

**STATE OF NEW HAMPSHIRE
SITE EVALUATION COMMITTEE**

Docket No. 2015-06

**Joint Application of Northern Pass Transmission, LLC
and Public Service Company of New Hampshire
d/b/a Eversource Energy for a Certificate of Site and Facility**

**PREFILED DIRECT TESTIMONY OF NICHOLAS COATES ON BEHALF OF THE
TOWN OF BRISTOL**

November 15, 2016

1 **Background and Qualifications**

2 **Q. Please state your name.**

3 A. My name is Nicholas Coates.

4 **Q. Please describe your official capacity in the Town of Bristol?**

5 A. I am the Town Administrator of the Town of Bristol.

6 **Purpose of Testimony**

7 **Q. What is the purpose of this prefiled direct testimony?**

8 A. My testimony is being presented on behalf of the Town of Bristol and its various
9 boards and commissions. My testimony is for the following purposes: To bring before the SEC
10 the Town of Bristol's concerns regarding the proposed Northern Pass Project, which will be in
11 conflict with the Town's Zoning Ordinance and Master Plan.

12 It is anticipated that further testimony on additional issues such as natural resources, historic
13 sites, aesthetics and the public interest will be provided by the current deadline of December 30,
14 2016.

15 **Q. Would the Northern Pass Project be consistent with Bristol's master plan?**

16 A. No. The Project as proposed is not consistent with our latest Master Plan. See
17 Appendix A to my testimony, parts 1 through 8.

18 The Applicants have proposed to run 2.5 miles of overhead high voltage DC transmission line
19 through Bristol, crossing the Pemigewasset River and traveling through significant portions of
20 the Town. As proposed, the Project is not consistent with the Master Plan because it would

1 adversely impact the rural nature of the community, the Town's scenic viewsheds, and its
2 protected wetlands.

3 The Vision Statement of the Master Plan calls for, among other goals, safeguarding the rural
4 quality of the Town of Bristol; building to create enduring value and beauty; conserving and
5 showcasing the Town's natural assets; maintaining the economic viability of Bristol's
6 agricultural lands and forests; and maintaining the health of the natural systems that support life
7 in Bristol.

8 The Land Use section approaches future developments by taking into consideration the fact that
9 the "citizens of the town of Bristol continue to hold in high regard the protection of Bristol's
10 scenic beauty and natural resources."

11 The Conservation section specifically mentions protection of the Town's wetlands from
12 pollution, including the Pemigewasset River overlay district, and complying with the
13 recommendations of the Pemigewasset River Corridor Management Plan.

14 **Q. Would the Northern Pass Project be consistent with Bristol's Zoning**
15 **Ordinance?**

16 A. No. The Project would be inconsistent with several provisions of the Town's
17 zoning ordinance. See Appendix B to my testimony. As proposed, the Project would cause
18 adverse impacts to the Town's wetlands, result in the widening of the current utility
19 corridor/powerline clear cut, and have a negative visual impact on the viewsheds and rural nature
20 of the Town.

1 Article 10 of the Zoning Ordinance regulates view corridors, vistas and viewsheds as they apply
2 to cell towers. While the proposed Project towers are not cell towers, at 70-100 feet in height
3 they would be as tall as, or taller, than many cell towers, and will detract from the Town's
4 viewsheds and its rural nature. This goes against the spirit and intent of the Town's zoning.

5 Article 3(H) of the Zoning Ordinance defines the Pemigewasset Overlay District, and regulates
6 construction within 500 feet of the river's ordinary high water mark (the reference line). This
7 section prohibits structures on slopes which exceed 15 percent. However, as proposed, the
8 Project would conflict with these provisions.

9 Article 9 of the Zoning Ordinance defines the Wetlands Conservation Overlay District. While it
10 permits certain low-impact uses in the district, it would not allow for construction in a wetland.

11 In particular, the erection of utility towers and the access roads that accompany them would not
12 be permitted under this provision except by Special Use Permit from the Planning Board. The
13 Board may grant such a permit after input from the Conservation Commission and only after a
14 public hearing – but it is not required to do so. However, as proposed, the Project would be in
15 conflict with this section.

16 Finally, Article 4 of the Zoning Ordinance limits the heights of all buildings and structures to 35
17 feet, which is well below the proposed heights of the towers for this Project.

18 **Q. Would the Project, as proposed with its overhead transmission lines, unduly**
19 **interfere with the orderly development of the region?**

20 **A.** Yes, for all the reasons explained in my testimony.

1 **Q. Has the Board of Selectmen communicated its concerns to any governmental**
2 **agency other than the Site Evaluation Committee?**

3 A. Yes. The Board of Selectmen sent a letter dated October 3, 2013 to Brian Mills,
4 Senior Planning Advisor in the Office of Electricity and Energy Reliability at the US Department
5 of Energy. See Appendix C to my testimony. The Board expressed its concerns with the
6 potential visual, environmental and economic impacts with regard to the Project.

7 **Q. Have the changes in the proposed Project configuration since 2013 affected**
8 **those concerns?**

9 A. No.

10 **Q. Does this end your testimony?**

11 A. Yes.

Chapter VII: Recreation

I. Introduction

The town of Bristol's Master Plan includes a vision for maintaining and improving community assets that support public safety, recreation, transportation and the general welfare. The Master Plan further seeks to assure that its infrastructure at the local level is continuously updated and upgraded to meet the current and future needs of the community.

In 2005 the Planning Board, as part of expanding the town's Master Plan, conducted a Recreation Survey to gather input from residents and users on local recreation facilities.

This section of the Master Plan:

- identifies recreation facilities located in the town of Bristol
- reports on survey results received on each facility
- makes recommendations for possible action based on survey results and Planning Board consideration

II. Town of Bristol Facilities

Town facilities include both town-owned and town-supported facilities. They consist of two beaches at Newfound Lake, Kelley Park and its associated facilities, the Tapply-Thompson Community Center and facilities located at the Newfound Memorial Middle School and the Newfound Regional High School. In addition, a number of federally-owned, state-owned and privately-owned facilities are located within the town. Recreational facilities of all kinds used by 50% or more of the respondents include both town beaches, Wellington State Park, Profile Falls and the Tapply-Thompson Community Center. Approximately 1,800 surveys were distributed in Town Reports; 43 surveys were returned. Many thanks to those who took the time to complete and return their survey.

Town Beaches

The Town is fortunate to have two beautiful beaches located at the southern end of Newfound Lake. The town beaches are one of the most popular recreational resources in Bristol, as reflected by the survey results included in the table below.

Facility	Used in the past year	Number who rated facility	Rated good or excellent	Rated as needs improvements
Cummings Beach	54% (23)	30	70% (21)	30% (9)
Avery-Crouse Beach	67% (29)	32	56% (18)	44% (14)

Please note:

- Usage includes all members of the respondent's immediate family
- The % figures in column 2 are based on the number of surveys returned
- The % figures in columns 4 & 5 are based on the number who rated the facility
- Respondents were given two choices in rating the facilities: "good or excellent" and "needs improvement"

There is a Town Beach Commission that is charged with regular maintenance of the town beaches and suggesting improvements as appropriate.

The town provides a budget for a salary account for part-time maintenance and patrols of the town beaches as well as for maintenance and minor improvement. Raking is done at both town beaches in the spring and once or twice a week during the season at Avery-Crouse and twice a season at Cummings. Both beaches are patrolled on a daily basis, weather permitting, in the summer. Cleaning of both beaches is also done on a daily basis.

Trash barrels and dumpsters have both been tried at the town beaches over the years. Unfortunately the trash receptacles were also used as public dumping stations. There has been no increase in trash at the beaches since the dumpsters were removed, resulting in a significant savings of money.

At one time there was a Master Plan for Cummings Beach, with a vision that included a bathhouse and swing sets.

Respondents to the survey made the following recommendations:

- More raking at the town beaches
- More sand on town beaches
- Better maintenance at the town beaches as they are often dirty and smelly
- Restrict dogs at town beaches and enforce
- Restrict boats from anchoring at end of Avery-Crouse beach and enforce
- Rubbish and debris needs to be picked up/cleaned up more often at all town facilities
- Bathrooms and trash receptacles at all town facilities

Some of the issues the Town Beach Commission is dealing with at the town beaches are:

Avery-Crouse Beach

- Repairing a retaining wall as road protection and adding a walking path alongside it
- Improvements to several of the existing culverts
- Creating a launch area for canoes and kayaks and parking
- Landscaping improvements

Cummings Beach

- Deterioration of rock wall and parking.

Recommendations:

Ways to enhance the town-owned beaches should be a top priority since the beaches are popular with residents and are a big part of what makes Bristol attractive to summer visitors. Parking at both locations is problematic and will only increase over the years. Creative solutions to acquiring additional parking need to be explored. The guidelines for acquiring a beach permit and the fee schedule may need to be revisited and revised. A master plan should be established for the town-owned beaches. This plan and the way to fund it should be incorporated in the town's overall Capital Improvements Plan.

Kelley Park

Kelley Park with its central location and multiple uses is one of Bristol's most significant recreational assets. It provides facilities for baseball, tennis and soccer and includes a playground area for younger children. It is adjacent to the Tapply-Thompson Community Center and the both the Elementary and Middle schools and is used by all of these. It also hosts the Summer Carnival, Old Home Day and the NH Marathon. The widespread use of this facility is reflected in the table below based on the 2005 Recreation survey.

Facility	Used in the past year	Number who rated facility	Rated good or excellent	Rated as needs improvements
Kelley Park fields	49% (21)	27	59% (16)	41% (11)
Kelley Park playground	30% (13)	18	67% (12)	33% (6)
Kelley Park tennis court	16% (7)	16	50% (8)	50% (8)

Please note:

- *Usage includes all members of the respondent's immediate family*
- *The % figures in column 2 are based on the number of surveys returned*
- *The % figures in columns 4 & 5 are based on the number who rated the facility*
- *Respondents were given two choices in rating the facilities: "good or excellent" and "needs improvement"*

The Kelley Park Commission is responsible for the maintenance of Kelley Park and for implementing the Kelley Park Master Plan.

Respondents to the survey made the following recommendations:

- Rubbish and debris needs to be picked up/cleaned up more often at all town facilities
- Bathrooms and trash receptacles at all town facilities
- Maintenance/upkeep of Kelley Park – tennis courts in particular as well as the outdoor basketball courts near the middle school. Resurface and install new nets.
- Allow use of restrooms at Kelley Park for all activities
- Repair softball/soccer field at Kelley Park
- Keep Kelley Park well maintained
- Kelley Park baseball/softball fields; catcher's mound behind home base needs to be addressed as it fills up with water when it rains.
- Face speakers towards business areas of town when music is involved rather than towards residences
- Improving fields at Middle School and Kelley Park
- Light ball fields at Kelley Park. Concession stand and bathrooms need to be put in between both fields and open to the public during games.
- Access to the restrooms at Kelley Park.
- Kelley Park needs bandstand, electrical hookups and water for program needs. Better entrance and exits.

Recommendations:

The Kelley Park Commission needs to keep their master plan updated and to work toward its implementation. They should work closely with the Capital Improvements Plan Committee to plan for and fund needed improvements. The main issues surrounding Kelley Park fields, playground and tennis courts according to the recreation survey largely involve the need for better maintenance of the existing facilities. Consideration needs to be given to providing access to restrooms and concession stand for all activities. New projects worthy of consideration for the master plan would include providing electrical hookups and water for activity needs, lighting the ball fields for evening play and building a bandstand.

School Facilities:

The outdoor basket ball court near the Middle School and outdoor facilities at the High School are owned and maintained by the Newfound School District. While fewer than 15% of the respondents to the survey reported using these facilities, they are nonetheless important to those who take advantage of them. The table below summarizes the survey results.

Facility	Used in the past year	Number who rated facility	Rated good or excellent	Rated as needs improvements
Outdoor Basketball Court (near Middle School)	14% (6)	13	23% (3)	77% (10)
High School Facilities (outdoor)	12% (5)	11	91% (10)	9% (1)

Please note:

- Usage includes all members of the respondent's immediate family
- The % figures in column 2 are based on the number of surveys returned
- The % figures in columns 4 & 5 are based on the number who rated the facility
- Respondents were given two choices in rating the facilities: "good or excellent" and "needs improvement"

Since maintenance of these facilities is the responsibility of the Newfound Area School District, the Town of Bristol has little control over these facilities.

There was one respondent suggestion relating to these facilities:

- improve the outdoor basketball courts at the middle school; more baskets.

Recommendations:

It appears that better maintenance of the basketball court, additional baskets, access to restrooms and a trash receptacle would be appropriate improvements to the outdoor basketball court near the Middle School. Survey results suggest that access to restrooms and a trash receptacle would be appropriate improvements to the High School's outdoor facilities.

Tapply-Thompson Community Center (TTCC)

The Community Center is one of Bristol's most important recreational resources and has been for many years. While funded in part by the town of Bristol, TTCC also receives the support of other towns in the region and raises over \$40,000 per year in private support. They provide a number of organized activities for different age groups and have over 200 children registered their After School program. Their main facility (the old Methodist Church building owned by Bristol Federated Church) is located on North Main Street across from Kelley Park , and they have access to the school gyms and playing fields. TTCC is actively involved in a project to build an Intergenerational Center with the Bristol Area Senior Services and they are raising money for this project through the "Friends With a Vision".

Survey results are summarized in the table below:

Facility	Used in the past year	Number who rated facility	Rated good or excellent	Rated as needs improvements
Tapply-Thompson Community Center (TTCC)	51% (22)	21	71% (15)	29% (6)

Please note:

- Usage includes all members of the respondent's immediate family
- The % figures in column 2 are based on the number of surveys returned
- The % figures in columns 4 & 5 are based on the number who rated the facility
- Respondents were given two choices in rating the facilities: "good or excellent" and "needs improvement"

Respondents to the survey made the following recommendations/observations:

- Why is there a charge for everything offered? Everything used to be free. Exorbitant! Why? Yet it is tax-supported.
- Inadequate rest rooms
- Why isn't the shooting range in the TTCC being used?

Recommendations:

Although run by a professional staff, TTCC maintains close community ties through an Advisory Council which meets weekly. The town should continue to support TTCC's efforts to provide services to a wide range of individuals, but should leave its operation to those entrusted with it. The Intergenerational Center project is worthy of support.

III. Other Public Facilities

The town is fortunate to have a number of non town-owned facilities which contribute very significantly to the recreational opportunities available in Bristol. Particularly notable are Wellington State Park (beach/picnic area/hiking trails) and Profile falls, both of which were used by nearly two thirds of the respondents and rated "good or excellent" by over 85% of the users. Even though the other

facilities in this group were not as heavily used, most were rated very highly by those who rated them. In fact, these facilities were generally ranked much more highly than the town-owned facilities covered in Section II. While it would not be appropriate for the town's master plan to offer recommendations for non town-owned facilities, the survey results are provided here to provide some indication of their contribution to the overall recreation picture.

Facility	Used in the past year	Number who rated facility	Rated good or excellent	Rated as needs improvements
Ayers Island Picnic Area	5% (2)	3	67% (2)	33% (1)
Wellington State Park (beach/picnic area hiking trails)	65% (28)	28	96% (27)	4% (1)
Wellington State Park (boat launch)	33% (14)	17	94% (16)	6% (1)
Wells Field	21% (9)	12	58% (7)	42% (5)
Wells Field Sliding Area	26% (11)	15	80% (12)	20% (3)
Mooney-Clark Landing (boat launch on Pemi River)	26% (11)	14	71% (10)	29% (4)
Kayak/canoe launch on Pemi River (below Ayers Island Dam)	9% (4)	5	100% (5)	(0)
Slim Baker Lodge/Inspiration Point	42% (18)	15	93% (14)	7% (1)
Snowmobile Trail (any)	23% (10)	11	82% (9)	18% (2)
Hiking, X-country skiing or mtn. Bike trail (any)	28% (12)	11	91% (10)	9% (1)
Profile Falls	58% (25)	23	87% (20)	13% (3)

Please note:

- Usage includes all members of the respondent's immediate family
- The % figures in column 2 are based on the number of surveys returned
- The % figures in columns 4 & 5 are based on the number who rated the facility
- Respondents were given two choices in rating the facilities: "good or excellent" and "needs improvement"

IV. Commercial Facilities

Commercial facilities are for-profit enterprises which provide a source of recreation. They might include such things as ski areas, bowling alleys and water parks. Businesses which rent recreational equipment would also fall into this category. The recreation survey made no reference to this type of facility.

In the past, Bristol has had a small number of commercial recreational facilities. These would include an arcade (The Manor), a roller rink (on Lake Street) and sailboat rentals (Peter Brown's marina). Currently there is almost a total lack of commercial recreational facilities in Bristol, though one local business rents kayaks (Shackett's Store), one rents boats (West Shore Marine) and one rents bicycles (Alternative Wheels which is run by the School District). One of the reasons for the lack of commercial recreational facilities is the high cost of insurance required to run such a business. Nevertheless, it would seem that Bristol's tourist-oriented economy might provide an opportunity which is largely being overlooked. Bristol should welcome new commercial recreational facilities, as they potentially could help to attract more tourism to the local area.

V. Additional Facilities Recommendations

The recreation survey included a question asking what new facilities would be rated as having a high priority for development. The survey assumed that the planned multi-purpose path would be underway, so this was not included among the choices. Survey results are shown in the table below. It is interesting to note that the top two choices involve extensions to the trail system which will be created by the new path. These results would suggest that these trails should have a high priority despite all the difficulties encountered in bringing the current trail to fruition.

*Survey results of the facilities that should have the highest priority for development by the Town of Bristol in the next few years:
(Please note that % is based on the number of surveys received: 43)*

Facility	Number Indicating as Priority for Development
Extension of Multi-Purpose Trail to downtown area along Newfound River	60% (26)
Trail connecting Profile Falls Rec. Area with former RR station area off Central St.	58% (25)
Skateboard park	37% (16)
Picnic Area near downtown (off Central St. near former RR station)	37% (16)
Gazebo/Bandstand	30% (13)
Fishing pond on Newfound River	26% (11)
Outdoor ice skating rink	21% (9)
Danforth Brook fishing pond	14% (6)
Youth group camping area on Fowler River, having access to Newfound Lake	14% (6)
Shooting range	12% (5)
Indoor Pool	12% (5)
ATV Trail	9% (4)
Indoor tennis courts	2% (1)

The proposals receiving the next highest support were for a picnic area in near downtown in the old railroad station area and for a skate park, with 37% of the respondents rating these as a high priority. The picnic area proposal might be

included as part of a trail extension “master plan” or as part of the downtown revitalization effort. Grant money should be available for such a project, and it deserves serious consideration by the Capital Improvement Plan Committee. The skate park proposal has been discussed for several years and some fundraising efforts toward this goal have been made by the M.O.S.H. (Method of Skating Hard) group organized by TTCC. However, no specific proposal for location or design has been presented to the town. This is another project for which grant money may be available. For example, the National Park Service’s Land and Water Conservation Fund can provide a 50% match for outdoor recreational facilities which are open to the public. The strong public support for this project suggests it should be put on a faster track by the Capital Improvements Plan Committee.

The high level of support for a gazebo or bandstand was surprising considering the fact that there has been little discussion of such a proposal. As mentioned earlier in this chapter, this would be an appropriate project to consider for inclusion in the Kelley Park master plan.

There was considerable support for restoration of the fishing pond on the Newfound River. Unfortunately, this depends on the ultimate disposition of the Freudenberg dam, which is largely beyond the control of the town.

The final project rated as high priority by 20% or more of the respondents is an outdoor ice rink. The trend toward warmer winters makes the practicality of an outdoor rink questionable. That being said, it has been suggested that a good place to locate an outdoor ice rink would be outside the fence line of Wells Fields. Berms could be built, into which water would be poured; we’d then have a skating rink next to where people sled. This ice rink would be very weather dependent. As the local prep schools have learned from experience, reliable ice requires a roof and refrigeration, making it a costly facility to build and maintain. It would be hard to justify the cost of such a project.

The survey did not specifically ask for opinions regarding the intergenerational center proposed by the Friends with a Vision group. Such a facility would no doubt be a useful addition to Bristol’s recreational facilities and is worthy of support.

VI. Additional Events

In addition to the facilities identified in this report, these are many of the events that contribute to the recreational opportunities in Bristol:

- Naturally Newfound Fair in May
- Mooseman Triathlon in June
- Bristol Historical Society Walking Tour or Downtown in June
- Golf Tournament in June
- 4th of July Parade and Fireworks in July
- Summer Carnival in July
- Annual Art Show in August
- Bristol Old Home Day in August
- TTCC Lobster-Chicken Dinner in August
- Penny Sale in August
- Newfound Rendezvous in September

- NH Marathon & 10 K Road Race/Walk in September/October
- NH Marathon Arts & Craft Fair in September/October
- Annual Apple Festival & Craft Fair in October
- Annual Tree Lighting Ceremony & Craft Fair in November

Each of these events makes a unique contribution to the recreational opportunities available in Bristol and deserves town support. In fact, several of these events already receive direct support from the Police and/or Fire Departments. The town should encourage the creation of new events and continue to be willing to consider town/sponsor partnerships which will be of mutual benefit.

VII. Summary

The final question on the survey asked for an overall rating of the recreational facilities available in Bristol. As shown in the table below, the results are clustered around a “Good” rating, which was selected by 42% of the respondents. This is consistent with the individual ratings where most facilities were rated “Good or Excellent” by 50% to 75% of those who rated them. These results suggest that while the existing facilities generally receive passing marks, there’s room for improvement in a number of areas. In addition, several proposals for new facilities seem to have considerable support and should be considered for future development. Since much of the town’s economy is based on tourism and recreation, the town might well be wise to give considerable attention to the specific recommendations made throughout this chapter. Some of the recommended improvements require modest funding and can be achieved through the annual budgeting process. Major improvements and additional facilities require long-term planning through inclusion in the Capital Improvements Program.

(Please note that % is based on the number of surveys received: 43)

Rated Excellent	Rated Very Good	Rated Good	Rated Fair	Rated Poor
9% (4)	26% (11)	42% (18)	21% (9)	2% (1)

Chapter I. Vision

The vision articulated below is built upon the response to a citizen survey taken at the beginning of the master planning process, as well as the direct input of the Planning Board and the public. It consists of a set of the guiding principles which, taken together, make up the vision of Bristol, given the community's setting in the region and state. Each of these principles is accompanied by an outline of approaches which could be taken locally to implement the vision.

- **Safeguard the rural quality of the Town of Bristol.**

The Newfound Lake area is a region of small towns and villages, surrounded by agricultural lands, forests and wild lands. As the population grows in Bristol, maintaining the rural character outside the village center is one of the major challenges facing the community. Growth is inevitable, but it needs to be directed in such a way that the rural character which attracts both visitors and new residents to our community and to the region is maintained and enhanced.

One of the most effective ways to maintain the rural character of the town is through sensible zoning regulations. Commercial areas should be concentrated as much as possible, and preferably located close to the traditional village center. Zoning should allow for clustered residential development along with the preservation of open space. In addition, efforts to conserve our natural assets, to maintain the viability of agricultural lands and forests, and to enhance the natural systems that support life in Bristol, which are included later in this vision statement, all contribute to the effort to retain the rural character of the town.

- **Preserve historic assets.**

Historic buildings and sites are irreplaceable assets. One of the most critical steps Bristol and other communities throughout the state can take to maintain their distinct identity is to preserve their historic assets.

The first step in preserving historic assets is to identify those natural features, structures and areas of historic significance. The Historical Society can play a role by enhancing the public's awareness and appreciation of historic assets. The town should consider the creation of a historic district along with an Historic District Commission to help owners maintain historic authenticity when renovating their buildings. Great care should be taken to assure that such a commission does not place an unreasonable burden on property owners.

- **Build to create enduring value and beauty.**

The quality and visual appeal of individual projects --- whether residences, businesses or public buildings --- affect current and future private property values throughout the community. Well-designed, well-sited structures

enhance a town's beauty and increase the value of neighboring properties and the community as a whole. As Bristol expands to accommodate new residents and businesses, public and private investors should be encouraged to build structures that will add enduring value and beauty to the community.

The town should set an example in the construction of any new public buildings and the renovation of existing buildings. Through Site Plan Review, the Planning Board can help assure the proper location of buildings on a lot and should encourage tasteful architectural design which is in keeping with the existing structures. The town should consider passing an architectural review ordinance to allow for more formal oversight of proposed plans.

- **Enhance Bristol's economic vitality through ongoing reinvestment in the downtown core.**

Bristol has long been the hub of commercial activity in the Newfound region. Ongoing public and private investment in the downtown core is critical to maintaining and enhancing Bristol's economic vitality. Small or large, these public and private investments build a community's economic strength and contribute to the economic vitality of the region and state.

The town needs to be more aware of the potential offered by its unique and historic downtown square. Some kind of public-private partnership should be established so that Bristol's long-neglected downtown area receives the attention it deserves. The effort to revitalize the downtown area should have the highest priority, since the positive effects of a successful revitalization effort will extend far beyond the downtown area.

- **Anticipate and address the housing needs of all community residents.**

The growing appeal of New Hampshire's Lakes Region as a place to live and do business has drawn new residents & wealth to the region; property values, average personal income and the cost of living have risen in most Newfound Area communities. At the same time, economic growth throughout the region has created demand for workers at all age levels. As Bristol's economy continues to grow, the community needs to anticipate and address the housing needs of all residents to ensure that employees of local businesses have convenient access to housing they can afford, and that long-standing local residents --- particularly senior citizens --- can remain in their communities.

The town should encourage efforts to create affordable housing by avoiding such exclusionary tactics as large-lot zoning. The town should also encourage the creation of residential units in existing buildings in and around the downtown area. Existing property tax credits for senior citizens should be maintained.

- **Conserve and showcase our natural assets.**

The Newfound Area is blessed with lovely natural features that define and enrich daily existence: Newfound Lake, rivers, old trees, wetlands,

meadows, forests, hills, peaks and sweeping vistas. Conserving and showcasing the unique natural assets in our community is one of the best investments Bristol can make, and should also be a goal for communities throughout the region and the state.

The preservation of natural assets is addressed quite extensively by legislation at the state level. Such approaches as the current use regulations and the Land and Community Heritage Investment Program (LCHIP) have been highly successful and deserve continued support. At the local level, The Conservation Commission has an obvious role to play in increasing public awareness of the town's natural assets and helping to educate the public about such approaches as conservation easements. The Planning Board should review the existing overlay districts to be sure they provide adequate protection for the most sensitive areas.

- **Maintain the economic viability of Bristol's agricultural lands and forests.**

Bristol's agricultural lands and forests are essential elements in creating the rural character which we seek to preserve. New Hampshire's agricultural areas and forests face many challenges today, not the least of which is encroaching urbanization. If agriculture and forestry are to be retained, concerted efforts must be made to support their economic viability.

Municipal authorities, business associations, private organizations and community leaders must work together to ensure the long-term health of the region's working landscape. Town ordinances should be friendly toward the agricultural and forest industries while encouraging the use of Best Management Practices.

- **Maintain the health of the natural systems that support life in Bristol.**

The region's natural resources are more than just a beautiful backdrop for communities. The air, forests, lakes, rivers, streams, meadows, agricultural lands and marshes are the life support system for human settlement and for the plants and wildlife that inhabit the Newfound Area. Maintaining the health of natural systems is essential to the sustainability of natural resources and to the economic stability of the region.

While a good deal of federal and state legislation addresses such concerns as clean water and clean air, local awareness and concern play an important role in implementing this vision. The town should work closely with groups which are devoted to the preservation of forests, rivers, etc. to assure that vital natural systems are preserved.

- **Maintain and improve community assets supporting public safety, recreation, transportation and the general welfare.**

One of the primary responsibilities of governments at all levels is to provide the infrastructure which helps to make the state, region and town a safe, pleasant and desirable place to live. The Master Plan seeks to assure that

this infrastructure at the local level is continuously updated and upgraded to meet the current and future needs of the community.

Although legislation was passed several years ago authorizing the Planning Board to create a Capital Improvements Program, the Board has never adequately addressed this responsibility. A Capital Improvements Committee, reporting to the Planning Board, should be created so that planning for community facilities takes place on a regular basis and in an organized way.

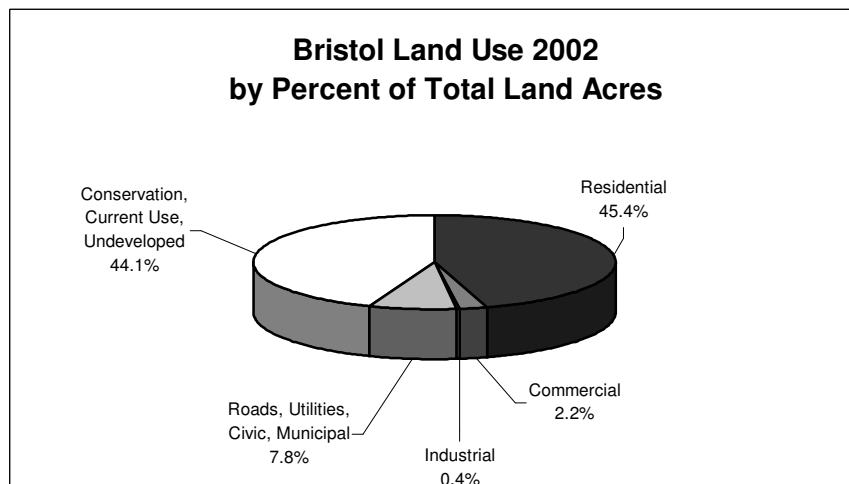
Chapter II: Land Use

I. Introduction

The manner in which land is put to use in Bristol has an impact on the landscape as well as the quality of life for those who live in, and those who visit the community. The citizens of the town of Bristol continue to hold in high regard the protection of Bristol's scenic beauty and natural resources. Past and future land use decisions have lasting consequences. The objective of this chapter is to provide guidance for future land use decisions by discussing how to best manage growth and by outlining appropriate locations for desirable development that will enhance the community.

II. Present Land Use and Land Cover

The Town of Bristol is comprised of a total of 14,062 acres of which, 3,323 acres are water, representing 24% of the total acreage. The remaining 10,739 acres are land. Land use is defined as the principal use of a parcel or set of contiguous parcels. Developed land includes land that is used for residential, commercial, and industrial purposes, as well as land that has been improved with roads, public utilities, civic and municipal uses. Development in Bristol is comprised predominately of residential uses. Residential uses account for 46% of the land area in Bristol, commercial uses represent 2% and industrial uses less than one percent of the land area in Bristol.

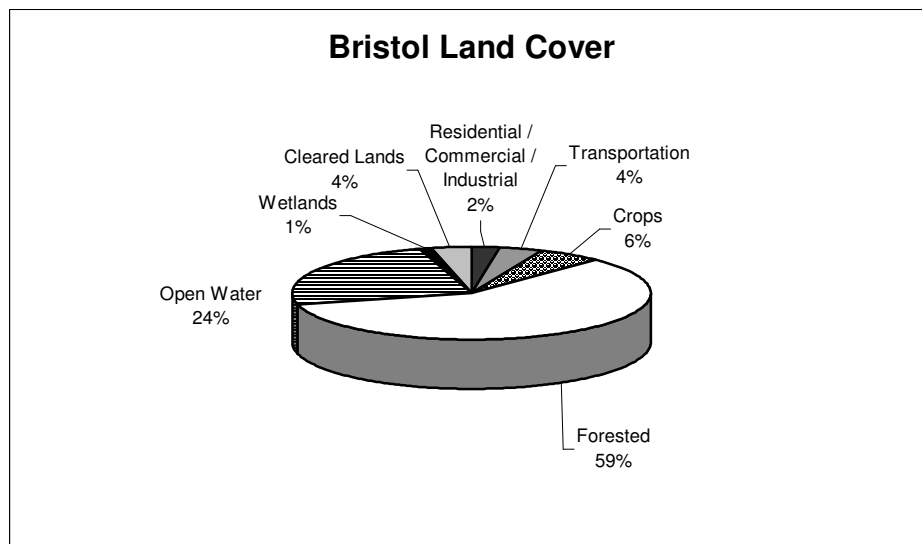


Based on tax assessor data, Bristol has a combined total of 4,741 acres of undeveloped land and conservation land. The majority of the undeveloped land (73%) is in current use. While the purpose of current use is to protect open space, it is not a measure that permanently restricts future

development. Under this program, future development of open space in current use is subject to penalties based on the market value of the portion of the land that is developed. Protected conservation land represents the second largest portion of undeveloped land (16%). Protected conservation land has some measure of permanent restriction on future development. The remaining undeveloped land (11%) has no current use or developmental restrictions.

In addition to the undeveloped lands in Bristol, there are large parcels of land partially developed for residential and commercial uses, which are also in current use. For example, there exist 85 residential parcels averaging 35 acres in size that have current use restrictions on the land. Of the total 4,876 residential acres, more than half (53%) have current use on some portion of the land.

While land use indicates the primary use for a parcel, land cover describes what is on the ground. Based on 2000 Landsat satellite imagery, land cover for Bristol has been categorized (see *Land Cover Map*). The satellite images do not provide sufficient detail to show all individual buildings, but provide a general idea of the areas of concentrated development in the community. Bristol is predominately forested (59%), with open water covering the second largest percentage (24%) of the community. More than 800 acres are comprised of crops and pastures, which represent 6% of the total area in Bristol.



III. General Development Trends

Bristol's present land use pattern provides sharp contrast between the urban type development found in the village area and a strongly rural pattern throughout the remainder of the town, with the exception of the

land area along the margins of Newfound Lake where development patterns are denser.

The Bristol urban area, characteristic of the 19th Century industrial community, reflects both topography and early historic factors which generally dictated the community's shape. The town's basic existence depended upon waterpower of the Newfound River for manufacturing purposes. Because transportation was a limiting factor in the 19th Century, it was necessary for manufacturing towns, such as early Bristol, to develop at relatively high density. Homes, both multi-family and single-family, were built within easy walking distance of the mills. The commercial elements, stores and services for the community, then developed at a central location to serve the surrounding population.

Today the same is true; commercial uses and public services are largely centered in the 20 acres that comprise the downtown commercial district. The potential for additional business development in the downtown is largely limited to the redevelopment of existing buildings, as there are virtually no vacant lots available for new development. There are, however, a number of commercial spaces currently available in the downtown area, and new businesses should be encouraged to utilize and improve those spaces rather than opting for new construction outside the village center. Once the downtown commercial district is fully utilized, the focus of new commercial development will likely occur in the Lake District, Corridor Commercial and Village Commercial Zones. The types of commercial uses permitted in each of these three districts vary according to the proximity to services and residential neighborhoods.

IV. Land Use and Zoning

Properly applied, zoning can help achieve the goal of retaining the rural character of the town stated in the Vision section. A review of Bristol's zoning districts by the types of land uses located in each district can provide an understanding of the potential for future development. Each zoning district in the community has a unique purpose and character. The seven districts are: 1) Corridor Commercial, 2) Downtown Commercial, 3) Industrial, 4) Lake District, 5) Rural, 6) Village Commercial, and 7) Village Residential. Parcel-based land use by zoning districts indicates the current supply of land that is available to accommodate the future growth of specific land uses. It can also indicate how effective or ineffective land use regulations have been in guiding the types of development that the community desires. Based on tax assessor data, land use has been mapped on a parcel by parcel basis (see *Land Use Map*). Descriptions of each of the seven districts established by the Town of Bristol Zoning Ordinance are listed below (see also *Zoning Districts Map*).

The *Downtown Commercial District* is the traditional center of the

Downtown Commercial District	Acres
Residential	5.57
Civic	1.17
Commercial	7.31
Undeveloped Land	0.24
Municipal	0.42
Roads/Easements	5.28
Total	19.99

community and the heart of the Bristol's commercial development. The district is comprised of a mix of residential and commercial uses which are serviced by public sewer and water, and are located in close proximity to major public services such as police, fire, town offices,

etc. Given the limited supply of undeveloped land in this district, the shape of its future will be largely dependent on additional private and municipal investments that support redevelopment and infrastructure improvements. The Downtown Chapter of the master plan details the community's vision for this vital enterprise zone.

The *Corridor Commercial District* is along the northerly side of Route 104

Corridor Commercial District	Acres
Residential w/ Current Use Restrictions	13.4
Residential	41.5
Commercial	10.8
Commercial w/ Current Use Restrictions	11.7
Current Use Land	26.8
Undeveloped Land	8.0
Municipal	19.7
Roads/Easements	40.6
Total	172.6

east, the primary gateway to Bristol. This zone is currently comprised of a mix of uses, residential representing the greatest percentage of the developed land. The Corridor Commercial Zone has been controversial since its creation in 1996. While high traffic counts on Route 104 east make commercial development attractive there, this

tends to conflict with the goal of retaining rural character contained in the Vision section. In addition, the fact that the south side of Route 104 east is in the Rural Zone creates an inherent conflict between land owners on opposite sides of the road. The current zoning along Route 104 east should be reviewed to see if a way can be found to satisfy the both the need for commercial space and the desire to retain the rural character of this gateway to Bristol. For example, it might be possible to change the zoning east of R.P. Williams to allow for nodal commercial development, with much of the Corridor Commercial District reverting back to Rural designation. This would contribute to better traffic patterns and once again help to promote future development near the more urban area with greater concentrations of services and population.

The *Lake District* is a particularly sensitive area given the proximity to

Lake District	Acres
Residential w/ Current Use Restrictions	126.9
Residential	550.2
Civic	0.9
Commercial	74.2
Conservation Land	110.4
Current Use Land	85.1
Undeveloped Land	86.7
Municipal	18.6
Roads/Easements	109.5
Total	1162.6

Newfound Lake. The district is largely developed with permanent and seasonal dwellings. The shorefront of Newfound Lake is highly valued for recreational uses. Areas of concern include accommodating competing uses such as swimming and boating and the concern to maintain water quality. Commercial development in the district generally reflects water-

related uses. Limited availability of public sewer and water increase the need for adequate private sewage disposal. Future development that addresses proper storm water management, vegetated buffers and limitations on impervious surfaces is held in high regard in the Lake District.

The *Village Commercial District* provides an extension to the downtown

Village Commercial	Acres
Residential w/ Current Use Restrictions	16.1
Residential	84.6
Civic	1.1
Commercial	37.8
Conservation Land	12.6
Current Use Land	2.7
Undeveloped Land	13.3
Municipal	18.2
Roads/Easements	26.4
Utilities	3.2
Total	216.1

commercial district on Lake Street and portions of Pleasant Street. A mix of commercial, residential, and municipal uses exist, with the potential for additional in-fill development. Commercial development promoted in the district is largely services related. The majority of the village district is located in the Newfound River drainage basin. Grading requirements, street layouts, and

vegetative buffers should be consciously employed to minimize the impacts of development on river water quality.

The *Village Residential District* is made up of residential neighborhoods

Village Residential	Acres
Residential w/ Current Use Restrictions	59.9
Residential	441.7
Civic	65.7
Commercial	13.3
Conservation Land	9.1
Current Use Land	138.3
Undeveloped Land	76.2
Municipal	32.5
Roads/Easements	69.1
Total	905.9

centered around commercial areas, schools and fire and police protection. There are limited permitted and special exception uses beyond residential development. About 24 percent of the district is comprised of undeveloped and current use land leaving open the possibility of further residential development.

The *Rural District* includes low to medium density rural living, open space

Rural District	Acres
Residential w/ Current Use Restrictions	2225.9
Residential	1147.8
Civic	114.8
Commercial	8.3
Commercial w/ Current Use Restrictions	54.7
Conservation Land	646.9
Current Use Land	3135.3
Undeveloped Land	324.1
Municipal	58.2
Roads/Easements	193.4
Total	7909.5

and provides for the protection of environmentally sensitive areas such as wetlands, floodplains, poor soils and steep slopes. The district currently contains a relatively high amount of current use and conservation lands. Zoning permits a variety of housing alternatives and only requires a one-acre lot for a dwelling with private water and sewer.

