

Official Ballot – Zoning & Building Amendments
Town Meeting Chesterfield, NH
March 12, 2024

SAMPLE

Zoning & Building Amendments – Town of Chesterfield

Zoning Ordinance Amendment – Town of Chesterfield

1. Are you in favor of adoption of Amendment #1 as proposed by the Planning Board and Watershed Committee for the Town Zoning Ordinances, as follows:

PROPOSED NEW DEFINITION:

PERVIOUS PAVING: Engineered systems for patios, driveways, parking, and other similar structures that retain and infiltrate water better than or equal to the site's undisturbed soil. The most commonly used types of pervious pavement are: pervious concrete, porous asphalt, and permeable interlocking concrete pavers which are specifically designed, installed and maintained to effectively absorb and infiltrate water. Pervious paving also applies to permeable paving.

CURRENT DEFINITION:

IMPERMEABLE COVERAGE: All that horizontal area of a lot, parcel or tract due to manmade alterations to the natural surface of the land, including structures, parking lot and driveway areas or other development. All area beneath a structure is impervious. All portions of any ground mounted solar panels other than the portion in direct contact with the ground are considered permeable. All portions of underground waste disposal systems, along with necessary access covers, vents and risers for pump out and inspection are considered permeable.

PROPOSED DEFINITION:

IMPERMEABLE COVERAGE: All the horizontal area of a lot, parcel or tract, that due to construction of structures is impermeable. Manmade alterations to the natural surface of the land which prevent or impede the infiltration of water runoff into the soil as it entered in the natural condition prior to development are impermeable. Common impermeable areas include, but are not limited to, rooftops, sidewalks, walkways, patios, decks, driveways, parking lots, storage areas, compacted gravel and soil surfaces, swimming pools and permanently installed solid awnings and other fabric or plastic coverings.

1. All portions of any ground mounted solar panels other than the portion in direct contact with the ground are considered permeable for purposes of lot coverage calculation.
2. All portions of underground waste disposal systems, along with any necessary access covers, vents, and risers for pump out and inspection are considered permeable for purposes of lot coverage calculation.
3. Runoff control systems required and approved by the Planning Board to direct or infiltrate water, such as rain gardens, swales, detention/retention ponds, level spreaders, culverts, and similar are considered permeable, for the purpose of lot coverage calculations.

Current:

203.4 C: Coverage: building coverage shall not exceed ten percent (10%) of the area of a lot. Total impermeable coverage (including building coverage) shall not exceed twenty percent (20%) of the area of the lot.

Proposed:

203.4 C:

1. Coverage: building coverage shall not exceed ten percent (10%) of the area of a lot.
2. Total impermeable coverage (including building coverage) shall not exceed twenty percent (20%) of the area of the lot.
3. Total lot coverage, which includes building coverage, impermeable coverage, and Pervious Paving, shall not exceed twenty five percent (25%) of the area of the lot. Use of Pervious Paving is required

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for total lot coverage between twenty (20%) and twenty-five percent (25%). All area beyond twenty percent (20%) must be Pervious Paving.

- a. A Pervious Paving system design shall meet the University of New Hampshire (UNH) Stormwater Management Standards (SMC) and must be designed by an individual with UNH Stormwater Management Certification (or equivalent / better).
- b. The Pervious Paving plan / building permit application shall include:
 - i. The design approved and signed by the SMC holder which shows how the plan improves the overall lot infiltration and reduces runoff leaving the property.
 - ii. A maintenance plan that ensures continued performance.
- c. Code Enforcement may designate an SMC holder at the owner's expense for permit inspection if needed.

Current:

204.4 C: Coverage: building coverage shall not exceed ten percent (10%) of the area of a lot. Total impermeable coverage (including building coverage) shall not exceed twenty percent (20%) of the area of the lot.

