

**2023 AMENDMENTS
TO THE CORNISH ZONING ORDINANCE
PROPOSED BY THE CORNISH PLANNING BOARD
FOR PUBLIC HEARING JANUARY 19, 2023**

The amendments to the Cornish Zoning Ordinance proposed by the Town of Cornish Planning Board are outlined below. The additions are *bold and in italics*, and the deletions are ~~crossed-out~~.

Are you in favor of the adoption of Amendment No. 1 as proposed by the Planning Board for the Cornish Zoning Ordinance?

AMENDMENT NO. 1

The Planning Board's Amendment No. 1 amends the provisions for apartments as accessory dwelling units so that the ordinance shall not restrict the size of an apartment to less than 750 square feet. This amendment brings the ordinance into compliance with RSA 674:72. Amendment No. 1 also defines accessory dwelling unit and clarifies the definition of an apartment.

Specifically, Amendment No. 1 involves the following:

Revise Article II to read:

Accessory Dwelling Unit – A residential living unit that is either within or attached to a single-family dwelling, or an unattached, stand-alone building, that provides independent living facilities for one or more persons including provisions for sleeping, eating, cooking, and sanitation, and that is on the same lot of land as the principal dwelling unit it accompanies.

Apartment – As an accessory use, a single family accessory dwelling unit that ~~may be~~ is either a stand-alone building located on the same lot as the primary dwelling unit or ~~is within or attached to the same structure as~~ is within or attached to the primary dwelling unit on a lot. When apartments are grouped as a primary use in a multifamily dwelling, see Multi-family Conversion.

Revise Article IV.12 to read:

12. Apartments – Shall comply with the following:

- a) Either ***the*** primary residence or the apartment which is an accessory use to the primary residence must be owner-occupied.
- b) There shall be no more than one single-residence apartment per lot.
- c) The maximum square footage of the accessory apartment shall be proportional by a factor of 35% to the heated living space of the primary residence. ~~while maintaining a minimum square footage of 450 square feet~~ ***The provisions of this ordinance shall not restrict the maximum square footage of the accessory apartment to less than 750 square feet.***
- ~~d) When the square footage of the heated living space of the primary residence is 1,285–2,143 square feet or less, the maximum square footage of the accessory apartment shall be 450 square feet.~~

Are you in favor of the adoption of Amendment No. 2 as proposed by the Planning Board for the Cornish Zoning Ordinance?

AMENDMENT NO. 2

The Planning Board's Amendment No. 2 adds bonding and security insurance requirements to the performance requirements for commercial solar collection systems.

Specifically, Amendment No. 2 involves the following:

Revise Article VI-B.D to read:

11. Bonding and Security Insurance – The Zoning Board shall set the form and amount of security that represents the cost for removal and mandated disposal of abandoned commercial solar collection systems in the event that the facility is abandoned and the owner is incapable and unwilling to remove and legally dispose of the solar collection system in accordance with
12. Bonding and surety shall be consistent with the provision in the Subdivision Regulations. Furthermore, the Zoning Board shall require the submission of proof adequate insurance covering accident or damage and such insurance coverage shall remain in force until the commercial solar system has been removed and legally disposed of.

~~11.~~ ***12. Abandonment and Decommissioning*** – A solar collection system shall be deemed abandoned if operations have ***been*** discontinued for more than 6 months without written consent of the municipality. An abandoned system shall be removed ***and legally disposed of***, and the site restored, within 6 months of abandonment.

Are you in favor of the adoption of Amendment No. 3 as proposed by the Planning Board for the Cornish Zoning Ordinance?

AMENDMENT NO. 3

The Planning Board's Amendment No. 3 eliminates the provision of the ordinance which sets the zoning board application fees. Elimination of this provision will allow the zoning board to set application fees.

Specifically, Amendment No. 3 involves the following:

Delete Section H from Article X:

~~H. Fees – Each application for a special exception or a variance shall be accompanied by payment of a fee of twenty dollars (\$20.00). The ZBA may also impose reasonable fees to cover its administrative expenses and costs of special investigative studies, review of documents and other matters which may be required by particular application and appeals. Such fees may be imposed by the ZBA to cover fees and disbursements to consultants to the ZBA. Such fees shall be paid or provided for in advance to the satisfaction of the ZBA.~~