A large portion of the *Industrial District* is currently made up residential use

Industrial District	Acres
Residential w/ Current Use Restrictions	146.6
Residential	15.8
Commercial	22.2
Current Use Land	61.3
Industrial	39.9
Undeveloped Land	3.9
Municipal	21.2
Roads/Easements	23.8
Utilities	26.7
Total	361.5

parcels. Zoning allows for the establishment of industrial plants that are not noxious, offensive or detrimental to the environment, the town or the abutters. Industrial uses can be the least compatible with residential uses. Because of the existence of residential development in this zone great care needs to be taken in minimizing the adverse impacts of development. It

appears that the greatest potential for future industrial development is through conversion of current use land associated with residential uses.

V. Development Constraints

Future land use development in Bristol is limited in a number of ways. A variety of physical constraints to development are found in the town including, steep slopes, wetlands, and floodplains.

Steep Slopes- The slope of the land can pose numerous development problems related to storm water run-off, soil erosion, and sewage disposal. The *Steep Slopes Map* identifies areas with 15-25% slopes and those areas with slopes greater than 25%. The map contains general information for planning purposes which is not specific to individual building sites in the community. The steepest slopes are generally located in areas within the community with the highest elevations, Roundtop, Sugar Hill, Hemp Hill, Bristol Peak, and Peaked Hill. The highways and roads network indicates that general settlement patterns have occurred in areas that are not associated with steep slopes.

Areas with a 15-25% slope have significant restrictions and poor capability to support development. Areas in which slope exceeds 25% have been designated as a critical resource and it is not recommended that these areas be utilized for building purposes (*1984 Bristol Master Plan*). Slopes of 25% or greater represent approximately 13.5 percent of the town's total land area. Building on slopes is addressed in the zoning ordinance in three districts. The Rural district, where slopes are referred to as environmentally sensitive areas, the Flood zone where adequate drainage and structure protection from flood waters is of concern, and in the Pemigewasset Overlay District where construction is prohibited on slopes exceeding 15% grade.

Hydric Soils (Wetlands)- Wetland soils which include swamps, marshes, bogs and very poorly drained soils represent a relatively small portion (2%) of the land area in Bristol as shown on the *Hydric Soils Map*. Wetland areas have limited development potential, but are valued in their natural state for the rare, unique, and unusual natural species, both flora and fauna that they provide. The zoning ordinance addresses special requirements for development occurring in and around wetland soils.

Floodplain- The floodplain possess special developmental concerns, including 1) a high probability of property damage during flooding; 2) the restriction of periodic water storage resulting in potentially greater flooding; and 3) the increased likelihood of erosion and sedimentation. Because of these concern development in the floodplain is subject to guidelines contained in the Floodplain Ordinance.

The absence of community services such as water and sewer can limit commercial and industrial development. Additionally, the zoning ordinance provides the opportunity to influence future land use objectives. Existing regulatory measures that support planning policy objectives include the Pemigewasset Overlay District, the Wetlands Conservation Overlay District, the Floodplain Zoning Ordinance, and the individual districts throughout the community. The Visioning Chapter and other chapters of the master plan have identified opportunities to discuss additional planning tools and further adjust the regulatory process. These ideals are addressed in the recommendation section of this chapter.

Aquifers - Those areas which have a significant potential to yield groundwater are referred to as aquifers. An aquifer is a soil deposit, or sometimes a porous rock formation, that contains a recoverable volume of groundwater. Ease of recoverability is one of the most important aspects of an aquifer as it relates to development potential. Aquifers are susceptible to pollution due to the ease and speed of water transmission through the soil. Septic tank effluent and landfill leaching are two potential sources of aquifer pollution. In addition, development which involves extensive

amounts of impervious material cover can reduce the productivity of aquifer areas.

Refer to Map 1: (Aquifers) of Chapter V. The town of Bristol has three significant accessed sources of ground water that are used for the public water supply. There are two well sites on West Shore Road adjacent to the Fowler River, one of which is located on conservation land. Also there is a Town well site on Danforth Brook. In addition there are stratified drift aquifers along portions of Routes 104 (East and West), Smith River Road, Route 3A North and for approximately one mile north of Profile Falls along Route 3A South. Stratified drift aquifers are glacial fluvial sediments of sand and gravels deposited in floors of river valleys (e.g. the Pemigewasset, Smith and Newfound Rivers) and along valley sides during the glacial period. Ground water is stored and transmitted within these deposits. Aquifer recharge is via precipitation and contributes to the future water supply. It should be noted that surface water flow from adjacent upland areas can add to the recharge and, when contaminated, have potential to adversely affect stratified drift aquifers. Note: Transmissivity is the rate at which water is transmitted (passes through) through an aquifer and is expressed in feet squared per day.

Agricultural Lands of Significance- Agricultural soils represent a unique and scarce resource since they are both highly productive and exist in such limited areas of the region that once they are used for most other purposes, they cannot be replaced. Agricultural soils are classified by their productive capacity to produce food, feed, forage, fiber, and oilseed. The USDA Natural Resource Conservation Service (NRCS) makes the distinction between local soils of significance (good), soils statewide (better) and prime farmland soils (best). Prime farmland soils are most highly valued because of their potential for the greatest agricultural yields and have increased significance when associated with current agricultural use. Care should be taken to consider agricultural lands of significance in the development proposals as well as in conservation land acquisitions. The *Farmland Classification Map* details agricultural lands of significance in Bristol.

VI. Future Land Use Considerations

Land under current use status represents a significant portion of the undeveloped land in Bristol. While the development of current use land is more costly than comparable land not in current use due to tax liabilities, current use status does not ensure that development will not occur. A review of Tax Collector reports between 1992 to 2001 indicate a generally progressive increase in the amount of revenue the town has collected in land use change tax. This tax is associated with land previously in current use that has been developed. An inventory and assessment of current use

lands in the community would provide an understanding of the significant resources in current use in the community. Those resources, such as agricultural soils, that the community values highly may warrant additional conservation measures in order to ensure that they remain undeveloped.

Continued coordination is needed to ensure that an appropriate level of public services is available to all residents in Bristol as the community continues to grow. This coordination can be achieved through continual updates to the town's Capital Improvements Plan. The Planning Board's understanding and tracking of development trends in the community provides the basis for the needed updates.

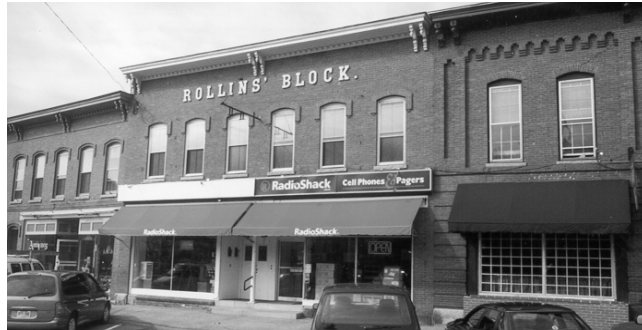
While Bristol has experienced decades of growth, the town's land use regulations and policies have guided orderly development. Perhaps the most significant area of opportunity for future development improvements is Bristol's downtown and the adjacent commercial districts. Though limited land is available for future development in the downtown core, public and private improvements to the existing structures and amenities in the downtown will have a lasting impact on the community, and carry over to other areas in the community.

Chapter III. Bristol Downtown Improvement Plan

I. Introduction

The town of Bristol has an active, generally healthy downtown area with tremendous potential. The purpose of this Downtown Improvement Plan is to identify the business center's strengths, weaknesses and opportunities and to develop recommendations, which will further strengthen and improve the downtown environment.

A number of small commercial centers in New England have experienced difficulties because of factors such as competition from large chain stores and malls, neglect of the downtown area, sprawl, and



failure to appreciate and capitalize on the downtown's best assets. On the other hand, many communities have been able to retain a vibrant downtown business district or have succeeded in revitalizing their downtown area, raising property values and spurring new private investment. The town of Bristol can learn a great deal from the experience of other towns, both in maintaining the best aspects of its downtown and in building on them to create an economically vibrant and aesthetically pleasing downtown area.

Rollins
B'k

Threats to Vitality

Fortunately, Bristol is not at the point where it needs major revitalization. External threats upon the economic well being of the community do in fact continue to exist. However, the most serious threats to the vitality of Bristol's central business district may lie within its own boundaries. These include, but may not be limited to:

- Lack of initiative in implementing the 1982 Downtown Improvement Plan;
- Stores which are not as attractive as they could be, interiors as well as exteriors;
- The lack of advertising and self-promotion;
- Traffic congestion;
- Indifference on the part of some business men and women;

- A perceived shortage of convenient parking;
- Failure to preserve building architectural style and character;
- An unattractive streetscape, with little visual relief from paved spaces.

A downtown revitalization effort may be as limited as the removal of trash lying in sidewalks and streets, painting of buildings and the addition of extra off-street parking spaces. In other cases, the revitalization program may be much broader, to include the creation of a pedestrian mall, the encouragement of new retail and office development, and the restoration of historic buildings.

Just as physical improvements may vary, so will the source of their support. Certain business district improvements will rely on local private initiative, while others will depend upon local government support and still others may represent a public-private cooperative effort.

It is important to remember that what makes a downtown area alive and economically sound is not its improved structures, the provision for vehicle parking, nor other services alone, but people. The satisfaction of the users of the business district is the key to a successful downtown revitalization effort, for without people to utilize the downtown area in many different ways, it is a hollow shell.

Plan's Purpose

The Downtown Improvement Plan is not aimed at major change or clearance of existing structures, but seeks to encourage rehabilitation through a public/private partnership, stimulated through efforts to make downtown Bristol a more attractive place to work, shop and to invest in new business development.

II. Improvement Plan Objectives

The primary objectives of the Downtown Improvement Plan are:

- To provide for a more efficient use of the land; stimulate a viable economic climate; provide for an improved visual image; improve parking conditions and relieve existing pedestrian-vehicular conflicts.
- To reinforce existing commercial activity by unifying the Central Business District and by encouraging new retail and professional activity complementary to the existing townscape environment;

- To create a positive downtown image, reflecting an atmosphere conducive to patronage by local residents, shoppers from surrounding communities and tourists;
- To provide downtown pedestrian improvements in aesthetics and amenities, including landscaping, lighting, sidewalks and street furniture.

III. Downtown Study Area

The downtown study focus is on the area of Central Square, South Main Street, and Pleasant Street where commercial activity is most concentrated. The area extends from the Tapply Thompson Community Center (30 North Main Street) to My Tavern/Extra Care Hair Styling (50 South Main Street); to the east just beyond Riverview Suite (20 Spring Street) and to the west just beyond the Venture Print/Shear Definition stores (30 Lake Street) and the Post Office (See *Map I. Bristol Downtown Study Area*)

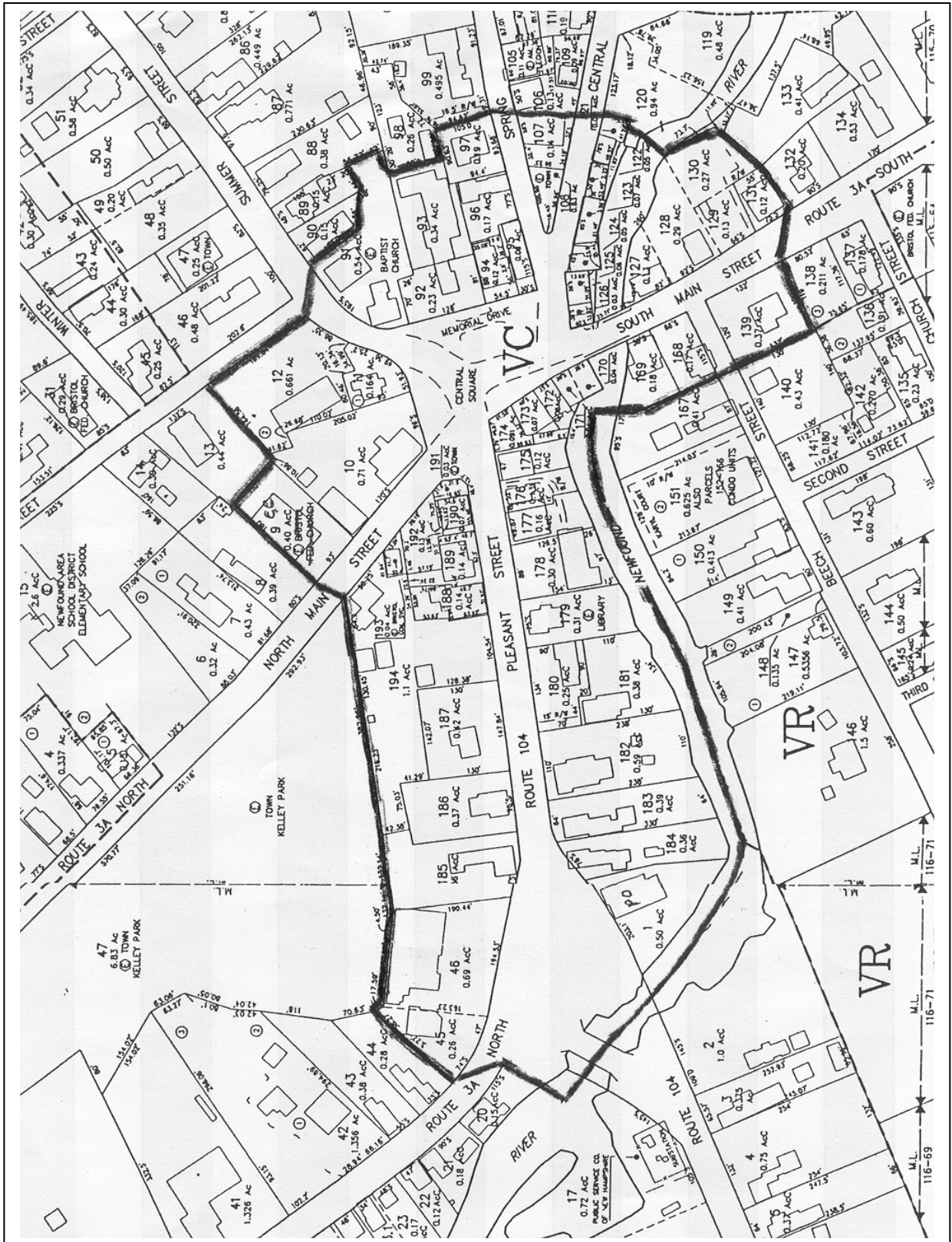
Concentrating community improvement efforts on this central downtown area will yield significant results that will generate improvement activity beyond its boundaries to adjoining areas of the business community. Since compact, commercial development is essential to the survival of downtown, full utilization of the downtown area should have a higher priority than development outside the central business district.

IV. Existing Land Use

The downtown area generally consists of a core of historic commercial buildings surrounded by older residential neighborhoods, a linear pattern of mixed uses, consisting primarily of newer commercial buildings and residential structures along Lake Street (Route 3A), Summer and Pleasant Streets (Route 104), and along South Main Street (Route 3A). In addition to the concentration of commercial and residential uses, the downtown includes such community facilities as the Library, Post Office and Community Center. Close by the Downtown Study Area are the Fire/EMS Station, the Elementary and Middle Schools and Kelley Park.

The most prominent of Bristol's many natural features are Newfound Lake and the Newfound River. About two-thirds of the lake lies within the town limits, with the Newfound River, the outlet of the lake, meandering through the built-up area. It was the river with its abundant waterpower potential that greatly influenced the growth of the village as a center of manufacturing and commerce.

Map I. Bristol Downtown Study Area



Historic Prospective

Throughout the years, Bristol has remained the prime center of commercial development within the Newfound Region and has long been recognized as a tourist center and summer resort.

During the early days of Bristol's development, the land use appeared prudent and visually attractive. In an 1890 publication "Central New Hampshire and its Leading Businessmen", George F. Bacon wrote, "As enterprising as Bristol Village is, it is not more so than its appearance would indicate, for signs of thrift and prosperity abound on every side, both in and along the public streets and on private grounds. There are many finely appointed stores containing costly and varied stocks, for the village is a purchasing center of no mean importance and the local merchants cater very liberally to their many customers. Many of the stores are lighted by electricity, and as the same agent is used for illuminating the streets, travel after nightfall is as safe and enjoyable as at any other time. There are many concrete sidewalks throughout the village, and the streets are generally well-shaded and pleasant."

Downtown Today

Over the course of time, land use in the downtown area has become more diverse. Land uses of a non-mercantile character, such as automobile service stations, residential and certain semi-public facilities tend to fragment the Central Business District, making compact pedestrian shopping somewhat difficult and significantly diluting the business district's overall strength.

Although most of the commercial space within the downtown area is currently occupied, inadequate maintenance of some of the buildings, some inappropriate signage, poorly maintained sidewalks and an overall impression of too much pavement take away from the potential attractiveness of the downtown area. If an expanded commercial base is to be obtained, an effort must be made to improve those aspects of the downtown area, which detract from its potential. Further, new commercial development should be encouraged to locate downtown rather being dispersed throughout the town. Such dispersed business development generally does not attract shoppers to the downtown area and does not permit the convenience of one-stop shopping that clustered pedestrian scale shopping allows.

In conclusion, Bristol has many positive advantages, which should be preserved and strengthened. Central Square along with its fine 19th Century buildings and the Newfound River should not be ignored; fuller advantage of these attractive features should be taken. Land use within the Central Business District is vital to the well being of the entire community. The downtown area is an expression or reflection of what a

community thinks of itself. Opportunity exists to strengthen the retail and business center with expanded commercial activity, as well as personal and professional services.



Pedestrian Park

V. Central Business District Conditions and Analysis

Along with the construction of mills near the Newfound River and the corresponding growth of the labor force came a demand for goods and services. During the mid-1800's, many of Bristol's downtown commercial buildings, particularly those on Central Square were constructed to keep pace with the needs of an expanding industrial community.

Many of Bristol's commercial buildings are classified as fine examples of the Victorian Commercial style, reflecting several stylistic trends including details and features drawn from the early Italianate style. These buildings exhibit a wonderful individualism, which gives Bristol's downtown area a charm and character impossible to duplicate today.

Bristol is fortunate to have many fine Victorian structures in its downtown area. Considered individually, these buildings are more solidly constructed and elaborately detailed than any structure likely to be built in the downtown area or adjacent to the downtown area today. Considered collectively, these buildings project an image of the town. Preserving and enhancing the many fine buildings in the business district will constitute a major step toward recapturing the vitality that once characterized downtown Bristol.

Building Conditions

Currently, the attractiveness of a number of buildings in the Bristol downtown area is diminished by such factors as inadequate maintenance, use of inappropriate architectural elements and poor signage. If an expanded commercial base is to be sought, improvements must be made in these problem areas.

The buildings in Central Square and along Pleasant Street are the most important physical features of Bristol's central business district, economically, functionally and aesthetically. It will do little good to improve vehicular movement, add new parking areas and landscaping, if the buildings themselves are in bad repair, have siding which is not in keeping with the building's architecture and have poor signage. Buildings are the downtown area's major physical resource and, therefore, are important to the success of any downtown revitalization program.

Careful building renovation can change the signs of deterioration within the business district and increase rental values. The warmth and character of Bristol's revitalized downtown area can attract customers from many miles, resulting in new demand for the community's retail space. Improvements to individual buildings goes far beyond its own walls, to the extent that it contributes to the overall image of the area. However, it should be remembered that each structure that is remodeled, departing from the character of the business district, and not compatible with its surroundings could cause serious visual harm to the streetscape.

Rehabilitation can result in not only increased property values, but also additional business. Regular customers, noticing the change, feel that a merchant cares about making their experience more pleasant and comfortable, while new customers will be encouraged to stop in and survey the merchandise. And, as an added incentive, a single well-executed renovation project will frequently be the catalyst for similar work along the street.

Building rehabilitation or renovation does not necessarily mean major changes or expenses. It is recognized that not every building needs major work; even minor repairs, fix-up and paint-up can make a big difference.

**Rehabilitation can result
in not only increased
property values, but also
additional business.**

Renovation involves a general upgrading of a building's external appearance. It can consist of accentuating the existing features of the building through painting, replacement or other treatment; the addition of design elements which may or may not have appeared on the original building, but which are in keeping with the building's character, and a general revamping of signage.

Renovation should not be confused with restoration or historic preservation in which meticulous care is taken to return a building to the design and condition in which it existed at a particular point in time. Rather, renovation is a contemporary solution that emphasizes long-term,

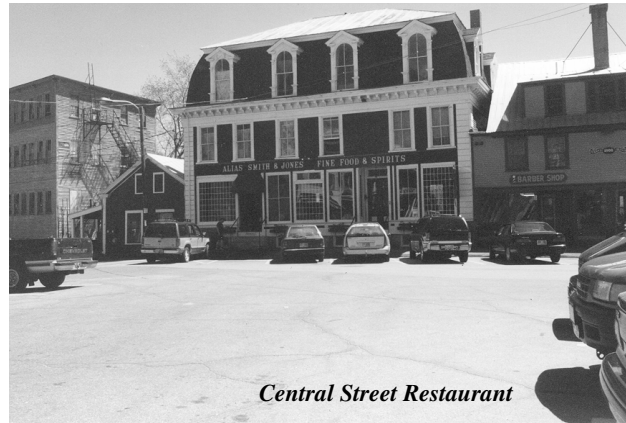
yet economical improvements. It respects the architectural features that enhance the building and removes those that detract or conceal it, such as false fronts. The height, width, original proportions, construction materials, textures, lines and width of an existing building are some of the factors, which must be taken into account prior to starting a renovation project. Also, old photographs, if available, can be very helpful in assessing the building's potential and making decisions about the type of changes to undertake.

Storefronts

Because the storefronts are most directly in view of passersby and shoppers every effort should be made to retain or recapture the storefront architectural character.

Fortunately, very few storefronts in Bristol have been "remodeled" or

altered in general design over the years. It is recommended that the architectural character of individual storefronts be reappraised and that any restoration or renovation to be done, be in a form which is compatible with the design of the rest of the building, as well as with that of the total downtown area. While the storefront is but one of the many variables that affect business, an attractive storefront will always reinforce a successful venture.



Central Street Restaurant

The storefront's original design is the best blueprint for a renovation project. Reduced to its essential elements, the storefront is actually defined by a horizontal lintel and two vertical piers. In any renovation, these features should always be retained. The width of the storefront pier should approximate the spacing between openings on the upper floors. In this way, each level will relate to the other and the building will "read" as a unified whole. Similarly, the lintel, which defines the top of a storefront, should never be removed or altered. This horizontal strip unifies the facade and gives "scale" to the street frontage of a building.

Original details and materials should always be retained. Decorative features such as columns or brackets, which are often repeated across the face of a building, give unity and character to the storefront. If it is impossible to preserve these and other features such as cast iron paneling, try to approximate the original design with different materials. For instance, wood is often a good substitute for an original cast iron storefront. On an older building, aluminum and porcelain siding or

detailing should be avoided because they contrast too greatly with 19th century building materials.

Always avoid new materials that do not relate to existing materials, exterior clutter such as small signs and other objects attached to surfaces, and irrelevant lighting fixtures. Where glass area must be reduced, use solid panels of a material already present on the exterior. Preserve, where possible, porches, steps, entry doors, or platforms when they still have character worth saving.

When planning a storefront renovation, always remember that the storefront is a part of a larger structure and its design should relate to the building's overall character. Secondly, a commercial block may contain more than one storefront and, for the best effect; each individual shop should harmonize with its neighbor.

A hazard to be avoided is that of choosing an "historical revival look" or the popular cedar shakes cover-up that is neither historically correct nor good design in the first place. It is recommended that the original styles of Bristol's Main Street buildings should be sought or maintained, not redesigned, to out-of-place "fake colonial" or some other design. Contemporary building designs should be considered only as an alternative where no strong local styles exist.

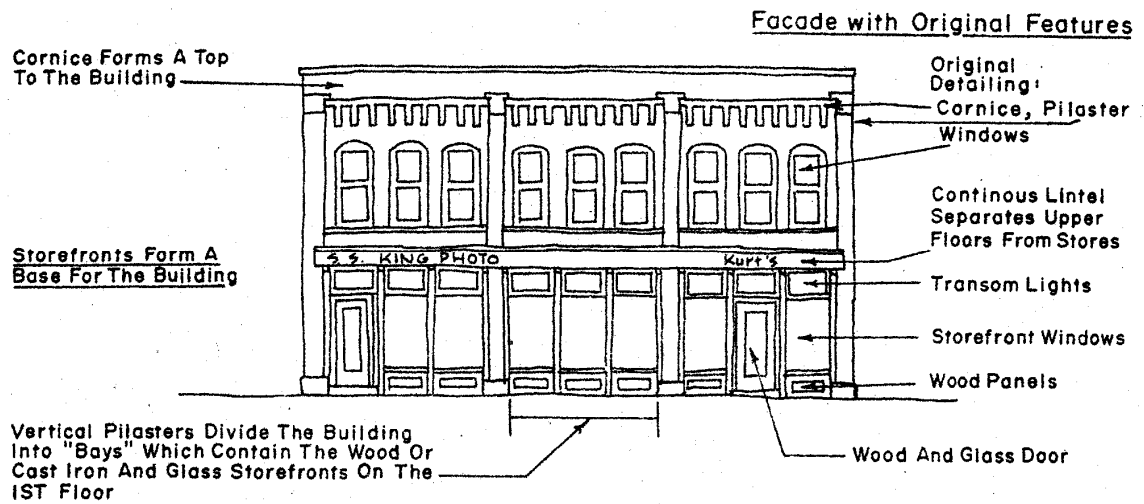
It should be pointed out, however, that new, well-designed modern buildings can make a positive visual contribution to the downtown area, even though the business district is made up of predominantly 19th century buildings and should not be discouraged.

Adhering to these guidelines and respecting the integrity of the building need not restrict individual expression. Storefronts can vary tremendously to express the nature of the business and the identity of the owner. This can be accomplished by the introduction of small elements such as signs, awnings and window boxes.

The Facade

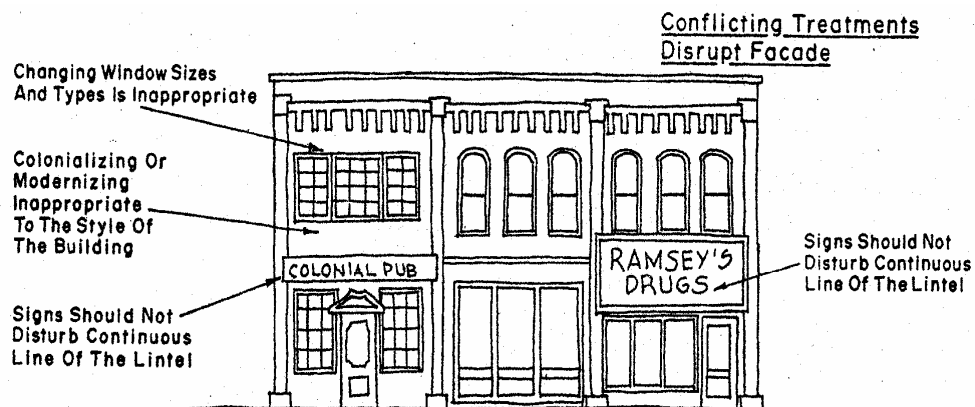
The figures on the following pages illustrate design options. *Figure III-1* shows appropriately renovated buildings on which the original details, materials and scale have been retained. Furthermore, this design reconciles two competing forces--the identity of the individual store and the design of the building as a whole.

Figure III-1



Figures III-2 and III-3 illustrate examples of how the addition of inappropriate details and materials can erode the original character of the building. Usually this produces a visually complicated appearance, which obscures rather than accentuates the identity of each storefront. On a well-designed commercial block, a balance is struck between the building's total design and that of the storefront.

Figure III-2



Each Storefront Is Of A Different Type; This Disrupts The Continuity Of The Continuity Of The Building Facade.

Figure III-3



Attractive storefronts are always designed as part of the building that contains them. By relating to the style and detailing of the upper floors, the storefront becomes an integral part of the total building and actually makes a bolder, more cohesive statement.

Three basic rules should govern commercial improvements and also apply to home renovations.

- (1) Any change or addition should be compatible with the original design of the building.
- (2) Whenever possible, retain original details and materials. If it becomes necessary to introduce new elements, or to mix old and new parts, they should harmonize with what already exists.
- (3) Never try to make a building look older than it really is by using details from earlier periods. The result will always look somewhat artificial.

Awnings and Canopies

Awnings and canopies have traditionally been used in business areas to give shoppers protection from the weather, as well as to protect window merchandise from the sun. In addition, awnings and canopies can provide color, a three-dimensional appearance to a facade and vitality to the downtown area. Properly designed and maintained awnings can add to the character of the street and commercial area.

Canopies and awnings can be used effectively on buildings to lessen the contrast of less attractive structures. However, care should be taken not to cover up handsome materials or important details through the use of such

canopies and awnings and it should be understood that metal and wood canopies tend to dominate storefronts, and are simply foreign to some commercial architecture. The use of compatible awnings, which may vary in color, but not in basic design on a number of buildings, can help to tie the buildings and street together.

Colors

One of the most important decisions building owners make is the choice of exterior color. This is of particular importance in the case of a wood-frame building where the combination of wall and trim colors usually decides its basic character, making it appear cheerful or gloomy, light or heavy, restful or busy. In the case of a brick building, although the basic wall color has already been established unless the brick is painted, the choice of color for window trim, doors and other features can still have a decisive influence on the character of the building.

The many brick buildings provide Bristol's business district with a fine textural character. Several fine brick buildings dominate Central Square. Great care should be given to the continued maintenance and improvement of these structures.



Minot Sleeper Library

Many times, older brick buildings were painted when they were built to seal their soft brick from the weather, while oftentimes others have been painted later in their lives. Where brick surfaces are already painted, there is no real need to remove the paint. It generally may remain and be repainted, so long as the alternative of the natural brick is not easy to obtain. Where brick buildings have never been painted, the natural unpainted brickwork should be kept.

It is recognized that choosing of a building color is an individual and personal choice, but it has its effect on the general character of the street. A good color scheme should be neighborly, as well as effective in itself, so that both the building and the street environment benefit. Choice of color is most significantly a part of the total design effort and must be considered with discretion.

Several colors on a building should be avoided. The most effective architectural color schemes usually contain a very limited number of

colors, perhaps one or two at the most. In the Victorian era, the later 1800's and very early 1900's, painting was usually done using earth colors, hues tending towards browns, soft greens, and beiges. Bright colors and whites were rarely used. Victorian buildings, therefore, are perhaps most appropriately, or at least authentically, painted using subdued colors. Special care should be taken in choosing the basic wall color of frame buildings, especially if the building has been renovated using aluminum or vinyl clapboards. Off-white on older buildings or white on newer ones nearly always looks right on a clapboard building, but sometimes a darker-toned color can also be very effective, especially if the window trim is off-white or very light in tone.

Windows

Next to the materials of the building, the windows' shape, size, placement, and decorative trim constitute the major element in creating the character of the building. As such, the windows should be preserved and protected against needless alteration, boarding up, or elimination.

It is a good basic rule that, if the original windows cannot be saved and it is necessary to replace them, the new windows should be the same size and type as the originals or at least as close as possible. The practice of "blocking-up" or "blocking down" existing window openings to fit a smaller standard window should be avoided if at all possible, as it does more than any other single thing to change the basic appearance of a building and seldom for the better.

When designing new window treatments, it is important to relate the proposed design to the facade of the whole building. Colonial windows with small frames, however attractive, can disrupt the continuity of a building front which is composed of large plate glass windows.

Siding Materials

Wood has been the most traditional siding material on Bristol's buildings. Wood is easily worked, has natural insulating qualities, and is adaptable, plentiful, relatively inexpensive and resistant to denting. It can be patched, refinished, and repainted or stained. For these reasons, every reasonable effort should be made to keep original wood siding on downtown commercial and residential buildings. If replacement is absolutely necessary, new wood clapboards will look better than any synthetic material and will, with care, last longer.

Brick is also a traditional, durable, attractive siding in the downtown area. Care should be taken to preserve the brick facings, avoiding unsightly patching and incompatible materials when repairing these surfaces.

In some applications, vinyl, aluminum or similar synthetic sidings may be considered as an alternative to wood or masonry. When used properly, these synthetic materials can make otherwise unkempt, unpainted buildings more attractive. Care should be taken to choose quality materials and installers. Particular attention should be paid to preserve or replicate original trim and moldings.

If changing the siding materials on a building is being considered, the alternatives available should be compared carefully. The following list summarizes the basics:

Wood Clapboards:

- Always historically appropriate--can last over 100 years if kept up.
- Require painting every 5-10 years and minor periodic maintenance.

Wood Shingles (Not Shakes):

- Used originally on Shingle Style and Queen Anne Style homes conditionally appropriate on homes of other styles - must be used with original trim.
- Can last to 100 years with maintenance.
- Require painting or staining every 5-10 years and minor upkeep.

Synthetic Siding (Vinyl, Aluminum, etc.):

- Conditionally appropriate, if 4" horizontal "Boards" are used and original trim is retained.
- Life expectancy may be longer than wood clapboards but long-term effects on structure beneath untested.
- May require periodic painting after 15 years; may dent or scratch; potential rot problems in structure behind; potential fire hazards.

Asphalt Shingle or Sheets, Formstone:

- All are inappropriate siding materials for older buildings.

Signs

Signs are one of the most prominent visual elements on the street. If well designed, signs add interest and variety to a building's facade while enlivening the street scene. On the other hand, signs more than any other single feature can detract from even the most attractive storefront and clutter its surroundings.

First and foremost, a sign should be visible and legible. To achieve this it is not necessary to install a particularly large or flashy sign. A sign will be far more effective if, instead, you concentrate on choosing appropriate enlivening the street scene. On the other hand, signs more than any other

single feature can detract from even the most attractive storefront and clutter its surroundings.

First and foremost, a sign should be visible and legible. To achieve this it is not necessary to install a particularly large or flashy sign. A sign will be far more effective if, instead, you concentrate on choosing appropriate details and a proper location.

In designing the sign itself, place a premium on simplicity and directness of message. Graphic symbols or simple verbal messages are generally most effective. Try to choose sign materials that will harmonize with the building's design. Generally, on a 19th century building, a wooden sign with raised letters will look the best. Besides treated natural wood, other suitable sign materials that can best withstand the variances of New Hampshire climate include metal or plywood, prepared and painted. Plastic signs with applied or integrated lettering and glass-illuminated signs are usually less appropriate.

A sign is most effective when few colors are used and light colored letters are placed on a matte, dark background reducing reflected glare. Messages are most easily read when lettering mixes upper and lower case form. For nighttime use, signs should be illuminated from an indirect light source. This will reduce glare and ensure that attention is properly focused, not on the sign, but on a lighted window display or on the activities indoors. Another acceptable alternative is to place the light source behind the letters to create a silhouetted effect.

Figure III-4



Figure III-5

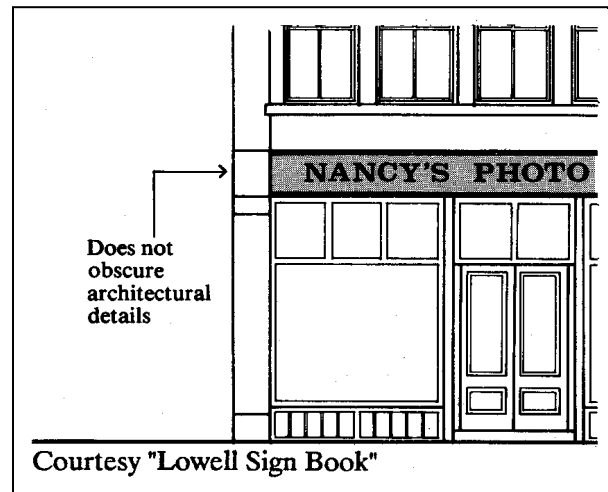
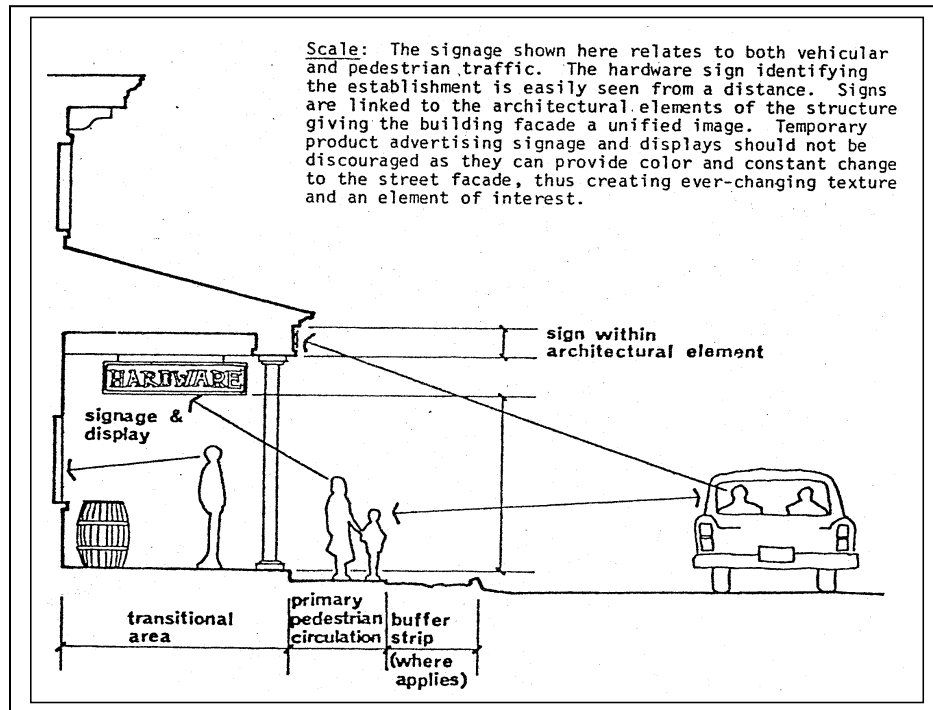


Figure III-6



When trying to determine how large a sign should be and where it should be placed, always refer first to the storefront and then to the design on the building as a whole. A sign should never be large enough to overpower the shop nor should it obscure a building's architectural features. As a general rule, when a building has a lintel (horizontal beam) locate your sign directly on it. If the sign is to project out from the building place it just above the lintel. See *Figures III-4, III-5, and III-6*, for effective use of signs.

Projecting signs are acceptable where their scale and method of support appear to be complementary to the building. They cannot endanger or impede pedestrians or vehicular traffic and may not extend over the vehicular right-of-way.

Fortunately, Bristol has been spared of a large number of inappropriate advertising signs. Because of the visual impact of signs, Bristol has a sign ordinance for the visual appearance of the town. Its object is to provide for the regulation and restriction of signs that are confusing, distracting, or impair visibility, and to protect scenic views and the character of the area. The sign ordinance leaves room for a variety in sign design. It includes requirements regarding maximum size, height and number of signs. The owner of any sign, which is in, or falls into disrepair, has to repair, replace or remove it.

Although not addressed by the ordinance, what is desired is excellence of lettering; careful color coordination with the building; good mounting; materials which are compatible with the building; lighting which is creative without being overwhelming; and, where effective, the use of plaques, logos, and decorative devices.

The use of signs sharing space with national brands of soft drinks or the like should be strictly discouraged.

Streetscape

A streetscape consists of three elements; manmade features such as buildings, fences, lights, sidewalks and streets; natural features like trees lawn and plants; and the users, cars, bicycles, and pedestrians. Two things determine the quality and flavor of this setting: first, the individual elements themselves, the buildings, sidewalks, trees, etc., and secondly, the way in which these elements relate to one another. Because a streetscape is such a diverse entity, improving it requires coordinated public and private efforts.

