

6. RESIDENTIAL ZONE

6.0. **PURPOSE:** To maintain the integrity of existing and future medium density developed parts of the town.

6.1. **TRACT I** - Beginning at a point bordering Epping/Raymond townline and Ham Road, thence traveling southerly along the centerline on Ham Road to a point bordering Pleasant Street, thence turning and easterly along the centerline on Pleasant Street, including Lot 208 on Map 27, to the centerline of the Lamprey River, thence turning and traveling northerly along the centerline of the Lamprey River to the centerline of the road known as Folsom Lane north of the Lamprey River and traveling north along the centerline to the centerline of Blake Road thence turning northerly along the centerline of Blake Road to the intersection of Prescott Road and thence turning easterly along the centerline of Prescott Road to a point bordering twelve hundred and fifty (1,250) feet westerly of the centerline on Main Street, thence turning and traveling southerly to a point two hundred (200) feet from the centerline on Prescott Road, thence turning and traveling easterly parallel to and two hundred (200) feet from the centerline on Prescott Road to a point bordering two hundred (200) feet southerly of the centerline on Prescott Lane, thence turning and traveling southeasterly parallel to and two hundred (200) feet from the centerline on Prescott Lane to a point two hundred (200) feet westerly of the centerline on Main Street, thence turning and traveling southerly parallel to and two hundred (200) feet from the centerline on Main Street to a point two hundred (200) feet westerly of the centerline on Main Street and two hundred (200) feet northerly of the centerline on Pleasant Street, thence turning and traveling westerly parallel to and two hundred (200) feet from the centerline on Pleasant Street for **two thousand-two hundred-and-fifty (2,250) feet** thence turning and traveling southerly along a line perpendicular to the centerline on Pleasant Street for **four hundred (400) feet** thence turning and traveling easterly parallel to and two hundred (200) feet from the centerline on Pleasant Street to a point two hundred (200) feet westerly from the centerline on Main Street, thence turning and traveling southerly parallel to and two hundred (200) feet from the centerline on Main Street to a point two hundred (200) feet from the centerline on St. Laurent Street, thence turning and traveling southwesterly parallel to and two hundred (200) feet from the centerline on St. Laurent Street to a point bordering two hundred (200) feet westerly of the centerline of Railroad Avenue, thence turning and traveling easterly to a point bordering Railroad Avenue and St. Laurent Street, thence turning and traveling northeasterly along the centerline of Railroad Avenue to a point along the northeasterly border of Lot 299 on Map 27 thence turning and traveling east and south along the said lot so as to include this lot to the centerline on the Boston & Maine Railroad (Portsmouth Branch) Right-of-Way to a point bordering Boston & Maine Railroad (Fremont Branch) Right-of-Way, thence turning and traveling southwesterly along the centerline on the Boston & Maine Railroad (Fremont Branch) Right-of-Way to a point bordering Route 101 (East-West Highway), thence turning and traveling westerly along the centerline on Route 101 (East-West Highway) to a point bordering Beede Hill Road, thence turning and traveling southerly along the centerline on Beede Hill Road to a point bordering Epping/Fremont/Raymond town lines, thence turning and traveling westerly along the Epping/Fremont/Raymond town lines to a point bordering Epping/Raymond/Nottingham town lines, thence turning and traveling northerly along the Epping/Raymond/Nottingham town lines to a point at the beginning. (Amended Town Meeting – March 2006).

TRACT II: Beginning at a point twelve hundred (1,200) feet easterly of the centerline on Route 125 (Calef Highway) and fifteen hundred (1,500) feet northeasterly of the centerline of Route 27, thence traveling northerly parallel to and twelve hundred (1,200) feet from the centerline on Route 125 (Calef Highway) to a point bordering Route 87 (Campground Road), thence turning and traveling easterly along the centerline on Route 87 (Campground Road) to a point bordering the Epping/Newmarket/Newfields town lines, thence turning and traveling southerly along the Epping/Newmarket/Newfields town lines to a point bordering the Boston & Maine Railroad (Portsmouth Branch) Right-of-Way, thence turning and traveling westerly along the centerline on the Boston & Maine Railroad (Portsmouth Branch) Right-of-Way, to a point fifteen hundred (1,500) feet easterly of the centerline of Route 27, near Mast Road, and traveling parallel to Route 27 a distance of fifteen hundred (1,500) feet from the centerline thereof back to a point at the beginning. (Amended Epping Town Meeting 2007).

6.2. **LOT DIMENSIONS AND SETBACK REQUIREMENTS:**

Minimum Lot Size	60,000 square feet. (Adopted 3/10/98)
Minimum Front Setback	25 feet.

