds at the time of passage of this amendment shall be deemed a conforming lot.
5. Business is prohibited in this District except as hereinafter provided.
6. The following businesses will be permitted in this District: buying, selling and exposing for sale home produce and products; maintaining and operating hotels, bed & breakfast

inns and day care centers, as well as those defined under Section IV.B Professional Uses and Customary Home Occupations.

7. There shall be no restriction as to the type of residential building within this District, providing regulations as to lot acreage, frontage and setbacks are complied with.

8. Industry may be permitted within this District but shall be strictly confined to the Industrial Special Purpose Districts provided therefore, except that which is allowed under Section IV.B Professional Uses and Customary Home Occupations.

F. General Residence District Boundaries:

The General Residence District as defined in Section III E shall be bounded as follows:

This district, covering areas served by major roads, encompasses all land not contained in any other district herein defined. It should be noted that where major roads penetrate other districts to outlying parts of Town, land to a depth of four hundred (400') feet on either side of the road is included in this District. Such is the case on Forest and Peterborough Roads and portions of East and New Boston Roads.

G. Rural/Agricultural District:

The Rural/Agricultural District shall observe the following regulations and restrictions:

1. It shall be primarily a district in which facilities to the benefit of agriculture and/or rural living are to be retained. Emphasis will be placed on the preservation of open space, rural tranquility, woodlands, waterways, scenic views, historic and otherwise unique features.

2. The lot area shall be not less than four (4) acres and the frontage not less than three hundred fifty (350') feet, provided however, that a lot with less area or frontage which is recorded in the Office of the Registry of Deeds at the time of passage of this amendment shall be deemed a conforming lot.

3. There shall be between the nearest side of any public highway and the extreme front of any building a yard having a minimum depth of one hundred (100') feet. There shall be between the nearest side or rear border of any lot and the nearest part of any building or structure on the lot, a yard of not less than fifty (50') feet. There is, however, an exception to these setback requirements. For lots smaller than four acres in area and deemed conforming per the preceding paragraph 2, setback requirements will be in proportion to the actual lot size divided by the minimum lot size, however, in no case will setbacks be less than fifty (50') feet at the front and thirty (30') feet at the sides and rear. No building addition shall have to be set back from the lot line any further than any existing building on the lot.

4. Industry is not permitted in this district. The following businesses will be permitted in this district: Buying, selling and exposing for sale home produce and products. Maintaining and operating hotels, bed & breakfast inns and day care centers, as well as those defined under Section IV.B Professional Uses and Customary Home Occupations.

5. No building shall house more than one (1) family as permanent residents. However, by special exception, the Board of Adjustment may permit the addition of not more than one (1) accessory dwelling unit under the following conditions:

- a. Such addition is within or attached to the primary unit.

- b. Either the accessory dwelling unit or the primary residence shall constitute the domicile of the person or persons who own the lot on which the residence is situated.
- c. The accessory dwelling unit shall have a minimum floor area of three hundred (300) square feet but shall be no greater than twenty-five (25%) percent of the total floor area of the building.
- d. The accessory dwelling unit shall have a separate entrance and shall have adequate egress in case of fire or other hazard.
- e. No change shall be made to the exterior of the residence, which would detract from its appearance as a one (1) family residence.
- f. The sewage disposal system for the residence, either existing or as it may be modified, shall be shown adequate for all occupants, and shall have been approved by the Building Inspector.
- g. The accessory dwelling unit shall comply with all the other ordinances of the Rural/Agricultural District and shall not be included in open space development density calculations.

H. Rural/Agricultural District Boundaries:

The Rural/Agricultural District, as defined in Section III G, is located in the eastern, southern and western portions of Greenfield and is bounded as follows:

Beginning at a point on the Lyndeborough border, four hundred (400') feet east of Forest Road; thence

Northwesterly and four hundred (400') feet from and parallel to Forest Road to a point four hundred (400') feet southeast of the New Boston Road.

At this point a corridor of the General Residence District, measuring four hundred (400') feet to either side of the New Boston Road, extends to the juncture of Dunklee Hill Road.