A downtown revitalization program should be a combined effort of the town and the private sector. The town may wish to budget for such improvements as tree planting, sidewalk repaving and special lighting fixtures keyed to the architecture of surrounding buildings and scaled to pedestrian height, while a merchant association or chamber of commerce may provide for benches and planters. These amenities are the very features which have made modern shopping centers so pleasant. By introducing such elements into downtown Bristol, the area will become more vital and attractive to shoppers and residents alike.

The building owners and shop operators, as part of the private sector, have a role to play in the town's revitalization program. They must carry out building renovation, storefront and sign improvements. These are just a few examples of streetscape improvement projects that can be undertaken publicly, privately or jointly. Streetscapes are public space, but they are part of everyone's shared experience and, consequently, their appearance and maintenance should be a common concern and a collective responsibility.

VI. Downtown Parking

Adequacy of parking is a major factor in attracting new commercial activity and revitalization to Bristol's downtown area. In a meeting of the committee preparing this section of the Master Plan and the downtown merchants, the merchants expressed a perception that parking is inadequate in the downtown area. This parking study was undertaken to determine how this perception compares with the actual situation and to

try to project future parking needs in the study area. To assess the adequacy of existing parking facilities, an inventory of existing spaces and an occupancy study were made.

An inventory of parking spaces within the downtown study area indicates that there are 131 parking spaces available to the general public, including those in the parking lot between Central Square and the Bank of NH and in the municipal lot on Pleasant St. adjacent to the Masonic Temple (*See Table III-1*). About 172 more spaces are available in off-street lots dedicated to patrons of a particular establishment such as the Post Office of Liquor Store, but employee use reduces the number of

Table III-1: Bristol Downtown Parking Survey- 2001

<i>Location</i>	<i>Description</i>	<i>Parking Spaces Available</i>	<i>Week-day Average of Spaces Occupied</i>	<i>Week-end Average of Spaces Occupied</i>
Central Square	West side, diagonal parking	11	8	8.8
Central Square	Between Central Square and Bank of NH	13	6.3	9.3
Central Square	Center	14	9.6	9.3
Central Square	South side, near Barber shop	8	3	5.1
Central Square	South side, in front of Mica building	4	1.5	1
Central Square	East side, in front of Bristol Market	8	2.6	3.3
Masonic Temple Lot	South side of Pleasant Street	12	1.6	1.7
North Main Street	West side, diagonal spaces near BCC	7	5.4	3.7
North Main Street	East side in front of bank	5	2.8	3.5
Pleasant Street	South side, Cumberland Farms to corner	9	6.3	7.3
Pleasant Street	North side from Sound Advice to Dead River	10	4.3	7
South Main Street	West side, from the bridge to My Tavern	8	4.7	5.7
South Main Street	East side, all spaces by Diner	12	4.7	7.8
Spring Street	South side, 6 diagonal and 1 parallel spaces	7	4	2.7
Spring Street	North side, marked spaces	3	2.2	2.5
TOTAL		131	67	79

available spaces in these lots to approximately 116 (*See Table III-2*). Parking areas not dedicated to business use, such as the Baptist Church lot and Town Square Apartments lot are not included in this count because they are not generally available to patrons of downtown businesses. The dozen or so spaces behind Pleasant Street businesses have also been omitted from the count because they are used exclusively by owners and employees.

Table III-2: Dedicated Off-Street Business Parking		
<i>Location</i>	<i>Total Spaces</i>	<i>Employee Spaces (Est.)</i>
Post Office	23	8
Liquor Store/Venture Print	38	6
Minot-Sleeper Library	8 (approx.)	2
Premium Glass	10 (approx.)	3
Cumberland Farms	6	0
My Tavern	19 (approx.)	6
Behind Bank of New Hampshire	18	9
Dead River Company Lot	23	10
Newfound Professional Building	27	12
TOTAL	172	56

A thorough occupancy study of the 131 parking spaces available to the general public was carried out in August of 2001, presumably one of the busiest months of the year. Thirteen surveys were taken on weekdays and six surveys were taken on weekends. Generally, the surveys were taken at mid-morning or mid-afternoon. The results of these studies form the basis for Table III-1, which shows the average occupancy in various locations. The average occupancy of the parking spaces surveyed was 51% on weekdays and 60% on weekends. This is considerably below the 85% to 90% occupancy which is considered an indication of the need for additional short-term parking. However, getting a more accurate assessment of the parking situation in downtown Bristol requires going beyond the overall averages and looking at several factors that are hard to quantify.

Other factors, which must be considered in trying to reach some conclusions about Bristol's parking situation, include:

1. Some of the parking spaces included in the survey are not conveniently located. For example, most people looking for a parking space clearly do not see the Masonic Temple lot, with an average occupancy of 13%, as a convenient location. Focusing on the 58 spaces located in Central Square (the first six rows in *Table III-1*) shows an average weekday occupancy of 53% and a weekend occupancy of 63%, slightly higher than the overall averages, but still not at a level suggesting the need for more spaces. The three spaces on the north side of Spring Street showed an average occupancy of 83%, the highest in the survey.
2. Special events can cause parking problems that don't show up in the data. Notably, the Saturday night auctions held by Charlie Reynolds and the Sunday pancake breakfasts at the Legion Hall tend to create

an unusual demand for parking. It should be noted, however, that parking for weekend events like this is supplemented by the use of off-street parking in places such as the Bank of NH and Dead River parking lots.

3. A number of available spaces are deficient in some way. For example, many spaces on Pleasant Street are too short to accommodate a large vehicle. Backing out of the spaces on the west side of the Square is inconvenient and can be dangerous, especially if traffic is high. The spaces in the center of the Square require passengers leaving or returning to their cars to cross two lanes of traffic if they are doing business on the west side of the Square. Finally, some spaces are inaccessible if you're coming from the wrong direction or require a long detour when you pull out.
4. Shoppers like to be able to pull up directly in front of the store they plan to visit. When they have to cross a street or walk by several storefronts to get to their destination, they have the perception that parking was inconvenient, even though the actual distance walked was not great. Likewise, merchants tend to see a parking problem when the spaces directly in front of their store are filled, even though space is available nearby.
5. The volunteers performing the parking survey observed that parking is anything but a static situation, with cars constantly pulling in and out of parking spaces. This means that spaces are constantly opening up, even at busy times. On the other hand, the volunteers also observed that some spaces are effectively taken out of circulation by all-day parking.

Given all of the considerations discussed here, it would appear that although more parking is always desirable, modest measures such as more strongly discouraging employees and apartment tenants from taking up prime downtown parking places are probably adequate at this time. It would probably be more important to address the convenience and quality issues described in Paragraph 3 before trying to increase the number of available spaces. Another quality issue that is not mentioned above, that needs to be addressed, is the virtual total lack of handicap parking spaces in downtown Bristol.

Should the downtown revitalization plans outlined elsewhere in this plan be successful, parking needs can be expected to increase and this need will have to be addressed. As a part of long-range planning, the town should consider acquiring land near Central Square when it becomes available to establish an off-street parking area. Based on a national survey, shoppers are reluctant to walk more than 300 feet to conduct their

business, so a suitable area would have to be within this distance from Central Square. Of the several locations that might be suitable, the area behind The New U/Dead River Oil Company off Pleasant Street would be particularly appropriate. This area would be most visible and accessible to motorists utilizing businesses along Pleasant Street and on Central Square.

Traffic Circulation

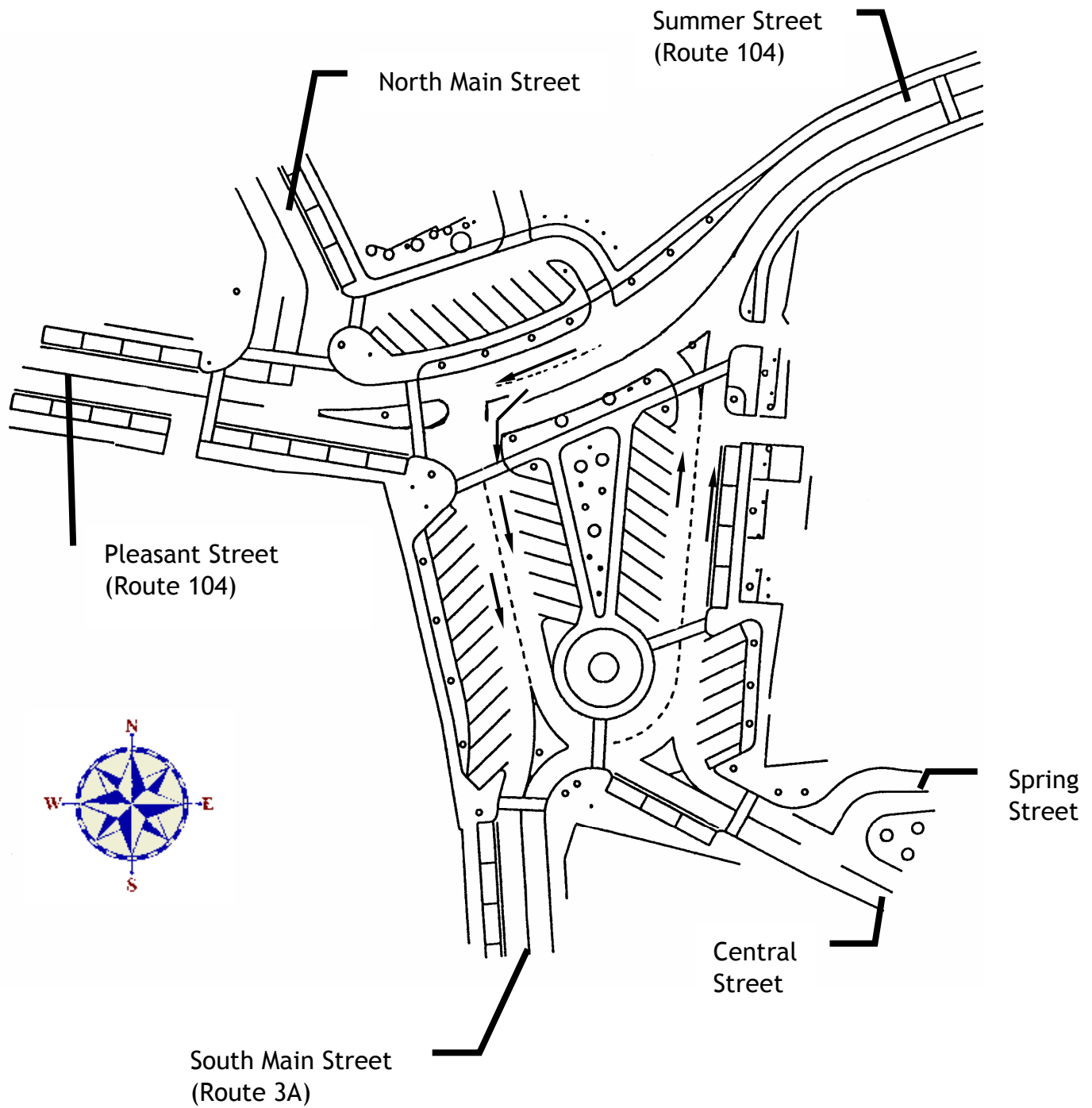
Vehicular traffic in a central business area has an important impact on the activities that take place in this area. In downtown Bristol, the various businesses depend on automobiles and trucks to transport their patrons and necessary supplies into the downtown area. Vehicles passing through on Routes 104 and 3A generate additional traffic. It must be recognized that vehicular traffic detracts from the environmental quality and beauty of the downtown area, competing with and disrupting the flow of pedestrian traffic, the real lifeblood of any business area.

Downtown Bristol has a long history of traffic congestion and confusion, particularly at the Central Square intersection. The street pattern within the downtown area and the through-traffic highway intersections create problems that need to be addressed.

Traffic control and/or a redesign of the traffic pattern should be considered, not solely for the benefit of the motorist, but for the aid and safety of the pedestrian. The main goal of providing traffic improvements is to achieve an efficient and convenient movement of vehicles in harmony with pedestrian traffic, while improving the aesthetic and environmental quality of downtown Bristol. A secondary goal of a redesign would be to provide at least as much parking as currently exists while reducing the deficiencies noted earlier in some of the existing downtown parking.

Figure III-7 based on a plan suggested by Michael W. Bannan, illustrates a possible redesign of Central Square, but represents only one of several possible designs.

Figure III-7 Conceptual Central Square Design



VII. Street Treatment and Pedestrian Amenities

A better balance between a man-made and natural environment should exist in downtown Bristol. Presently, buildings and pavement dominate much of the landscape, particularly at Central Square and along Pleasant Street.

Steps should be taken to restore a pedestrian scale and beauty to Bristol's downtown area. These improvements would stimulate shopping and building occupancy, as well as improve the quality of life for local residents. Just as pedestrian amenities are a major selling point of most shopping centers and malls, Bristol's commercial area can become more attractive to both shoppers and residents by providing a more harmonious and hospitable pedestrian environment. Pedestrian amenities refer to features that make the landscape pleasant, attractive and comfortable.

There are existing downtown amenities, which add to Bristol's visual appearance. Perhaps the most obvious and dominant is the small curbed rectangular park within Central Square, which contains the Soldiers Monument and other monuments honoring Bristol's Revolutionary and World War I soldiers, along with the town's flagpole, ornamental shrubs and large spruce tree. Other visual amenities include the nicely maintained lawn area and trees on the east side of the Square in front of and to the side of the Beno House or old Bartlett House; the small green area adjacent to North Main and Pleasant Street, near the police parking space; the grass area north of the Square between the bank and the old Sleeper Tavern and the small lawn area in front of the Library.



Additionally, green space and landscaping around the Bristol Community Center on North Main Street and the Federated Church on South Main Street contribute significantly to the appearance of downtown. The Newfound River, although not very visible and not being utilized to the downtown's best advantage, can also represent a considerable amenity for the downtown.

On the negative side, a number of amenities often present in downtown areas are lacking in Bristol. Among these are benches, special lighting fixtures, plant containers, litter receptacles, special paving surfaces and street tree plantings.

Sidewalks

A viewing of sidewalks in the downtown area was conducted to establish the present conditions of sidewalks, curbs and edges. The condition of individual sidewalks varies, but in overall terms,

the condition of sidewalks in the downtown area was found to be generally acceptable. There is, however, a lack of adequate delineation or curbing at some locations, which would provide improved pedestrian safety, and a lack of definition between traffic and pedestrian movement, particularly along portions of Pleasant, Summer and Lake Streets. The surfaces and

edges of sidewalks on side streets away from the downtown area are in less favorable condition. In most need of attention are the sidewalks on Summer Street. There is no sidewalk on the west side of South Main Street from Beech Street going south and no delineated sidewalk on Central Street.

Sidewalks should be provided where traffic volumes are high enough to warrant a sidewalk for minimum pedestrian safety. Poor sidewalks generally detract from the appearance of the downtown, as well as the community's neighborhoods. Inadequate sidewalk conditions should be corrected with improvements and general maintenance provided on a regular basis. In addition, sidewalks along the town's business streets should present a pleasant and comfortable environment, including such features as street trees, special lighting and benches for shoppers' comfort.

Special attention should be given to the large expanse of pavement within the Central Square area. The introduction of a wider walkway of

Figure III-8

Lighting and planters provide a buffer between pedestrians and traffic. In areas with widened sidewalks, street side seating can also be accommodated.

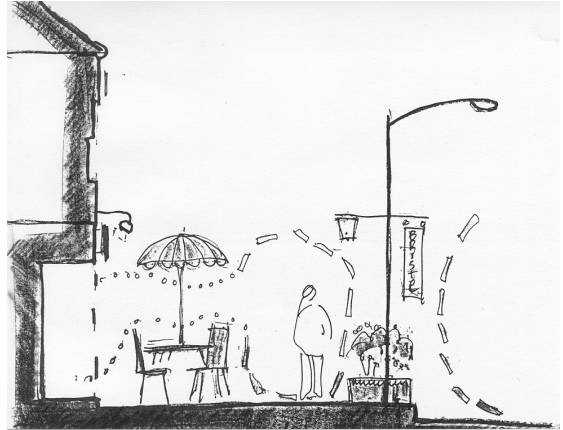
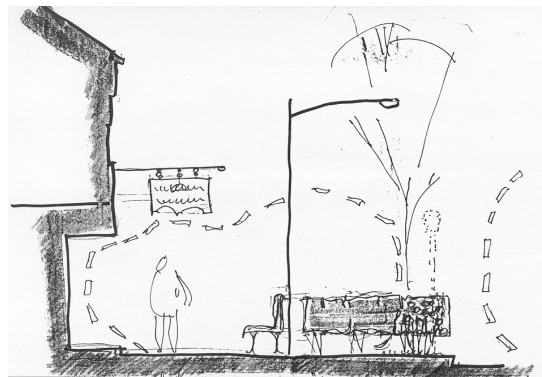


Figure III-9

"Bump-outs" (sidewalk extension illustrated to the right of the street lamp provide an added measure of pedestrian safety at intersections and cross walks, elevating the street walkers so they are more noticeable to drivers. Bump-outs can also increase the usable sidewalk space for lighting, benches etc.

Illustrations by: Wes Flierl



textured material on the west side of the Square so as to accommodate appropriate tree plantings and other pedestrian amenities would do much to soften and improve the visual appearance of the Square and this approach to the downtown area. In addition, by projecting the sidewalk out beyond the parking spaces at certain street corners or at crosswalk locations, not only is street crossing made safer, but areas are created for street trees, planters and benches. Consideration must be given to snow removal during the winter months when planning for such areas.

Surface Material

The texture of the ground surface or walk areas is an essential visual element of the downtown area. Texture can be given to the ground surface through the use of a wide variety of materials, each having its own values and uses.

Surfaces such as cobblestone, brick and stone are quite dominant and tend to attract attention to the area. These surfaces are not only functional, but also interesting and pleasing to the eye.

The choice of materials can go far in creating a unique character within the central business area, as well as for individual areas within it. The more traditional use of asphalt sidewalk surfaces on Bristol's Main Street is acceptable; however, in addition, natural stone tiles or brick material with contrasting colors and textures may be interrelated and coordinated to provide interesting and varied areas within the downtown area.

Special Lighting

Downtown lighting, like lighting of other areas of the community, is considered primarily for the safety of traffic movement and crime prevention, with the chosen lighting coming from fixtures mounted on poles high in the air. Such lighting serves these purposes well, but is not in keeping with the pedestrian scale of the downtown business district.

Special lighting not only enlivens downtown at night, but also contributes to its structure and appearance during the day. As such, lighting equipment should be considered street furniture. If, for example, light poles are spaced regularly and fairly close together along a sidewalk, they can help to create visual rhythm with other elements of the street, such as trees. Where the lighting is not designed to fit in harmoniously in terms of scale, siting and design, it will only add to visual clutter.

The choice of special lighting equipment should take into account its contribution to the overall image of the central business district. As one of the most visible elements in the daytime downtown landscape, lighting systems must blend in well with all other furnishings of the sidewalks, as well as being compatible with the buildings along the street.

Contemporary lighting posts and fixtures fit well in an updated well-landscaped setting of pedestrian areas, designed in good taste so that they will have timeless appeal. Where the downtown architecture and history of Bristol are being stressed, lighting of older design may well be most appropriate. If possible, the lighting should be selected to match that which was originally used along the Main Street. If this is not possible for reasons of practicality or cost, a number of manufacturers produce outdoor lighting equipment that tastefully captures the flavor of older communities.

Street Trees and Plants

One aspect of the character of typical New England towns has traditionally been the trees, which have lined the main streets. This can be readily verified by studying old photographs of Bristol. Over the past several decades, trees have died or found themselves in the path of "progress".

Some of these trees have died from old age, but many have died either from disease, abrasion, excessive pruning, or suffocation from pavement or air pollution. Various types of trees can withstand varying amounts of pruning. Trees excessively pruned to make way for power lines frequently die or become visually unpleasant. A nurseryman should be consulted to determine how much pruning a particular tree can take.

Street trees, planted in paved areas, must have three to five feet of unpaved area to allow irrigation and aeration. Ideally, the trunk size of a newly planted tree should be 2 1/2 inches in diameter for the tree to survive in a heavy traffic area. Trees should be established with a clear trunk to seven feet, and should be selected for specific areas. Suitability for a particular situation depends on the exact downtown location and microclimate. Horticultural advice is recommended. Sampling the subsoil is necessary when planting in the existing ground. The County Soil Conservation Service office can assist with this task.

Trees and plants in the central business area perform several functions. When planted between vehicular and pedestrian areas, they absorb traffic sounds. Plants act as receptors of dust, absorb fumes and gases, provide shade in summer, insulation in winter and, when properly placed, they aid to control, direct and guide vehicular and pedestrian traffic.

The main objective of the use of trees and plants in the Bristol downtown area is for aesthetic value. With the use of a skilled designer, plants of many varieties can become an effective tool with which to reinforce the desired image of the central business district by providing a visual linkage to unify its man-made and natural environment.

Trees should be selected on the basis of their height. They should be in scale with their surroundings. Carefully selected trees can complement buildings and other surroundings. It is essential that adequate space be left for large trees at the planning stage. Where space is limited, smaller varieties should be used. Spacing should be measured when grouping trees, particularly if a canopy effect is desired. The optimum planting distance varies according to species and variety, although 10 to 30 feet is usual depending on tree spread.

Shrubs can be used as freestanding plants, but more often are planted in groups to create hedges and screens. The primary considerations, which should go into selecting a shrub for one of these uses, are the plants' natural growing height and whether it is suitable for being cut back and trimmed to encourage bushiness. Other factors should be considered if a particular visual effect is desired.

Importantly, consideration should be made for which town agency will care for these plantings.

VIII. Plan Recommendations

The Bristol Downtown Improvement Plan proposes a significant number of recommendations that private business, organizations and local government must undertake to achieve a pedestrian scale and attractiveness to the central downtown area. A downtown is, after all, supposed to be a pedestrian area, and the more attractive it is to people on foot, the more successful it is likely to be.

The recommendations will provide stimulation for new business and shopping activity, provide for improved use of Bristol's limited downtown land area and will provide for the broadening of the community's tax base.

The following recommendations are all part of a comprehensive plan for downtown revitalization. Yet, each proposal stands by itself and advances the development of the total plan. No attempt has been made to arrange the proposals in order of priority. Logically, however, Central Square redesign should be done early on, even if construction follows later, because many of the other proposals would be influenced by this new design.

(1) Central Square Redesign

The current traffic pattern at the intersection of Route 3A and 104 (Central Square) does not work very well. Moreover, the Square is dominated by paving and its function is primarily to serve vehicles.

An alternative to the design of Central Square should be considered. The

plan shown in *Figure III-7* should be given primary consideration, but must have NH Department of Transportation final approval. It is recommended that the Square be redefined to establish a larger, more appropriate and functional green. Currently, the excessively large expanse of asphalt paving within the Square, dominated by traffic circulation and parked vehicles provides an adverse visual impact upon the Square.

Redesign of Central Square to a more pedestrian scale will help to create a greater identity for the town center and serve as a focal point of the community.

(2) Central Square Pedestrian Improvement

To provide for an improved pedestrian scale shopping environment, it is recommended that the sidewalk on the west side of Central Square be widened by about five feet to provide additional space for street trees, pedestrian scale decorative lighting fixtures of an appropriate design and in harmony with the downtown, benches and other amenities

Paving material recommended is brick pavers that will provide scale and texture to enrich the pedestrian environment. An alternative to full pavers is a single or double row of pavers at the granite curbing. Trees suitable for sidewalk planting should be incorporated with this theme.

(3) Downtown Historic District

A Historic District Commission should be established to oversee the historic district, now included in the National Register. Its function would be to provide some guidance to individual property owners and the town with regard to the appropriateness of proposed building renovations, signage, street lighting, etc.

(4) Treatment of Business Area Storefronts

Under the direction of the Historic District Commission, storefronts and buildings in the downtown area should be restored or enhanced in their appearance in keeping with their original architectural character.

(5) Business Signs

Since signs in the downtown area are an important element in the visual image, downtown businesses should install signs that are in keeping with the downtown character. The Historic District Commission should guide this effort.

In more recent years, several signs have been installed which are inconsistent with the Old New England Village character. Compatible, easy-to-read signs should be a goal.

(6) On-Street Parking

Property owners and employees of downtown businesses should not utilize prime on-street parking spaces, thus making parking more difficult for prospective shoppers. It is essential that employees, building owners and apartment tenants use off-street parking areas or parking spaces not generally used by Bristol shoppers.

(7) New Parking Facility

With no unoccupied land available in close proximity to the Bristol downtown shopping center, the land area to the rear Dead River Oil Company buildings seems to be the most appropriate location for future municipal parking.

It is recommended, as a contingency plan, that the town make arrangements to acquire this land area. If acquisition is not feasible in the near future, first option purchase rights should be established for future purchase.

The lot should be paved and marked to accommodate about 42 parked vehicles. Appropriate landscaping and lighting should be installed, as well as appropriate signs directing downtown shoppers to the parking area should be erected. Other areas for consideration are lots 139, 180 and 123 (See *Map I* on Page 4).

(8) Streetscape Improvement

The lack of definition between vehicular traffic and pedestrian movement, with the relatively large open areas along portions of Pleasant, Lake and South Main Streets creates an interruption or gap in the streetscape scale of Bristol's downtown area.

It is recommended that this gap be softened at locations in front of Buzzy's store, in front of Premium Glass and Cumberland Farms, and between the parking area and sidewalk at the NH Liquor Store by the introduction of curbed islands or green space with appropriate plantings. This effort will create a more comprehensive downtown unit that will help in re-establishing the pedestrian scale and provide a soft green texture along the downtown streets. *Figures III- 10, 11, 12, 13, and 14* illustrate how the visual appearance of the downtown area would be enhanced by the implementation of some of the plan's recommendations.

(9) Pleasant Street Sidewalk Improvement

Sidewalk and curbing improvements made along Pleasant Street in the section between Lake Street and Central Square should be continued all the way to Central Square. The curbs should be granite, and crosswalk areas should be clearly delineated.

(10) Bristol Special Events

Special events within the community bring people to the area and gives visitors a positive impression of the community, increasing the likelihood that they will return. The Bristol business community should become more involved in sponsoring or co-sponsoring with other community organizations new events. Each successful event held in the downtown area generates substantial numbers of potential customers for Bristol businesses. Musical groups, art shows, farmer's market, along with special promotion and business sales are each possibilities.

(11) Newfound River Improvement

To assure preservation and enhancement of the Newfound River's aesthetic quality, the town should make every effort to encourage the cleanup along the river through the center of town, particularly along the area between the Post Office and the Library. To make visual improvements, brush and other undesirable growth should be cut, providing a clean grass area along the riverbank. Easements from property owners could lead to the development of a scenic walkway along the river maintained by the town.

The development of this passive type of recreational use will enhance the downtown area. Appropriate signage should be provided on the street to direct people to the walkway.

In addition, clean-up efforts should be made in the area of the Newfound River falls east of South Main Street and just off Central Street. This is a beautiful natural area that could become a public attraction given appropriate attention.

(12) Improvements to Other Streets and Pathways

Improvements to other streets leading to and from the downtown area have been carried out and should be continued as a part of the town's improvement program. Things that should be done to improve the street's attractiveness fall generally into upgrading the physical condition of sidewalks, curbs, streets and the addition of street trees along the sidewalks. Mowing and maintenance of grass strips along the street or between the street and sidewalks by abutting property owners is most important to the attractiveness of any street.

(13) Street Tree Planting Program

The town should encourage and assist with a street tree-planting program to provide shade in summer, as well as to improve the town's visual appearance. Such a program should involve coordination between various interested groups and the town with regard to the selection of appropriate species, tree locations, etc. Tree planting would be appropriate in the

downtown area.

Financial support may come from public and private sources, such as the Chamber of Commerce, Conservation Commission, Historical Society, Garden Club and Women's Club. One method of support may be financing of plant material from private donations with the town bearing the planting expense. The town should budget for tree care on an annual basis.

IX. Implementing the Plan

In preparing this plan, it quickly became obvious that most of the recommendations made in the 1982 Master Plan were excellent, but that very few of them ever came to pass. Likewise, the suggested steps for implementation made at that time seemed logical and well thought-out, but for the most part they simply did not work. Clearly, then, the real challenge in achieving downtown revitalization is not on reaching agreement on what needs to be done, but on finding a way to get it done.

There are two strategies which might be used to achieve downtown revitalization. One is to work with the resources already in place to implement the recommendations contained in this Master Plan. This would involve, among other things, seeking outside funding for the project and following through on its completion. The other approach is to apply for acceptance into an economic development program such as New Hampshire Main Street Program and to use their methods and procedures. There are clear advantages and disadvantages to either approach. Working with the resources in place (the Town Administrator, the Selectmen and the Planning Board) potentially allows for more immediate action and allows for more direct control by town officials over the project. On the other hand, this approach might not be as comprehensive as the Main Street program, which requires involvement by merchants, property owners, government officials and civic leaders. More significantly, perhaps, the poor record of progress using internal resources only in the past cannot be overlooked.

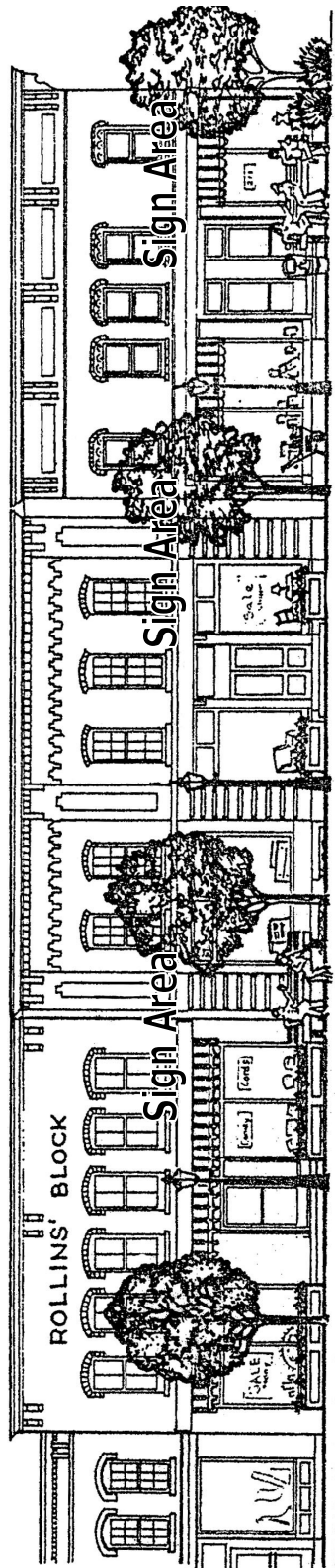
The principal advantages of the Main Street approach would be the guidance and support it would provide and its proven record of success. Participation in Main Street would almost guarantee a comprehensive approach, involving organization, promotion, design and economic restructuring. One of the disadvantages of the Main Street approach is the fact that acceptance into the program is not automatic. In fact, only two towns of Bristol's size were admitted into the pilot Main Street Village program in 2001. Failure to gain acceptance into the program would obviously delay implementation of the downtown revitalization project. Also, a half-time Executive Director would have to be hired, adding to the

overall cost.

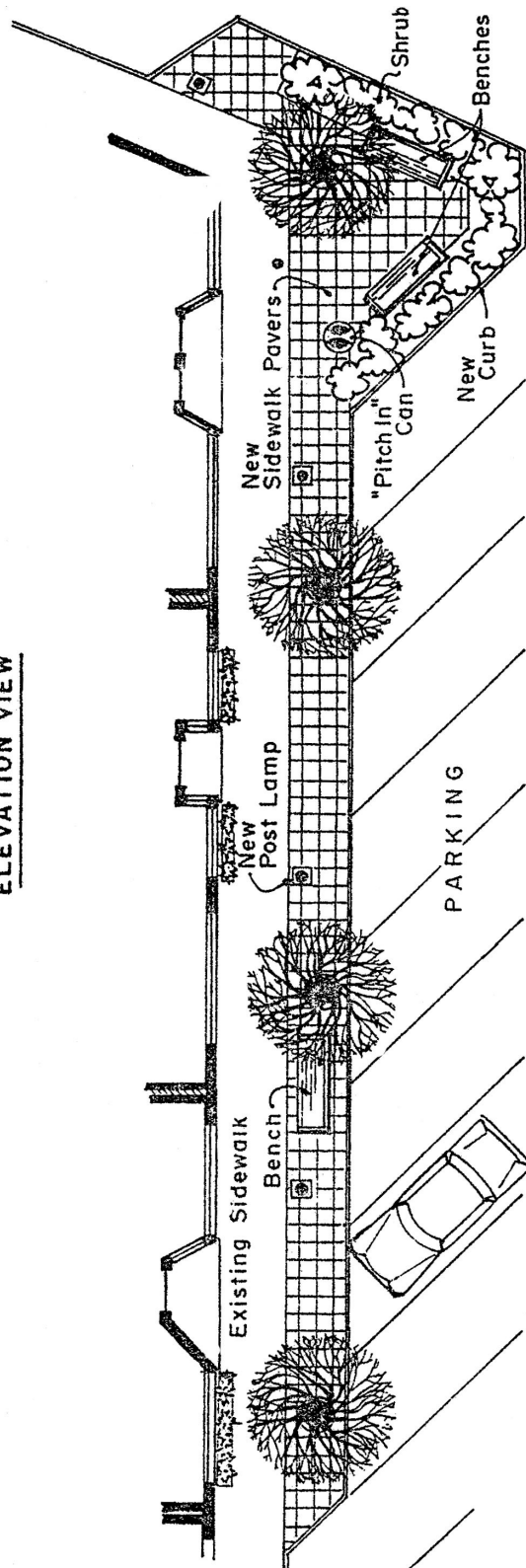
When the committee working on this section of the Master Plan first considered how to implement its recommendations, it came down on the side of using the Main Street approach. This decision was based largely on the long record of inaction in implementing the existing Master Plan using just our own resources. Since that time, however, a new Town Administrator, Bill McChesney, has been hired. Mr. McChesney is enthusiastic about downtown revitalization and has extensive experience in planning and funding such projects. He has researched funding opportunities from various sources, such as the Federal Community System Preservation Funds, as well as funds available through state agencies such as the NH Department of Transportation.

The Planning Board feels confident that the town now has in place the means to implement a downtown revitalization program. This fact, combined with the uncertainty and delay involved with application to the Main Street program, leads us to recommend implementation using our existing resources. We urge that the Selectmen direct the Town Administrator to plan and direct the implementation of the recommendations made in this Master Plan. Revitalization of our town center will require a good deal of hard work on the part of many people, but we feel one of Bristol's highest priorities must be to achieve the potential offered by its historic downtown.

Figure III - 10



ELEVATION VIEW



PLAN VIEW

CENTRAL SQUARE PEDESTRIAN IMPROVEMENT

Chapter IV: Population and Housing

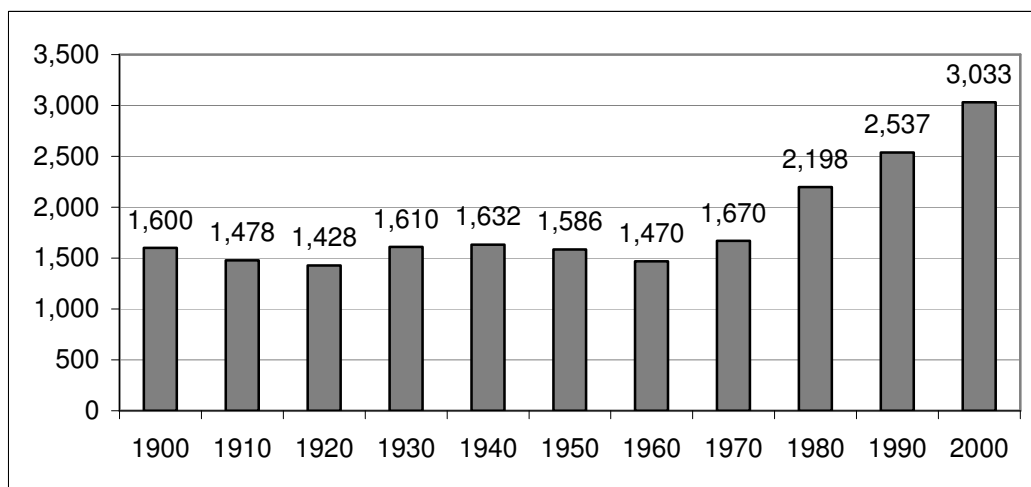
I. Introduction

An understanding of population trends and other demographics is essential for a Master Plan. The number of persons, general characteristics of the population, and the trends of these demographics assist in determining the impact these may have on the need for housing and services. This information can also lead to a better understanding of land use changes in Bristol and how the effects of growth and development will impact the community in the future.

II. Population

Bristol had a 19.6% increase in population between 1990 and 2000. The population in Bristol in 1990 was 2,537. In the year 2000, the population had increased to 3,033. While Bristol may still be considered a small town, the percent population increase experienced between 1990 and 2000 (19.6%) is higher than the average in the Lakes Region and New Hampshire. The percent population increase for the Lakes Region between 1990 and 2000 was 15.8%. For New Hampshire, the percent population increase was 11.4%.

Chart I: Population 1900-2000



Source: U.S. Census, 1900-2000

Since 1900, Bristol has experienced both increases and decreases in population. The greatest increase occurred between 1970 and 1980. In 1970, there were 1,670 persons living in Bristol. In 1980, the number of persons increased to 2,198, which is an increase of 31.6%. Between 1980

and 1990, Bristol also experienced an increase in population. In 1990, there were 2,537 persons living in Bristol, which is a 15.4% increase from 1980.

Table I: Population and Change 1900-2000

Year	Population	Change	Change (%)
1900	1,600	-	-
1910	1,478	-122	-7.6%
1920	1,428	-50	-3.4%
1930	1,610	182	12.7%
1940	1,632	22	1.4%
1950	1,586	-46	-2.8%
1960	1,470	-116	-7.3%
1970	1,670	200	13.6%
1980	2,198	528	31.6%
1990	2,537	339	15.4%
2000	3,033	496	19.6%

Source: U.S. Census, 1900-2000

As noted in *Table II*, population growth patterns in Bristol and the communities abutting Bristol have been greater than the average percent change in growth experienced in the state as a whole over the past decade. Bristol and all abutting communities with the exception of Alexandria have also experienced rates of growth greater than the Lakes Region as a whole. New Hampton (21.4%), Bridgewater (22.4%) and Hill (21.9%) had larger percent increases in population compared to Bristol. Alexandria (11.7%) and Hebron (18.9%) had smaller percent increases in population compared to Bristol. Bristol has added to the community an average of nearly 50 persons per year between 1990-2000.

