

2012 Final Zoning Ballot Questions
Planning Board approved on January 11, 2012

(Article 1 will be the voting in of elected officers)

- 2) Are you in favor of amending Chapter 133, Zoning Regulations, Article VIII Commercial District Regulations, Section 133- 29 Commercial Uses in CH Heavy Commercial District, by deleting all residential uses as Permitted uses in the District and delete those allowed by Special Exception (thereby prohibiting the establishment of new residential uses in the CH District), thereby prohibiting the following: single and two-family dwellings, home rental of up to 2 apartments, manufactured housing, home rental of 3 or more apartments and manufactured housing parks. As well as amending Article XX, Manufactured Housing Parks, section 133-82 Permitted Uses, paragraph A, by deleting manufactured housing parks in the CH Heavy Commercial District as a use allowed by special exception.

In order to reduce potential conflicts (noise, traffic) that can arise between incompatible land uses, most notable residential and non-residential uses, the Planning Board is proposing prohibiting residential uses from this commercial/industrial area. This eastern section of Old Concord Road is key to expanding the communities tax base, providing an area for job growth and tax revenue. Its location and limited access provides a unique opportunity to locate active commercial and industrial users in a district segregated from most of the community.

- 3) Are you in favor of amending Chapter 133, Zoning Regulations, Article VIII Commercial District Regulations, Section 133- 28 Regulations for all commercial districts, G, by amending it as follows: ~~No e~~Commercial retail buildings, as defined as any building for commercial retail use, with a building footprint greater than 35,000 square feet ~~will be allowed within any of the zoning districts in the Town of Henniker. shall be prohibited from all zoning districts, except for the CH Heavy Commercial District.~~

At this time, no commercial buildings larger than 35,000 square feet are allowed anywhere in the community. Given the location of the CH Heavy Commercial District, (eastern portion of Old Concord Road), the Planning Board believes that this area of the community is well suited for commercial growth, with excellent access and vacant land. In addition, it will provide opportunities to expand the tax base, which is greatly needed.

- 4) Are you in favor of amending Chapter 133, Zoning Regulations, Article XXIX Historic District, by amending Section 133-162 District areas, Paragraph B, by adding the following properties to the Historic District Overlay Map: Lot 413 (The Grange), Lot 242-A & B (The Community Center & Community Park) and Lot 203 (Academy Hall). All properties are owned by the Town of Henniker.

At this time, the Historic District is limited to the area around Town Hall (Park across the street, Town Hall, ball fields and cemetery). This proposal will add four town owned properties to the District, affording them the same historic protections that now exist for the Town Hall. This amendment was initiated and supported by the Historic District Commission.

- 5) Are you in favor of amending Chapter 133, Zoning Regulations, Article XI, Signs, by amending the Ordinance in numerous places, with the goal to clarify and streamline the permitting process, along with other amendments that: 1) Remove the current requirements for sign permits for many types of signs, including temporary signs, window signs, flags and banners, while still maintaining existing size and lighting requirements. 2) Remove restrictions on when temporary signs can be displayed. 3) Remove requirements for sign setbacks, unless there is a safety issue. 4) Permit projecting signs. 5) Clarify that sign sizes exclude the sign framework. 6) Clarify that the Ordinance applies only to business type signs and not homeowner signs. 7) Allow for service organization signs (like Rotary or Farmer's Markets) which are not allowed under the current regulations. 8) Ensure that externally lighted signs may use energy saving compact fluorescent lights (which currently are not allowed) and that these signs will be designed to avoid excessive glare. And 9) Authorizes the Board of Selectmen to designate a town staff person to issue sign permits instead of requiring the approval of a sign permit at a Board meeting. (The full texts of proposed changes are available at the Town Hall – Planning Office.)

The existing sign ordinance contains language that can be very confusing and difficult to interpret. In addition, all sign permits now must be approved by the Board of Selectmen, which can cause delays in issuing permits. In order to address these issues and streamline the process, a number of changes are being proposed including clarifying wording, removing the need for permits in some cases and allowing town staff to issue permits.