The District boundary resumes at a point four hundred (400') feet southwest of Miner Road and proceeds northerly on a line four hundred (400') feet southwest of Miner Road to a point four hundred (400') feet east of Forest Road; thence

Generally northwesterly four hundred (400') feet east of and parallel to Forest Road to a point four hundred (400') feet south of East Road; thence

Easterly four hundred (400') feet south of and parallel to East Road to its juncture with the Class VI portions of Pine Ridge Road; thence

Along Pine Ridge Road to Rand Brook; thence

Northwesterly along Rand Brook until four hundred (400') feet from the Franchestown Road; thence

Four hundred (400') feet east of and parallel to the Franchestown Road to the Franchestown line; thence

Easterly and southerly along the Francestown and Lyndeborough borders, to the point of beginning.

Also, beginning at a point on the Lyndeborough border at the crossing of Russell Station Road; thence

Southerly, westerly, and northerly along the Lyndeborough, Temple and Peterborough borders to a point four hundred (400') feet north of Gulf Road; thence

Easterly four hundred (400') feet north of and parallel to Gulf Road to Russell Station Road; thence

Southerly along Russell Station Road, to the point of beginning.

Also, beginning at the juncture of the Peterborough border with the East shore of the Contoocook River; thence

Northerly, following the high water mark of the riverbank to the Bennington border, but interrupted by a strip measuring four hundred (400') feet to either side of Forest Road; thence

Easterly along the Bennington border to a point four hundred (400') feet east of Muzzey Hill Road; thence

Southerly, east of and parallel to Muzzey Hill Road to the west side of the railroad right of way; thence

Southerly along the railroad right of way to a point of crossing of Otter Brook; thence

With an interruption across Forest Road, to a point on Otter Brook, four hundred (400') feet south of Forest Road; thence

Resuming southerly along the west bank of Otter Brook to the Peterborough line; thence

Westerly, to the point of beginning.

I. Special Purpose Districts:

1. Industrial Districts:

Industry and excavations may be permitted in those areas of the General Residence District as hereinafter defined after a public hearing, providing the industry and/or excavation is not injurious to agricultural enterprises or nearby private residents and does not exist on lots created for the purpose of residential subdivision. The specific areas applicable to this purpose are:

a. Russell Station area in the vicinity of the railroad tracks and defined as follows:

Beginning at the northwest corner of Route 31 and northern boundary of R9-45 property; thence

Westerly on north boundary of R9-45 property, crossing the railroad track and Russell Station Road to a stone wall marking north boundary of R9-66-1 property; thence

Westerly on the north side of a stonewall to Gulf Road; thence

Westerly on the north side of Gulf Road to a stonewall which represents the boundary between the properties of R6-24-6 and R9-2; thence

On east side of stone wall, north 8 degrees east and continuing on a straight course approximately two thousand, four hundred (2,400') feet to the point of intersection of this line with stone wall marking southern boundaries of properties of R9-1, S5-13, S5-12, S5-11 and R9-79 (FKA R6-22); thence

Fifty-eight (58) degrees east on south side of stone wall marking southern boundaries of R9-1, S5-13, S5-12, S5-11 and R9-79 (FKA R6-22) land and continuing on this line to intersection with Route 31; thence

Southeasterly on west side of Route 31 to point of beginning.

Also, to include the property identified as R9-18-1 (FKA R9-18-A).

These boundaries are as shown on Town Zoning Map.

b. Sawmill Road area in the vicinity of Greenfield's Department of Public Works' garage and Recycling Center and defined as follows:

On the east side of Route 31, beginning at the Alexander Brook near the southern boundary of R2-15-1; thence

Northerly, along Route 31 for approximately one (1) mile.

There, opposite the entrance of R1-9 (AKA Top of the World), the boundary runs east along a stone wall to the Old Russell Road; thence

Southeasterly along Old Russell Road to the Alexander Brook; thence

Westerly, along the Alexander Brook to the point of beginning.

On the west side of Route 31, the Industrial Zone encompasses the properties identified as lots #26, #27, #28 and #29 on Tax Map sheet R1.

c. Application for the building permits in the Industrial Districts must show the following:

- (1) Adequate parking for workers and visitors.
- (2) Minimum setback of one hundred (100') feet from any State accepted highway.
- (3) Side or rear truck facilities.
- (4) Appropriate landscape.
- (5) Minimum sideline setbacks of fifty (50') feet on both sides, one-half (.5) of which may be used for driveways.
- (6) No building or set of buildings may occupy more than thirty (30%) percent of its lot nor shall it occupy more than sixty (60%) percent of its frontage if the front yard is less than one hundred (100') feet deep.