Table II: Area Population 1990-2000

	1990	2000	Change	Change (%)
Bristol	2,537	3,033	496	19.6%
New Hampton	1,606	1,950	344	21.4%
Alexandria	1,190	1,329	139	11.7%
Bridgewater	796	974	178	22.4%
Hebron	386	459	73	18.9%
Hill	814	992	178	21.9%
Lakes Region	92,418	107,032	14,614	15.8%
New Hampshire	1,109,252	1,235,786	126,534	11.4%

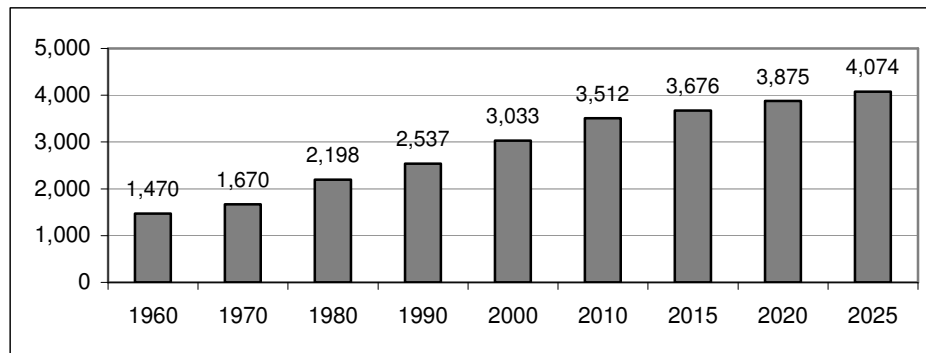
Source: U.S. Census, 1990 and 2000

III. Population Projections

Two sources were used to calculate population projections: Lakes Region Planning Commission (LRPC) and the Office of State Planning (OSP). LRPC's population projections are based on a linear regression of Bristol's population from 1960 to 2000. The OSP calculates population projections based on a regression analysis, which also uses county population data, births, deaths, survival, and fertility rates. Both models have the limitations of being based on recent trends, which can change and ultimately impact the accuracy of the future projections.

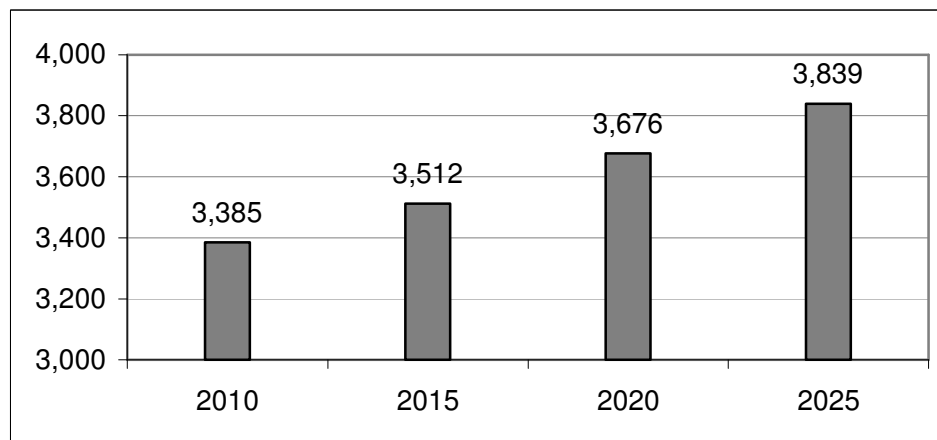
As shown in *Charts II and III*, the LRPC's and OSP's projected populations for Bristol to the year 2010 are not significantly different. LRPC projects an increase of 479 people to a population of 3,512; OSP projects an increase of 352 people to a population of 3,385. The difference between the projected population figures increases for the years beyond 2010 (see *Table III*).

Chart II: LRPC Population Projections 2010-2025



Source: LRPC Regression Analysis

Chart III: Office of State Planning Population Projections 2010-2025



Source: OSP, Draft Population Projections, March 2003

Table III: LRPC and OSP Population Projections Comparison

Year	LRPC	OSP	Difference
2010	3,432	3,385	47
2015	3,631	3,512	119
2020	3,830	3,676	154
2025	4,029	3,839	190

Source: OSP, Population Projections, March 2003 and LRPC Regression Analysis

Like many other Lakes Region communities, Bristol experiences seasonal increases in population, particularly in the summer months. This influx of additional people has an impact on both the demand for services, as well as providing an increase in economic activity that supports area businesses. The increased demand for services is experienced mainly in the provision of police, fire, sewer and water, solid waste disposal, and recreational services. The seasonal population change is generally associated with a minimal impact on the town's most costly public service, education.

Seasonal population estimates are based on the ability to house visitors within the community. A total of 772 housing units, or nearly 38% of Bristol's housing stock, are classified by the U.S. Census Bureau as being used for seasonal, recreational, or occasional use. Based on estimates using Bristol's average household size of 2.47 persons and the number of *seasonal* housing units, the population in Bristol has the potential to increase seasonally by approximately 63% or 1906 persons. These estimates assume that all seasonal units are occupied at the same time, but does not include the seasonal population increases experienced due to summer camps, lodging establishments, and accommodations available at campgrounds. These additional sources of housing seasonal population, support conventional wisdom that suggests Bristol's population doubles in size in the summer time. Given the magnitude of the change, this estimate indicates the need to address seasonal population changes when considering future community plans.

IV. Population Density

As a result of the population increases over time, the number of persons per square mile in Bristol has also increased. In 1980, the number of persons per square mile was 127.1. In the year 2000, the number of persons per square mile was 175.3.

Table IV: Persons per Square Mile

Square Miles	1980	1990	2000
17.3	127.1	146.6	175.3

Source: U.S. Census, 1990 and 2000

Table V indicates that compared to the surrounding towns, Bristol has the highest number of persons per square mile. Bristol's population density is well above the Lakes Region population density as a whole, due to the fact that Bristol is a relatively small community in terms of area, with moderately sized population. A related point that is discussed in more detail in the land use chapter is the availability of suitable land for building. Bristol's potential for future development will likely be limited to land available in close proximity to land that is already developed. This is due to the prevalence of steep slopes and other building constraints. This means that population per square mile will likely increase based on forecasts for future population growth, *and* that the developed areas in Bristol will become more densely developed.

Table V: Population per Square Mile for Surrounding Towns

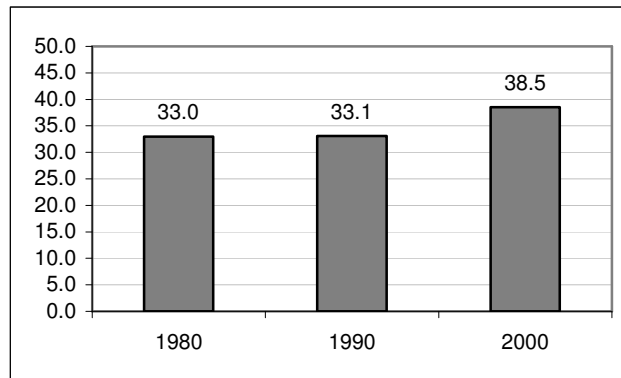
	Population 2000	Square Miles	Persons per Square Mile
Bristol	3,033	17.3	175.3
New Hampton	1,950	36.7	53.1
Alexandria	1,329	43	30.9
Bridgewater	1,955	21.3	45.7
Hebron	459	16.8	27.3
Hill	992	26.7	37.2
Lakes Region	107,032	1,208.60	88.6

Source: U.S. Census, 2000

V. Age

The median age in Bristol has increased from 33.1 in 1990 to 38.5 in 2000. The median age in 2000 in Bristol was higher than the median age in Grafton County and New Hampshire. However, this gradual increase in the median age is consistent with state and national trends.

Chart IV: Median Age 1980-2000



Source: U.S. Census, 1980-2000

The increase in the median age in Bristol is reflective of the change in the age distribution. The number of persons less than 10 years old decreased 4.3% between 1990 and 2000. Conversely, the number of older persons increased. In 1990, the number of persons 60 years and older was 451. In 2000, the number of persons 60 years and older increased to 574 or a 27.3% increase. Similarly, in 1990, the number of persons 65 years and older was 333. In 2000, the number of persons 65 years and older was 430 or an increase of 29.1%.

The size of the school-aged population (ages 5 through 17) directly affects the town's single largest fiscal expenditure, education. Current trends including the decline in persons in the population less than 10 years old, and the gradual increase in the median age of the population, indicate that the percentage of school aged children will not increase significantly, and in fact may decline. Projections developed by the Newfound Regional School District support this conclusion.

Table VII: Age Distribution 1990-2000

Age Group	Number of Persons		Number of Persons		Change	Change (%)
	1990	%	2000	%	1990-2000	1990-2000
< 10 Years	399	15.7%	382	12.6%	-17	-4.3%
10-19 Years	352	13.9%	435	14.3%	83	23.6%
20-59 Years	1,335	52.6%	1,642	54.1%	307	23.0%
60+ Years	451	17.8%	574	18.9%	123	27.3%
65+ Years	333	13.1%	430	14.2%	97	29.1%

Source: U.S. Census, 1990-2000

VI. Housing

According to Census 2000 the number of total housing units in Bristol increased from 1,747 in 1980 to 2,250 in 1990. Between 1990 and 2000, the number of housing units decreased to 2,073 or a decrease of 7.9%. The census defines a housing unit as a, house, apartment, group of rooms or a single room occupied or intended for occupancy as separate living quarters. Several notable changes occurred during the 1990 to 2000 time period:

- The number of occupied housing units increased from 44% of the total housing stock in 1990 to 59% of the total housing stock in 2000.
- Seasonal units, which comprise more than 90% of the unoccupied category of housing units, declined by 314 units. The number of seasonal units decreased from 52% of the total housing stock in 1990 to 37% of the total housing stock in 2000.
- A total of 135 permits were issued for new housing construction.

Great care should be taken in interpreting and drawing conclusions based on the 2000 Census housing data for the town of Bristol. Though a significant decline in total housing units was experienced based on the Census 2000 data, it is not apparent that these changes truly reflect actual events. In fact, local trends in housing development indicate that Census 1990 and 2000 total housing data may indeed be faulty. Though Census data go through extensive checks for accuracy, variation in recording criteria and methods have been noted. A portion of the decline in total housing units may be explained by differences between how vacancies were reported between the 1990 and 2000 Census surveys.

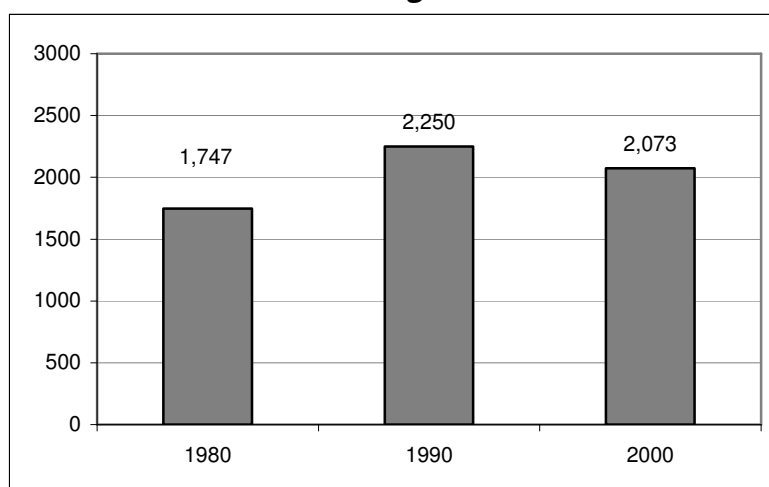
Perhaps the most significant of these changes in terms of fiscal impacts is the decrease in seasonal housing as a percentage of the total housing stock. As mentioned in a previous section the demand for services associated with seasonal housing units is typically lower than those demanded by year round residential housing.

Table VIII: Number of Housing Units, 1980-2000*

			Change	Change (%)	Change	Change (%)
1980	1990	2000	1980-1990	1980-1990	1990-2000	1990-2000
1,747	2,250	2,073	503	28.8%	-177	-7.9%

Source: U.S. Census, 1980-2000

Chart V: All Housing Units 1980-2000



Source: U.S. Census, 1980-2000

VII. Seasonal Housing

The number of seasonal housing units increased from 721 in 1980 to 1,086 in 1990. Between 1990 and 2000, the number of seasonal housing units decreased 28.9% to 772. This decrease may be in part due to the conversion of seasonal housing to year-round housing.

Table IX: Seasonal Housing Units 1980-2000

			Change	Change (%)	Change	Change (%)
1980	1990	2000	1980-1990	1980-1990	1990-2000	1990-2000
721	1,086	772	365	50.6%	-314	-28.9%

Source: U.S. Census, 1980-2000

VIII. Owner and Renter Occupied Housing Units

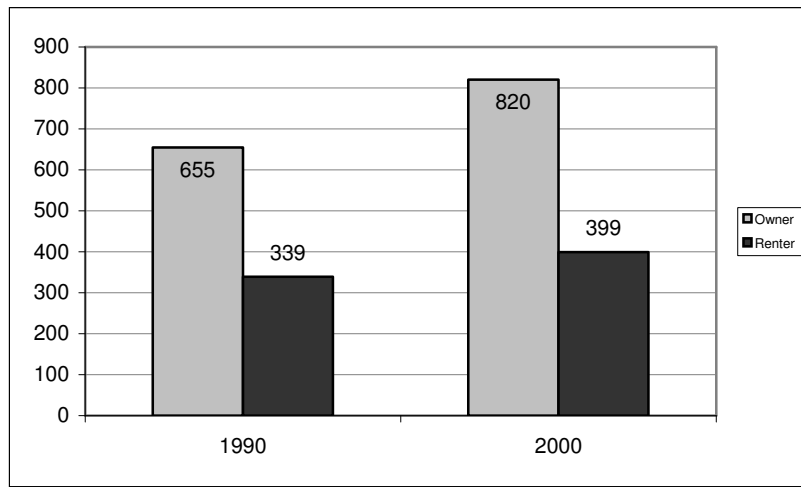
The number of owner and renter occupied housing units increased between 1990 and 2000. In 1990 there were 655 owner occupied housing units and 339 renter occupied housing units. In 2000, there were 820 owner occupied units or an increase of 25.2%. There were 399 renter occupied units in 2000, or an increase of 17.7%.

Table X: Owner and Renter Occupied Housing Units 1990-2000

	1990	2000	Change	Change (%)
			1990-2000	1990-2000
Owner Occupied	655	820	165	25.2%
Renter Occupied	339	399	60	17.7%
Total	994	1219	225	22.6%

Source: U.S. Census, 1990-2000

Chart VII: Owner and Renter Occupied Housing Units 1990-2000



Source: U.S. Census, 1990-2000

IX. Age of Housing

There were an equal number of houses built in Bristol before 1963 as those built after 1963. The number of houses built before 1939 is 613 or almost 30% of the housing. The number of houses built since 1995 is 60 or 3% of the total housing in Bristol. In comparison the percent housing built in New Hampshire since 1995 is 7.1% of the total housing stock. The percent of housing built before 1939 is not unusually high as compared to other municipalities in the Lakes Region. Conversely, the percent of housing built since 1995 is the lowest in the Lakes Region.

Table XI: Age of Housing

Median Year Built	# Built Before 1939	% Built Before 1939	# Built Since 1995	% Built Since 1995
1963	613	29.5%	60	2.9%

Source: U.S. Census, 1990-2000

X. Conclusions

Bristol's population increased by 496 people or 19.6% between 1990 and 2000. Population increase is higher than the population increases experienced in the Lakes Region and New Hampshire. Both the Lakes Region Planning Commission and the Office of State Planning project further population increases in future years. As Bristol's population has increased, the persons 60 years of age or older have been the fastest growing segment of the population.

Bristol residency has increased as witnessed by the change in the number of occupied housing units between 1990 and 2000. A combined increase of 225 owner and renter occupied units was experienced, while the number of seasonal housing units decreased 314 units during the same period of time. These changes are indicative of the conversion of seasonal housing to permanent housing units. The resultant changes in the composition of the seasonal and permanent resident population may have an impact on the types and quantities of public services demanded.

Though the community has experienced a decline in the number of seasonal housing units, the town of Bristol has the potential to experience significant seasonal population fluctuations. Nearly 40 percent of the Bristol's housing stock is seasonal in nature. Like other Lakes Region communities the seasonal component of the population provides particular challenges as well as advantages. Given the availability of area natural resources in general and accessibility of Newfound Lake in particular, it is likely that this component of the population will continue to provide seasonal diversity in the population. The availability of land to support future population expansion is discussed in more detail in the Land Use Chapter of this Master Plan.

Chapter V: Conservation and Preservation of Natural Resources

I. Introduction

The Town of Bristol, situated in the Lakes Region of New Hampshire, has a wide range of natural resources, which mandate the need to establish goals, objectives, and strategies for maintaining their integrity for present and future generations.

RSA 674:2 recommends that conservation and preservation sections be included as a component of Master Plans. The purpose of this chapter is to nurture these resources by providing (1) guidance for their management and protection and (2) rationale to form the basis for enactment of appropriate town ordinances.

As demonstrated in the 1999 Bristol Community Opinion Survey, natural resources are viewed as important by a vast majority of the town's residents. Of the 595 residents responding to the survey the following percentages support town involvement in preservation of: areas of scenic and natural beauty (94%), the Pemigewasset River (88%), important wildlife habitats (87%), and wetlands (80%). Many noted that the quality of Newfound Lake, natural scenery, open space and wildlife habitats are significant areas to protect.



Newfound Lake

Implementing the Strategies to Meet Resource Goals and Objectives

Bristol is rich in natural resources. This chapter provides background and strategies for the long-term conservation and preservation of these resources and defines goals and objectives for natural resources in the town. The town should seek to accomplish the strategies outlined below through research, education and, where pertinent, implementation of ordinances. As public use of resources expands and pressures increase, this portion of the Master Plan should be reviewed and revised at regular intervals.

Planning ahead to avoid problems that negatively impact natural resources is more prudent than having to restore lost resources. The eight categories outlined below are interconnected and strategies carried out within one benefit others. Natural resources cross town boundaries, thus programs initiated by adjacent towns aid Bristol as well.

The Conservation and Preservation Chapter of the Bristol Master Plan is divided into the following eight categories:

- Wildlife Resources
- Water Resources
- Wetlands
- Recreation and Scenic Resources
- Conservation Easements
- Forest Resources
- Air Quality
- Waste Management

The goals, objectives, and strategies associated with these eight categories are presented to organize natural resource issues and provide continuing guidance to the town.

II. Wildlife Resources

Bristol has unique wildlife preservation areas that provide opportunities for the community to observe wildlife resources, e.g. the wildlife refuge of 34.3 acres of marsh (adjacent to the Fowler River) within the 204 acres of Wellington State Park. The Department of Resources and Economic Development recognizes an undisclosed town bat cave that serves as a winter hibernation location. Other local areas fostering wildlife resource development are the commercial Atlantic Salmon fish hatchery on Lake St. (Route 3A North) and the Butterfly Garden (designed by the Pasquaney Garden Club in 2001) located behind the Minot-Sleeper Town Library.



The Butterfly Garden

Goal 1. Protect and enhance wildlife resources.

Objective 1.1. Preserve native species, both endangered and common, for the purpose of maintaining ecological balance and stabilization of the environment.

Strategy 1: Increase the educational aspects of the wildlife resource.

Strategy 2: Enlighten local students about conservation issues and protection of wildlife resources.

Strategy 3: Encourage teachers to take part in workshops sponsored by conservation organizations.

Strategy 4: Provide educational opportunities (workshops, field trips) for proper conservation practices and utilization of lands protected by the town.

Objective 1.2. Increase the level of data collection via adult and student participation in wildlife resource inventories.

Strategy: With the aid of volunteers complete a wildlife inventory for the town; e. g. conduct a biodiversity study in Wellington State Park.

Objective 1.3. Protect wildlife habitats.

Strategy 1: Support the efforts of Wellington State Park to protect wildlife habitats and explore additional opportunities to increase habitat protection.

Strategy 2: Limit the use of recreational vehicles in protected areas by providing designated trails to reduce potential impacts to wildlife habitats.

Strategy 3: Encourage passive use recreational opportunities such as fly-fishing on the rivers and other forms of lake fishing.

Strategy 4: Encourage continuance of state fish stocking programs for our rivers and lakes.

Strategy 5: Consider the establishment of a loon preservation program.

III. Water Resources

Bristol has extensive water resources located within or flowing through its boundaries, including Newfound Lake (4105 surface acres) and the Smith, Newfound, Fowler and Pemigewasset rivers.



Fowler River



Pemigewasset River



Newfound River

An example of community involvement in resource conservation is the Newfound Lake Region Association (NLRA), where volunteers carry out water quality monitoring, serve as stewards of the lake, and provide educational opportunities and materials. The NLRA has published an extensive study of the Newfound Lake watershed. At the state level, the New Hampshire Department of Environmental Services (NHDES) conducts yearly water tests in Bristol by monitoring selected private wells; water is tested, as needed, at swimming beaches during the summer.

There are two well sites on West Shore Road adjacent to the Fowler River, one of which is located on conservation land. In addition there is a Town well site on Danforth Brook. Map 5-1 shows the aquifers located within the town of Bristol.

Goal 1. Maintain a high level of water quality for all of Bristol's water resources to ensure a clean drinking water supply, continued economic benefits from tourism, valuable recreational opportunities, maintenance of fish and wildlife habitats, and effective irrigation of the lands.

Objective 1.1. Protect water quality and water resources.

Strategy: Develop a non-point source pollution inventory for drinking water protection and policies for clean-up procedures; NHDES guidelines are available for assistance. Issues to be addressed in such an inventory include: oil and grease in parking lots, fertilizer and pesticides on lawns, construction practices, junkyards, sludge, and storm water control. Manure storage facilities and salt sheds should be properly contained.

Objective 1.2. Ensure an adequate clean water supply.

Strategy 1: Town officials and local conservation organizations should make attempts to place easements on important water supply areas to ensure the control of pollution. Funding sources should be sought to support such efforts.

Strategy 2: The Planning Board should implement zoning regulations which minimize the contamination of drinking water supplies by commercial and industrial uses in water supply areas.

Strategy 3: The town should demonstrate leadership in protecting groundwater resources.

Goal 2. Protect Bristol's Newfound Lake.

The Comprehensive Shoreland Protection Act's [RSA 483-B: 9] objective is to protect ribbons of land that hug lakeshores. Such ribbons are called

"protected shorelands" and include all the land within 250' of public water bodies within which certain restrictions and prohibitions serve to prevent and control water pollution.

Objective 2.1. Bring together resources to ensure sound quality control of the lake.

Strategy 1: Develop educational guidelines to prevent erosion and sediment influx into water bodies during construction. The site plan review process should ensure that detriment does not contaminate water bodies during construction and development as per minimum shoreland protection standards. See RSA 483-B: 9 referred to above (Goal 2).

Strategy 2: Educate watercraft users to wash their craft prior to launching to minimize invasive species problems. As Newfound Lake is a non-contaminated lake, watercraft using the lake should be cleaned and free of contamination.

Strategy 3: Provide additional shoreline protection with buffers of vegetation between the shoreline and developed land by minimizing the amount of exposed soil subject to erosion along the waters' edge.

Strategy 4: Educate the public on household hazardous waste, lawn care, and minimizing phosphorous use in daily activities via regular newspaper articles, postings in town establishments, pamphlets in town offices, and other educational measures.

Strategy 5: Land development around Newfound Lake should be minimized to protect the lake from non-point source pollution from run-off from impermeable surfaces.

Strategy 6: Minimum lot sizes in the Lake District should not be decreased if town sewer is extended to Newfound Lake.

Goal 3: Protect Bristol's rivers.

Objective 3.1. Coordinate policies to ensure clean water for each of the town's rivers.

Strategy 1: Protect the Pemigewasset, Smith, Fowler, and Newfound rivers from pollution by commercial enterprises.

Strategy 2: Encourage the use of Best Management Practices to minimize the impact of the logging industry on soils and water resources.

Strategy 3: Ensure that structures on the rivers' edges are not brownfields

with the potential to pollute.

Strategy 4: Support the recommendations of the *Pemigewasset River Corridor Management Plan*, published in late 2001 by the Pemigewasset River Local Advisory Committee (PRLAC). The PRLAC is made up of residents from eleven towns in the Pemigewasset corridor, including Bristol.

IV. Wetlands

The Conservation Commission monitors the Bennett Wetland, a 17-acre area at the head of Danforth Brook. It was donated to the town in the 1980's and is located at the end of Ravine Drive, which begins near the base of the lake at the junction of Route 3A North and North Main Street. Recently the boundary lines have been re-identified. The property has hydric B type soils and provides habitat for wildlife. Another public wetland site is the Fowler River Wetlands of Wellington State Park. (See II. Wildlife Resources above)

The town has a wetlands zoning ordinance and a wetland inventory and map (1988) that identifies Bristol wetlands by degree of wetland value. The Conservation Commission maintains these records; the map is available for viewing at the town office. Two important districts (The Pemigewasset Overlay District and The Wetlands Conservation Overlay District) are described within the Bristol Zoning Ordinance and provide additional protection to water resources. The Pemigewasset Overlay District provides protection for the environmentally sensitive corridor along the Pemigewasset River. The boundary of this district is 500 feet from the river's high-water line. Town officials, the Conservation Commission, and the Planning Board collectively support and monitor the Pemigewasset Overlay District.

The Wetlands Conservation Overlay District was created to protect:

1. wetlands from polluting land uses
2. rare flora and fauna
3. wildlife habitats
4. existing and potential water supplies, aquifers and recharge & discharge areas

Goal 1. Protect Bristol's wetlands.

Objective 1.1. Monitor wetlands to curtail wetland violations.

Strategy 1: Consider designating the town's prime wetlands and

registering them with the Department of Environmental Services Wetlands Bureau.

Strategy 2: New maps of the Pemigewasset Overlay District and Wetlands Conservation Overlay District should be created for utilization by the Conservation Commission, Planning Board and the Zoning Board of Adjustment.

Strategy 3: When lots are cleared for development and wetlands are in danger of being compromised permits must be obtained.



Bennett Wetland

V. Recreation and Scenic Resources

Scenic resources of the town include: Inspiration Point, two bridges that extend over the Pemigewasset River, Bristol's scenic gateways along the primary entrance routes, the Old Railway Station site at the confluence of the Pemigewasset and Newfound Rivers immediately east (behind and southeast of the Mica Building) of Bristol Square, Newfound Lake, and Profile Falls on Route 3A South. Note: Profile Falls is included within the federal flood control area that is part of the Franklin Falls Reservoir system.



Inspiration Point

Care should be taken to preserve and maintain the town's scenic beauty and diversity of recreational opportunities.

Goal 1. Protect and enhance Bristol's recreational areas and scenic resources.

Objective 1.1. Keep existing resources clean.

Strategy 1: At local natural and scenic venues the town should provide

signage near parking areas to encourage visitors to remove their waste and take it with them.

Strategy 2: Conservation organizations should be encouraged to organize seasonal cleanups to remove potentially harmful debris from wildlife habitats and scenic sites.

Objective 1.2. Increase the amount of recreational and scenic resources.

Strategy 1: Support the efforts of the Bike Path Committee to create a non-motorized multi-use path, which is designed to begin at the foot of Newfound Lake.

Strategy 2: The Planning Board should encourage zoning and subdivision/site plan regulations which preserve the scenic nature of Bristol's gateways.

Strategy 3: For selected roads the Planning Board should seek assistance from the Lakes Region Planning Commission in consideration of applying for the Scenic Byways Program.

VI. Conservation Easements

Protected areas include Conservation Easement (BK 1233, PG 177) established by the Catterall family (10/3/74); it is located on Hemphill Road (approximately 80 acres) and is held by the town with secondary control by the Society for the Protection of New Hampshire Forests (SPNHF). Another 215 acre SPNHF forest property abuts the Catterall property to the east. Conservation Easement (BK2317, PG 0923, 6/1/98) is a one acre portion of the Boake C. Morrison property, (Tax map R-13, Lot 52) on the Newfound River; it was purchased by the state for wetland mitigation purposes resulting from the bridge replacement (2000) over Route 104 West. This acre is mostly flooded floodplain forest on the Newfound River with unique vegetation. The Sam Worthen 118 acre SPNHF (8/12/91) Conservation Easement (BK 1923, PG 0384) is located adjacent to the farm at Sunny Acres off Peaked Hill Road. Finally, there is the D'Arcy Smith River Conservation Easement (BK 1441, PG 382; BK 744, PG 354), 42.5 acres divided by the Smith River, 13 acres of which are open fields. It was granted on 9/29/92 in perpetuity to the SPNHF by Ann Giles of Bridgewater. Located on the Smith River Road, one-half mile west of Route 3A South, the D'Arcy Conservation easement overlooks the remnants of an abandoned century-old river sawmill, called the Old Eastman Mill. Map 5-2 shows the conservation lands within the town of Bristol.

Goal 1. Monitor existing conservation easement areas.

Objective 1.1. Be alert for desirable plots of land that have potential for conservation easement status.

Strategy 1: Publicize the Conservation Easement concept to inform residents concerning the communal advantages of such action.

Strategy 2: Engage in land acquisition and easement projects, such as easements to protect wetlands and forested areas, e. g. the Catterall property on Hemphill Road. (See above). To maintain connectivity between protected areas and minimize fragmentation, attempts should be made to purchase lands adjacent to existing protected lands. The Conservation Commission should consider overseeing such projects and research potential funding sources.



Catterall Easement

VII. Forest Resources

Bristol's forest resources include the (1.) Sugar Hill State Forest, a 68-acre parcel of state-owned conservation land west of Baker Street and just off Route 104 East (Summer Street) approximately one half mile east from the Bristol Square, (2.) 118 acre Samuel E. Worthen conservation easement parcel (East Bristol in the vicinity of Old Stage Road), and (3.) SPNHF woodland contiguous to the east boundary of the Catterall property (See VI. above), and (4) the forested federal flood plain area leading to the Franklin Falls Reservoir. (See V. above). Refer to the Bristol Natural Resources Inventory Map (available from the Conservation Commission) for specific locations and configurations of these properties including other protected town parcels. It is important to note that the town's forest resources extend beyond permanently protected parcels. Land in Current Use is an important component of the forest resource base as is all forested land maintained by landowners.

Goal 1. Protect and enhance Bristol's forest resources for multiple uses while encouraging responsible logging, minimizing soil erosion, and protecting wildlife habitats, recreational uses, and air quality.

Objective 1.1. Preserve Bristol's forest resources.

Strategy 1: Encourage responsible management of the town's forest resources.

Strategy 2: Publicize advantages of placing land in current use status.

VIII. Air Quality

Goal 1. In the interest of community health it is important to maintain a high standard of air quality.

Objective 1.1. Oversight of air quality.

Strategy 1: The Selectmen should appoint a committee to educate residents re. the negative potential of air contaminants.

Strategy 2: Develop incentives for clean-burning heating systems or utilization of solar systems, e. g. taking advantage of possible state/federal tax rebates for solar use.

Strategy 3: Information on existing natural pesticides should be made available to familiarize town residents with options other than chemical pesticides.

Objective 1.2. Monitor local industry for protection of Bristol's air resources.

Strategy: Uses related to smokestack industries and other toxic-producing uses should not be allowed.

IX. Waste Management

Goal 1. Monitor Bristol's waste.

Objective 1.1. Provide effective management of Bristol's waste.

Strategy 1: Provide opportunities for the proper management of household waste by considering implementation of a town recycling program.

Strategy 2: Ensure proper waste disposal procedures from businesses

that utilize chemicals to dispose of toxic wastes.

Strategy 3: The town should encourage and offer incentives for regular septic tank pumping to prevent leachfield failure, especially along its rivers and Newfound Lake.

Strategy 4: Underground storage tanks should conform to the rules of the NHDES Underground Storage Tank (UST) Program which has established rules for registration and permitting.

Strategy 5: The town should support the recommendations of the All Hazard Mitigation Plan once it is published. This plan is currently being worked on by a committee of town residents with assistance from the Lakes Region Planning Commission and funding through the New Hampshire Office of Emergency Management.



Chapter VI: Historic Resources

I. Why Preserve?

Preservation of old buildings and neighborhoods enriches inhabitants and visitors alike by affording them more pleasant surroundings, and more importantly, by keeping them in touch with a part of their heritage. A practical reason is reflected in the economics of new construction. Rapidly rising building costs make the use and restoration of older buildings more economical in many cases. It is impossible to match the space and quality of workmanship of an old house with new construction. Complete restoration of a building is usually cheaper, or costs no more, than new construction. Simple fix-up with a new roof, paint, wallpaper, and new utilities is far cheaper than building a new house.

The rich architectural diversity of Bristol lies in its neighborhoods and span of building history. Greek Revival and Victorian styles exist side by side in the same area. Neighborhood streets, such as South Main, North Main, Summer, School and Central Square, offer a rich diversity of lifestyles, as well as architectural styles and scale.

Along Bristol's neighborhood streets, there are a great many structures in varying stages of use and repair. These buildings can be repaired and restored and will continue their productive life for a long, long time. The goal is to preserve a bit of the past economically, live in pleasant surroundings, and live comfortably and safely.

There have been many successful projects involving historic preservation within New England and on the national level. Some examples include Portsmouth downtown and Strawberry Banke, Salem, Massachusetts, and Faneuil Hall Marketplace in Boston; Mount Vernon; the Paul Revere House; Portland, Maine Waterfront; and Charleston, South Carolina. The current trend applies the historic house concept to entire neighborhoods. Rather than preserve one old house, historic preservation is now involved on a larger scale.

II. Historic Districts

The term "historic district" can refer either to a locally designated historic district or to a National Register Historic District. The New Hampshire Register of Historic Places does not currently provide for historic districts, but the properties making up such a district could be registered individually. Registration at the federal, state and local levels are all useful historic preservation mechanisms, but they differ in the manner in which they are established and the protection they afford.

A locally designated historic district is a district designated by the local legislative body (the Town Meeting), as authorized by RSA 674:46. The legislation provides for the appointment of an Historic District Commission (HDC), whose powers and duties are specified in RSA 674:46-a. (A Heritage Commission, which has a broader mandate, may be authorized by the Town Meeting to assume the duties of an Historic District Commission.) Most significantly, Historic District Commissions are empowered by RSA 675:6 to adopt regulations for the district by majority vote of the HDC after a public hearing. Historic District Commissions clearly have significant control over the actions of private property owners in a locally designated district. Such controls limit some individual property rights; however, they also provide useful tools to conserve the community's cultural heritage and to protect property values for district property owners.

The New Hampshire State Register of Historic Places is maintained by the NH Division of Historical Resources (NHDHR), which is the state's Historic Preservation Office. Listing in the State Register can contribute to the preservation of historic properties in a number of ways. It gives public recognition to the historic significance of the property, can help qualify the property for financial assistance for preservation projects, and can provide special consideration or relief in the application of some access, building and safety code regulations.

A National Register Historic District is a district listed in the National Register of Historic Places, maintained by the United States Department of the Interior and established by the National Historic Preservation Act of 1966. The National Register is not limited to historic districts. It also lists individual structures, sites, objects and buildings, significant in local, state or national history, architecture, archaeology or culture. The Central Square Business District has been listed in the National Register since 1983.

National Register listing recognizes resources worthy of preservation, but does not impose any restriction or limitation on the use of private or non-federal property unless federal funds or programs are involved. National Register properties are eligible to be considered for federal matching grants-in-aid for protection, preservation, rehabilitation, or reuse. In addition, National Register designation provides for review and amelioration of effects which any federally funded, licensed or assisted project might have on the property.

Registration of historic properties and historic districts at local, state or federal levels has the same general purpose of recognizing significant community resources. However, the different registers function in different

ways, so it may be most effective to have a property or district included on more than one register.

A. Purpose of Historic Districts

The primary purpose for establishing historic districts is to protect area of outstanding architectural or historic value from encroachment by inappropriate building forms or development patterns which could extremely affect the area's character.

New Hampshire Enabling Legislation (RSA 674:45) declares that the preservation of cultural resources, and particularly of structures and places of historic, architectural and community value is a public purpose. The legislation identifies the following purposes of historic districting:

- (1) preserving districts in the municipality which reflect elements of its cultural, social, economic, political, and architectural history;
- (2) conserving property values in such districts;
- (3) fostering civic beauty;
- (4) strengthening the local economy;
- (5) promoting the use of an historic district for the education, pleasure and welfare of the citizens of the municipality.

B. The Character of an Historic District

An historic district, characterized by a grouping of structures and/or sites should be more or less a homogeneous grouping of structures dating primarily from the 18th and 19th centuries. Historic districts should be areas in which the character of the past is rather strongly asserted both in number of structures and in overall visual quality. In other words, age combined with the visual and spatial grouping of structures on the lands should be the main reason for an historic district. These may include groups of related buildings and spaces that represent the standards and tastes of the community or neighborhood during one period of history, unrelated structures that represent a progression of various styles and functions, or cohesiveness that possess an identity of place. A test in considering an area for historic districting might be:

- (1) Are there a sufficient number of 18th and 19th century buildings in a related proximity to create a distinctive setting?
- (2) Are the buildings within the area sufficiently distinctive and sufficient in number so that clear elements of control can be established and

elaborated for buildings of different ages and styles?

- (3) Do the buildings, structures or sites represent a variety of functional types, styles, uses, and periods of development.

C. Historic District Ordinance

The purpose of an Historic District Ordinance is to establish an overall framework for the Historic District Commission's decisions and administration. An ordinance should be developed which will assure preservation and safeguarding of the town's historic heritage.

An Historic District Ordinance is adopted by the same procedures as a zoning ordinance or amendment, following the procedures set out in RSA 675:3. A public hearing must be held after a minimum of 10 days public notice. If substantive changes are made at or after the hearing, a second hearing must be held at least 14 days after the first hearing with the same notice required. The ordinance is adopted by majority vote of the electorate.

The Historic District Ordinance should outline precisely what is permitted, what is prohibited and what is regulated activity. Activities expressly permitted as of right now, for example might include routine maintenance, painting, replacement of exterior features with similar features, interior maintenance and rehabilitation and routine landscaping. Prohibited uses might include lighted signs, fluorescent or neon exterior lighting, replacement of siding with inappropriate materials, and so forth. All other activities are subject to regulation.

Details of regulation may be spelled out in the ordinance in whole or in part; or the ordinance may delegate authority, in whole or in part, to the historic district commission to develop and adopt regulations.

D. Local Historic District Commission

In order to carry out the purposes for establishing an historic district, the town must create an Historic District Commission and appoint the commission membership. The Historic District Commission may perform research and prepare the content of the historic district ordinance prior to its adoption. Once the ordinance is adopted, the HDC is empowered to issue building permits within the historic district. The commission's task is to see that modifications to structures within its jurisdiction are compatible with the characteristics and design histories of each property and that design standards are consistently and equitably applied.

III. Historic Building Rehabilitation - Tax Incentives

Owners of National register listed properties may be able to obtain Federal historic preservation funding, when funds are available. National Register designation may also provide for certain types of tax relief. Since 1976, the Federal Internal Revenue Code has contained a variety of incentives to encourage capital investment in historic buildings and to spur revitalization of historic properties. These incentives, including a 20% investment tax credit, encourage the preservation of historic commercial, industrial, and rental residential buildings listed in the National Register by allowing favorable tax treatments for rehabilitation and discouraging destruction of historic properties. Owners of National Register properties who choose to participate in the preservation tax incentive program must follow the Secretary of the Interior's Standards for Rehabilitation and receive approval by the National Park Service of the rehabilitation project in order to receive the tax credit. The Federal Internal Revenue Code also provides for Federal income, estate, and gift tax deductions for charitable contributions of partial interests in real property (land and buildings).

Additional information about the National Register of Historic Places and tax incentives for rehabilitating historic buildings is available on the Internet at www.cr.nps.gov/nr/publications/brochure/. Information on both the federal and state programs is available from the New Hampshire Division of Historical Resources located at 19 Pillsbury Street in Concord and on the Internet at www.state.nh.us/nhdhr/. Staff can also be reached at 603-271-3843, at preservation@nhdhr.state.nh.us, or at PO Box 2043, Concord, NH 03302.

IV. The Historic Inventory

The Bristol Historic Resources Inventory is limited primarily to properties of significance because of age or architectural style. The original list, created for the 1982 master plan and containing eighteen properties, is retained in this plan. There are undoubtedly a number of other buildings in Bristol which are significant because of their historic or architectural character, quality and importance, and should be added in the future.

