

Randolph Planning Board  
Zoning Amendments for Public Hearing January 5, 2023 at 7 p.m.

**Proposed Amendment No. 1**

Would amend Article IV Permitted Uses by adding language to clarify that any use not specifically listed in the Zoning Ordinance is prohibited.

Specifically, add the following underlined language onto Section 4.01:

**4.01.** Every use now being made of land, structures, or buildings in the Town of Randolph, on the effective date of this Ordinance, may be continued and such use is not affected by this Ordinance. **With the exception of these lawfully pre-existing nonconforming uses or those granted a Special Exception pursuant to Section 4.10, any use not listed as Permitted or allowed by Special Exception, Conditional Use Permit or Special Use Permit in this Ordinance is prohibited.**

**Proposed Amendment No. 2**

In order to comply with the new state law (RSA 674:75) that prohibits restricting the use of land or structures for primarily religious purposes, would amend Article IV by moving “Church, parish house, or other religious use” from the list of uses that require a Special Exception from the Board of Adjustment to the list of uses that are allowed by right.

Specifically, move “L. Church, parish house, or other religious use” from Section 4.03 to become “3. Church, parish house, or other religious use” in Section 4.02.B., the list of Group Facility uses permitted by right, and renumber the lists in each section accordingly.

**Proposed Amendment No. 3**

Would amend Article III by adding a Definition for “kennel,” a use currently allowed with a Special Exception from the Board of Adjustment, to mean keeping more than 5 dogs or 8 other small domestic companion animals over six months in age for any purpose. Would also amend Article IV by adding some special exception criteria specific to kennels regarding noise, waste management and food storage.

Specifically, add the following to Article III. Definitions:

**KENNEL. The use of a property to keep more than 5 dogs or 8 other small domestic companion animals over six months in age, for any purpose.**

Add the following underlined language onto Section 4.04:

**4.04.** A Special Exception will be allowed if the following conditions are met:

- A. The specific site is an appropriate location for such a use.
- B. Property values in the district will not be reduced by such a use.
- C. The proposed use will be compatible with the character of the area, and will not adversely affect the surrounding property, the neighborhood, or the town, including,

but not limited to, consideration of noise, air quality, noxious odors, vibration, traffic, lighting, glare, hours of operation, amount of impervious surface, or building mass.

- D. No nuisance or unreasonable hazard shall result to vehicles, pedestrians or the environment, including, but not limited to, traffic, air quality, or surface or groundwater quality through increased stormwater runoff or the use of toxic or hazardous substances.
- E. Adequate and appropriate facilities, including parking spaces according to parking guidelines on file in the Town office, will be provided for the proper operation and *maintenance of the proposed use.*

**F. In addition, the applicant for a Special Exception for a Kennel shall also demonstrate the following:**

**1. Noise will be adequately mitigated whether through distance to abutting property, the provision of indoor facilities, or the use of vegetation or fencing documented to mitigate the noise levels that can reasonably be expected.**

**2. Adequate provisions will be provided for safe waste management and disposal.**

**3. Stored food will be kept in a location secure from rodents and bears.**

#### **Proposed Amendment No. 4**

Would amend Article IV to require the operation of a group of seasonal rentals to have a Special Exception from the Board of Adjustment like other tourist accommodations and lodging units. Would also add Definitions to Article III for “Seasonal” and “Transient.”

Specifically, add the following underlined language to 4.03.A. Hotels, motels, tourist accommodations, and/or lodging units. **Includes multiple dwelling units, cottages, camps or cabins operated under a single management entity or rental service and offered for transient or seasonal use.**

Add the following two new definitions to Article III:

**SEASONAL. Occupied for no more than 180 days per calendar year; not for use as a principal residence.**

**TRANSIENT. Describes the occupants or occupancy of a room or number of rooms in increments of less than 30 days; not as a place of principal residence.**