2. Wetland Conservation District:

a. General: The Wetland Conservation District is hereby determined to be those areas identified and delineated as poorly drained (Hydric "B") or very poorly drained (Hydric "A") soils and as bodies of water by the National Cooperative Soil Survey through field mapping surveys completed in 1970 and shown on its field mapping photographic sheets for the Town of Greenfield, NH. The Wetland Conservation District, as herein defined, is shown on a map designated as the Town of Greenfield Wetland Conservation District Map, and is an overlay to the "Zoning Map" of the Town of Greenfield, NH. This map is available for public review at the Greenfield Town Offices during normal office hours.

This map is for reference use only. In the event that an area on the map is questionable in terms of its soil type, High Intensity Soils Sampling will be used to determine the location and extent of poorly drained or very poorly drained soils.

In all cases where the Wetland Conservation District is superimposed over another zoning district in the Town of Greenfield, that district whose regulations are more restrictive shall apply.

b. Purpose: In the interest of public health, convenience, safety and welfare, the regulations of this District are intended to guide the use of land areas with extended periods of high water tables:

- (1) To prevent the destruction or alteration of natural wetlands, which provide natural storage of flood crests and reduce flood losses, filter sediments and cleanse pollutants from flowing water, recharge near-surface and ground water supplies, alleviating droughts in dry seasons, and which provide vital habitat and refuge for fish, waterfowl and wildlife.
- (2) To prevent the developments of structures or such other land uses on naturally occurring wetlands, which would contribute to pollution of surface or ground water.
- (3) To prevent inharmonious use of wetlands which would create unnecessary or excessive expense to the Town for the provision and maintenance of essential services and utilities.
- (4) To encourage those uses that can be appropriately and safely located in wetland areas.

c. Permitted Uses: Any use that does not result in the erection of any structure or alter the surface configuration by addition of fill and that is otherwise permitted by the Zoning Ordinance.

- (1) Forestry - tree farming
- (2) Agriculture
- (3) Water impoundments and well supplies
- (4) Drainage ways - streams, creeks or other paths of normal runoff water

(5) Wildlife habitat management

(6) Parks and such recreation uses as are consistent with the purpose and intentions of paragraph b above.

(7) Conservation areas and nature trails

(8) Open space as permitted by Subdivision Regulations and other sections of this Ordinance.

d. Special Exceptions: Special Exceptions may be granted by the Board of Adjustment for the following uses, within the Wetlands Conservation District:

(1) Streets, roads and other access ways and utility rights of way easements, including power lines and pipe lines if essential to the productive use of land not so zoned and if so located and constructed as to minimize any detrimental impact of such uses upon the wetlands.

(2) The undertaking of a use not otherwise permitted in the Wetland Conservation District which may include the erection of a structure, dredging, filling, drainage or otherwise altering the surface configuration of the land, if it can be shown that the proposed use will not conflict with the purpose and intentions of paragraphs a. and b., and if such proposed use is otherwise permitted by the Zoning Ordinance. Proper evidence to this effect shall be submitted, in writing, to the Board of Adjustment and shall be accompanied by the findings of a review of the environmental effects of such a proposed use upon the wetland in question.

e. Special Provision:

(1) No wetlands may be used to satisfy minimum lot size requirements except in the Rural/Agriculture District where wetlands may be used to satisfy up to two (2) acres of the lot size requirement. In any district, wetlands may be used to satisfy all but fifty (50') feet, plus the width required for driveway access, of the frontage requirement.

(2) No new septic tank or leach field may be closer than seventy-five (75') feet to any wetland. Exceptions, granted by the Code Enforcement Officer, may be made to repair or enlarge existing systems.

(3) No construction or ground disturbance shall occur within twenty-five (25') feet of the wetland areas defined in this article, except for those items listed in Section D of this Article. This twenty-five (25') foot buffer zone shall be parallel to and surveyed from the edge of the wetland on a horizontal plane; for the purpose of protection the buffer zone shall be subject to the same regulations that apply to the filling and uses of wetlands.