The properties included in the historic inventory are recorded on survey forms, identifying each by common and historic name, location, owner, use and basic description of the structure. Each building has been numbered and photographed, and descriptive information is included regarding structure type, style, age, condition and other architectural and historical features of significance or interest.

A listing of properties inventoried is provided on the following page. The location of these properties is also identified on the map on page 6-7.

V. Recommendations

When the last master plan was created in 1982, the process of nominating the Central Square Business district to the National Register of Historic Places had just begun. Completion of this process apparently had a high priority, as did the creation of a corresponding local historic district. The Central Square Business District was in fact listed on the National Register in 1983, but Bristol has never created a local historic district or Historic District Commission. Fortunately, for the most part, good taste and common sense have prevailed, so that Central Square maintains its basic architectural integrity. However, because the town has not created a local historic district, it has been impossible to regulate such changes as inappropriate signs which take away from the appearance of the square. This plan again recommends that a local historic district be created with a Historic District Commission to create and administer appropriate regulations. However, in doing so, great care should be given to avoid regulation that unreasonably burdens individual property owners. This is only one component of revitalizing the downtown area, covered in detail in another section of this plan, but it is one of the most important. Another recommendation would be that Bristol takes better advantage of the National Register status of its downtown, by creating appropriate signage and possibly by other means. Finally, as was noted in 1982, the Historic Resources Inventory included in this section remains incomplete and should be expanded in future revisions of this plan.

HISTORIC RESOURCES INVENTORY BRISTOL, NH

#	Common Name	Architectural Style	Date	Tax Map/Lot	Address
1.	Homestead Restaurant	Georgian Vernacular	c. 1790	221-008	Route 104
2.	Hobart House	Vernacular	1799	114-079	150 Summer Street
3.	Higgins House	Vernacular	1800-1830	115-038	55 Prospect Street
4.	Beno House	Vernacular Federal	c. 1830	114-092	42 Central Square
5.	Bristol Town Hall	Greek Revival	1850	114-047	45 Summer Street
6.	Westfall House	Greek Revival	1837-1861	114-100	49 Spring Street
7.	Reynolds House	Greek Revival	1857-1860	114-134	81 South Main Street
8.	Alias Smith & Jones Restaurant	Second Empire	c.1850	114-125	24, 26 Central Square
9.	Faye D. Foster Antiques	Victorian Commercial	1850	114-174	14 Central Square
10.	Bristol Bakery	Victorian Commercial	c. 1863	114-173	8 Central Square
11.	Rollins Block	Victorian Commercial	1874	114-172	12 Central Square
12.	Tin Shoppe Antiques	Victorian Commercial	1872	114-171	16-18 Central Square
13.	Bristol Federated Church	Victorian	1827	115-064	15 Church Street
14.	Minot-Sleeper Library	Gothic Vernacular	1884	114-179	35 Pleasant Street
15.	Tapplly-Thompson Community Center	Queen Anne	1889-1890	114-009	15 Church Street
16.	Hantz House	Queen Anne	1884	115-070	91 South Main Street
17.	Emmon's Funeral Home	Queen Anne	1895	115-072	115 South Main Street
18.	Whipple House Bed & Breakfast	Queen Anne	1904	114-051	75 Summer Street

Chapter VII: Recreation

I. Introduction

The town of Bristol's Master Plan includes a vision for maintaining and improving community assets that support public safety, recreation, transportation and the general welfare. The Master Plan further seeks to assure that its infrastructure at the local level is continuously updated and upgraded to meet the current and future needs of the community.

In 2005 the Planning Board, as part of expanding the town's Master Plan, conducted a Recreation Survey to gather input from residents and users on local recreation facilities.

This section of the Master Plan:

- identifies recreation facilities located in the town of Bristol
- reports on survey results received on each facility
- makes recommendations for possible action based on survey results and Planning Board consideration

II. Town of Bristol Facilities

Town facilities include both town-owned and town-supported facilities. They consist of two beaches at Newfound Lake, Kelley Park and its associated facilities, the Tapply-Thompson Community Center and facilities located at the Newfound Memorial Middle School and the Newfound Regional High School. In addition, a number of federally-owned, state-owned and privately-owned facilities are located within the town. Recreational facilities of all kinds used by 50% or more of the respondents include both town beaches, Wellington State Park, Profile Falls and the Tapply-Thompson Community Center. Approximately 1,800 surveys were distributed in Town Reports; 43 surveys were returned. Many thanks to those who took the time to complete and return their survey.

Town Beaches

The Town is fortunate to have two beautiful beaches located at the southern end of Newfound Lake. The town beaches are one of the most popular recreational resources in Bristol, as reflected by the survey results included in the table below.

Facility	Used in the past year	Number who rated facility	Rated good or excellent	Rated as needs improvements
Cummings Beach	54% (23)	30	70% (21)	30% (9)
Avery-Crouse Beach	67% (29)	32	56% (18)	44% (14)

Please note:

- Usage includes all members of the respondent's immediate family
- The % figures in column 2 are based on the number of surveys returned
- The % figures in columns 4 & 5 are based on the number who rated the facility
- Respondents were given two choices in rating the facilities: "good or excellent" and "needs improvement"

There is a Town Beach Commission that is charged with regular maintenance of the town beaches and suggesting improvements as appropriate.

The town provides a budget for a salary account for part-time maintenance and patrols of the town beaches as well as for maintenance and minor improvement. Raking is done at both town beaches in the spring and once or twice a week during the season at Avery-Crouse and twice a season at Cummings. Both beaches are patrolled on a daily basis, weather permitting, in the summer. Cleaning of both beaches is also done on a daily basis.

Trash barrels and dumpsters have both been tried at the town beaches over the years. Unfortunately the trash receptacles were also used as public dumping stations. There has been no increase in trash at the beaches since the dumpsters were removed, resulting in a significant savings of money.

At one time there was a Master Plan for Cummings Beach, with a vision that included a bathhouse and swing sets.

Respondents to the survey made the following recommendations:

- More raking at the town beaches
- More sand on town beaches
- Better maintenance at the town beaches as they are often dirty and smelly
- Restrict dogs at town beaches and enforce
- Restrict boats from anchoring at end of Avery-Crouse beach and enforce
- Rubbish and debris needs to be picked up/cleaned up more often at all town facilities
- Bathrooms and trash receptacles at all town facilities

Some of the issues the Town Beach Commission is dealing with at the town beaches are:

Avery-Crouse Beach

- Repairing a retaining wall as road protection and adding a walking path alongside it
- Improvements to several of the existing culverts
- Creating a launch area for canoes and kayaks and parking
- Landscaping improvements

Cummings Beach

- Deterioration of rock wall and parking.

Recommendations:

Ways to enhance the town-owned beaches should be a top priority since the beaches are popular with residents and are a big part of what makes Bristol attractive to summer visitors. Parking at both locations is problematic and will only increase over the years. Creative solutions to acquiring additional parking need to be explored. The guidelines for acquiring a beach permit and the fee schedule may need to be revisited and revised. A master plan should be established for the town-owned beaches. This plan and the way to fund it should be incorporated in the town's overall Capital Improvements Plan.

Kelley Park

Kelley Park with its central location and multiple uses is one of Bristol's most significant recreational assets. It provides facilities for baseball, tennis and soccer and includes a playground area for younger children. It is adjacent to the Tapply-Thompson Community Center and the both the Elementary and Middle schools and is used by all of these. It also hosts the Summer Carnival, Old Home Day and the NH Marathon. The widespread use of this facility is reflected in the table below based on the 2005 Recreation survey.

Facility	Used in the past year	Number who rated facility	Rated good or excellent	Rated as needs improvements
Kelley Park fields	49% (21)	27	59% (16)	41% (11)
Kelley Park playground	30% (13)	18	67% (12)	33% (6)
Kelley Park tennis court	16% (7)	16	50% (8)	50% (8)

Please note:

- *Usage includes all members of the respondent's immediate family*
- *The % figures in column 2 are based on the number of surveys returned*
- *The % figures in columns 4 & 5 are based on the number who rated the facility*
- *Respondents were given two choices in rating the facilities: "good or excellent" and "needs improvement"*

The Kelley Park Commission is responsible for the maintenance of Kelley Park and for implementing the Kelley Park Master Plan.

Respondents to the survey made the following recommendations:

- Rubbish and debris needs to be picked up/cleaned up more often at all town facilities
- Bathrooms and trash receptacles at all town facilities
- Maintenance/upkeep of Kelley Park – tennis courts in particular as well as the outdoor basketball courts near the middle school. Resurface and install new nets.
- Allow use of restrooms at Kelley Park for all activities
- Repair softball/soccer field at Kelley Park
- Keep Kelley Park well maintained
- Kelley Park baseball/softball fields; catcher's mound behind home base needs to be addressed as it fills up with water when it rains.
- Face speakers towards business areas of town when music is involved rather than towards residences
- Improving fields at Middle School and Kelley Park
- Light ball fields at Kelley Park. Concession stand and bathrooms need to be put in between both fields and open to the public during games.
- Access to the restrooms at Kelley Park.
- Kelley Park needs bandstand, electrical hookups and water for program needs. Better entrance and exits.

Recommendations:

The Kelley Park Commission needs to keep their master plan updated and to work toward its implementation. They should work closely with the Capital Improvements Plan Committee to plan for and fund needed improvements. The main issues surrounding Kelley Park fields, playground and tennis courts according to the recreation survey largely involve the need for better maintenance of the existing facilities. Consideration needs to be given to providing access to restrooms and concession stand for all activities. New projects worthy of consideration for the master plan would include providing electrical hookups and water for activity needs, lighting the ball fields for evening play and building a bandstand.

School Facilities:

The outdoor basket ball court near the Middle School and outdoor facilities at the High School are owned and maintained by the Newfound School District. While fewer than 15% of the respondents to the survey reported using these facilities, they are nonetheless important to those who take advantage of them. The table below summarizes the survey results.

Facility	Used in the past year	Number who rated facility	Rated good or excellent	Rated as needs improvements
Outdoor Basketball Court (near Middle School)	14% (6)	13	23% (3)	77% (10)
High School Facilities (outdoor)	12% (5)	11	91% (10)	9% (1)

Please note:

- Usage includes all members of the respondent's immediate family
- The % figures in column 2 are based on the number of surveys returned
- The % figures in columns 4 & 5 are based on the number who rated the facility
- Respondents were given two choices in rating the facilities: "good or excellent" and "needs improvement"

Since maintenance of these facilities is the responsibility of the Newfound Area School District, the Town of Bristol has little control over these facilities.

There was one respondent suggestion relating to these facilities:

- improve the outdoor basketball courts at the middle school; more baskets.

Recommendations:

It appears that better maintenance of the basketball court, additional baskets, access to restrooms and a trash receptacle would be appropriate improvements to the outdoor basketball court near the Middle School. Survey results suggest that access to restrooms and a trash receptacle would be appropriate improvements to the High School's outdoor facilities.

Tapply-Thompson Community Center (TTCC)

The Community Center is one of Bristol's most important recreational resources and has been for many years. While funded in part by the town of Bristol, TTCC also receives the support of other towns in the region and raises over \$40,000 per year in private support. They provide a number of organized activities for different age groups and have over 200 children registered their After School program. Their main facility (the old Methodist Church building owned by Bristol Federated Church) is located on North Main Street across from Kelley Park , and they have access to the school gyms and playing fields. TTCC is actively involved in a project to build an Intergenerational Center with the Bristol Area Senior Services and they are raising money for this project through the "Friends With a Vision".

Survey results are summarized in the table below:

Facility	Used in the past year	Number who rated facility	Rated good or excellent	Rated as needs improvements
Tapply-Thompson Community Center (TTCC)	51% (22)	21	71% (15)	29% (6)

Please note:

- Usage includes all members of the respondent's immediate family
- The % figures in column 2 are based on the number of surveys returned
- The % figures in columns 4 & 5 are based on the number who rated the facility
- Respondents were given two choices in rating the facilities: "good or excellent" and "needs improvement"

Respondents to the survey made the following recommendations/observations:

- Why is there a charge for everything offered? Everything used to be free. Exorbitant! Why? Yet it is tax-supported.
- Inadequate rest rooms
- Why isn't the shooting range in the TTCC being used?

Recommendations:

Although run by a professional staff, TTCC maintains close community ties through an Advisory Council which meets weekly. The town should continue to support TTCC's efforts to provide services to a wide range of individuals, but should leave its operation to those entrusted with it. The Intergenerational Center project is worthy of support.

III. Other Public Facilities

The town is fortunate to have a number of non town-owned facilities which contribute very significantly to the recreational opportunities available in Bristol. Particularly notable are Wellington State Park (beach/picnic area/hiking trails) and Profile falls, both of which were used by nearly two thirds of the respondents and rated "good or excellent" by over 85% of the users. Even though the other

facilities in this group were not as heavily used, most were rated very highly by those who rated them. In fact, these facilities were generally ranked much more highly than the town-owned facilities covered in Section II. While it would not be appropriate for the town's master plan to offer recommendations for non town-owned facilities, the survey results are provided here to provide some indication of their contribution to the overall recreation picture.

Facility	Used in the past year	Number who rated facility	Rated good or excellent	Rated as needs improvements
Ayers Island Picnic Area	5% (2)	3	67% (2)	33% (1)
Wellington State Park (beach/picnic area hiking trails)	65% (28)	28	96% (27)	4% (1)
Wellington State Park (boat launch)	33% (14)	17	94% (16)	6% (1)
Wells Field	21% (9)	12	58% (7)	42% (5)
Wells Field Sliding Area	26% (11)	15	80% (12)	20% (3)
Mooney-Clark Landing (boat launch on Pemi River)	26% (11)	14	71% (10)	29% (4)
Kayak/canoe launch on Pemi River (below Ayers Island Dam)	9% (4)	5	100% (5)	(0)
Slim Baker Lodge/Inspiration Point	42% (18)	15	93% (14)	7% (1)
Snowmobile Trail (any)	23% (10)	11	82% (9)	18% (2)
Hiking, X-country skiing or mtn. Bike trail (any)	28% (12)	11	91% (10)	9% (1)
Profile Falls	58% (25)	23	87% (20)	13% (3)

Please note:

- Usage includes all members of the respondent's immediate family
- The % figures in column 2 are based on the number of surveys returned
- The % figures in columns 4 & 5 are based on the number who rated the facility
- Respondents were given two choices in rating the facilities: "good or excellent" and "needs improvement"

IV. Commercial Facilities

Commercial facilities are for-profit enterprises which provide a source of recreation. They might include such things as ski areas, bowling alleys and water parks. Businesses which rent recreational equipment would also fall into this category. The recreation survey made no reference to this type of facility.

In the past, Bristol has had a small number of commercial recreational facilities. These would include an arcade (The Manor), a roller rink (on Lake Street) and sailboat rentals (Peter Brown's marina). Currently there is almost a total lack of commercial recreational facilities in Bristol, though one local business rents kayaks (Shackett's Store), one rents boats (West Shore Marine) and one rents bicycles (Alternative Wheels which is run by the School District). One of the reasons for the lack of commercial recreational facilities is the high cost of insurance required to run such a business. Nevertheless, it would seem that Bristol's tourist-oriented economy might provide an opportunity which is largely being overlooked. Bristol should welcome new commercial recreational facilities, as they potentially could help to attract more tourism to the local area.

V. Additional Facilities Recommendations

The recreation survey included a question asking what new facilities would be rated as having a high priority for development. The survey assumed that the planned multi-purpose path would be underway, so this was not included among the choices. Survey results are shown in the table below. It is interesting to note that the top two choices involve extensions to the trail system which will be created by the new path. These results would suggest that these trails should have a high priority despite all the difficulties encountered in bringing the current trail to fruition.

*Survey results of the facilities that should have the highest priority for development by the Town of Bristol in the next few years:
(Please note that % is based on the number of surveys received: 43)*

Facility	Number Indicating as Priority for Development
Extension of Multi-Purpose Trail to downtown area along Newfound River	60% (26)
Trail connecting Profile Falls Rec. Area with former RR station area off Central St.	58% (25)
Skateboard park	37% (16)
Picnic Area near downtown (off Central St. near former RR station)	37% (16)
Gazebo/Bandstand	30% (13)
Fishing pond on Newfound River	26% (11)
Outdoor ice skating rink	21% (9)
Danforth Brook fishing pond	14% (6)
Youth group camping area on Fowler River, having access to Newfound Lake	14% (6)
Shooting range	12% (5)
Indoor Pool	12% (5)
ATV Trail	9% (4)
Indoor tennis courts	2% (1)

The proposals receiving the next highest support were for a picnic area in near downtown in the old railroad station area and for a skate park, with 37% of the respondents rating these as a high priority. The picnic area proposal might be

included as part of a trail extension “master plan” or as part of the downtown revitalization effort. Grant money should be available for such a project, and it deserves serious consideration by the Capital Improvement Plan Committee. The skate park proposal has been discussed for several years and some fundraising efforts toward this goal have been made by the M.O.S.H. (Method of Skating Hard) group organized by TTCC. However, no specific proposal for location or design has been presented to the town. This is another project for which grant money may be available. For example, the National Park Service’s Land and Water Conservation Fund can provide a 50% match for outdoor recreational facilities which are open to the public. The strong public support for this project suggests it should be put on a faster track by the Capital Improvements Plan Committee.

The high level of support for a gazebo or bandstand was surprising considering the fact that there has been little discussion of such a proposal. As mentioned earlier in this chapter, this would be an appropriate project to consider for inclusion in the Kelley Park master plan.

There was considerable support for restoration of the fishing pond on the Newfound River. Unfortunately, this depends on the ultimate disposition of the Freudenberg dam, which is largely beyond the control of the town.

The final project rated as high priority by 20% or more of the respondents is an outdoor ice rink. The trend toward warmer winters makes the practicality of an outdoor rink questionable. That being said, it has been suggested that a good place to locate an outdoor ice rink would be outside the fence line of Wells Fields. Berms could be built, into which water would be poured; we’d then have a skating rink next to where people sled. This ice rink would be very weather dependent. As the local prep schools have learned from experience, reliable ice requires a roof and refrigeration, making it a costly facility to build and maintain. It would be hard to justify the cost of such a project.

The survey did not specifically ask for opinions regarding the intergenerational center proposed by the Friends with a Vision group. Such a facility would no doubt be a useful addition to Bristol’s recreational facilities and is worthy of support.

VI. Additional Events

In addition to the facilities identified in this report, these are many of the events that contribute to the recreational opportunities in Bristol:

- Naturally Newfound Fair in May
- Mooseman Triathlon in June
- Bristol Historical Society Walking Tour or Downtown in June
- Golf Tournament in June
- 4th of July Parade and Fireworks in July
- Summer Carnival in July
- Annual Art Show in August
- Bristol Old Home Day in August
- TTCC Lobster-Chicken Dinner in August
- Penny Sale in August
- Newfound Rendezvous in September

- NH Marathon & 10 K Road Race/Walk in September/October
- NH Marathon Arts & Craft Fair in September/October
- Annual Apple Festival & Craft Fair in October
- Annual Tree Lighting Ceremony & Craft Fair in November

Each of these events makes a unique contribution to the recreational opportunities available in Bristol and deserves town support. In fact, several of these events already receive direct support from the Police and/or Fire Departments. The town should encourage the creation of new events and continue to be willing to consider town/sponsor partnerships which will be of mutual benefit.

VII. Summary

The final question on the survey asked for an overall rating of the recreational facilities available in Bristol. As shown in the table below, the results are clustered around a “Good” rating, which was selected by 42% of the respondents. This is consistent with the individual ratings where most facilities were rated “Good or Excellent” by 50% to 75% of those who rated them. These results suggest that while the existing facilities generally receive passing marks, there’s room for improvement in a number of areas. In addition, several proposals for new facilities seem to have considerable support and should be considered for future development. Since much of the town’s economy is based on tourism and recreation, the town might well be wise to give considerable attention to the specific recommendations made throughout this chapter. Some of the recommended improvements require modest funding and can be achieved through the annual budgeting process. Major improvements and additional facilities require long-term planning through inclusion in the Capital Improvements Program.

(Please note that % is based on the number of surveys received: 43)

Rated Excellent	Rated Very Good	Rated Good	Rated Fair	Rated Poor
9% (4)	26% (11)	42% (18)	21% (9)	2% (1)

ZONING ORDINANCE OF THE TOWN OF BRISTOL

ADOPTED: NOVEMBER 19, 1985

AMENDED: MARCH 10, 1987
AMENDED MARCH 14, 1989
AMENDED MARCH 13, 1990
AMENDED MARCH 14, 1991
AMENDED MARCH 10, 1992
AMENDED MARCH 09, 1993
AMENDED MARCH 08, 1994
AMENDED MARCH 13, 1996
AMENDED MARCH 11, 1997
AMENDED MARCH 10, 1998
AMENDED MARCH 13, 2001
AMENDED MARCH 12, 2002
AMENDED MARCH 11, 2003
AMENDED MARCH 9, 2004
AMENDED MARCH 8, 2005
AMENDED MARCH 14, 2006
AMENDED MARCH 13, 2007
AMENDED MARCH 11, 2008
AMENDED MARCH 10, 2009
AMENDED MARCH 9, 2010
AMENDED MARCH 8, 2011
AMENDED MARCH 13, 2012
AMENDED MARCH 12, 2013
AMENDED MARCH 11, 2014
AMENDED MARCH 10, 2015
AMENDED MARCH 8, 2016

**ZONING ORDINANCE
TOWN OF BRISTOL, NEW HAMPSHIRE**

ARTICLE I.

The Zoning Ordinance of the Town of Bristol is intended to regulate land use within the Town. It is designed to take into account the impacts of land uses and promote uses of resources, and the rural qualities of Bristol. It is designed to promote the health, safety, prosperity, convenience and general welfare of all residents. The Ordinance is also intended to minimize the impact of potentially incompatible uses with particular consideration given to the character of the area as well as an effort to conserve the value of buildings, to promote good civic design and the wise and efficient expenditures of public funds. Pursuant to the authority granted by Chapter 674, Sections 16-23, New Hampshire Revised Statutes Annotated 1955, as amended, this Ordinance is enacted by the voters of the Town of Bristol.

ARTICLE II. TITLE

This Ordinance shall be known and may be cited as the “Zoning Ordinance of the Town of Bristol, New Hampshire”.

ARTICLE III. DISTRICTS AND DISTRICT REGULATIONS

3.1 DISTRICTS

The Town of Bristol shall be divided into the following districts:

- | | |
|---------------------------------|---|
| A. Village Commercial District | E. Rural District |
| B. Village Residential District | F. Lake District |
| C. Downtown Commercial District | G. Industrial District |
| D. Corridor Commercial District | H. Pemigewasset Overlay District |
| | I. Wetlands Conservation Overlay District |
| | J. Historic Overlay District |

These districts, as established, are shown in Appendix A, “Zoning Map of the Town of Bristol” which is hereby declared to be a part of this Ordinance. Where there is doubt as to the location of a zoning district boundary, the Board of Adjustment shall determine the location of such boundary, consistent with the intent of this ordinance and the zoning map. All land in the Town of Bristol shall be subject to the limitations set forth herein.

ARTICLE III, 3.1 DISTRICTS (continued):

Unless otherwise indicated, zoning district boundaries, as shown on the “Zoning Map of the Town of Bristol”, are the middle of the channel of waterways, or a shoreline of a water body, or the Town boundary. Where boundaries are so indicated that they parallel the center line of highways or streets, such boundaries shall be considered as parallel thereto and at the distance therefrom as shown on the zoning map. The distance shall be determined by use of the scale on the map. In any instance where there is doubt as to the location of a zoning district boundary, the Board of Adjustment shall determine the location of such boundary, consistent with the intent of this ordinance and the zoning map. Any uses not listed in Section 3.2 may be granted by variance only.

For lots located in more than one district, uses and structures shall conform to the requirements of the district in which they are located. If the use or structure spans the boundary between districts, the provision which imposes the greater restriction or higher standard shall apply.

3.2 DISTRICT REGULATIONS

A. VILLAGE COMMERCIAL DISTRICT

This district includes commercial areas that are adjacent or close to residential neighborhoods, schools, and fire and police protection primarily along Lake Street and portions of Pleasant Street West of the Newfound River.

Permitted Uses:

Accessory Building/Use	Home Occupation
Amusement, Indoor or Outdoor	Medical Facility
Automobile Repair Services & Garage	Multifamily Dwelling
Automobile Service Station	Office
Banks	Parking Facility
Bed & Breakfast	Personal Service
Boarding House	Presite Built Housing Sales
Child/Day Care Center	Repair Shop
Church	Restaurant; Restaurant Take-Out
Club	Restaurant; High-Impact
Combined Dwelling & Business	Retail Sales
Convenience Store	Retail Storage
Dwelling – Single, Two-family	Sales Room
Dwelling – Unit Efficiency	School
Funeral Home	Veterinary Hospital
Greenhouse	Warehouse & Wholesale Marketing
Hall	Warehouse, Self-service
Nano Brewery (3/11/14)	Yard, Barn or Garage Sales

Allowed by Special Exception:

Light Industrial Facility
Residential Institution
Hotel/Motel/Lodging Facility
Shopping Center

ARTICLE III, 3.2, B. VILLAGE RESIDENTIAL DISTRICT

B. VILLAGE RESIDENTIAL DISTRICT

This district includes residential neighborhoods that are adjacent or close to commercial areas, schools, and fire and police protection.

Permitted Uses:

Accessory Building/Use
Church
Dwelling, Single & Two- family
Home Occupation
Presite Built Housing Sales
School
Yard, Barn or Garage Sales

Allowed by Special Exception:

Bed & Breakfast
Club
Cluster Development
Offices
Residential Institution

C. DOWNTOWN COMMERCIAL DISTRICT

This district includes the traditional commercial areas that are adjacent or close to residential neighborhoods, schools, and fire and police protection and serviced by town water and sewer (Class 1). This district is located primarily on Central Square, South Main and Pleasant Streets.

Permitted Uses:

Accessory Building/Use
Amusement
Bank
Bed & Breakfast
Boarding House
Child/Day Care Center
Church
Club

Combined Dwelling & Business
Convenience Store
Dwelling - Single & Two-family
Dwelling Unit Efficiency
Funeral Home

Hall
Home Occupation
Medical Facility
Multifamily Dwelling
Office
Parking Facility
Personal Service
Restaurant, Restaurant; Take-Out,
Restaurant; High Impact
Retail Sales
Retail Storage
School
Yard, Barn or Garage Sales
Nano Brewery (3/11/14)

Allowed by Special Exception:

Automobile Service Station
Greenhouse
Veterinary Hospital

ARTICLE III, 3.2 D:

D. CORRIDOR COMMERCIAL DISTRICT:

This district includes commercial areas that are not adjacent or close to residential neighborhoods, and fire and police protection and not serviced by town water and sewer (Class 3) and require lower overall density.

Permitted Uses:

Accessory Building/Use
Agriculture
Banks
Bed & Breakfast
Combined Dwelling & Business
Dwelling - Single, Two-family
Dwelling Unit Efficiency
Forestry
Funeral Home
Greenhouse
Home Occupation
Office
Personal Service
Presite Built Housing Sales
School
Warehouse & Wholesale Marketing

Allowed by Special Exception:

Hotel/Motel/Lodging Facility
Light Industrial Facility
Parking Facility
Residential Institution
Restaurant
Retail Sales
Warehouse, Self-service
Nano Brewery (3/11/14)

E. RURAL DISTRICT

This district includes low to medium density rural living, open space, and provides for the protection of environmentally sensitive areas such as wetlands, floodplains, poor soils, and steep slopes.

Permitted Uses:

Accessory Buildings/Use
Agriculture
Child/Day Care Center
Cluster Development
Dwelling - Single, Two-family
Forestry
Greenhouse
Home Occupation
Manufactured Housing (Mobile Home)
Restaurant
Yard, Barn or Garage Sales

Allowed by Special Exception:

Bed & Breakfast
Excavation
Manufactured Housing Park
Multifamily Dwelling
Recreational Camping Park; Long-Term
Recreational Camping Park; Short-Term
Recreational Facility
Stable & Kennel
Veterinary Hospital
Nano Brewery (3/11/14)
(amended 3/13/07, 3/12/13)

ARTICLE III, 3.2 F:

F. LAKE DISTRICT

This district includes seasonal and year-round living units, commercial structures and services on or influenced by Newfound Lake and portions of the Newfound and Fowler Rivers.

<u>Permitted Uses:</u>	<u>Allowed by Special Exception</u>
Accessory Building/Use	Amusement
Agriculture	Boat Storage
Bed & Breakfast	Church
Club	Commercial Docking Facility
Cluster Development	Condominium Docking Facility
Dwelling - Single, Two family	Convenience Store
Home Occupation	Hotel/Motel/Lodging Facility
Restaurant; Take-Out	Marina
Yard, Barn or Garage Sales	Multifamily Dwelling
Nano Brewery (3/11/14)	Recreational Camping Park; Long-Term
	Recreational Camping Park; Short-Term
	Restaurant
	Recreational Facility
	(amended 3/13/07)

- a. Development of lands classified as “Lake District” shall include Newfound Lake, Newfound River, and Fowler River.
- b. Rights to gain access to a body of water through or by means of any land within the Town of Bristol shall not be created or attached to any real estate, except in accordance with the standards set forth below and subject to approval of the Bristol Planning Board.
 - (1). Building lot dimensions shall not have less than two hundred (200) feet of shoreline frontage for up to ten (10) residential dwelling units, individual campsites, or individual lodging units with deeded rights of use or access. Each additional such unit or camp site shall require an additional twenty (20) linear feet of shore line frontage.
 - (2). A parking area of three hundred (300) square feet adjacent to the waterfront lot shall be provided for each dwelling unit, campsite, or individual lodging unit located in excess of one thousand (1,000) feet from the waterfront property to which it has deed access. Parking shall be permitted only in the designated parking area.
 - (3). No building other than toilet, changing facilities and picnic shelters shall be constructed on a shore front common area.
 - (4). At least one-half of the shore frontage shall be reserved for swimming. Swimming areas shall be separated from boating areas by appropriate markers.

ARTICLE III, 3.2 F, 1.b continued:

(5). No more than 25% of the total shore frontage may be dedicated to docks or other structure designed to accommodate boating. All docks require a permit from the New Hampshire Wetlands Board. Applications for dock permits shall be reviewed by the Conservation Commission. In making its recommendations to the Wetlands Board and the Planning Board, the Conservation Commission shall consider the size and depth of the water area, the total frontage proposed for the common area, boat traffic already existing in the area, impact on neighboring property owners, protection of water quality, wildlife habitat and public safety. A buffer of natural vegetation shall be maintained between the beach and/or docking area and the parking area. The buffer may include facilities permitted within the shore front area.

(6). Toilet facilities, approved by the New Hampshire Water Supply and Pollution Control Division, shall be provided at the rate of one toilet facility for males and one for females for each 25 dwelling units or portion thereof granted rights of access. The Planning Board may adjust this requirement at its discretion where fewer than 15 units have access to the shore front common area.

(7). Expansion and/or construction of unroofed impervious ground cover within the 50 foot setback area measured from the high water mark, not to exceed five percent (5%) or two hundred (200) square feet of the setback area, whichever is less.

c. In addition to the minimum set back requirements listed in Article 3.3, F below, the minimum setback of any structure shall be fifty (50) feet from any shore line except as noted in 3.2 H. Leach fields shall be at least one hundred twenty five (125) feet from any shore line (see RSA 483B).

d. Alteration of existing uses. Any alteration or expansion of any dwelling or other structure within the lake district which increases the amount of living space in the dwelling or structure and/or would result in any increase in the load on a subsurface sewage system, including conversion to full-time occupancy as defined in NH Code of Administrative Rules Env-Ws 1004.15, shall require a permit from the Land Use Office. If the change would result in any increase in the load on a subsurface sewage system, a permit cannot be issued until the following conditions are met:

(1). The applicant has been granted approval of the existing subsurface sewage system for the altered use by the NHDES Subsurface Systems Bureau after submission of an "Application for Individual Sewage Disposal Systems Approval" in accordance with the provisions of NH Code of Administrative Rules ENV-Ws 1004.16. If the existing system is found to be inadequate, a plan approved by the NHDES Subsurface Systems Bureau shall be prepared before a building permit is issued.

ARTICLE III, 3.2F, d continued:

(2). The applicant must demonstrate that the site conditions and land area are adequate for installation of a replacement sewage disposal system should the existing system malfunction or fail.

G. INDUSTRIAL DISTRICT

This district shall include the establishment of industrial plants that will not be noxious, offensive, or detrimental to the environment, the Town, or the abutters.

Permitted Uses:

Accessory Building/Use	Printing Shop
Automotive Repair Services & Garage	Research and/or Testing Facilities
Dwelling Units above the 1st floor to a maximum of 4 units	Restaurant
Greenhouse	Sexually Oriented Business
Light Industrial Facility	Storage Yard
Manufacturing	Trucking Facility
Office	Veterinary Hospital
Outlet Store	Warehouse and Wholesale Marketing
Presite Built Housing Sales	Warehouse, Self-service
	Retail Sales

(Amended 3/12/13)

Nano Brewery (3/11/14)

H. PEMIGEWASSET OVERLAY DISTRICT

This district provides protection for the environmentally sensitive corridor along the Pemigewasset River, and the restrictions contained herein apply in addition to those on permitted uses in the portions of the districts over which it lies.

1. BOUNDARY

The boundary of the district shall be a line five hundred (500) feet from the river's ordinary high water line (reference line) except where the 500-foot line extends beyond the center line of Merrimack Street, Summer Street (Route 104) or River Road. In such cases, the boundary shall be the center line of the road. (amended 3/13/07)

ARTICLE III, 3.2H PEMIGEWASSET OVERLAY DISTRICT continued:

2. PROHIBITED USES:

The following uses are prohibited:

- a. Construction of primary structures or garages within 100 feet of the reference line.
- b. Construction on slopes which exceed fifteen percent.
- c. Mobile home parks
- d. Establishment or expansion of:
 1. salt storage yards
 2. junk yards
 3. solid or hazardous waste facilities
- e. Bulk storage of chemicals, petroleum products or hazardous materials.
- f. Sand and gravel excavations as defined in RSA 155-E
- g. Processing of excavated materials
- h. Use or processing of any fertilizer, except limestone, within 25 feet of the reference line on any property. Twenty-five feet beyond the reference line, low phosphate, slow release nitrogen fertilizer or limestone may be used on lawns or areas with grass.
- i. Dumping or disposal of snow and ice collected from roadways or parking areas outside the Pemigewasset Overlay District.
- j. Diversion of the river.
- k. Processing or application of sludge or biosolids.

3. COMPREHENSIVE SHORELAND PROTECTION ACT

Those parts of the Pemigewasset Overlay District which lie within 250 feet of the reference line are subject to all of the standards of the Shoreland Water Quality Protection Act, RSA 483B, as well as to the standards contained in this ordinance. In the event of conflicting standards, the stricter or more restrictive standard shall apply.
(revised March 11, 2008/March 13, 2012)

4. MINIMUM LOT REQUIREMENTS

The following restrictions apply to lots which lie in whole or in part in the overlay district:

- a. The minimum lot size is two acres. For cluster development, lot size shall be determined as specified in Section 4.7A of this ordinance.

- b. Building lots shall not have less than two hundred (200) feet of shoreline frontage for the first dwelling unit and an additional one hundred fifty (150) feet of additional shoreline frontage per additional dwelling unit. (revised 3/11/08)
- c. Building lot dimensions shall not have less than one hundred (100) feet of road frontage.
- d. Setback: No primary structure or automobile garage shall be located within one hundred (100) feet of the reference line.
- e. Accessory buildings such as storage sheds and gazebos but excluding automobile garages may be located within the 100 foot setback but not closer than fifty (50) feet from the reference line as a special exception provided:
 1. The location and construction of the structure is consistent with the intent of this ordinance to maintain a vegetated buffer.

ARTICLE III, 3.2H, 4,e PEMIGEWASSET OVERLAY DISTRICT continued:

2. The structure is required as a shelter for equipment or firewood, or as a non-residential shelter for humans.
 3. The structure is usually customary and incidental to a legally authorized use located within the Overlay District.
 4. The impervious cover between fifty (50) feet and one hundred (100) feet from the reference line shall not exceed two hundred (200) square feet. Within fifty (50) feet of the reference line, a natural buffer as specified in RSA 483-B must be maintained. (revised 3/11/08)
 - b. Impervious cover within the Overlay shall not exceed 10% of the parcel area contained within the Overlay.
5. EROSION AND SILTATION CONTROL
 - a. All new structures within the Overlay District shall be subject to the regulations contained in Section 4.19 regarding erosion and sediment control. (revised March 13, 2012)
6. NON-CONFORMING USES

Existing uses which are non-conforming under this ordinance may continue until the use ceases to be active or is discontinued for a period of one year. An existing non-conforming use may not be changed to another non-conforming use. Existing non-conforming uses shall be required to meet the shoreland natural buffer, drainage and related water quality protection requirements of this ordinance to the maximum extent feasible.
7. COMMONLY USED WATER FRONT PARCELS OR LOTS

Shoreland lot parcels which are intended for use for common access by the non-shoreland property owners within the development or subdivision which owns or has control over the common land shall meet the following requirements:

 - a. Contain a minimum of two (2) acres.
 - b. Have a minimum shore line frontage of 200 feet for the first ten residential units and an additional twenty (20) feet for each additional unit.
 - c. The minimum road frontage required shall be one hundred (100) feet.
 - b. Building setbacks shall conform with the provisions of 3.2,H.4,D,E.

ARTICLE III, 3.2, H,7 PEMIGEWASSET OVERLAY DISTRICT continued:

- c. No building other than toilet, changing facilities and picnic shelters shall be constructed. Necessary leach fields shall be located at least 125 feet from the reference line.
- d. At least one half of the shoreline frontage shall be reserved for swimming. Swimming areas shall be separated from boating areas by appropriate markers.
- e. No more than 25% of the total shore frontage may be dedicated to docks or other structures designed to accommodate boating. A water dependent structure, meaning one which is a dock, wharf, pier, breakwater, or other similar structure, or any part thereof, shall be constructed only as approved by the NHDES Division of Water, pursuant to RSA 482-A.
- f. A parking area of three hundred (300) square feet adjacent to the waterfront lot shall be provided for each dwelling unit, campsite, or individual lodging unit located in excess of one thousand (1,000) feet from the waterfront property to which it has deeded access. Parking shall be permitted only in the designated parking area.
- g. Toilet facilities shall be provided on the basis of one facility each for men and women for each 25 residential units or portion thereof granted rights of access. The Planning Board may adjust this requirement at its discretion where fewer than 15 units have access to the shore front common area.
- j. Impervious cover on that part of the parcel or lot contained within the Overlay shall not exceed 10% of the area of the parcel or lot contained within the Overlay.