Proposed:

204.4 C:

1. Coverage: building coverage shall not exceed ten percent (10%) of the area of a lot.
2. Total impermeable coverage (including building coverage) shall not exceed twenty percent (20%) of the area of the lot.
3. Total lot coverage, which includes building coverage, impermeable coverage, and Pervious Paving, shall not exceed twenty five percent (25%) of the area of the lot. Use of Pervious Paving is required for total lot coverage between twenty (20%) and twenty-five percent (25%). All area beyond twenty percent (20%) must be Pervious Paving.
 - a. A Pervious Paving system design shall meet the University of New Hampshire (UNH) Stormwater Management Standards (SMC) and must be designed by an individual with UNH Stormwater Management Certification (or equivalent / better).
 - b. The Pervious Paving plan / building permit application shall include:
 - i. The design approved and signed by the SMC holder which shows how the plan improves the overall lot infiltration and reduces runoff leaving the property.
 - ii. A maintenance plan that ensures continued performance.
 - c. Code Enforcement may designate an SMC holder at the owner's expense for permit inspection if needed.

Current:

205.4 C: Coverage: Building coverage shall not exceed ten percent (10%) of the area of a lot. Total impermeable coverage (including building coverage) shall not exceed twenty percent (20%) of the area of the lot.

Proposed:

205.4 C:

1. Coverage: building coverage shall not exceed ten percent (10%) of the area of a lot.
2. Total impermeable coverage (including building coverage) shall not exceed twenty percent (20%) of the area of the lot.
3. Total lot coverage, which includes building coverage, impermeable coverage, and Pervious Paving, shall not exceed twenty five percent (25%) of the area of the lot. Use of Pervious Paving is required for total lot coverage between twenty (20%) and twenty-five percent (25%). All area beyond twenty percent (20%) must be Pervious Paving.

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- a. A Pervious Paving system design shall meet the University of New Hampshire (UNH) Stormwater Management Standards (SMC) and must be designed by an individual with UNH Stormwater Management Certification (or equivalent / better).
- b. The Pervious Paving plan / building permit application shall include:
 - i. The design approved and signed by the SMC holder which shows how the plan improves the overall lot infiltration and reduces runoff leaving the property.
 - ii. A maintenance plan that ensures continued performance.
- c. Code Enforcement may designate an SMC holder at the owner's expense for permit inspection if needed.

Approved and recommended by unanimous vote of the Chesterfield Planning Board

YES

NO

Building Ordinance Amendment - Town of Chesterfield

2. Are you in favor of adoption of Amendment #2 as proposed by the Planning Board and Watershed Committee for the Town Building Ordinance, as follows:

Current:

16.03 DRIVEWAY PERMITS - Any new drive from a town public road shall require a driveway permit from the town Public Works Director. Factors to be considered include a safe location, suitable grade at its junction with the public road, and adequate drainage. The Building Inspector shall not issue a building permit before the securing of a driveway permit if a new driveway is required.

Proposed:

16.03 DRIVEWAY PERMITS

A: Any new drive from a public road or private road shall require a driveway permit from the town Highway Department Director and approved by Code Enforcement showing how it meets minimum town requirements. Factors to be considered include a safe location, suitable grade at its junction with the road, and adequate drainage provided to support any additional flows from the driveway.

B: The Building Inspector shall not issue a building permit before approving a driveway permit which meets town requirements if a new driveway is required.

C: Modifications to driveways that increase storm water runoff require preapproval by the Highway Department Director and Code Enforcement and the receipt of a revised driveway permit. The modification must ensure continued adequate drainage in the Public Road drainage system and adequate drainage provided to support any additional water flows from the driveway.

Approved and recommended by unanimous vote of the Chesterfield Planning Board

YES

NO

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Town Building Ordinance Amendment – Town of Chesterfield

3. Are you in favor of adoption of Amendment #3 as proposed by the Planning Board for the Town Building Ordinances, as follows:

Remove the requirement in Building Code 13.03 that Residential structures with a roof pitch equal to or less than 3-12 shall be by Zoning Board of Adjustment special exception only.*

*For complete text and images of Building Code 13.03 please see the Town Moderator for assistance.

