



## **Chapter 150**

### **ZONING ORDINANCE**

**[HISTORY: Adopted by the Town Meeting of the Town of Sandwich 3-11-1969, as last amended 3-12-2002. Subsequent amendments noted where applicable.]**

#### **ARTICLE I General Provisions**

##### **§ 150-1. Authority.**

Pursuant to the authority vested in the voters of Sandwich by provisions of Section 674:16, New Hampshire Revised Statutes Annotated (RSA), 1983 Recodification, the Town of Sandwich adopts by ballot on March 12, 1996, the following Zoning and Land Use Regulations for the Town of Sandwich.

##### **§ 150-2. Title.**

This ordinance shall be known and cited as the "Zoning Ordinance of the Town of Sandwich, NH," and it includes the following previously enacted ordinances and regulations: Zoning Ordinance, Districting Ordinance, Wetlands Conservation District Ordinance, Steep Slopes Regulations and the Building Code Ordinance.

##### **§ 150-3. Applicability; when effective.**

This ordinance shall pertain to all land within the boundaries of the Town of Sandwich and shall be in effect from the time of adoption by the voters of Sandwich.

##### **§ 150-4. Purpose.**

It is the purpose of this ordinance to establish regulations for the Town of Sandwich, as designated by RSA 674:17:

- A. To lessen congestion in the streets;
- B. To secure safety from fires, panic and other dangers;
- C. To promote health and the general welfare;
- D. To provide adequate light and air;
- E. To prevent the overcrowding of land;
- F. To avoid undue concentration of population;
- G. To facilitate the adequate provision of transportation, solid waste facilities, water, sewerage, schools, parks, child day care;

- 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.