

THE TOWN OF GROTON

PLANNING BOARD RESOLUTION

Whereas, RSA 674:23 permits the local legislative body to regulate and control the timing of development;

Whereas, RSA 674:23 permits towns to adopt ordinances imposing interim regulations upon development in unusual circumstances requiring prompt attention and for the developing a growth management process;

Whereas, the Planning Board has determined that the requirements of RSA 674:23-I exist;

Whereas, the Planning Board finds that:

1. The Town of Groton has no zoning or other growth management ordinance which would regulate the construction, placement, operation or removal of commercial development;
2. Improved access and communication to the Town now can encourage development of a kind and nature not previously anticipated in the Town;
3. There are unusual circumstances requiring prompt attention by the Town including the potential for large scale commercial development in the Town;
4. Unregulated large scale commercial development could adversely affect Town services, highways, public safety and resources;
5. The impacts of the installation, construction, operation and removal of a large scale commercial facility have neither been reviewed or assessed by any municipal body of the Town;
6. The Town has an interest in assuring that the public health and safety of its residents are not adversely affected by development within the Town;
7. The Master Plan sets includes provisions for the protection of the health, safety and well being of the community, as well as for the preservation of its rural and scenic character; and,
8. The opportunity for a limited duration for the town to consider the adoption of an ordinance governing the placement, erection, operation and removal of commercial development would be of benefit to the Town and result in minimal impact on any person wishing to undertake the construction of a commercial facility;
9. The Town desires to develop a growth management process as permitted by statute;

WHEREFORE, the Town of Groton Planning Board adopts the following resolution:

- A. That the Planning Board present an interim regulation to the Town for the purpose of developing a growth management process;
- B. That the proposed regulations be posted and that the appropriate public hearings be held as required by law;

C. That the Town vote on such proposed interim regulation.

D. That the form of an interim regulation be as follows:

Ordinance for the Regulation of Commercial Development

1. The Town of Groton shall be designated a Rural Residential Development District.
2. The purpose of this district shall be to provide rural and residential housing as well as agricultural and timber management.
3. All residential uses and all uses accessory to residential uses shall be permitted. Additionally, all uses associated with home use, such a home business, agriculture and the buildings and structures accessory to such uses shall be permitted.
4. All other uses, specifically commercial uses, industrial uses and primary uses of land which are primarily non-residential in nature shall require a special exception to be granted by the Town board of adjustment. In order to grant a special exception, the board must find that:
 - a. The use will not be detrimental to the character of the neighborhood;
 - b. The use will not be injurious, noxious or offensive to the neighborhood and no nuisance or unreasonable hazard will result;
 - c. The use will not be contrary to the public health, safety or welfare of the Town by reason of undue or adverse traffic impacts, undue risk to life or property, unsanitary, unhealthful, and will not create other adverse conditions;
 - d. The specific site is appropriate for the use and the location and size of the use and the nature and intensity of the operations involved will be in harmony with the orderly development of the neighborhood. There exists adequate water, sewer or septic service, access to the site and parking.
5. In granting a special exception, the board of adjustment may impose such conditions as are appropriate to assure compliance with these regulations.
6. These regulations shall not apply to any existing structure or use of land.
7. During the effective period of this Ordinance, no person shall undertake any commercial use or construct or cause to be constructed any structure, within the Town, except in compliance with this regulation.
8. A board of adjustment shall be appointed by the Selectmen or as otherwise required by law for the duration of the term of this ordinance.
9. This Ordinance shall be effective upon passage and shall remain in effect until one year days following passage or until 2007 town meeting if a growth management order is adopted.

Groton Planning Board
Original Signed by all five members of the Groton Planning Board
February 22, 2006