

**Proposal to Amend  
Madbury Zoning Ordinance  
Article V-B, Home Occupations**

17 Jan 19

**Proposed Amendment Will Appear On The March 12, 2019 Ballot As:**

“Amendment 1: Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Town Zoning Ordinances to revise Article V-B to clarify Home Occupation requirements?”

**Proposed Changes:** Additions to current ordinance are in blue italics and deletions are in red strikethrough.

1. **Zoning Article V-B, Section 1:** Change clarifies what constitutes a Home Occupation and who can conduct a Home Occupation.

**Proposed Change Reads:**

*A.* The purpose of this Article is to foster economic self-sufficiency. The Town of Madbury recognizes that modern telecommunications permit home-based businesses that have minimal impact on neighboring properties and on the character of the town. Furthermore, the Town recognizes the desirability of small scale, home-based businesses and professions that are consistent with the Madbury Master Plan.

*B. A Home Occupation is a recurring business activity conducted by an individual on the property at which he or she resides that is incidental and subordinate to the residential use of the premises.*

2. **Zoning Article V-B, Section 2, First Paragraph:** Change clarifies who can participate in a Level I Home Occupation.

**Proposed Change Reads:**

There shall be two levels of Home Occupations allowed in the Residential and Agricultural District. Level I Home Occupations shall have no ~~employees not living~~ *persons working in the business who do not reside* within the household, shall generate no additional vehicular traffic volume, and shall adhere strictly to guidelines concerning traffic safety, nuisance, septic discharge, pollution, hazardous materials, and storm water runoff as described in section 8. G through L of this Article. There shall be no visible exterior evidence of Level I Home Occupations.

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Madbury Zoning Ordinance  
Article V-B, Home Occupations**

17 Jan 19

3. **Zoning Article V-B, Section 2, Para B:** Change clarifies Level II Home Occupation performance standards by deleting an inadvertent incorrect entry.

**Proposed Change Reads:**

B. All other Home Occupations shall be defined as Level II and shall require a Conditional Use Permit issued by the Madbury Planning Board, using Performance Standards as described in Section 8. ~~G through L of this Article.~~

4. **Zoning Article V-B, Section 4:** Change clarifies provisions for safety reviews of Home Occupations.

**Proposed Change Reads:**

**Section 4. Deleted Safety Review**

*The Planning Board may require a safety review of proposed Home Occupations and associated facilities by the Fire Department, Police Department, Building Inspector, or other professionals as the board deems appropriate.*

**Additional Information:**

This amendment was approved for submission to the voters by the Planning Board during a Public Hearing on December 19, 2018.

Information from the Public Hearing is available at the Planning Board web site under the "2018-12-19" link at: [http://www.madburynh.org/MadPlan/show\\_meetings.php](http://www.madburynh.org/MadPlan/show_meetings.php).

Current Zoning Ordinances are available at Town Hall or on the Planning Board web site at: [http://www.madburynh.org/Madbury/docs/Booklet\\_2017/pdfs/Part\\_4\\_Zoning\\_Ordinances\\_2017.pdf](http://www.madburynh.org/Madbury/docs/Booklet_2017/pdfs/Part_4_Zoning_Ordinances_2017.pdf)

**Proposal to Amend  
Madbury Zoning Ordinance  
Article III, Definitions**  
17 Jan 19

**Proposed Amendment Will Appear On The March 12, 2019 Ballot As:**

“Amendment 2: Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Town Zoning Ordinances to revise Article III to update the definition of a Two-Family Home?”

**Proposed Change:** Additions to current ordinance are in blue italics and deletions are in red strikethrough.

**1. Zoning Ordinances, Article III:** Change updates location requirements for common walls in two-family homes.

**Proposed Change Reads:**

C. **Two-Family Dwelling:** A building containing, on a single lot, two Dwelling Units, each of which is totally separated from the other by a common shared wall extending from the lowest ground level to the highest roof level ~~of the living portion of both units~~, or a ceiling and floor extending from exterior wall to exterior wall except for a common stairwell, if necessary.

**Additional Information:**

This amendment was approved for submission to the voters by the Planning Board during a Public Hearing on December 19, 2018.

Information from the Public Hearing is available at the Planning Board web site under the “2018-12-19” link at: [http://www.madburynh.org/MadPlan/show\\_meetings.php](http://www.madburynh.org/MadPlan/show_meetings.php).

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**Proposal to Amend Madbury  
Zoning Ordinances, Article IX-A  
Wellhead and Aquifer Overlay District**

17Jan 19

**Proposed Amendment Will Appear On The March 12, 2019 Ballot As:**

“Amendment 3: Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the Town Zoning Ordinances to revise Article IX-A to clarify when Conditional Use Permits and stormwater management plans are required in the Wellhead and Aquifer Overlay District.?”

**Proposed Changes:** Additions to current ordinance are in blue italics and deletions are in red strikethrough.

**1. Zoning, Article IX-A, Section 5, Para C.1.b:** Change clarifies when Conditional Use Permits are required for uses within the Wellhead and Aquifer Overlay District.

**Proposed Change Reads:**

b. Any use that will render impervious more than 15 percent *of any lot that is 0.38 acres or larger* or 2,500 square feet of any lot ~~whichever is greater~~ *that is less than 0.38 acres.*

**2. Zoning, Art IX-A, Sec 7, Para B:** Change clarifies when stormwater management plans are required for uses within the Wellhead and Aquifer Overlay District.

**Proposed Change Reads:**

B. For any use that will render impervious more than 15 percent *of any lot that is 0.38 acres or larger* or more than 2,500 square feet of any lot *smaller than 0.38 acres,* a stormwater management plan shall be prepared. The stormwater management plan shall comply with New Hampshire Stormwater Manual Volumes 1-3, December 2008 (or as amended), NH Department of Environmental Services. Such plan shall address control of parking lot pollutants including but not limited to petroleum product residue.

**Additional Information:**

This amendment was approved for submission to the voters by the Planning Board during a Public Hearing on December 19, 2018.

Information from the Public Hearing is available at the Planning Board web site under the “2018-12-19” link at: [http://www.madburynh.org/MadPlan/show\\_meetings.php](http://www.madburynh.org/MadPlan/show_meetings.php).

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