3.3 LAND AND SPACE REQUIREMENTS

In the following tables the classes shall refer to the types of utilities provided:

Class 1	Town Water and Town Sewer
Class 2	Town Water or Town Sewer
Class 3	On-site Water, on-site Septic system, private septic system, private water distribution systems

A. VILLAGE COMMERCIAL DISTRICT CONDITIONS AND RESTRICTIONS

CLASS 1 (with town water and sewer)

Minimum lot size (Single & Two-Family)	10,000 sq. ft.
Minimum lot area first multifamily or non-residential unit per structure	12,000 sq. ft.
Area per additional multifamily or non-residential unit per structure	2,500 sq. ft.
Minimum multi-family dwelling unit size	500 sq. ft.
Minimum frontage	75 ft.
Front set back	20 ft.
Side set backs	15 ft.
Rear set back	15 ft.
Maximum lot coverage by structures	60%

ARTICLE III, 3.3A VILLAGE COMMERCIAL DISTRICT CONDITIONS AND RESTRICTIONS continued:

CLASS 2 (with town water or sewer)	
Minimum lot size (Single & Two-Family)	20,000 sq. ft.
Minimum lot area first multifamily or Non-residential unit per structure	25,000 sq. ft.
Area per additional multifamily or non-residential unit per structure	2,500 sq. ft.
Minimum multi-family dwelling unit size	500 sq. ft.
Minimum frontage	75 ft.
Front set back	20 ft.
Side set backs	15 ft.
Rear set back	15 ft.
Maximum lot coverage by structures	60%

CLASS 3 (with private water and septic)	
Minimum lot size (Single & Two-Family)	20,000 sq. ft.
Minimum lot area first multifamily or non-residential unit per structure	30,000 sq. ft.
Area per additional multifamily or non-residential unit per structure	10,000 sq. ft.
Minimum multifamily dwelling unit size	500 sq. ft.
Minimum frontage	75 ft.
Front set back	20 ft.
Side set backs	15 ft.
Rear set back	15 ft.
Maximum lot coverage by structures	60%

B. VILLAGE RESIDENTIAL DISTRICT CONDITIONS AND RESTRICTIONS:

Class 1 (with town water and sewer)	
Minimum lot size (Single and Two-Family)	10,000 sq. ft.
Minimum lot area first non-residential unit per structure	10,000 sq. ft.
Area per additional non-residential unit per structure	2,500 sq. ft.
Minimum frontage	75 ft.
Front set back	20 ft.
Side set backs	15 ft.
Rear set back	15 ft.
Maximum lot coverage by structures	30%

ARTICLE III, 3.3B continued:

Class 2 (with town water or sewer)	
Minimum lot size (Single and Two-Family)	25,000 sq. ft.
Minimum lot area first non-residential unit per structure	25,000 sq. ft.
Area per additional non-residential unit per structure	5,000 sq. ft.
Minimum frontage	75 ft.
Front set back	20 ft.
Side setbacks	15 ft.
Rear set back	15 ft.
Maximum lot coverage by structures	30%

Class 3 (with private water and septic)	
Minimum lot size (Single and Two-Family)	40,000 sq. ft.
Minimum lot area first non-residential unit per structure	40,000 sq. ft.
Area per additional non-residential unit per structure	10,000 sq. ft.
Minimum frontage	75 ft.
Front set back	20 ft.
Side set backs	15 ft.
Rear set back	15 ft.
Maximum lot coverage by structures	30%

C. DOWNTOWN COMMERCIAL DISTRICT CONDITIONS AND RESTRICTIONS:

Class 1 (with town water and sewer)	
Minimum lot size	None
Minimum multifamily dwelling unit size	400 sq. ft.
Minimum frontage	50 ft.
Front set back	15 ft.
Side set backs	None
Rear set back	15 ft.
Maximum lot coverage by structures	100%

ARTICLE III, 3.3 continued:

D. CORRIDOR COMMERCIAL DISTRICT CONDITIONS AND RESTRICTIONS:

Class 1 & Class 2 (with town water and/or sewer)

Minimum area per dwelling unit (Single and

Two-Family or non-residential 30,000 sq. ft.

Minimum lot area first multifamily or non-

residential unit per structure 10,000 sq. ft.

Area per additional multifamily or non-

residential unit per structure 10,000 sq. ft.

Minimum multifamily dwelling unit size

600 sq. ft.

Minimum frontage

100 ft.

Front set back

20 ft.

Side set backs

20 ft.

Rear set back

20 ft.

Maximum lot coverage by structures

30%

Class 3 (with private water and septic)

Minimum area per dwelling unit (Single and

Two-family or non-residential 40,000 sq. ft.

Minimum lot area first multifamily or non-

residential unit per structure 12,000 sq. ft.

Area per additional multifamily or non-

residential unit per structure 10,000 sq. ft.

Minimum multifamily dwelling unit size

600 sq. ft.

Minimum frontage

100 ft.

Front set back

20 ft.

Side set backs

20 ft.

Rear set back

20 ft.

Maximum lot coverage by structures

30%

ARTICLE III, 3.3 continued:

E. RURAL DISTRICT CONDITIONS AND RESTRICTIONS

CLASS 1 AND CLASS 2 (with town water and/or sewer)

Minimum area per dwelling unit	30,000 sq. ft.
Area per additional unit in same structure	10,000 sq. ft.
Minimum area first non- residential unit in same structure	30,000 sq. ft.
Area per additional non-residential unit in same structure	10,000 sq. ft.
Minimum multifamily dwelling unit size	800 sq. ft.
Minimum frontage	100 ft.
Front set back	20 ft.
Side set backs	20 ft.
Rear set back	20 ft.
Maximum lot coverage by structures	25%

CLASS 3 (with private water and septic)

Minimum area per dwelling unit	40,000 sq. ft.
Area per additional unit in same structure	12,000 sq. ft.
Minimum area first non-residential unit per structure	40,000 sq. ft.
Area per additional non-residential unit in same structure	12,000 sq. ft.
Minimum multifamily dwelling unit size	800 sq. ft.
Minimum frontage	100 ft.
Front set back	20 ft.
Side set backs	20 ft.
Rear set back	20 ft.
Maximum lot coverage by structures	25%

ARTICLE III, 3.3 continued:

F. LAKE DISTRICT CONDITIONS AND RESTRICTIONS

CLASS 1 and Class 2 (with town water and/or sewer)

Minimum area per dwelling unit	30,000 sq. ft.
Area per additional unit in same structure	10,000 sq. ft.
Minimum area first non-residential unit per structure	30,000 sq. ft.
Area per additional non-residential unit in same structure	10,000 sq. ft.
Minimum multifamily dwelling unit size	800 sq. ft.
Minimum frontage	100 ft.
Front set back	20 ft.
Side set backs	15 ft.
Rear set back	15 ft.
Maximum lot coverage by structures	25%

CLASS 3 (with private water and septic)

Minimum area per dwelling unit	40,000 sq. ft.
Area per additional unit in same structure	12,000 sq. ft.
Minimum area first non-residential unit in same structure	40,000 sq. ft.
Area per additional non-residential unit in same structure	12,000 sq. ft.
Minimum multifamily dwelling unit size	800 sq. ft.
Minimum frontage	100 ft.
Front set back	20 ft.
Side set backs	20 ft.
Rear set back	20 ft.
Maximum lot coverage by structures	25%

G. INDUSTRIAL DISTRICT CONDITIONS AND RESTRICTIONS

CLASS 1 (with town water and sewer)

Minimum area	20,000 sq. ft.
Minimum frontage	125 ft.
Front set back	25 ft.
Side set backs	25 ft.
Rear set back	25 ft.
Maximum lot coverage by structures	60%

ARTICLE III, 3.3 G continued:

CLASS 2 (with town water or sewer)

Minimum area	30,000 sq. ft.
Minimum frontage	150 ft.
Front set back	25 ft.
Side set backs	25 ft.
Rear set back	25 ft.
Maximum lot coverage by structures	60%

CLASS 3 (with private water and septic)

Minimum area	40,000 sq. ft.
Minimum frontage	150 ft.
Front set back	25 ft.
Side set backs	25 ft.
Rear set back	25 ft.
Maximum lot coverage by structures	60%

H. PEMIGEWASSET OVERLAY DISTRICT CONDITIONS AND RESTRICTIONS

CLASS 1, 2 and 3

Minimum lot area required	2 acres
Minimum lot frontage on river	200 ft.
Minimum lot frontage on road	150 ft.
Minimum set back from river	100 ft.
Minimum septic system set back from river	125 ft.
Funnel development	
Minimum frontage on river, first ten units (revised 3/11/08)	200 ft.
Frontage per additional unit	20 ft.

I. WETLANDS CONSERVATION OVERLAY DISTRICT

SEE ARTICLE IX

ARTICLE IV. GENERAL PROVISIONS

4.1 OBNOXIOUS USE

Any use that may be obnoxious or injurious by reason of production, emission of odor, smoke, refuse matter, fumes, noise, vibration or similar conditions, or that is dangerous to the comfort, peace, enjoyment, health and safety of the community or leading to its disturbance or annoyance, is prohibited.

ARTICLE IV GENERAL PROVISIONS continued

4.2 KEEPING OF FARM ANIMALS

The keeping of farm animals, including cows, goats, horses, pigs and sheep, shall be prohibited within the Village Commercial, Village Residential, Downtown Commercial, Corridor Commercial, Lake and Industrial Districts on lot sizes of less than one (1) acre. The keeping of such animals shall also be prohibited within one hundred (100) feet of Newfound Lake and the Pemigewasset, Newfound, Fowler and Smit Rivers. The keeping of small animals, including chickens, rabbits, etc., in small number and for personal use and enjoyment shall be permitted, if such small animals are penned or otherwise restricted.

4.3 MANUFACTURING STORAGE CONTAINERS

Allowed only with the approval of the Bristol Planning Board.

4.4 BUILDING HEIGHT

No building or structure, or part thereof, shall exceed thirty-five (35) feet in height as measured from the point thereof to the average natural or graded permanent ground level at the wall of the structure nearest to and below said high point, provided however, that this provision shall not apply to television and radio antennae, cell towers, lightning rods, cupolas, steeples, chimneys, utility poles, or parts of building designed exclusively for non-residential agricultural use.
(amended 3/8/11)

4.5 (Removed 3/8/16)

4.6 FLOOD AREA

No building for human occupancy shall be permitted to be built within any floodway and no building for human occupancy shall have its first floor level less than one (1) foot above any known flood elevation within a floodplain outside any floodway, as indicated on the Bristol Flood Insurance Map. (Please Note - for additional information and regulations related to the above section please see Town of Bristol Floodplain Zoning Ordinance, adopted March 13, 1990 and amended March 12, 2002, included as Appendix B at the end of this Ordinance).

ARTICLE IV, 4.7 CLUSTER RESIDENTIAL DEVELOPMENT continued:

4.7 CLUSTER RESIDENTIAL DEVELOPMENT

The object of cluster residential development is to encourage flexibility in housing by permitting homes to be built on lots of reduced dimensions to allow for a more economic provision of street and utility network, and to encourage the preservation and recreational use of open space in harmony with the natural terrain, scenic qualities, and outstanding land features. The remaining land in the tract which is not built upon shall be reserved as a permanent protected open space.

A. Where clustering of structures is permitted, such structures shall not exceed a total of four (4) dwelling units. The minimum lot size for each structure shall be determined by the Planning Board based on the character of the land, type of housing and need for adequate on-site sewage disposal as determined by the State Water Supply and Pollution Control Commission standards.

ARTICLE IV, 4.7 CLUSTER RESIDENTIAL DEVELOPMENT continued:

B. Where a community sewer disposal system located on common land is permitted, legal responsibility for ownership and maintenance must be established as part of the approval process.

C. Each cluster structure shall not exceed a total of four (4) dwelling units and shall maintain the overall density as required in the appropriate zoning district as defined in Article III. Land area not used for individual lots, construction of buildings, roads or on site sewer or water systems shall be permanently maintained as open space or common land for the purposes of recreation, conservation, park, public easement, or agriculture.

D. The open space or common land or any portion of it shall be held, managed, and maintained by the developer until it is owned in one or more of the following ways:

1. By a Homeowner's Association, set up and made a part of the deed or agreement for each lot or dwelling unit.

2. By a Conservation Trust, or non-profit organization which will ensure that the common land will be held in perpetuity as open space.

3. By the developer, as appropriate for such areas as golf courses, outdoor recreational areas, or enclosed recreational facilities.

E. All agreements, deed restrictions, organizational provisions for the management of the common land shall be established prior to approval. Should some of the open space land not be owned in common, such as a golf course, courts, or playing fields, such ownership and maintenance responsibility shall be specifically stated.

F. The plan shall provide for the convenience and safety of vehicular and pedestrian traffic and for adequate location of driveways in relation to street traffic. Adequate parking per unit and minimum distance from lot lines shall be required.

4.8 MANUFACTURED HOUSING PARKS

A. All manufactured housing parks shall conform to the "Subdivision Regulations, Town of Bristol, NH adopted October 19, 1977", as amended; except that none shall be permitted within the Pemigewasset Overlay District.

B. A minimum of five thousand (5000) square feet shall be required for each manufactured housing lot with off-site water and sewerage. The size of lots with on site water and sewerage shall be determined by the New Hampshire Water Supply and Pollution Control Commission.

C. Each lot shall provide at least one off-street parking space of two hundred (200) square feet.

ARTICLE IV, 4.8 MANUFACTURED HOUSING PARKS continued:

D. All roadways within the park shall be well drained with gravel, hard surfaced, or paved traveled way, and shall be maintained in good condition by the owner of the park. All streets and roadways shall have a minimum traveled surface of twenty (20) feet and parking shall be prohibited on both sides. One-way streets shall be a minimum of twelve (12) feet in width. All roadways shall be lighted at night.

E. Utilities including water, sewer, and electricity shall be made available by the park owner. The water and sewer facilities shall be designed by a sanitary or civil engineer in conformance with all State and local regulations.

F. A usable area of at least fifteen hundred (1500) square feet per manufactured housing lot shall be set aside and maintained within the manufactured housing park as common area for joint use of all occupants of the park.

G. In addition to all common area, a buffer strip at least twenty (20) feet in width shall be provided and maintained along all boundary lines and public roads, and such space shall not be built upon, paved, or used for parking.

4.9 RECREATIONAL CAMPING PARKS

A. A recreational camping park shall have an area of not less than five (5) acres.

B. A strip of land at least thirty-five (35) feet in width shall be maintained as a landscaped area abutting all recreational camping park property lines, except that within the Pemigewasset Overlay District the area along the river front shall have a buffer strip seventy-five (75) feet wide. Within this space a dense visual screen of suitable shrubs and trees six feet or more in height shall be provided. Such open space shall not be built upon, paved, nor used for parking.

C. Every recreational camping park; short-term shall have a dumping station for sewerage disposal, meeting all applicable State and local laws and regulations. At every recreational camping park, either short-term or long-term, every site which is either designated or actually used for long term use shall be provided with an approved sewage disposal system which meets all state requirements for a residential system. The water supply source must meet all State regulations. (amended 3/13/07)

D. Each park shall provide one or more service buildings containing enough toilet facilities to comply with State standards and regulations.

E. Every recreational camping park shall provide facilities for the dumping of trash.
(amended 3/13/07)

ARTICLE IV, 4.9 RECREATIONAL CAMPING PARKS continued:

F. Every Recreational Camping Park, Long Term, shall be provided with well-drained roadways which are gravel, hard surfaced or paved and maintained in good condition. All Streets and roadways shall have a minimum surfaced width of twenty (20) feet. One-way streets shall be a minimum of twelve (12) feet in width. Parking shall be prohibited on both sides of all streets. (revised 3/11/08)

G. In Recreational Camping Parks, Long Term, a minimum of five thousand (5,000) square feet of contiguous land shall be provided for each campsite. In the Lake District, a minimum of ten thousand (10,000) square feet of contiguous buildable land shall be provided for each campsite. Clustering of sites shall be encouraged resulting in lots of a minimum of 4,000 sq. ft. Provided the density of at least 10,000 sq. ft. of buildable land per site be attained. (revised 3/11/08)

H. In Recreational Camping Parks, Long Term, there shall be a minimum setback of fifteen (15) feet between recreational park trailers and the site boundary. No recreational park trailers may be located closer than thirty (30) feet from any building within the park. When applying these setbacks and clearances, awnings, vestibules, or any attached or detached structure shall be considered an integral part of the recreational park trailer. (revised 3/11/08)

4.10 RECREATIONAL VEHICLES

A. Any property owner or lessee may accommodate one recreational vehicle at a time to be used as temporary living quarters. Use is limited to a period not to exceed 90 days collectively per calendar year. The vehicle must be registered, mobile, and comply with all applicable sanitary and sewerage disposal requirements and meet all front, side and rear setbacks.

B. A recreational vehicle as defined in this ordinance shall not be considered a residence or dwelling.

C. A recreational vehicle may be parked during periods of non-use provided it remains mobile and is not connected to utilities and is not used as living quarters.

D. The property owner may apply for a Special Use permit from the Planning Board to live in a recreational vehicle for a period of up to one year, but they must have an approved land use permit to build a new home on the same lot. (amended 3/12/13)

4.11 SIGNS (revised 3/10/09)

It is the objective of this section to provide for the regulation and restriction of signs which are confusing, distracting, or impair visibility, and to protect scenic views and the character of residential and rural areas. It shall apply to all districts unless the requirements of the district are specifically stated.

A. Each new commercial sign over 4 square feet in area must receive a permit from the Land Use Office unless exempted by a specific provision in this ordinance. A sign not meeting the standards of this section, but which was erected legally prior to March 2009 shall be considered a nonconforming structure under Section 4.12.C. Any such sign which is removed under the provisions of this section may be re-erected or replaced within one year but not afterward, in accordance with Section 4.12.C.1. (amended 3/12/13)

B. The owner of any sign which is in, or falls into, disrepair shall be notified that such sign, if not repaired or replaced within thirty (30) days of notice shall be removed by the order of the Board of Selectmen.

C. All signs associated with a business which terminates its operation must be removed within 30 days of the closure.

D. The following types of signs are prohibited in all districts:

1. Signs using flashing electric lights.
2. Signs displaying symbols or messages which move or which change periodically on any electronic or mechanical basis.
3. Signs having revolving or moving elements, except for a revolving barber pole.
4. Signs designed to change display when viewed from different angles.

Signs displaying time and/or temperature are expressly permitted in all districts and are subject to the same requirements as all other signs. (amended 3/8/11)

E. Illuminated signs shall meet the standards of Section 4.20 External Lighting. Internally illuminated signs and self-illuminated signs such as neon and LED signs are generally prohibited; Provided however, that the Planning Board, as part of site plan review, may grant a conditional use permit for such signs if it finds (i) that special circumstances, including relatively high traffic speeds, would limit the visibility of an externally-lit sign, (ii) that such sign would not adversely affect the character of the neighborhood, and (iii) that such sign is consistent with the objectives of this section and of the site plan regulations. (amended 3/8/11, 3/8/16)

Exception: One internally illuminated or self-illuminated "OPEN" sign is allowed on each façade of the structure abutting a public street in addition to any other permitted signs. Any such sign must conform with the restrictions contained in Article 4.11,D and the area of the illuminated portion of the sign shall not exceed two (2) square feet. (adopted 3/8/11)

ARTICLE IV, 4.11 SIGNS continued:

F. The overall height of any free-standing sign shall not exceed sixteen (16) feet above grade. The height of a sign shall be measured to the highest point of the sign, including any structural or ornamental projections above the sign proper, from the average ground level above which the sign is located.

G. No sign shall be so erected, maintained or lighted such that it creates any traffic hazard.

H. Free-standing signs shall be set back a minimum of five (5) feet from any lot line unless a variance is obtained under Section 5.3.

I. The maximum area of free-standing signs shall not exceed 32 square feet on each of 2 sides.

J. Where two (2) or more businesses occupy one building or are on one lot, not more than two (2) free standing signs may be erected on the property, except by a variance. Neither of the signs may exceed thirty-two (32) square feet in area on each of 2 sides.

K. In addition to free-standing signs, each business may erect a sign on each façade of the structure abutting a public street. Signs that are affixed to the building shall have a maximum combined surface area of one (1) square foot for each foot in width of the structure on the side that the sign is attached or 32 square feet, whichever is less. The sign shall not extend above the parapet or eaves. (amended 3/8/11)

L. Signs projecting over public rights-of-way shall be permitted in conjunction with the business they serve if all of the following conditions are met:

1. The sign size does not exceed three (3) ft. x five (5) ft., for a total of fifteen (15) square feet of surface area per side.
2. No portion of the sign is located less than twelve (12) ft. from the surface of the right-of-way.
3. No portion of the sign extends over the vehicular traveled way.

M. Except for the specific exemptions contained in Section 4.11, O, off-premises signs or billboards of any size or type are allowed only by special exception granted by the Zoning Board of Adjustment and must conform to all provisions of this ordinance. (amended 3/09/10)

N. Residents may erect a single freestanding sign not exceeding 4 square feet in area, showing owners' name, address, and allowed home occupation (if any). Persons conducting home occupations may further erect a single sign not exceeding 1 square foot on or adjacent to their mailbox.

ARTICLE IV, 4.11 SIGNS continued:

O. TEMPORARY SIGNS

1. Temporary signs, used for purposes of advertising temporary events and located on-premises, shall be allowed and do not require a permit. Such signs shall not exceed twelve (12) square feet in area and two in number and shall not occur more than three (3) times in a calendar year. No temporary sign used for advertising shall be displayed for more than 30 consecutive days. (amended 3/10/15)

2. Temporary construction signs may be erected or posted on the site of any construction project with a permit. Such signs shall not exceed thirty-two (32) square feet in area, and shall be removed immediately upon completion of the project.

3. Temporary political signs shall conform to the provisions of RSA 664:17 and other applicable state laws.

4. Auction signs and real estate signs advertising premises for sale or rent shall be permitted and do not require a permit if located on the premises. Such signs shall not exceed nine (9) square feet in area and shall be removed immediately upon completion of the auction, sale or rental of the property, or other reason for the installation of the sign. Off-premises signs directing passers-by to real estate which is for sale or rent are allowed by permit issued by the Land Use Office. Such signs shall not exceed 1 ½ square feet in area and shall be displayed only for the dates and location(s) specified in the permit. The number of signs allowed shall be determined by the Land Use Office. (amended 3/09/10, 3/12/13)

5. Yard sale signs shall be permitted. Such signs shall not exceed dimensions of 18" x 18" and shall comply with all other requirements established by this ordinance and shall not be posted more than 24 hours prior to the commencement of the sale and shall be removed no more than two hours after its termination. A maximum of two off-premises signs directing passers-by to a yard sale are permitted to be displayed for 24 hours prior to the sale and shall be removed within two hours of its termination. Such signs shall not exceed dimensions of 18" x 18". (amended 3/09/10)

6. Off-premises signs advertising events sponsored by non-profit institutions are permitted to be displayed for 14 days prior to the event and shall be removed within 24 hours of the termination of the event. Such signs shall not exceed 20 square feet. (adopted 3/09/10)

7. Off-premises signs advertising seasonal agricultural retail sales, hay rides, fruit picking, etc. are allowed during the period of the activity by permit issued by the Land Use Office. Such signs shall not exceed 20 square feet and shall be displayed only for the dates and location(s) specified in the permit. (adopted 3/09/10, 3/12/13)

P. MEASUREMENT OF SIGNS

The area of a sign equals the area of the smallest rectangle or circle through which the entire sign can fit; excluding structural supports which do not contribute through shape, color, or otherwise to the sign's message; but including any separate surface, board, frame or shape on or within which the sign is displayed. For signs the components of which are painted or engraved on, or otherwise applied directly to a building or other structure, the sign area shall include any background of a different color, material or appearance from the remainder of the wall or structure, and shall in any event enclose all letters, figures or representations related to the sign.

ARTICLE IV, 4.11 SIGNS, P. Measurement of Signs continued:

Q. EXEMPTIONS

The following signs shall be exempt from the provisions of the section:

1. All signs erected or posted by any agency or office of government for the specific use of said agency or office.
2. All signs indicating private property, forbidding trespass, hunting or other activities on the property.
3. All signs on private property intended to regulate, identify the structure or guide activities on the property, even though such signs may be visible from other property or properties, are permitted.

4.12 NON-CONFORMING STRUCTURES, LOTS AND USES

This ordinance is intended to regulate land uses so areas will contain compatible uses on adequate lots with proper structures. The ordinance shall be administered so that deleterious effects on non-conforming lots, buildings, and uses shall be reduced and eventually eliminated.

A. NON-CONFORMING LOTS

A lot that is not contiguous to another lot owned by the same party, that has less than the prescribed minimum area or frontage may be built upon provided that all other regulations of this ordinance are met and that lot, before the adoption of the requirements which have made it non-conforming:

1. Was lawfully laid out by plan/deed duly recorded in the Grafton County Registry of Deeds or,
2. Was shown as a subdivision plan approved before 1984 under the Subdivision Regulation of the Town of Bristol, or
3. Was otherwise exempt from such regulations by the provisions of the statute, and provided that such lot conforms to the area and frontage requirement of the zoning ordinance applicable at the time of said recording or approval.
 - a. **NON-CONFORMING LOT CONTIGUOUS:** Non-conforming contiguous lots under the same ownership shall only be developed with such adjacent lot.

B. NON-CONFORMING USES

If a lawful use exists at the effective date of adoption or amendment of this ordinance that would not be allowed in the zone under the terms of this ordinance, said use may be continued, so long as it remains otherwise lawful and subject to the other provisions of this section.

1. **Discontinued Uses-** If a non-conforming use is superseded by a conforming use, it shall thereafter conform to the regulations of the zone.
2. **Expansion -** A non-conforming use may be expanded within the limits of the structure owned by the owner or owners when the use started, if the unity of the use is retained and other requirements of the zone are complied with.
3. **Abandonment –** A non-conforming use shall be considered to be abandoned if the use has been discontinued for a period of one year. No abandoned non-conforming use may be resumed. (added 3/8/16)

ARTICLE IV, 4.12 NON-CONFORMING STRUCTURES, LOTS AND USES continued:

C. NON-CONFORMING STRUCTURES

If a structure exists before this ordinance is effective, which does not comply with the regulations contained herein, it may remain, subject to the other provisions of this ordinance.

1. Normal repairs, renovations, and maintenance may be made to any non-conforming structure. If the structure is destroyed by accidental means or is removed, it may be rebuilt or replaced within one year from the date of said occurrence providing there is no increase in the area of encroachment upon the setbacks or any new or increased nonconformity with lot coverage requirements.

a. LAKE DISTRICT RESTRICTIONS: In order to avoid overcrowding, reduce the expansion of impervious surfaces, prevent water pollution and preserve the unique ecological and cultural character of the Newfound Lake shore area, the following additional restrictions shall apply to construction of additions to any nonconforming structure in the Lake District:

Expansion of the existing footprint or construction of accessory structures shall be allowed so long as the total area of all structures on the lot does not exceed the maximum allowable lot coverage by structures and there is no increase in any existing encroachment into the setbacks. Increases in height at any point on the structure of up to one foot are allowed. Added dormers and/or shed roofs are allowed so long as the height of the original ridgeline is not increased by more than one foot. Any increases over one foot in the ridgeline height (including construction over expansions in the footprint) are allowed by Special Use Permit only. (revised 3/11/08, amended 3/8/11, amended 3/8/16)

2. Manufactured Housing (Mobile Home): Existing non-conforming mobile homes may be removed and replaced within six months of removal. The replacement home may be larger if there is no increase in the area of encroachment upon the setbacks. The replacement home must contain the manufacturer's certification of compliance with HUD's construction and safety standards, published in the Code of Federal Regulations at 24 CFR 3280, and commonly referred to as "the HUD Code".

3. Additions to non-conforming buildings shall be permitted so long as no portion of the addition violates any of the standards in this ordinance, and so long as the property as a whole is not made more non-conforming by the addition.

a. LAKE DISTRICT RESTRICTIONS: In order to avoid overcrowding, reduce the expansion of impervious surfaces, prevent water pollution and preserve the unique ecological and cultural character of the Newfound Lake shore area, the following additional restrictions shall apply to construction of additions to any nonconforming structure in the Lake District:

Expansion of the existing footprint or construction of accessory structures shall be allowed so long as the total area of all structures on the lot does not exceed the maximum allowable lot coverage by structures and there is no increase in any existing encroachment into the setbacks. Increases in height at any point on the structure of up to one foot are allowed. Added dormers and/or shed roofs are allowed so long as the height of the original ridgeline is not

ARTICLE IV, 4.12 NON-CONFORMING STRUCTURES, LOTS AND USES continued:

increased by more than one foot. Any increases over one foot in the ridgeline height (including construction over expansions in the footprint) are allowed by Special Exception only. (revised 3/11/08, amended 3/09/10, amended 3/8/11)

4. General Safety- nothing in this ordinance shall prevent the strengthening or restoring to safe condition any building or part thereof upon order by any public official charged with protecting the public safety.

5. An existing structure, which is partially or entirely erected upon the setback area may be enclosed for the purpose of “enclosed occupied space” only by variance granted by the Zoning Board of Adjustment.

D. NON-CONFORMING CONDOMINIUM CONVERSION

In accordance with RSA 356-B:5 any proposed conversion condominiums and the use thereof which do not conform to the zoning, land use and site plan regulations of the Town of Bristol shall secure a special use permit, a special exception, or variance, as the case may be, prior to becoming a conversion condominium. (revised 3/11/08)

4.13 MARINA, CONDOMINIUM DOCKING FACILITIES, COMMUNITY DOCKING FACILITIES AND COMMERCIAL DOCKING FACILITIES

A proposal for a marina, condominium docking facility, or commercial docks, provided it is permitted in the underlying use district, shall be subject to site plan review by the Planning Board and shall be subject to the following minimum standards.

All construction in or on ponds over 10 acres and other waters of the State require a permit from the New Hampshire Wetlands Board and the New Hampshire DES Water Supply and Pollution Control Division.

A. A marina, condominium docking facility, community docking facility, or commercial docking facility accommodating more than eight boats shall contain a minimum lot area of one acre plus 3000 square feet per boat slip, dry storage space, or mooring, to be used during the boating season.

B. The plan shall include appropriate recreation or play areas.

C. If winter boat storage is proposed, the plan shall include a design for winter boat storage facilities.

D. Parking shall be provided at the rate of 1.5 spaces for each boat slip (wet or dry) plus trailer storage spaces if needed.

E. One toilet facility and one shower and sink each for males and females shall be provided for each 25 boat slips or dry storage space or fraction thereof, except for spaces exclusively for winter storage.

F. A pumping facility for the removal of holding tank waste shall be provided. The facility shall meet all standards established by the New Hampshire DES Water Supply and Pollution Control Division and any other applicable state regulations.

G. The Planning Board may, at its discretion, provide less restrictive regulations for common docking facilities for eight or fewer boats.

ARTICLE IV, GENERAL PROVISIONS continued:

4.14 MULTIPLE USES ON A LOT

Except for lots devoted entirely to non-residential uses, in the absence of subdivision approval there shall be no more than one primary structure on a lot, together with its related accessory buildings and structures. This article applies in all zoning districts except for the Downtown Commercial and Village Commercial Districts. (amended 3/13/07)

4.15 JUNK YARDS

Junk yards as defined in Section 8.68 are not permitted in any zoning district. However, registered automotive repair services may store a maximum of six (6) unregistered motor vehicles not located in a permanent structure at their principal place of business. Registered motor vehicle dealers may store an unlimited number of unregistered vehicles at their principal place of business. (revised 3/11/08)

4.16 FENCES

- A. At the intersection of two public roads, no fence exceeding three (3) feet in height may be erected within triangles having two sides along the edge of the traveled surface which extend back twenty (20) feet from their intersection.
- B. Fences erected along a public way shall be constructed with the finished smooth side facing the public way. (adopted 3/10/09)

4.17 STEEP SLOPE AND RIDGELINE PROVISIONS

A. PURPOSE

The purpose of this article is to reduce damage to streams and lakes from the consequences of excessive and improper construction, erosion, stormwater runoff, or effluent from improperly sited sewage disposal systems, and to preserve the natural topography, drainage patterns, vegetative cover, scenic views, wildlife habitats, and to protect unique natural areas.

B. APPLICABILITY

This article shall apply to all construction activity where the area of disturbance has a slope greater than 15% and where the proposed site disturbance (removal of the vegetative cover or addition of fill) is greater than 10,000 square feet.

C. CONDITIONAL USE PERMIT

Construction activity in any applicable area as defined in Section B is allowed only if a Conditional Use Permit is granted by the Planning Board.

ARTICLE IV, 4.17 STEEP SLOPE AND RIDGELINE PROVISIONS continued:

D. APPLICATION REQUIREMENTS

In addition to fulfilling any other requirements for construction approval, the applicant for a project subject to the provisions of this article must submit the following:

1. An engineering plan prepared by a professional engineer that shows specific methods that will be used to control soil erosion and sedimentation, soil loss, and excessive stormwater runoff, both during and after construction including clear cuts made for view development. This plan must show the area subject to site disturbance in two-foot contours.

2. A hydrology, drainage, and flooding analysis that shows specific methods that will be used to control soil erosion and sedimentation, soil loss, and excessive stormwater runoff, both during and after construction.

3. A grading plan for the construction site and all access routes.

E. PERFORMANCE STANDARDS

1. The building envelope permitted for projects subject to the provisions of this section is a rectangle with an up-slope boundary 40 feet or less from the building, side boundaries 40 feet or less from each side of the building, and a down-slope boundary 25 feet or less from the building. In the case of non-residential development requiring a parking lot, the area occupied by any such parking lot shall be added to the footprint of the building for the purpose of determining the building envelope. Accessory buildings shall be built within the building envelope. Building envelopes shall be at least 30 feet from property lines. (revised March 13, 2012)

2. In order to develop a view, trees may be trimmed beyond the building envelope for a width of tree topping not to exceed 25 feet measured at building envelope boundary and extending outward therefrom at an angle of 45 degrees or less on both sides, to a point down-slope where the tops of the trees are at the same elevation as the ground floor of the building. The 25-foot opening may be at any point along the down-slope boundary. No clear cutting is allowed outside the building envelope except as provided in this section and for the construction of a driveway.

3. Existing natural and topographic features, including the vegetative cover, will be preserved to the greatest extent possible. The Board shall not approve a proposed layout of building (s) and/or parking lot if it finds that there exists a feasible alternative layout which causes appreciably less disturbance to natural topography and vegetation, yet still fulfills the applicant's permissible development objectives. In the event that extensive amounts of vegetation are removed, the site shall be replanted with indigenous vegetation and shall replicate the original vegetation as much as possible. (revised March 13, 2012)

4. The grading cut and fill should not exceed a 2:1 ratio.

5. No section of any driveway may exceed a 10 percent slope.

ARTICLE IV, 4.17 STEEP SLOPE AND RIDGELINE PROVISIONS continued:

6. No structure shall be built on an extremely steep slope (greater than 25 percent prior to site disturbance).

7. No portion of any structure may extend above the elevation of the ridgeline.

F. ADMINISTRATION OF CONDITIONAL USE PERMITS

In addition to meeting the conditions set forth in this section, Conditional Use Permits shall be granted in accordance with the following pertinent procedures:

1. A Conditional Use Permit shall be granted by the Planning Board upon a finding that the proposed use is consistent with the intent of the ordinance and following receipt of a review and recommendation of the Conservation Commission and any other professional expertise deemed necessary by the Board.

2. The applicant must demonstrate that no practicable alternatives exist to the proposal under consideration, and that all measures have been taken to minimize the impact of construction activities.

G. COSTS

All costs pertaining to the consideration of an application, including consultants' fees, on-site inspections, environmental impact studies, notification of interested persons, and other costs shall be borne by the applicant and paid prior to the Planning Board's final action.
(Article IV, 4.17 adopted 3/09/10)

4.18 ACCESSORY BUILDINGS

Accessory buildings are permitted provided setback and lot coverage by structure requirements are met. Accessory buildings are limited to a building height of twenty (20) feet, except for those types of structures specifically exempted from building height restrictions in Section 4.4.
(adopted 3/8/11)

4.19 EROSION AND SEDIMENT CONTROL DURING CONSTRUCTION (adopted March 13, 2012)

- A. All new structures shall be designed and constructed in accordance with rules adopted by the DES pursuant to RSA 541-A, relative to terrain alteration under RSA 485-A:17, for controlling erosion and introduction of sediment to public waters, during and after construction and shall, at a minimum reflect the recommendations of the most recent edition of the New Hampshire Stormwater Manual, Volume 3, (Erosion and Sediment Controls During Construction) published by the NHDES, and meet all applicable EPA regulations.
- B. New structures shall be designed and constructed to prevent the release of surface runoff across exposed mineral soils.
- C. NHDES Permit shall be required where applicable.

ARTICLE IV continued:

4.20 EXTERNAL LIGHTING (adopted March 13, 2012)

A. PURPOSE AND INTENT

The purpose of this section is to preserve the rural atmosphere and dark skies of Bristol. One key difference between rural towns and cities is the darkness of the night sky and the amount of glare and sky glow resulting from outdoor lighting. Natural dark skies are the nighttime aspect of rural character. Increasing light pollution and glare from inappropriate lighting degrades such rural character. Effective outdoor lighting can help preserve the dark night sky while maximizing safety and security by minimizing glare and light trespass. This regulation is intended to enhance public safety and welfare by providing for adequate and appropriate outdoor lighting, providing for lighting that will complement the character of the town, reduce glare, minimize light trespass, reduce the cost and waste of unnecessary energy consumption and prevent the degradation of the night sky.

B. DEFINITIONS

1. Full-Cutoff Luminaries. A light fixture such that all of its light output is aimed below horizontal to the ground. Full cut-off fixtures cut off all upward transmission of light.
2. Glare. Any light, direct or indirect, which either results in discomfort to the observer or which reduces a normal viewer's ability to see, at any location beyond the property boundary.
3. Light Trespass. The shining of light emitted by a luminaire directly toward a location beyond the boundaries of the property on which it is located.
4. Light Pollution. Night-sky brightness (skyglow) caused by the scattering of light in the atmosphere. Sources include light projected above the horizontal plane or light reflected from illuminated sources such as roadways.
5. Temporary Lighting. The illumination of an outside area or object by any man-made device located outdoors that produces light by any means for a period of less than 30 days, with at least 180 days passing before being used again.

C. APPLICABILITY

The lighting requirements of this section shall apply to all new development requiring site plan approval from the Bristol Planning Board.

Though they are not subject to permitting through this ordinance, residential homeowners are encouraged to use full cutoff lighting fixtures and prevent light trespass onto neighboring properties. Residential lighting guidelines can be obtained at Town Hall during normal business hours.

ARTICLE IV, 4.20 EXTERNAL LIGHTING continued:

D. LIGHTING STANDARDS

1. In order to minimize glare and light pollution, all exterior lighting fixtures shall be full-cutoff luminaries.
2. Further, all fixtures shall be positioned and installed in such fashion as to prevent light trespass, and to minimize glare, upon abutting properties and streets.
3. Whenever practicable, external lighting shall include timers, dimmers, and/or motion sensors to reduce overall energy consumption and eliminate unneeded lighting, particularly after 11:00 p.m.
4. Lighting fixtures used to illuminate any outdoor sign shall be directed downward to the target area unless the illumination can be confined wholly to the area of the sign. (amended 3/8/16)

E. EXEMPTIONS

1. Temporary lighting is exempt except where it creates a hazard or nuisance from glare. Such light shall not create light trespass. Wherever possible, lighting should be full cut-off.
2. Lighting of an American flag is exempt from full-cutoff luminaries. Such lighting shall not create light trespass or glare.

4.21 FIRE SAFETY REQUIREMENTS

- A. New Buildings or buildings undergoing a change of use shall meet all requirements of the State Building Code, State Fire Code, the 101 Life Safety Code, and the applicable portions of all codes adopted by reference as part of these codes. (revised 3/10/09), (revised 3/11/14)
- B. Any new structure used for a commercial purpose, over 2,000 square feet in size, requires a sprinkler system approved by the Town of Bristol Fire Department. (adopted 3/12/13)
- C. Any new structure used for a commercial purpose requires a fire alarm system approved by the Town of Bristol Fire Department. (adopted 3/12/13)

ARTICLE V. BOARD OF ADJUSTMENT

5.1 CREATION, APPOINTMENT, AND JURISDICTION

Within thirty (30) days after the adoption of this ordinance, and thereafter as terms or vacancies occur, the Board of Selectmen shall appoint a Board of Adjustment consisting of five (5) members whose duties, terms and powers shall conform to the provisions of Chapters 673, 674, 676, and 677 RSA 1955 as amended. The Board of Adjustment may also include not more than three (3) alternate members appointed by the Board of Selectmen. No person may be appointed to more than (3) consecutive terms as a member of the Board of Adjustment.