Approved and recommended by unanimous vote of the Chesterfield Planning Board

YES

NO

Town Building Ordinance Amendment – Town of Chesterfield

4. Are you in favor of adoption of Amendment #4 as proposed by the Planning Board for the Town Building Ordinance, as follows:

Current:

15.04 COMMENCEMENT WITHOUT BUILDING PERMIT - It shall be unlawful for any person to commence work on construction, prefabrication, modification, alteration, expansion, or repair of any building or structure until a building permit has been issued for such construction, prefabrication, modification, alteration or repair by the Building Inspector. Chimney modifications require prior consultation with the Building Inspector and may require a permit. It is the property owner's responsibility to ensure that any work, including the exceptions listed below, is in compliance with all Town codes;

Exceptions

1. Repairs, except for chimneys, where the total cost of materials or the total cost of labor is less than \$2,500.00.
2. Reroofing and/or Residing - One (1) and two (2) family dwellings or accessory building;
3. A Detached one story accessory structure not over 200 sq. ft. in floor area.

Proposed:

15.04 COMMENCEMENT WITHOUT BUILDING PERMIT - It shall be unlawful for any person to commence work on construction, prefabrication, modification, alteration, expansion, or repair of any building or structure until a building permit has been issued for such construction, prefabrication, modification, alteration, or repair by the Building Inspector. Chimney modifications require prior consultation with the Building Inspector and may require a permit. It is the property owner's responsibility to ensure that any work, including the exceptions listed below, is in compliance with all Town codes;

Exceptions

1. Work exempt from permit as listed in the NH State Building Code. Refer to the International Residential Code (IRC) Section R105.2 or the International Building Code (IBC) Section 105.2.
2. Reroofing and/or Residing - One (1) and two (2) family dwellings or accessory building.
3. A Detached one-story accessory structure not over 200 sq. ft. in floor area.

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4.Repairs, except for chimneys, as specified in the IRC Section R105.2.2.

Approved and recommended by unanimous vote of the Chesterfield Planning Board

YES NO

Building Ordinance Amendment – Town of Chesterfield

5. Are you in favor of adoption of Amendment #5 as proposed by the Planning Board and Watershed Committee for the Town Building Ordinance, as follows:

Current:

(13.08 Floodplain Development Regulations-see pages 29-31)

Proposed:

13.08 SURFACE WATER MANAGEMENT

1. **Adjacent Properties and Protected Water Bodies:** Surface water resulting from residential construction shall not cause increased flooding or unreasonable deposits of storm water runoff or sediment onto adjacent properties, protected water bodies, or properties further downstream in the drainage basin.
2. **Surface Water Drainage:** The Building Inspector may require a surface storm water drainage plan as part of a permit for a residential construction site. This plan must be prepared by an individual with UNH Stormwater Management Certification (or equivalent). The building inspector may require the plan to be reviewed by the Town Engineer at the applicant’s expense. If the applicant wants to contest this requirement, the applicant may petition the Zoning Board for a decision.

Situations that may be considered in deciding if a stormwater drainage plan is required are:

- A. Increased storm runoff might cause flows in downstream bridges, culverts, Town storm drain system, or drainage facilities to exceed capacity.
- B. Installing or upgrading a driveway that has a significant slope and/or may channel water.
- C. Changing surface drainage properties such that the water velocity is increased over certain areas. For example, replacing local vegetation with a lawn over an area with a high incline.
- D. Changing surface drainage paths such that more water is concentrated toward one section of the property resulting in a larger amount of water in that localized area.
- E. Surface water runoff carried into existing watercourses or drainage ways, whether or not there are intervening storm drainage systems, might degrade surface water quality.

Approved and recommended by majority vote of the Chesterfield Planning Board

YES NO