

PROPOSED CHANGE

ARTICLE VIII

BOARD OF ADJUSTMENT

SECTION A. BOARD OF ADJUSTMENT. A five-person Board of Adjustment and three alternates shall be appointed by the Selectmen as provided by RSA 673:3. Upon application, the Board of Adjustment shall have the powers set forth in RSA 674:33, including the power to:

1. Review and decide on alleged error in administrative finding, or;
2. After review and in adherence to all specific criteria in this Ordinance, the Board of Adjustment may grant a Special Exception, provided that:
 - a. The site is suitable for the proposed use, structure or development; that the specific site is an appropriate location for the proposed use, structure or development. This includes:
 - i. Adequate usable space
 - ii. Adequate access
 - iii. Absence of environmental constraints (floodplain, shoreland, wetlands, steep slope, etc.)
 - b. The proposed use, structure or development is appropriate to the site. Consideration shall include:
 - i. Parking scheme
 - ii. Traffic circulation
 - iii. Open space
 - iv. Fencing/screening/landscaping
 - v. Lighting impact
 - c. The proposed use, structure or development will not have a negative impact on the immediate neighborhood:
 - i. The proposed use, structure or development is architecturally compatible with the surrounding residential district.
 - ii. The proposed use, structure or development will not disturb the tranquility of the district.
 - iii. The proposed use, structure or development will not be incompatible with, or undesirable in relation to existing uses in the area.
 - iv. The proposed use, structure or development will not be detrimental, injurious, obnoxious or offensive to abutting properties in particular and to the neighborhood in general. Typical negative impacts which extend beyond the proposed site include:
 - (A) Noise or vibration
 - (B) Dust, glare or heat
 - (C) Smoke, fumes, gas, or odors

(D) Decrease in Valuation

- v. Lighting and noise level of the proposed use, structure or development will be of such design as not to disturb the tranquility of the district.
- d. Traffic access to and from the proposed use, structure or development will not alter the character of the district; there will be no:
 - i. Excessive trip generation; or
 - ii. Undue nuisance or serious hazard or vehicular traffic, including the location and design of accessways and off-street parking.
- e. The proposed use, structure or development will be well suited to the availability of public services and facilities; and the following services and facilities are available and adequate to serve the needs of the proposed use, structure or development as designed and proposed:
 - i. Fire protection
 - ii. Streets
 - iii. Parks
 - iv. Schools
- f. That the proposed use or development is consistent with the spirit and intent of the Master Plan.