5.2 APPEALS

A. Appeals to the Board of Adjustment may be taken by any aggrieved person, or by any officer, department, board, commission or bureau of the Town of Bristol affected by any decision of the Land Use Office in the manner prescribed by RSA 674:34 and 675:5-7 within 30 days of written decision being rendered. (amended 3/12/13)

B. Prior to a hearing, the costs of advertising, posting, and mailing the notices of the hearing shall be paid by the person making the appeal.

5.3 VARIANCES

A. Variances for uses not listed in Article III, Section 3.2 may be granted only after a public hearing held in accordance with NH RSA 676:7. All abutters of the property in question shall be notified by certified mail not less than fifteen (15) days before the date of any public hearing regarding the requested variance. The costs of abutters' notices and of advertising and posting and hearing shall be paid by the applicants for the variance. A variance will require an application and a plan submitted to the Board of Adjustment. The plan for a proposed development which necessitates a variance shall contain, where applicable, the following:

1. the lot dimensions of existing or required service areas, buffer zones, landscaped areas, recreational areas, signs, rights-of-way, streams, drainage's, and easements;
2. all existing and proposed buildings, additions, or other structures with their dimensions;
3. all setback dimensions (front, sides, rear) and building heights;
4. computed lot and building areas with percentages of lot occupancy;
5. the location and number of parking spaces and traffic lanes
6. any required loading, unloading, and trash storage areas.

B. The Board of Adjustment may, on an appeal, grant a variance from the provisions of this Ordinance only if the applicant persuades the Board that the request meets the standards for a variance as set forth in RSA 674:33,I(b), and as detailed in the most recent variance decisions of the New Hampshire Supreme Court. (amended 3/13/07)

C. Rehearing. The Selectmen, any party subject to an order or a decision of the Board of Adjustment, and any party directly affected by such an order or decision, may apply for a rehearing. The application for a rehearing shall be treated according to NH RSA 677.

ARTICLE V continued:

5.4 SPECIAL EXCEPTIONS

A. The Board of Adjustment may, in appropriate cases, and subject to safeguards as determined by the Board, grant a permit for a special exception. The Board, in acting on an application, shall take into consideration the following conditions:

1. The proposed use(s) shall be only those allowed in this Ordinance by Special Exception.
2. The specific site is an appropriate location and of adequate size for the use.
3. The use, as developed, will not adversely affect the character of the area in which the proposed use will be located.
4. There will be no nuisance or serious hazard to vehicles or pedestrians.
5. The use will not place excessive or undue burden on Town services and facilities.
6. There would be no significant effect resulting from such use upon the public health, safety, and general welfare of the neighborhood in which the use would be located.

B. If the Board of Adjustment approves an application for a special exception, it shall impose such additional conditions as it finds reasonably appropriate to safeguard the neighborhood or otherwise serve the purposes of this Ordinance, including, but not being limited to, the following:

1. Increasing the required lot size or setback in order to protect the adjacent properties;
2. Limiting the lot coverage or height of buildings;
3. Modifying the design of any building involved in the proposed use;
4. Controlling the location and number of vehicular access points to the property;
5. Requiring suitable on-site landscaping and screening where necessary to reduce noise and glare and to maintain the property in character with the surrounding area;
6. Providing for specific layout of facilities on the property such as the location of buildings, parking spaces, and access to the building so as to minimize the effect on adjoining property;

ARTICLE V, 5.1 SPECIAL EXCEPTIONS continued:

7. Placing limitations upon the size, location and/or lighting of signs more restrictive than those otherwise imposed by this Ordinance, including the prohibition of signs where, in the opinion of the Board, their display would be contrary to the purposes of the Ordinance;

8. Requiring that any future enlargement or alteration of use be accomplished only with the approval of the Board of Adjustment;

9. Requiring the lot to be of sufficient size to support an adequate subsurface sewage disposal system in the case of conversions of existing structures to more intensive use.

ARTICLE VI. ADMINISTRATION AND ENFORCEMENT

6.1 RESPONSIBILITY OF PETITIONER

The petitioner shall familiarize himself with State and Town Regulations and Ordinances relative to his petition in order to be aware of the standards with which his petition must comply.

6.2 PENALTIES

Any violation of any provisions of this Ordinance by any person, firm, corporation, or other legal entity, whether the owner of property or whether acting under authority of such owner, shall be a violation pursuant to the Criminal Code of New Hampshire per RSA 676:17.

6.3 ENFORCEMENT

Upon receiving any credible information that this Ordinance is being violated, the Land Use Office is authorized hereby to enforce the provisions of this Ordinance by application for appropriate relief in the Superior Court, or by seeking any other enforcement remedy authorized by law. (amended 3/12/13)

6.4 LAND USE PERMITS

No person shall, within the Town of Bristol, commence the construction, reconstruction, demolition, alteration, enlargement, any other renovation and/or relocation with a cost of \$2,000.00 or more, to or in the Town of Bristol of any structure without a Land Use permit. Ordinary repairs to structures may be made without a permit. Such repairs are limited to painting, siding, re-roofing (with like materials), window replacement and repair of accidental damage that does not involve structural modification. Land Use Permits are not required for the construction of entry steps, landscaping and residential paving. (revised 3/13/12, 3/12/13)

The Land Use Office shall issue all land use permits required in accordance with Town of Bristol Regulations. No permit shall be issued for the erection of any structure or for the use of land unless the proposal complies with the provisions of the Ordinance. (amended 3/12/13)

6.5 EFFECTIVE DATE

This Ordinance shall take effect immediately upon its adoption, (Adopted: November 19, 1985).

ARTICLE VII. MISCELLANEOUS PROVISIONS

7.1 SEPARABILITY

If any section, subsection, paragraph, sentence, clause, provision, word or phrase of this Ordinance is held to be invalid or unconstitutional by any court of any competent authority, such holding shall not affect, impair or invalidate any other section, subsection, paragraph, sentence, clause, provision, word or phrase of this Ordinance.

7.2 AMENDMENTS

This Ordinance may be amended by a majority vote of any Bristol Town Meeting in accordance with the provision of RSA 675 as amended.

7.3 VALIDITY

Whenever the provisions of this Ordinance or the rulings made under the authority hereof differ from those of other ordinances or regulations of the Town, that provision or ruling which imposes the greater restriction or higher standard shall govern.

ARTICLE VIII. DEFINITIONS

8.1 ABUTTER

Any person whose property adjoins or is directly across the street or stream from the land under consideration. For purposes of receiving testimony only, and not for purposes of notification, the term “abutter” shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. In the cases of an abutting property being a condominium or other collective form of ownership or being under a manufactured housing park for of ownership, the term “abutter” is as specified for these cases in RSA 672:3. (amended 3/13/07)

8.2 ACCESSORY BUILDING

A subordinate building incidental to and on the same lot occupied by main building or use. The term “accessory building” when used in connection with a farm, shall include all buildings customarily used for farm purposes. Example: garages, wood sheds, tool sheds. (amended 3/8/11)

8.3 ACCESSORY USE

An accessory use in customarily accessory and incidental to principal use. The accessory use shall be permitted on the same premises with the principal use. A use which is minor in character, but which is clearly separate or different from the premise’s “principal use” is not an accessory use.

ARTICLE VIII DEFINITIONS continued:

8.4a ABANDONMENT

The visible or otherwise apparent intention of an owner to discontinue the use of a building, other structure or premises, or the removal of the characteristic equipment or furnishings used in the performance of the use without its replacement by similar equipment or furnishings.

(added 3/8/16)

8.4b AGRICULTURE

The production, keeping or maintenance, or sale or lease of plants and animals useful to man, including but not limited to: forage and sod crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products; live stock, including beef cattle, sheep, swine, horses, ponies, mules or goats, or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; fish; trees and forest products; fruits of all kinds including grapes, nuts and berries; vegetables; nursery, floral, ornamental and green house products; or lands devoted to a soil conservation or forest management program.

8.5 AMUSEMENT

Establishments engaged in providing entertainment for a fee or admission charge and including such activities such as bowling alley, dance hall, gymnasium, tennis center, or other indoor commercial amusement or assembly use. Golf driving range, miniature golf course, water slide, or other outdoor commercial establishments.

8.6 APARTMENT UNIT

One or more with private bath and kitchen facilities comprising an independent self contained dwelling unit in a building containing more than two dwelling units.

8.7 APPEAL

A resort or application to a higher authority, as for sanction, corroboration, or a decision.

8.8 APPLICANT

Means the owner of record, or his/her agent, duly authorized in writing at the time of application.

8.9 AUTOMOBILE SERVICE STATION

Any building land area or other premises, or portion there of, used or intended to be used for the retail dispensing or sales of vehicular fuels; and including as an accessory use the sale and installation of lubricants, tires, batteries and similar accessories.

8.10 AUTOMOTIVE REPAIR SERVICES AND GARAGES

Establishments primarily engaged in furnishing automotive repair, rental, leasing and parking services to the general public.

ARTICLE VIII DEFINITIONS continued:

8.11 BANK

An establishment for the custody, loan, exchange, or issue of money.

8.12 BASAL AREA

The cross sectional area of a tree measured at a height of 4 ½ feet above the ground, usually expressed in square feet per acre for a stand of trees.

8.13 BED AND BREAKFAST

A building intended for the rental of individual rooms to lodgers, providing the first meal of the day in the A.M., for unspecified periods of time.

8.14 BOARDING HOUSE

A lodging house at which meals are provided. No individual kitchen facilities provided.

8.15 BOAT STORAGE

Facility for storing boats, marine equipment and related products either indoor or outdoor.

8.16 LAND USE PERMIT

Written permission issued by the proper municipal authority for the construction, repair, alteration or addition to a structure.

8.17 BULK STORAGE

Storage in containers larger than those normally intended for retail distribution. Storage of up to 600 gallons of fuel oil or propane will not be considered bulk storage.

8.18 CHILD/DAY CARE CENTER

A private establishment where tuition, fee or other forms of compensation for the care of the children is charged, and which is licensed to operate as a child care center.

8.19 CHURCH

A place of worship either indoors or outside, including a parish house and rectory.

8.20 CLASS VI ROAD

Means a right-of-way which has been either: (1) discontinued and made subject to gates and bars by a town meeting vote, or (2) not maintained by the Town for a period of (5) years or more.

8.21 CLUB

Private club or lodge including a YMCA or similar facility operating for members or employees only.

ARTICLE VIII DEFINITIONS continued:

8.22 CLUSTER

A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

8.23 CLUSTER DEVELOPMENT

Means a pattern of subdivision development which places dwelling units into compact groupings while providing a network of commonly owned or dedicated open space.

8.24 COMPLETED APPLICATION

Means an application with all information and accompanying documents required under these regulations and deemed necessary to invoke jurisdiction and allow the Board to proceed with consideration and make an informed decision.

8.25 COMBINED DWELLING AND BUSINESS

A building in which is combined dwelling units and business use. The combined business use must be a permitted use in the district.

8.26 COMMERCIAL DEVELOPMENT

A development which might include land areas with or without building where products and/or services are offered to the public.

8.27 COMMERCIAL ENTERPRISES

A place of business and shall include such activities as retail, wholesale, and light assembly work.

8.28 COMMERCIAL DOCKING FACILITY

A multi-slip docking facility in which slips are rented to boat owners or to persons renting boats for short or long term use.

8.29 CONDOMINIUM DOCKING FACILITY

A multi-slip docking facility in which each boat slip is individually owned.

8.30 CONSTRUCTION DRAWINGS

Detailed information which may be required by the Board/s, including but not limited to grading and drainage plans, street plans, elevation plans and/or utility plans.

8.31 CONSULTANT

A person who gives expert or professional advice for the purpose of investigative studies as specified by the Board.

8.32 CONTIGUOUS LOTS

Adjacent or abutting lots which have a common boundary line.

ARTICLE VIII DEFINITIONS continued:

8.33 CONVENIENCE STORE

Any retail store with a floor area of less than 4000 square feet offering for sale a limited line of groceries and household items intended for the convenience of the neighborhood.

8.34 DEVELOPER

The legal or beneficial owner or owners of a lot or of any land included in a proposed development including the holder of an option or contract to purchase, or other persons having enforceable proprietary interests in such land.

8.35 DISTRICT

A part, zone or geographic area within the municipality within which certain zoning or development regulations apply.

8.36 DISTURBED AREA

An area in which natural vegetation is removed, exposing the underlying soil.

8.37 DRIVEWAY

A private roadway providing access for vehicles to a parking space, garage, dwelling or other structures.

8.38 DWELLING

A structure or portion thereof which is used exclusively for human habitation.

8.39 DWELLING MULTIFAMILY

A dwelling containing more than two dwelling units.

8.40 DWELLING SINGLE FAMILY

A building containing one dwelling unit (includes Modular Housing).

8.41 DWELLING TWO-FAMILY

A structure on a single lot containing two dwelling units, each of which is totally separated from the other except for a common stairwell exterior to both dwelling units (includes Modular Housing).

8.42 DWELLING UNIT

A structure, or portion thereof, occupied or intended for occupancy as separate living quarters, providing complete and independent living facilities, including permanent facilities for living, sleeping, eating, cooking, and sanitation which are used in common by one or more persons.
(amended 3/13/07)

8.43 DWELLING UNIT, EFFICIENCY

A dwelling unit consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

ARTICLE VIII DEFINITIONS continued:

8.44 EASEMENT

A grant of one or more of the property rights by the property owners to and/or for the use by the public, a corporation or another person or entity.

8.45 ENCLOSED OCCUPIED SPACE

An enclosed structure used for the activities of the occupants.

8.46 ENGINEER

Means a registered engineer or licensed land surveyor licensed by the State of New Hampshire.

8.47 EXPANSION

Implies an enlargement in size or use from either the inside or outside of an existing perimeter of a structure or operation. This shall include residential, commercial, industrial or any other preexisting entity.

8.48 EXCAVATION

A land area which is used, or has been used, for the commercial taking of earth, including all slopes.

8.49 FARMING

See AGRICULTURE (8.4).

8.50 FENCE

See STRUCTURE (8.144)

8.51 FILING FEE

Means a levy which may be required to accompany any petition submitted to the appropriate board. This fee is in addition to postal notice costs, site inspection fees, and special consultant fees, if any.

8.52 FINAL PLAT

The final map of all or a portion of a subdivision or site plan which is presented to the proper review authority for final approval.

8.53 FLOOD

The temporary overflowing of water onto land which is usually devoid of surface water.

8.54 FLOOD HAZARD AREA

The flood plain consisting of the floodway and the flood fringe area. See FLOOD PLAIN (8.55).

8.55 FLOOD PLAIN

The channel and the relatively flat area adjoining the channel of a natural stream or river which has been or may be covered by floodwater.

ARTICLE VIII DEFINITIONS continued:

8.55a FOOTPRINT

The vertical projection onto the ground of the largest outside dimensions of a structure including porches, decks, eaves and overhangs. (revised 3/11/08)

8.56 FORESTRY

Commercial growing and harvesting of forest products.

8.57 FRONTAGE

The length of the lot bordering on a town or state road, or a subdivision road approved by the Planning Board, excluding class 6 and limited access highway. If the line is curved or irregular, frontage may be measured along the mean of the front lot line. The shore line of a body of water is not considered as frontage.

8.58 FUNERAL HOMES

Mortuary, funeral home, or similar use.

8.59 GREENHOUSE

Commercial building for growing plants indoors, and including sale of products grown and associated products. A small greenhouse used primarily by the owner, or for heat conservation, is allowed in all zones.

8.60 GROSS FLOOR AREA

The total horizontal area of all floors of a building between the surrounding walls.

8.61 GROUND COVER

Any herbaceous plant or woody plant which normally grows to a mature height of 4 feet or less.

8.62 HALL

A large public or semi-public room or auditorium for gatherings, entertainment, exhibits, etc.

8.63 HOME OCCUPATION

Any use conducted entirely within a dwelling or an accessory building which is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, and in connection with which there is not outside storage or display except a permitted sign. A home occupation or professional office shall be permitted as a use if: The home occupation is carried on by a resident member of the family and that not more than the equivalent of one full-time employee other than those who are part of the resident family is employed.

8.64 HOTEL, MOTEL/LODGING FACILITIES

Motel, hotel, tourist cottages, or similar use intended primarily for transient occupancy. All such uses must meet zone restrictions on dwelling units per acre unless an easement has been granted to the town preventing conversion of the building to unit ownership.

ARTICLE VIII DEFINITIONS continued:

8.65 IMPERVIOUS COVER

Any roof, driveway, parking area, sidewalk or similar area. Such surfaces include, but are not limited to, buildings, driveways or any type, streets, parking lots, swimming pools, and tennis courts.

8.66 INDUSTRIAL DEVELOPMENT

Means a development which might include land areas with or without buildings where finished, semi-finished rough or raw materials are processed, fabricated or manufactured.

8.67 LIVING SPACE

Any portion of a dwelling that is suitable for human habitation.

8.68 JUNKYARD

Any area, lot, land, parcel, or part thereof used for storage, collection, processing, purchase, sale or abandonment of waste paper, rags, scrap metal or other scrap or discarded goods, materials, machinery or other type of junk, or two or more unregistered or inoperable motor vehicles that are not located in a permanent structure.

8.69 LIGHT INDUSTRIAL

Means a development which shall include the establishment of industrial plants that will not be noxious, offensive, or detrimental to the environment, the Town, or the abutters and will have a maximum of ten (10) employees per shift.

8.70 LOT

A designated parcel, tract or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit.

8.71 LOT COVERAGE BY STRUCTURES

The percentage of a lot's total area which is covered by structures, excluding roof overhangs and unroofed structures such as driveways, patios, decks and pools. The lot's total area shall be that indicated on the tax map or on a survey made by a licensed professional.

8.72 LOT SIZE

Means the total horizontal land area within the boundaries of a lot, exclusive of any land designated for street, reserve strip, open space or other such specially reserved area purposes.

8.73 MANUFACTURING

Establishments engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics resins or liquors.

8.74 MANUFACTURING FACILITY

A facility whose purpose is the making of goods and articles by hand or machinery often on a large scale and with division of labor to produce a product.

ARTICLE VIII DEFINITIONS continued:

8.75 MANUFACTURED HOUSING (MOBILE HOME)

Any structure, transportable in one or more sections, which in the traveling mode is (8) body feet or more in width and (30) body feet or more in length, or when erected on site, is 240 square feet or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating and electrical heating systems contained therein. Manufactured housing as defined in this section shall not include presite built housing as defined in RSA 674:31-A.

8.76 MANUFACTURED HOUSING PARK

A site with required improvements and utilities for the long-term parking of manufactured housing (mobile homes) which may include services and facilities for the residents.

8.77 MANUFACTURED STORAGE CONTAINERS

Any structure, transportable in one or more sections which, in the traveling mode, is (8) body feet or more in width and (20) body feet or more in length.

8.78 MARINA

Marina means a waterfront facility whose principal use is the provision of publicly available service for the securing, launching, storing, servicing or repairing of water craft. A facility for short-term docking that is ancillary to the other land uses is considered a commercial use and not a marina.

8.79 MEDICAL BUILDING

A building that contains establishments dispensing health services.

8.80 MEDICAL FACILITY

Medical doctor, dentist, medical laboratory, chiropractor, or similar medical office or use where there are no overnight facilities for patients.

8.81 MOBILE HOME

See MANUFACTURED HOUSING (8.75)

8.82 MODULAR HOME

See DWELLING, SINGLE FAMILY or DWELLING, TWO-FAMILY (8.40 & 8.41)

8.83 NANO BREWERY

A brewery licensed by the State of NH as a nano brewery as defined in RSA 178:12-a. (amended 3/11/14)

8.84 NATURAL WOODLAND BUFFER

A forested area consisting of various species of trees, saplings, shrubs, and ground covers in any combination and at any stage of growth.

ARTICLE VIII DEFINITIONS continued:

8.85 NONCONFORMING BUILDING OR STRUCTURE

One that does not conform to the regulations of the district in which it is located.

8.86 NONCONFORMING LOT

A lot, the area, dimensions or location of which was lawful prior to the adoption, revision or amendment of the zoning ordinance, but which fails by reason of such adoption, revision or amendment to conform to the present requirements of the zoning district.

8.87 NONCONFORMING USE

A use or activity which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

8.88 NONRESIDENTIAL UNIT

One (1) room, or rooms connected together, constituting a place from which a business or other enterprise may be conducted.

8.89 NORMAL HIGH WATER

The limit of flowage rights in a regulated water body. In an unregulated water body normal high water is the high water experienced in an average year. For lakes where dams are owned by the New Hampshire water resources board, information on the level of flowage rights is available from the Board.

8.90 OFFICE

The buildings, room, or series of rooms in which the affairs of a business, professional person, branch of government, etc. carry out their duties.

8.91 OFFICE BUILDING

A building used primarily for conducting the affairs of a business, profession, service, industry or government, or like activity, that may include ancillary services for office workers such as a restaurant, coffee shop, newspaper or candy stand.

8.92 OFF STREET PARKING

A temporary storage area for a motor vehicle that is directly accessible to an access aisle, and which is not located on a dedicated street right-of-way.

8.93 OPEN SPACE

Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

ARTICLE VIII DEFINITIONS continued:

8.94 ORDINARY HIGH WATER LINE

The line on the shore, running parallel to the main stem of the river, established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the immediate bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas. Where the ordinary high water line is not easily discernible, the ordinary high water line may be determined by DES.

8.95 OUTLET STORE

Retail sales area on premises for only those products manufactured on premises.

8.96 PARKING AREA

Any public or private land area designed and used for parking motor vehicles including parking lots, garages, private driveways and legally designated areas of public streets.

8.97 PARKING FACILITY

Parking area, parking garage or similar use.

8.98 PARKING LOT

An off-street, ground level area, usually surfaced and improved, for the temporary storage of motor vehicles.

8.99 PARKING SPACE

A single vehicle space consisting of 10' x 20' in area unless otherwise designated by the Bristol Planning Board.

8.100 PERFORMANCE & PAYMENT BOND

Means cash, a suitable surety bond, an escrow deposit or a lien on the property as approved by the Bristol Board of Selectmen to secure regulated improvements on subdivided property.

8.101 PERSONAL SERVICE SHOP

Barber or beauty shop, laundry or dry cleaning shop, shoe repair shop, pharmacy, photographer's studio, printer, rentals, or similar service commercial uses.

8.102 PLAT

(1) A map representing a tract of land, showing the boundaries and location of individual properties and streets; (2) a map of a subdivision or site plan.

8.103 PRELIMINARY PLAN (LAYOUT)

A preliminary map indicating the proposed layout of the subdivision or site plan which is submitted to the proper review authority for consideration and preliminary approval.

ARTICLE VIII DEFINITIONS continued:

8.104 PRESITE BUILT HOUSING

As used in this subdivision, “pre-site built housing” means any structure designed primarily for residential occupancy which is wholly or in substantial part made, fabricated, formed or assembled in off-site manufacturing facilities in conformance with the United States Department of Housing and Urban Development minimum property standards and local building codes, for installation, or assembly and installation on the building site. For the purposes of this subdivision, pre-site built housing shall not include manufactured housing as defined in RSA 674:31.

8.105 PRESITE BUILT HOUSING SALES

A business whose primary purpose is to sell presite built housing (modular homes) as defined in RSA 674:31.

8.106 PRIMARY STRUCTURE

A structure other than one which is used for purposes wholly incidental or accessory to the use of another structure on the same premises.

8.107 PRINTING SHOP

Business producing printed materials.

8.108 PRIVATE DRIVEWAY

A private roadway providing access for vehicles to a parking space, garage, dwelling or other structure.

8.109 PROCESSING

A series of operations, usually in a continuous and regular action or succession of actions, taking place or carried on in a definite manner.

8.110 RECREATIONAL CAMPING PARK; SHORT-TERM

A facility which primarily provides sites for the short-term location of recreational vehicles, travel trailers, tent campers, tents, pickup campers or any type of vehicle or structure used for camping. To qualify as a “recreational camping park; short-term”, at least 50% of the available sites must be reserved for non-renewable use of two weeks or less. (amended 3/13/07)

8.111 RECREATIONAL CAMPING PARK; LONG-TERM

A facility which primarily provides sites for the long-term location of recreational park trailers or other types of recreational vehicles. Any camping park in which less than 50% of the sites are reserved for non-renewable use of two weeks or less will be classified as a “recreational camping park; long-term. (amended 3/13/07)

8.112 RECREATIONAL FACILITY

A place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities.

ARTICLE VIII DEFINITIONS continued:

8.113 RECREATIONAL PARK TRAILER

A recreational vehicle built on a single chassis, mounted on wheels, which may be connected to utilities necessary for the operation of installed fixtures and appliances, and with a gross trailer area not exceeding 400 square feet when in the set-up mode. Vertical multi-level additions such as second stories, lofts or overhead storage with a maximum ceiling height of five feet are not included in the 400 square feet. (amended 3/13/07)

8.113A RECREATIONAL VEHICLE

Means a vehicle which is (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel or seasonal use. (adopted 3/12/13)

8.114 REFERENCE LINE

The ordinary high water line. (defined above)

8.115 REPAIR SHOP

Business for repair of small appliances, radios, televisions, office equipment or similar use.

8.116 RESEARCH AND/OR TESTING FACILITIES

A facility whose purpose is the careful, systematic, study and investigation in some field of knowledge, undertaken to discover or establish fact or principles.

8.117 RESERVE STRIP

Means an area for which future public use is intended for street connection or for pedestrian ways.

8.118 RESORT

A facility for transient guests where the primary attraction is generally recreational features or activities.

8.119 RESIDENTIAL DEVELOPMENT

Means a development which might include single-family residences either detached or attached; multi-family residences, for rent, lease or sale; hotels, motels, inns or lodging houses; and other developments intended for use for human occupancy, either as temporary or permanent residence.

8.120 RESIDENTIAL INSTITUTION

Includes home for the elderly, orphanage, rest home, extended care facility, and similar types of group living accommodations.

ARTICLE VIII DEFINITIONS continued:

8.121 RESTAURANT

Any building, room, space or portion thereof where meals, or sandwiches, or beverages, or ice cream, or other prepared food is sold to the public for consumption on or off the premises. Not to include Restaurant; High-Impact or Restaurant; Take-Out.

8.122 RESTAURANT; HIGH-IMPACT

Any building, room, space or portion thereof where meals, or sandwiches, or beverages, or ice cream, or other prepared food is sold to the public for consumption on or off the premises and which meets one or more of the following conditions:

- a. Food is customarily served by restaurant employees at the same table or counter at which it is consumed, and seating is provided for more than 180, including both inside and outside seating.
- b. Food is not customarily served by restaurant employees at the same table or counter at which it is consumed, and seating is provided for more than 90, including both inside and outside seating.
- c. Has provisions for selling food directly to consumers in automobiles.
- d. Regularly provides or allows live entertainment, dancing or karaoke.
- e. Is open for business at any time between 11:00 PM and 6:00 AM.

8.123 RESTAURANT; TAKE-OUT

Any building, room, space or portion thereof where meals, or sandwiches, or beverages, or ice cream, or other prepared food is sold to the public for consumption on or off the premises and which has no interior seating and which meets none of the conditions for Restaurant; High-Impact.

8.124 RE-SUBDIVIDE

The further division of lots or the relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or the alteration of any streets or the establishment of any new streets within any such subdivision, but not including conveyances made so as to combine existing lots by deed or other instrument.

8.125 RETAIL SALES

Includes shop and store for the sale of retail goods, personal service shop and department store, and shall exclude any drive-in service, free-standing retail stand, gasoline service and motor vehicle repair services, new and used car sales and service, trailer and mobile home sales and service and commercial services.

ARTICLE VIII DEFINITIONS continued:

8.126 RETAIL STORAGE

Storage of merchandise intended to be sold to the public.

8.127 RIGHT-OF-WAY

(1) A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer and other similar uses; (2) generally, the right of one to pass over the property of another.

8.128 SALES ROOM

A business whose primary purpose is to sell automobiles, trucks, boats, motorcycles, snowmobiles, farm equipment, manufactured housing (mobile homes), recreational vehicles or other similar objects and which has outdoor display and storage of the objects. Not to include Presite Built Housing Sales.

8.129 SAPLING

Any woody plant which normally grows to a mature height greater than 20 feet and has a diameter less than 6 inches at a point 4 feet above the ground.

8.130 SCHOOL

Public, or private school, college, or other educational facility either licensed by the State of New Hampshire as an educational institution or one which is accredited by a nationally recognized accreditation association.

8.131 SEATING CAPACITY

The amount of seats that can be filled.

8.132 SETBACK

The distance between the street right-of-way line or any other lot line and the edge of a structure (excluding fences) or any projection thereof excluding uncovered steps. (amended 3/13/07)

8.133 SETBACK LINE

That line that is the required minimum distance from the street right-of-way line or any other lot lines that establishes the area within which any structure (excluding fences) must be erected or placed. (amended 3/13/07)

8.134 SEWAGE DISPOSAL SYSTEM

A system adequate to permit the installation and operation of an approved sewerage disposal plan on the plat for individual, multiple or group sewerage.

ARTICLE VIII DEFINITIONS continued:

8.135 SHOPPING CENTER

A group of commercial establishments planned, constructed and managed as a total entity with customers and employee parking provided on-site, provision for goods delivery separated from customer access, esthetic considerations and protection from the elements.

8.136 SHORE LINE FRONTAGE

The average of the actual natural navigable shoreline footage and a straight line drawn between property lines, both of which are measured at the reference line.

8.137 SHRUB

Any multi-stemmed woody plant which normally grows to a mature height of less than 20 feet.

8.138 SIGN

Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

8.139 SIGN, TEMPORARY

A sign or advertising display constructed of cloth, canvas, fabric, plywood or other light material and designed or intended to be displayed for a short period of time.

8.140 SPECIAL EXCEPTION

A use of a building or lot which may not otherwise be permitted under this Ordinance except upon application to the Board of Adjustment and subject to the approval of that Board, and only in cases where the words "Special Exception" in this Ordinance pertain, and in accordance with the provisions of Article V, Board of Adjustment.

8.141 STABLE AND KENNEL

Facilities for keeping of animals

8.142 STORAGE AREA

A distinct part or section of a building set aside for the purpose of storing goods.

8.143 STORAGE YARD

A tract of ground, often enclosed, used for the specific purpose of storing goods.

8.144 STREET

Any vehicular way which: (1) is an existing state, or municipal roadway; or (2) is shown upon a plan approved pursuant to law; or (3) is approved by other official action; or (4) is shown on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a Planning Board and the grant to such board the power to review plats; and includes the land between the street lines, whether improved or unimproved.

ARTICLE VIII DEFINITIONS continued:

8.145 STRUCTURE

Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. It shall not include a minor installation, such as a fence six (6) feet high or less, mailbox, flagpole, or sign. (amended 3/12/13)

8.146 SUBDIVIDE

To divide land in accordance with the definition of “subdivision” in Article 8.147.

8.147 SUBDIVIDER

Any person having an interest in land that is the subject of an application for subdivision.

8.148 SUBDIVISION

The division of a lot, tract or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It also includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. It includes the division of a parcel of land held in common and subsequently divided into parts among the several owners. This definition is intended to incorporate the full definition contained in RSA672:14.

8.149 SWIMMING AREA

Best source of information may be from the state marine safety office.

8.150 THEATER

A movie and/or playhouse.

8.151 TREE

Any woody plant which normally grows to a mature height greater than 20 feet and which has a diameter of 6 inches or more at a point 4 feet above the ground.

8.152 TRUCKING FACILITY

An area and building where trucks load and unload cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other vehicles.

8.153 VARIANCE

Permission to depart from the literal requirement of a zoning ordinance.

ARTICLE VIII DEFINITIONS continued:

8.154 VETERINARY HOSPITAL

A place for the boarding or treating of animals, provided that the principal user is a certified veterinarian. Such facility shall not be established within 100 feet of a lot line from an adjacent residential lot line. Any outdoor use area shall be enclosed by a solid wall or fence which effectively screens all noise from adjoining property.

8.155 WAIVER

Means a special approval by the Planning Board granted when, in the judgment of that Board, a plan is substantially in conformity with current regulations and strict conformity to approved regulations may cause undue hardship or injustice to the owner of the land, provided that the spirit of the regulations and public convenience and welfare will not be adversely affected.

8.156 WAREHOUSE AND WHOLESALE MARKETING

A building for the storage, distribution, or wholesale marketing of materials, merchandise, products or equipment, provided that such use is not hazardous by reason of potential fire, explosion, or radiation. Not to include Warehouse, Self-service.

8.157 WAREHOUSE, SELF-SERVICE

A commercial facility in which customers rent space to store possessions and are given direct access to the rented space.

8.158 WAREHOUSING

Terminal facilities for handling freight with or without maintenance facilities.

8.159 WATER BODY

Any natural or artificial collection of water, whether permanent or temporary.

8.160 WATERFRONT

Frontage on or access to a lake, pond, or river.

8.161 WATERFRONT PROPERTY

A property that has frontage on a water body.

8.162 WATER LINE OF NEWFOUND LAKE

The limit of flowage rights is 7.24 on the gage located at the bridge over the outlet of the lake. This is equal to 589.12 NGVD (as referenced in NHDES letter to Ed Lindholm dated May 17, 1995).

ARTICLE VIII DEFINITIONS continued:

8.163 WETLANDS

Areas defined as, but not restricted to, lakes, ponds, rivers, streams, marshes, swamps, and bogs and such areas which are at least in part underlain by poorly drained and very poorly drained soils, as defined by the National Cooperative Soils Survey, for Grafton County, NH, of the Natural Resource Conservation Service of the U.S. Department of Agriculture (USDA), as it may be amended from time to time. Upon inspection during the growing season, wetlands have visible water at or near ground surface level, and wetlands have plant species characteristic of one or more of the wetland association types. (See NH Wetlands Bureau Code of Administrative rules for further definitions of these wetland association types and their vegetative components).

8.164 YARD SALE, BARN SALE, OR GARAGE SALE

The sale of household goods from a dwelling, provided that no sales shall continue for more than 3 consecutive days, and there shall be no more than 3 sales held on the same property in any calendar year.

ARTICLE IX WETLANDS CONSERVATION OVERLAY DISTRICT

9.1 TITLE AND AUTHORITY

A. This Ordinance shall be known as the “Wetlands Conservation Overlay District Ordinance of the Town of Bristol, NH” adopted March 13, 1990.

B. By the authority granted in NH RSA 674:16-17 and 674:20-21, and in the interest of public health, safety, and general welfare, the Bristol Wetlands Conservation Overlay District Ordinance is hereby established to regulate the uses of lands subject to standing water, flooding, or high water tables for extended periods of time.

9.2 PURPOSE AND INTENT

A. The purpose of this ordinance is to protect the public health, safety and general welfare by controlling and guiding the use of land areas which are subject to standing water, flooding, or high water tables for extended periods of time. The intent of this Ordinance is to perform the following:

1. To prevent the development of the structures and land uses on naturally occurring wetlands which will contribute to pollution of surface and ground water by sewage, sediment, and/or noxious substances.
2. To prevent the destruction of, or significant changes to, natural wetlands which provide flood protection.
3. To protect rare, unique, and unusual natural species, both flora and fauna.

ARTICLE IX, 9.2 PURPOSE AND INTENT continued:

4. To protect wildlife habitats and maintain ecological balances.
5. To protect existing and potential water supplies and aquifers (water-bearing strata) and aquifer recharge area.
6. To prevent the expenditure of municipal funds for the purposes of providing and/or maintaining essential services and utilities which might be required as a result of misuse or abuse of wetlands.

9.3 WETLAND DEFINITIONS

Definitions of the Zoning Ordinance are found in Article VIII. The following supplementary definitions are provided to explain the terms and phrases used within this Article.

A. BEST MANAGEMENT PRACTICES

Applying the appropriate techniques to minimize disturbance and impact to the wetland resulting from those activities which will alter the natural character of the wetland.

B. BOARD

The Planning Board of the Town of Bristol.

C. CERTIFIED SOIL SCIENTIST

An individual duly qualified in soil classification and mapping, certified by the New Hampshire Board of Natural Scientists under the provisions of RSA 310-A:75.

D. DESIGNATED AGENT

An individual designated by the Conservation Commission to carry out its function and purpose.

E. POLLUTION

Harmful thermal effect or the contamination, or rendering unclean or impure of any wetlands of the Town of Bristol, by reason of any waste or other materials discharged or deposited therein. This includes, but is not limited to, erosion resulting from any filling or excavation activity.

F. SPECIAL USE PERMIT

A permit for a use not otherwise permitted in the Wetlands Conservation Overlay District which may be granted by the Planning Board (as authorized by RSA 674:21 II) provided it meets the criteria set forth in Section 9.6.

G. WETLAND (PLANT) BIOLOGIST

An individual duly qualified to identify and classify wetland vegetation, and who is recommended by the Conservation Commission of the Town of Bristol, NH.

ARTICLE IX, WETLANDS DEFINITIONS continued:

H. WETLANDS

Areas defined as, but not restricted to, lakes, ponds, rivers, streams, marshes, swamps, and bogs and such areas which are at least in part underlain by poorly drained and very poorly drained soils, as defined by the National Cooperative Soils Survey, for Grafton County, NH, of the Natural Resource Conservation Service of the U.S. Department of Agriculture (USDA), as it may be amended from time to time. Upon inspection during the growing season, wetlands have visible water at or near ground surface level, and wetlands have plant species characteristic of one or more of the wetland association types. (See NH Wetlands Bureau Code of Administrative rules for further definitions of these wetland association types and their vegetative components).

9.4 WETLANDS CONSERVATION OVERLAY DISTRICT

A. Wetlands Conservation Overlay District Defined:

The Wetlands Conservation Overlay District is defined as those areas delineated on the “Town of Bristol - Wetlands Map 1988” and in the associated report prepared by B.H. Keith Associates, The Wetlands of Bristol, NH, An Inventory and Evaluation, 1988, and comprised of very poorly and poorly drained soils. Copies of this map and report are available for inspection in the office of the Town Clerk or the Conservation Commission. In all cases, the precise location of wetland areas shall be determined by the actual character of the land, and the distribution of wetland soil types. Such determinations shall be made by field inspection and testing conducted by a certified soil scientist and/or wetland biologist.

B. Establishment of the Wetlands Conservation Overlay District

The limits of the Wetlands Conservation Overlay District are hereby determined to be areas of one acre or more in size, characterized by very poorly and poorly drained soils; areas of any wetland of any size if contiguous to surface waters such as lakes, ponds, and streams; areas subjected to high water tables for extended periods of time and includes, but not limited to, all such areas delineated as wetlands on the “Town of Bristol”- Wetlands Map 1988”.

The Conservation Commission or its designated agent(s) shall inventory and maintain current records of all wetland areas within the town. The commission may amend its map from time to time as information becomes available relative to more accurate delineation of wetlands within the town. Such information may be submitted to the Commission and Board for change to the Wetlands Conservation Overlay District.

C. Wetlands Incorrectly Delineated

1. If either the applicant or the Board questions the “Town of Bristol-Wetland Map 1988” as amended, or the Wetlands Conservation Overlay District boundaries established under this Article, the applicant shall engage a certified soil scientist to conduct a field analysis to determine the precise location of the Wetlands Conservation Overlay District boundaries on the affected properties. The soil scientist shall submit a report of his/her findings to the Planning Board and the Conservation Commission including, but not limited to, a revised soils map of the area in

ARTICLE IX, 9.4C WETLANDS INCORRECTLY DELINEATED continued:

question, a written on-site field inspection report and test boring data if applicable. The 1"=1000' scale map prepared by B.H. Keith Associates is adequate for community planning purposes, but cannot be considered final for purposes of engineering a particular site for development.