Minimum Rear Setback	20 feet
Minimum Side Setback	25 feet.
Minimum Frontage	200 feet.
Maximum Building Height	35 feet.
Maximum Lot Coverage	30%

Multi-Family Lot Dimensions and Setback Requirements are set forth in the Multi-Family Use Regulations.

6.3. **PERMITTED USES:**

1. ~~Excavation of Sand, Gravel and Stone.~~ (removed 3/02)
2. Single Family Detached Dwellings (including pre-site built housing and manufactured housing).
3. Churches.
4. Duplex Housing.
5. Municipal Buildings.
6. Essential Services.
7. Day Care Facilities.
8. Outdoor Recreation.
9. Kennels.
10. Health Care Facilities.
11. Farms, farm uses and customary farm occupations.
12. Golf Courses, Tennis Clubs and Public Swimming Pools.

6.4. **PERMITTED ACCESSORY USES:**

1. Bed & Breakfast.
2. Accessory dwelling units (“In-Law” apartments).
3. Home Occupation.
4. Expanded home occupation (**ROUTE 27 ONLY**).
5. Farm buildings for storage, products or equipment.
6. Roadside stands in connection with display and sale of farm products.

6.5. **SPECIAL EXCEPTIONS:**

1. Private Schools.
2. Multi-Family Housing.
3. Expansion of non-conforming structures.
2. Dual Use (Adopted 3/12/96).

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| 6.6 | <u>CRITERIA FOR SPECIAL EXCEPTIONS</u> | — | see Article 13 |
| 6.7 | <u>NON-CONFORMING USES</u> | — | see Article 6 |
| 6.8 | <u>MANUFACTURED HOUSING USE REGULATIONS</u> | — | see Article 6 |
| 6.9 | <u>MULTI-FAMILY HOUSING USE REGULATIONS</u> | — | see Article 6 |
| 6.10 | <u>DUPLEX HOUSING USE REGULATIONS</u> | -- | see Article 6 |

6.11. **SUPPLEMENTARY USE REGULATIONS:** (adopted 3/9/99)

Conditional Use Permit for Excavation of Sand, Gravel, and Stone-- Pursuant to 674:21, the Planning Board is hereby authorized to grant a Conditional Use Permit to allow for excavation in accordance with the restrictions and requirements of this section. The purpose of this section is to

permit excavation in the Residential Zone in circumstances where impacts to existing and proposed residential development and uses are minimized. No excavation shall occur without the required permit.

Approvals—The Planning Board may only approve an application for a Conditional Use Permit after consideration of the criteria of this section. The Planning Board may require additional measurers from any applicant notwithstanding any other town ordinance or regulation to address adverse impacts. These

measurers may be in excess of regulations and ordinances and may be conditions of approval.

Criteria for approval—Each of the following criteria must be addressed or mitigated to the satisfaction of the Planning Board prior to the granting of a Conditional Use Permit.

- Granting the permit will not adversely affect abutting property owners or uses.
- Adequate buffers of sufficient opacity shall protect from visual impacts.
- Hours of operation shall be set that take into account the residential character of the surrounding neighborhood.
- The time-frame for completion of the operation shall be minimized to protect from long term negative impacts.
- Traffic routes for trucking shall not interfere with regular residential traffic and character.
- Setbacks from neighboring property lines or structures shall be sufficient to minimize adverse impacts.
- There shall be no discharge of airborne particles onto neighboring parcels.
- There shall be no negative impact to water resources for the neighboring parcels.
- There will be no diminution of neighboring property values than would be created under any other use permitted in the zone.
- The Planning Board may reasonably consider any other impact created as part of granting the permit that may be related to the unique character of the land and the surrounding community.

Any Conditional Use Permit shall expire if: (1) the use is not in place within one year of the date of issuance of such permit: or, (2) if the use is discontinued for any reason for more than two (2) years. In such cases, a new permit must be acquired.

Land Located in Two (2) Zones (Rev. 3/00)— If a lot of record, in existence prior to the adoption of this Ordinance, is located in two (2) zones the owner, at a Board of Adjustment hearing, may declare which zone he/she wants to be in provided the following conditions are satisfied:

- a) The more restrictive zoning district's dimensional requirements for setbacks, frontage and lot size shall apply to the entire parcel.
- b) In the event of a subdivision the requirements under subsection (a) above shall be met for each newly created lot.

Once this declaration has been made the property maintains that status permanently. No reversal of the decision will be allowed.

Permissible Structure - Only one (1) principal structure shall be allowed on a single lot.

6.12 **EXPANDED HOME OCCUPATION USE REGULATIONS:** -- see Article 6