2. Upon receipt of the report, the Planning Board, in consultation with the Conservation Commission, may refer it for review to a certified soil scientist of its own choosing. The applicant shall be responsible for any costs incurred by the Planning Board in connection with this independent review of its experts' report.

3. Upon receipt of its experts' review, the Planning Board, in consultation with the Conservation Commission, shall determine the applicability of this Article to the lot or parcel in question.

D. Relation to Other Districts

Where the Wetlands Conservation Overlay District is superimposed over another zoning district, the more restrictive regulations shall apply.

9.5 PERMITTED USES

The following operations and uses shall be permitted in wetland:

A. Uses which will not require the erection or construction of any structures or buildings, will not alter the natural surface configuration by the addition of fill or by dredging, and uses that otherwise are permitted by the Zoning Ordinance. Such uses shall include the following:

1. Forestry-Tree Farming, using best management practices to protect wetlands, to minimize the disturbance of soil surfaces, to avoid erosion and siltation into wetlands.

2. Grazing, Farming, Nurseries, and Cultivating and Harvesting of Crops, using recognized soil conservation practices, including the protection of wetlands from pollution caused by fertilizers, pesticides, and herbicides used in such cultivation.

3. Wildlife Refuges, using best management practices to protect wetlands consistent with the intent of this Ordinance.

4. Outdoor parks, and recreation purposes, being low intensity uses, not involving structures, alteration of the terrain, or wheeled vehicles, using best management practices to protect wetlands consistent with the intent of this Ordinance.

5. Education, scientific research, conservation areas, and nature trails using best management practices to protect wetlands consistent with the intent of this Ordinance.

ARTICLE IX, 9.5 PERMITTED USES continued:

6. Open spaces, as permitted or required by the Subdivision Regulations or the Zoning Ordinances.
7. Uses incidental to the enjoyment or maintenance of residential property. Such incidental uses shall include maintenance of existing structures and landscaping, but shall not include removal or deposition of material from or into a wetland without first being granted a Special Use Permit per Article IX (Section 9.6) of this Ordinance.
8. No person shall conduct or maintain another activity without first obtaining a Special Use Permit described in Article IX (section 9.6).

9.6 SPECIAL USE PERMIT

A. A Special Use Permit may be granted by the Board, after public notice and public hearing, for undertaking the following uses in the Wetlands Conservation Overlay District. The application shall be referred to the Conservation Commission and the Health Officer, for review and comment at least thirty (30) days prior to the public hearing.

1. Streets, roads, and other access ways and utility right-of-way easements, including power lines and pipe lines, if essential to the productive use of land not so zoned, and if so located and constructed as to minimize any detrimental impact of such uses upon the wetlands.

2. Water impoundments for the purposes of creating a water body for wildlife, on-site detention of surface runoff and or/recreational uses.

3. The undertaking of a use not otherwise permitted in the Wetlands Conservation Overlay District or adjacent buffer areas, if it can be shown that such proposed use is not in conflict with any and all of the purposes and intentions listed in Article IX (Section 9.2) of the Ordinance. (amended 3/09/10)

B. The Board shall regulate any operation within or use of a wetland involving removal or deposition of material, or any obstruction, construction, alteration, or pollution, of such wetlands unless such operation or use is permitted pursuant to Article IX (Section 9.5) of this Ordinance.

C. Any person found to be conducting or maintaining an activity without prior authorization of the Board or violating any other provision of this Ordinance, shall be subject to the enforcement proceedings and penalties prescribed in Article IX (Section 9.9) of this Ordinance and any other remedies provided by law. (See RSA 676:17).

D. If granted, the Special Use Permit shall be valid for a period of one (1) year from the date of issue, and shall expire if not implemented by that time, unless a longer period is specified and approved by the Board in consultation with the Conservation Commission.

ARTICLE IX WETLANDS OVERLAY CONSERVATION DISTRICT continued:

9.7 CONSIDERATION FOR DECISIONS

A. The Board may consider the following in making its decision on an application:

1. The application and its supporting documentation;
2. Public comments, evidence and testimony from a public hearing;
3. Reports from other agencies and commissions including, but not limited to, the Town of Bristol:
 - a. Conservation Commission
 - b. Health Officer
4. Comments from the Grafton County Conservation District, the Lakes Region Planning Commission, NH Wetlands Board, the U.S. Army Corp of Engineers, or other technical agencies or organizations which may undertake additional studies or investigations.
5. Non-receipt of comments from agencies and commissions listed in 3. and 4. above within the prescribed time shall neither delay nor prejudice the decision of the Board.

B. Standards and criteria for decision

The Board shall consider all relevant facts and circumstances in making its decision on any application for a permit, including but not limited to the following:

1. The environmental impact of the proposed action, including the effects on the wetland's capacity to support fish and wildlife, to prevent flooding, to supply and protect surface and ground waters, to control sediment, to facilitate drainage, to control pollution, to support recreational activities, and to promote public health and safety.
2. The character and degree of injury to, or interference's with safety, health, or the reasonable use of property, including abutting or downstream property, which would be caused or threatened by the proposed activity, or the creation of conditions which may do so. This includes recognition of potential damage from erosion, turbidity, or siltation, loss of fish and wildlife and their habitat, loss of unique habitat having demonstrable natural, scientific or educational value, loss or diminution of beneficial aquatic organisms and wetlands plants, the dangers of flooding and pollution, and the destruction of the economic, esthetic, recreational, and other public and private uses and values of wetland to the community.

9.8 SPECIAL PROVISIONS

A. No leaching portions of a private subsurface sewage disposal system may be constructed or enlarged within a wetland or closer than one hundred twenty five (125) feet to the aboundary of the Wetlands Conservation Overlay District unless a Special Use Permit is granted by the Board following the procedures and criteria applicable to granting such a permit specified in Sections 9.6 and 9.7 of this Ordinance. (amended 3/13/07, 3/09/10)

ARTICLE IX, SPECIAL PROVISIONS continued:

B. No development activity involving the construction or demolition of structures, changes to the site, or any uses of the site other than those listed under Section 9.5 of this Ordinance shall encroach within fifty (50) feet of the Wetlands Overlay Conservation District unless a Special Use Permit specifically allowing that use is granted by the Board. The uses which may be allowed within a wetland setback by Special Use Permit and the procedures and criteria applicable to granting such a permit shall be governed by Sections 9.6 and 9.7 of this Ordinance. All efforts shall be made by the site developer to maintain the fifty foot buffer between the construction activity and the Wetlands Conservation Overlay District boundary in its existing undisturbed natural vegetative state. (amended 3/13/07, 3/09/10, 3/10/15)

C. No part of any wetland may be considered as part of the minimum size requirements of any lot, unless said lot preexisted this Ordinance, was approved by the Planning board, was recorded in the Registry of Deeds, and otherwise meets all provisions of the Zoning Ordinance.

D. All land included in the Wetlands Conservation Overlay District shall be appraised for tax purposes at its full and true value in money, based on its market value as undeveloped land required to remain in open space.

9.9 ADMINISTRATION AND ENFORCEMENT

A. The Board is hereby authorized and empowered to adopt such rules as are necessary for the efficient administration and enforcement of this Ordinance.

B. Upon any well-founded information that this Ordinance is being violated, the Planning Board or Conservation Commission or any citizen may report the violation to the Board of Selectmen. Either Board may recommend such enforcement actions as may be appropriate and lawful. RSA 676:17. Upon receipt of the information that this Ordinance is being violated, the Land Use Office shall notify the owner or tenant of the property on which the violation is alleged to occur. Where appropriate, the Board and/or Conservation Commission may notify the New Hampshire Wetlands Board and/or the U.S. Army Corp of Engineers of the violation. (amended 3/13/07)

C. A civil penalty not to exceed the statutory maximum (\$100) may be imposed for each day that such violation is found by the court to continue after the conviction date or after the date on which the violator receives written notice from the Town that he is in violation, whichever is earlier.

ARTICLE X, PERSONAL WIRELESS SERVICE FACILITIES (CELL TOWERS)

10.1 PURPOSE

It is the express purpose of this Amendment to permit carriers to locate personal wireless service facilities (PWSF), to the extent required by the Telecommunications Act of 1996, within particular areas of the Town of Bristol, consistent with the appropriate land use Amendments and Master Plan that will insure compatibility with the visual and environmental features of the Town. This Amendment enables the review of the locating and siting of PWSF by the Town of Bristol so as to eliminate or mitigate the visual and environmental impacts of PWSF. This amendment is structured to encourage carriers to locate on existing buildings and structures whenever possible. New ground mounted PWSF are permitted, but only when the use of existing structures and building is found not to be feasible. Co-location is encouraged for all PWSF applications and the review of a PWSF shall be on the basis of the site being built using all positions on the mount. No antenna, structure, or other device, unless used by the town, shall be mounted on, or be part of any PWSF, unless it is necessary to transmit or receive personal wireless service, as defined in the Telecommunication Act of 1996.

10.2 APPLICABILITY

The terms of this Amendment and the Site Plan Review Regulations shall apply to PWSF proposed to be located on property owned by the Town of Bristol, on privately owned property, on property that is owned by any other governmental entity that acts in its proprietary capacity to lease such property to a carrier.

10.3 DEFINITIONS

For the purpose of this Amendment, the following terms shall have the meaning given herein:

10.3.1 Antenna. The surface from which wireless radio signals are sent and/or received by a personal wireless service facility.

10.3.2 Antenna Array. A collection of antennas attached to a mount to send and receive radio signals.

10.3.3 (revised March 13, 2012)

10.3.4 Camouflaged. A personal wireless service facility that is disguised, hidden, part of an existing or proposed structure, or placed within an existing or proposed structure.

10.3.5 Carrier. A company that provides personal wireless services also sometimes referred to as a provider.

10.3.6 Co-location. The use of a single mount on the ground by more than one carrier (vertical co-location) or the same carrier with multiple licenses, and/or the use of several mounts on an existing building or structure by more than one carrier or the same carrier with multiple licenses.

10.3.7 Environmental Assessment (EA). An EA is a document required by the Federal Communications Commission (FCC) and the National Environment Policy Act (NEPA) when a personal wireless service facility is placed in certain designated areas.

ARTICLE X, CELL TOWERS, 10.3 Definitions continued:

10.3.8 Equipment Shelter. An enclosed structure, cabinet, shed, vault, or box near the base of the mount within which are housed equipment for personal wireless service facilities such as batteries and electrical equipment. Equipment shelters are sometimes referred to as base transceiver stations.

10.3.9 Facility. See Personal Wireless Service Facility.

10.3.10 Fall Zone. The area on the ground from the base of a ground mounted personal wireless service facility that forms a circle with a radius equal to the height of the facility, including any antennas or other appurtenances. The fall zone includes the area within which there is a potential hazard from falling debris (such as ice) or collapsing material.

10.3.11 Guyed Tower. A monopole or lattice tower that is secured to the ground or other surface by diagonal cables for lateral support.

10.3.12 Height. The height above ground level (AGL) from the natural grade of a site to the highest point of a structure.

10.3.13 Lattice Tower. A type of mount with multiple legs and structural cross-bracing between the legs that is self-supporting and freestanding.

10.3.14 Mast. A thin pole that resembles a street light standard or a telephone pole. A dual-polarized antenna is typically deployed on a mast.

10.3.15 Monopole. A thicker type of mount than a mast that is self supporting with a single shaft of wood, steel or concrete, or other material, that is designed for the placement of antennas and arrays along the shaft.

10.3.16 Mount. The structure or surface upon which antennas are mounted, including the following four types of mounts: roof mounted (mounted on the roof of a building), side mounted (mounted on the side of a building), ground mounted (mounted on the ground), structure mounted (mounted on a structure other than a building).

10.3.17 Personal Wireless Service Facility (PWSF). Facility for the provision of personal wireless services as defined by the Telecommunications Act of 1996 as amended.

10.3.18 Personal Wireless Services. The three types of services regulated by this Amendment: Commercial mobile radio services, unlicensed wireless services, and common carrier wireless exchange access services as described in the Telecommunications Act of 1996 as amended.

10.3.19 Radio Frequency (RF) Engineer. An engineer specializing in electrical or microwave engineering especially the study of radio frequencies.

10.3.20 Radio Frequency Radiation (RFR). The emissions from personal wireless service facilities.

10.3.21 Security Barrier. A wall, fence, or berm that restricts an area from unauthorized entry or trespass.

10.3.22 Separation. The distance between one carrier's array of antennas and another carrier's array.

ARTICLE X, CELL TOWERS

10.4 PROCEDURE

Applicants shall be required to submit the following information to the Planning Board

A map showing the service area and an explanation of need.

A map showing the locations and service areas of other existing or proposed sites operated by the applicant which are close enough to impact service within the Town's borders.

A diagram and/or map showing the viewshed of the proposed personal wireless facility including all building and accessory structures.

Photo simulations from at least four directions which adequately represent the appearance of the completed structure when viewed from inhabited areas or roads within the Town.

A site and landscaping plan which meets the requirements of Site Plan Regulations.

An inventory of existing facilities that are within the jurisdiction of the Town and those within two miles of the Town borders, including specific information about the location, height, design as well as economic and technical feasibility for co-locations.

If the applicant is proposing a new facility, written evidence demonstrating that no existing structure within two miles of the Town borders can accommodate the applicant's needs. This evidence can consist of: substantial evidence that no existing facilities are located within the geographic area, substantial evidence that existing facilities are not of sufficient height to meet the applicant's engineering requirements or do not have sufficient structural strength to support applicant's proposed equipment, substantial evidence that existing facilities have no additional capacity, substantial evidence that co-location on an existing facility would cause electromagnetic interference at the existing facility, or vice-versa.

An agreement with the Town that assures maximum co-location upon the new personal wireless service facility. Such statement shall become a condition to any approval, and shall, at a minimum, require that the applicant supply available co-locations for reasonable fees and costs to other personal wireless service facility providers.

Engineering information detailing the size and coverage required for the PWSF location. Structural plans shall bear the seal of a qualified professional engineer licensed in the State of New Hampshire. The Planning Board may have any submitted information reviewed by a consultant for verification of any claims made by the applicant regarding technical limitation and feasibility of alternative locations, or any other matter required by the applicant. Cost for this review shall be borne by the applicant.

10.5 LOCATION PROVISIONS

10.5.1 Location. PWSF shall be permitted in all Zones. Applicants seeking approval for PWSF shall first evaluate existing structures for the siting of PWSF. Only after finding that there are no suitable existing structures pursuant to Section 4 herein shall a provider propose a new ground mounted facility.

10.5.2 Existing Structure: Policy. PWSF shall be located on existing structures, including but not limited to buildings, water towers, existing PWSF, utility poles or towers, and related facilities, provided that such installation preserves the character and integrity of those structures.

ARTICLE X, CELL TOWERS continued:

10.5.3 Existing Structures: Burden of proof. The applicant shall have the burden of proving that there are no existing structures which are suitable to locate its PWSF and/or transmit or receive radio signals. To meet that burden, the applicant shall take all the following actions to the extent applicable:

The applicant shall submit to the Planning Board a list of all contacts made with owners of potential sites regarding the availability of potential space for a PWSF. If the Planning Board informs the applicant that additional existing structures may be satisfactory, the applicant shall contact the property owner(s) of those structures.

The applicant shall provide copies of all letters of inquiry made to owners of existing structures and letter of rejection. If letters of rejection are not provided, at a minimum, unanswered "Return Receipt Requested" forms from the US Post Office shall be provided for each owner of existing structure that was contacted.

If the applicant claims that a structure is not capable of physically supporting a PWSF, this claim must be certified by a licensed professional civil engineer. This certification shall, at a minimum, explain the structural issues and demonstrate that the structure cannot be modified to support the PWSF without unreasonable costs. The estimated cost shall be provided to the Planning Board.

10.5.4 Ground Mounted Facilities: Policy. If the applicant demonstrates that it is not feasible to locate on an existing structure, ground mounted PWSF shall be designed so as to be camouflaged to the greatest extent possible, including but not limited to use of compatible building materials and colors, screening, landscaping, and placement within trees.

10.6 USE PROVISIONS

A PWSF shall require a building permit in all cases and may be permitted as follows:

10.6.1 Existing Structures. Subject to the provisions of this Amendment, the Town of Bristol Zoning Ordinance and site plan review, a carrier may locate a PWSF on an existing building, utility tower or pole, or water tower.

10.6.2 Ground Mounted Facility. A PWSF involving construction of a ground mount shall require compliance with the Town of Bristol Zoning Ordinance, site plan review and be subject to the provisions of this Amendment.

10.7. DIMENSIONAL REQUIREMENTS

PWSF shall comply with the following requirements:

10.7.1 Height, Existing Structures and Utility Poles. Carriers that locate new PWF on water towers, electric transmission and distribution towers, utility poles and similar existing utility structures, masts, and monopoles may be permitted to increase the height of those structures no

ARTICLE X, CELL TOWERS, 10.7.1 continued:

more than ten (10) feet, if the additional height will not cause visual impact as defined in Section 8.

10.7.2 Height, Other Existing Structures. The height of a PWSF shall not increase the height of a structure by more than ten (10) feet, unless the facility is completely camouflaged; for example a facility completely within a flagpole, steeple, or chimney. The increase in the height of the structure shall be in scale and proportion to the structure as originally configured. A carrier may locate a PWSF on a building that is legally nonconforming with respect to height, provided that the provisions of this Amendment are met.

10.7.3 Height, Ground-mounted Facilities. The allowed height for any telecommunications tower or support shall be the minimum height, as determined by the Planning Board, which, when considered together with other existing or reasonably feasible facility locations potentially available for use by the same carrier, will provide the carrier with adequate service coverage without any undue adverse impacts upon the performance and design parameters set forth in Section 10.8. In no case shall the height exceed 180 feet above ground elevation.

10.7.4 Setbacks. All PWSF and their equipment shelters shall comply with building setback provisions of the Town of Bristol Zoning Ordinance.

10.7.5 Ridge Lines. No PWSF may be situated within a horizontal distance of 300 feet of topographic summits greater than 700 feet elevation Geodetic Vertical Datum, or within 300 feet of a ridge line leading to such a summit.

10.7.6 Fall Zone for Ground Mounts. In order to insure public safety, the minimum distance from the base of any ground-mount of a PWSF to any property line, public road, habitable dwelling, business or institutional use, or public recreational area shall be, at a minimum, the distance equal to the fall zone as defined by this Amendment. The fall zone may cross property lines, so long as the applicant secures a fall zone easement from the affected property owner(s). The area of the easement shall be provided as part of the site plan review.

10.7.7 Fall Zone for Non-ground Mounts. In the event that an existing structure is proposed as a mount for a PWSF, a fall zone shall not be required, but the setback provisions of the Town of Bristol Zoning Ordinance shall apply. In the case of pre-existing nonconforming structures, PWSF and equipment shelters shall not increase any non-conformities.

ARTICLE X, 10.8 PERFORMANCE & DESIGN STANDARDS

10.8 PERFORMANCE AND DESIGN STANDARDS

10.8.1 Visibility

Visual impacts are measured on the basis of:

Change in community scale, as exhibited in relative height, mass or proportion of the PWSF within their proposed surroundings.

New visible elements proposed on a contrasting background.

Different colors and textures proposed against a contrasting background.

Use of materials that are foreign to the existing built environment.

Enhancements are measured on the basis of:

Conservation of opportunities to maintain community scale, e.g. buffering areas and low-lying buildings should not be compromised so as to start a trend away from the existing community scale.

Amount and type of landscaping and/or natural vegetation.

Preservation of view corridors, vistas, and viewsheds.

Continuation of existing colors, textures, and materials.

Visibility focuses on:

Eliminating or mitigating visual impact.

Protecting, continuing, and enhancing the existing environment.

Camouflage for Facilities on Existing Buildings or Structures-Roof Mounts: When a PWSF extends above the roof height of a building on which it is mounted, it shall be concealed or camouflaged within or behind existing or new architectural features to limit its visibility from public ways. Facilities mounted on a roof shall be stepped back from the front façade in order to limit their impact on the building's silhouette.

Camouflage for Facilities on Existing Building or Structures-Side Mounts. PWSF which are side mounted shall blend with the existing building's architecture and, if individual antenna panels are over five (5) square feet, the panels shall be painted or shielded with material consistent with the design feature and materials of the building.

Camouflage for Ground Mounted Facilities. All ground-mounted PWSF shall be surrounded by a buffer of dense tree growth that extends continuously for a minimum distance of one hundred fifty (150) feet from the mount, security barrier, or designated area for access to equipment, whichever is greatest, and screens views of the facility in all directions. These trees must be existing on the subject property, planted on site, or be within a landscape easement on an adjoining site. The Planning Board shall have the authority to decrease, relocate, or alter the required buffer based on site conditions. The one hundred and fifty (150) foot vegetative buffer area shall be protected by a landscape easement or be within the area of the carrier's lease. The easement or lease shall specify that the trees within the buffer shall not be removed or topped, unless the trees are dead or dying and present a hazard to persons or property.

ARTICLE X, CELL TOWERS continued:

10.8.2 Color. To the extent that any PWSF extend above the height of the vegetation immediately surrounding it, they shall be of a color which blends with the background or surroundings.

10.8.3 Equipment Shelters. Equipment shelters for PWSF shall be designed consistent with one of the following design standards:

Equipment shelters shall be located in underground vaults; or

Equipment shelters shall be designed so that the shelters are architecturally consistent with respect to materials and appearance to the buildings in the area of the PWSF; or

Equipment shelters shall be camouflaged behind an effective year-round landscape buffer, equal to the height of the proposed building, and/or wooden fence. The Planning Board shall determine the style of fencing and/or landscape buffer that is compatible with the neighborhood; or

If mounted on a rooftop, the equipment shelter shall be concealed or camouflaged so that the shelter either is not visible at grade or appears to be a part of the original structure.

10.8.4 Lighting, Signage, and Security

Lighting. PWSF shall not be lighted.

Signage. Signs shall be limited to those needed to identify the property and the owner and warn of any danger. All signs shall comply with the requirements of the Town of Bristol Zoning Ordinance.

Security Barrier. The Planning Board shall have final authority on whether a ground mounted PWSF should be surrounded by a security barrier and the height and material used.

10.8.5 Historic Buildings and District

Any PWSF located on or within a historic/cultural area shall not alter the character-defining features, distinctive construction methods, or original historic materials of the building.

Any alteration made to a historic structure to accommodate a PWSF shall be fully reversible.

PWSF authorized by this subsection shall be concealed within or behind existing architectural features, or shall be located so that they are not visible from public roads and viewing areas.

10.8.6 Scenic Landscapes and Vistas. Ground-mounted facilities shall not be located within open areas that are clearly visible from public roads, recreational areas, or abutting properties. All ground-mounted PWSF shall be surrounded by a buffer of dense tree growth as per Section 8.1(F).

10.8.7 Driveways. If available, existing entrances and driveways to serve a PWSF shall be utilized, unless the applicant can demonstrate that a new entrance and driveway will result in less visual, traffic, and environmental impact. New driveways to serve a PWSF shall not exceed twelve (12) feet in width and shall include a curve or turn so that the service facility is not visible from the entrance to the driveway. A gravel or crushed stone surface is encouraged.

ARTICLE X, CELL TOWERS, 10.8.7 continued:

Planning Board Flexibility: Driveways: In reviewing a Site Plan Review application for a personal wireless service facility, the Planning Board may permit modification of the driveway standards set forth above, as it may deem appropriate, given the specific site conditions.

10.8.8 Antenna Types. Any antenna array placed upon an existing or proposed ground mount, utility pole, or transmission line mount shall have a diameter of no more than four (4) feet, including the diameter of the mount. A larger diameter antenna array may be permitted after a finding by the Planning Board that the visual impact of a larger antenna is negligible.

10.8.9 Ground and Roof Mounts. All ground mounts shall be of a mast type mount. Lattice towers and guyed towers are expressly prohibited.

10.8.10 Hazardous Waste. No hazardous waste shall be discharged on the site of any PWSF. If any hazardous materials are to be used on site, there shall be provisions for full containment of such materials. An enclosed containment area shall be provided with a sealed floor, designed to contain at least one hundred and ten percent (110%) of the volume of the hazardous materials stored or used on the site.

10.8.11 Noise. PWSF shall not generate noise that may be heard from beyond the boundaries of the site.

10.8.12 Radio Frequency Radiation (RFR) Standards. All equipment proposed for a PWSF shall be fully compliant with the FCC Guidelines for Evaluating and the Environmental Effects of Radio Frequency Radiation (FCC Guidelines), under *Report and Order*, FCC 96-326 published on August 1, 1996, and all subsequent amendments.

10.9 MONITORING AND MAINTENANCE

10.9.1 Maintenance. The owner of the facility shall maintain the PWSF in good condition. Such maintenance shall include, but not be limited to, painting, structural integrity of the mount and security barrier, and maintenance of the buffer areas and landscaping.

10.9.2 Monitoring. As part of the issuance of the site plan approval or building permit, the property owner shall agree that the Town of Bristol may enter the subject property to obtain RFR measurements and noise measurements at the expense of the carrier. The Town shall provide reasonable written notice to the carrier and landowner, providing them the opportunity to accompany the Town representatives when the measurements are conducted.

10.9.3 Security for Removal. Recognizing the hazardous situation presented by abandoned and unmonitored telecommunications facilities, the Planning Board shall set the form and amount of the security that represents the cost for removal and disposal of abandoned telecommunications facilities in the event that a facility is abandoned and the facility owner is unwilling or unable to remove the facility in accordance with Section 10.2. An irrevocable letter of credit issued by

ARTICLE X, CELL TOWERS, 10.9.3 continued:

a major bank shall be the preferred form of security. The amount of the security shall be based upon the removal and disposition costs plus fifteen percent (15%) as determined by the Planning Board and as certified by a professional civil engineer licensed in New Hampshire at the expense of the applicant. The owner of the facility shall provide the Planning Board with a revised removal cost estimate every five (5) years from the date of the Planning Board's approval of the site plan. If the cost has increased, then the owner of the facility shall provide additional security in the amount of the increase plus fifteen (15) percent.

10.10 ABANDONMENT OR DISCONTINUATION OF USE

10.10.1 Notification. At such time that a carrier plans to abandon or discontinue operation, such carrier will notify the Town by certified US mail of the proposed date of abandonment or discontinuation of operations. Such notice shall be given no less than thirty (30) days prior to abandonment or discontinuation of operations. In the event that a carrier fails to give such notice, the PWSF shall be considered abandoned upon such discontinuation of operations.

10.10.2 Removal. Upon abandonment or discontinuation of use, or declaration of health hazard by the US Department of Environmental Services or the NH Department of Environmental Services, the owner of the facility shall physically remove the PWSF within ninety (90) days from the date of abandonment or discontinuation of use or declaration of health hazard.

“Physically remove” shall include, but not be limited to:

Removal of antennas, mount, equipment shelters and security barriers from the subject property.

Proper disposal of the waste materials from the site in accordance with local and state solid waste disposal Regulations.

Restoring the location of the PWSF to its natural condition, except that any landscaping and grading shall remain in the after-condition.

10.10.3 Failure to Remove. If the owner of the facility does not remove the facility upon the Selectmen's order, then the Selectmen shall, after holding a public hearing with notice to the owner and abutters, issue a declaration of abandonment. The owner of the facility shall dismantle and remove the facility within ninety (90) days of receipt of the declaration of abandonment by the Selectmen. If the abandoned facility is not removed within ninety (90) days, the Town may execute the security to pay for this action.

10.11 INSURANCE

The Planning Board shall require the annual submission of proof of adequate insurance covering personal and property liability. Such insurance shall provide for a minimum of 30 days notice of cancellation to the Town. Absence of said insurance shall constitute abandonment of said facility.

ARTICLE XI, IMPACT FEE ORDINANCE:

Section 1. Purpose

1.1 This ordinance is enacted pursuant to RSA 674:16 and 674:21, and in order to:

Promote public health, safety, convenience, welfare, and prosperity;

Ensure that adequate and appropriate facilities are available to individuals who may come to be located in the Town of Bristol;

Prevent scattered or premature development of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire protection, or other public services, or necessitate the excessive expenditure of public funds for the supply of such services;

Provide for the harmonious development of the municipality and its environs;

Ensure the proper arrangement and coordination of streets; and,

Ensure streets of sufficient width to accommodate existing and prospective traffic.

Section 2. Authority

2.1 The Planning Board may, as a condition of approval of any subdivision [or site plan], and when consistent with applicable Board regulations, require an applicant to pay an impact fee for the applicant's fair share of off-site improvements to public facilities affected by the development. The Planning Board shall not require an applicant for a land use permit for a single family residence to pay an impact fee. (revised 3/12/13)

2.2 Nothing in this section shall be construed to limit the existing authority of the Planning Board to disapprove proposed development which is scattered or premature, or which would require an excessive expenditure of public funds, or which would otherwise violate applicable ordinances and regulations. Nothing in this section shall be construed to limit the Planning Board's authority to require off-site work to be performed by the applicant, in lieu of paying an impact fee, or the board's authority to impose other types of conditions of approval. Nothing in this section shall be construed to affect types of fees governed by other statutes, town ordinances or regulations.

ARTICLE XI. IMPACT FEE ORDINANCE continued:

Section 3. Assessment Methodology

3.1 Proportionality: The amount of the impact fee shall be calculated by the Planning Board to be a proportional share of municipal capital improvement costs which is reasonably related to the capital needs created by the development, and to the benefits accruing to the development from the capital improvements financed by the fee.

3.2 Existing Deficiencies: Upgrading of existing facilities and infrastructures, the need for which is not created by new development, shall not be paid for by impact fees.

Section 4. Administration

4.1 Accounting: In accord with RSA 673:16, II and RSA 674:21, V©, impact fees shall be accounted for separately, shall be segregated from the Town's general fund, may be spent upon order of the Board of Selectmen, and shall be used solely for the capital improvements for which it was collected, or to recoup the cost of capital improvements made in anticipation of the needs which the fee was collected to meet.

4.2 Assessment: All impact fees imposed pursuant to this section shall be assessed prior to, or as a condition for, the issuance of a land use permit or other appropriate permission to proceed with development, as determined by the Planning Board. (revised 3/12/13)

4.3 Security: In the interim between assessment and collection, the Planning Board may require developers to post bonds, issue letters of credit, accept liens, or otherwise provide suitable measures of security so as to guarantee future payment of assessed impact fees.

4.4 Collection: Impact fees shall be collected as a condition for the issuance of a land use permit. Nothing in this section shall prevent the Planning Board and the assessed party from establishing an alternate, mutually acceptable schedule of payment. (revised 3/12/13)

4.5 Refund: Any portion of an impact fee which has not become encumbered or otherwise legally bound to be spent for the purpose for which it was collected, shall be refunded, with any accrued interest, to the assessed party or successor in interest:

When the subdivision or site plan approval expires under the respective rules of the Planning Board, or under the terms of the decision, without having become vested under RSA 674:39, and without any extension being granted by the Planning Board; **OR**

When such approval is revoked under RSA 676:4-a; **OR**

Six years after its collection, or, if any extension of approval is granted by the Planning Board, six years after such extension is granted; **OR**

ARTICLE XI. IMPACT FEE ORDINANCE, 4.5 REFUND continued:

Six years after its collection, whenever the calculation of an impact fee has been predicated upon some portion of capital improvement costs being borne by the Town, and the Legislative Body of the Town has failed to appropriate the Town's share of the capital improvement costs.

Section 5. Appeals

In accord with RSA 676:5, III, because this Ordinance delegates administration of impact fees to the Planning Board, appeals of impact fee decisions shall be made to the Superior Court pursuant to RSA 677:15, and not to the Zoning Board of Adjustment.

Section 6. Definitions

IMPACT FEE: A fee or assessment imposed upon development, including subdivision, building construction or other land use change, in order to help meet the needs occasioned by that development for the construction or improvement of capital facilities owned or operated by the municipality, including and limited to water treatment and distribution facilities; wastewater treatment and disposal facilities; sanitary sewers; storm water, drainage and flood control facilities; public road systems and rights-of-way; municipal office facilities; public school facilities; the municipality's proportional share of capital facilities of a cooperative or regional school district of which the municipality is a member; public safety facilities; solid waste collection, transfer, recycling, processing and disposal facilities; public library facilities; and public recreational facilities not including public open space.

Section 7. Effective Date

This ordinance was adopted by the Legislative Body of the Town of Bristol acting at its duly warned annual meeting on March 11, 2003.

ARTICLE XII. SEXUALLY ORIENTED BUSINESS ORDINANCE

12.1 AUTHORITY

Pursuant to the authority conferred by chapter 674:16 of the New Hampshire Revised Statutes, the Town of Bristol adopts the following ordinance regulating sexually oriented businesses. This ordinance shall be considered part of the Zoning Ordinance for the purposes of administration and appeals under state law. If any provision of this ordinance differs or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.

ARTICLE XII. SEXUALLY ORIENTED BUSINESS ORDINANCE

12.2 PURPOSE & FINDINGS

A. Purpose: The purpose of this section is to establish reasonable regulations for Sexually Oriented Business in order to protect the health, safety and welfare of the Patrons of such businesses, and of the citizens of the Town of Bristol, and to prevent the deleterious citing of, and/or concentration of, Sexually Oriented Businesses within the Town. It is not the intent of this section to limit the content of, or to restrict or deny adult access to, sexually oriented books, films or other materials protected by the First Amendment, or to deny access by distributors of such materials to their markets. Neither does this section condone or legitimize the distribution of obscene material.

B. Findings: Evidence concerning the adverse secondary effects of sexually oriented businesses upon a community, including the findings incorporated in the U.S. Supreme Court cases of *Young v. American Mini Theatres*, 426 U.S. 50 (1976), *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986), *Barnes v. Glen Theatre, Inc.*, 501 U.S. 560 (1991), and *City of Erie v. Pap's A.M.*, 120 S. Ct. 1382 (2000), studies from communities throughout the United States, and evidence made available to the Planning Board and Selectmen, all support the following findings:

1. Sexually Oriented Businesses have a deleterious effect on the area around them, causing downgrading of property values and blight.
2. Patrons and Employees of Sexually Oriented Businesses – especially those with closed booths or other semiprivate areas, and those with live entertainment – engage in a statistically high incidence of sexually risky, unhealthy and unsanitary behavior, which increases the spread of sexually-transmitted and other communicable disease.
3. Sexually Oriented Businesses cause an increase, in their vicinity, in the incidence of ancillary criminal behavior such as drug offenses, prostitution, sexual assaults, and criminal offenses involving children.
4. In order to limit and control these adverse secondary effects, it is desirable to establish both location and operational criteria for such businesses, and to require supervision by the Town by means of a special operational permit.

ARTICLE XII. SEXUALLY ORIENTED BUSINESS continued:

12.3 DEFINITIONS

Pursuant to this ordinance, the following definitions shall apply to sexually oriented businesses.

12.3.01 Adult Arcade – means any place to which the public is permitted or invited wherein coin operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of “specified sexual activities” or “specified anatomical areas.”

12.3.02 Adult Bookstore or Adult Video Store or Sex Shop – A business that devotes 15% or more of the total display, shelf, rack, table, stand or floor area for the display, sale or rental of adult material as defined in Section 12.3.05, or a business which devotes less than 15% of such areas to such material, but fails to prevent such materials from being viewed by minors by locating them either behind a counter or in a separate room or enclosure where persons under the age of 18 are not allowed to enter.

12.3.03 Adult Cabaret – means a nightclub, bar, restaurant, or similar commercial establishment which regularly features:

- A. Persons who appear in a State of Nudity or Semi-Nudity; or
- B. Live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities” or
- C. Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas”.

12.3.04 Adult Motel – A Hotel, Motel, Tourist Home, or similar business offering public sleeping accommodations for any form of consideration, and which provides patrons with closed circuit television, films, motion pictures, video cassettes, computer images or other audio or photographic reproductions, a substantial portion of the presentation time of which is characterized by the depictions of Specified Anatomical Areas or Specified Sexual Activities.

12.3.05 Adult Material – Material which meets either or both of the following definitions:

- (a) books, periodicals or other printed matter, or photographs, films, cassettes, tapes, computer disks, CDROM’s or other form of visual or audio representations, describing or depicting Specified Anatomical Areas or Specified Sexual Activity, or
- (b) devices or paraphernalia which are designed for use in connection with Specified Sexual Activity.

ARTICLE XII. SEXUALLY ORIENTED BUSINESSES, DEFINITIONS continued:

12.3.06 Adult Theater – means a theater, concert hall, auditorium or similar commercial establishment, either indoors or outdoors in nature, which regularly features the presentation of motion pictures, films, theatrical productions, and other forms of visual production, by persons who appear in a state of nudity or semi-nudity or live performances which are characterized by the exposure of “specified sexual anatomical areas” or by “specified sexual activities” which meets the definition of “harmful to minors” and/or “sexual conduct” as set forth in NH RSA 571-B:1.

12.3.07 Establishment – means and includes any of the following:

- A. The opening or commencement of any sexually oriented business as a new business;
- B. The conversion of an existing business whether or not a sexually oriented business, to any sexually oriented business;
- C. The additions of any sexually oriented business to any other existing sexually oriented business; or
- D. The relocation of any sexually oriented business.

12.3.08 Harmful to Minors – As defined in NH RSA 571-B:1, as may be amended.

12.3.09 Nudity or a State of Nudity – means the appearance of a human bare buttock, anus, male genitals, female genitals, or full female breasts.

12.3.10 Operate or Operator – means any person who exercises discretionary authority or control over the layout, conduct or management of a Sexually Oriented Business, or who has more than a 20 percent interest in a Sexually Oriented Business, or more than a 20 percent interest in a business entity which has more than a 20 percent interest in a Sexually Oriented Business.

12.3.11 Person – means an individual, proprietorship, partnership, corporation, association, or other legal entity.

12.3.12 Semi-Nude – means a state of dress in which clothing is specifically designed to cover no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices.

12.3.13 Sexual Conduct – As defined in NH RSA 571-B:1, as may be amended.

12.3.14 Sexual Encounter Center – means a business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:

- A. Physical contact in the form of wrestling or tumbling between persons of the opposite sex or
- B. Activities between two or more people when one or more of the persons is in a state of nudity or semi-nude.

ARTICLE XII. SEXUALLY ORIENTED BUSINESS, DEFINITIONS continued:

12.3.15 Sexually Explicit Material – see definition for Adult Material.

12.3.16 Sexually Oriented Business – means an Adult Arcade, Adult Bookstore or Adult Video Store, Adult Cabaret, Adult Theater, Sex Shop or Sexual Encounter Center.

12.3.17 Specified Anatomical Areas --

A. Less than completely and opaquely covered human genitals, pubic region, buttocks, or female breast below a point immediately above the top of the areola, or

B. The human male genitals in a discernibly turgid state, even if completely and opaquely covered.

12.3.18 Specified Sexual Activities – means and includes any of the following:

A. The fondling or other touching of human genitals, pubic region, buttocks, anus, or female breasts;

B. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;

C. Masturbation, actual or simulated; or

D. Excretory functions as part of or in connection with any of the activities set forth in A through C above.

12.3.19 Transfer of Ownership or Control – of a sexually oriented business means and includes any of the following:

A. The sale, lease, or sublease of the business;

B. The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or

C. The establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

12.4 ALLOWED DISTRICT

A sexually oriented business is a permitted use in the Industrial District provided that it is otherwise lawful, meets all zoning requirements, and conforms to the provisions of this ordinance, including but not limited to the setback provisions of Section 12.9.

ARTICLE XII. SEXUALLY ORIENTED BUSINESSES continued:

12.5 OPERATIONAL STANDARDS

All sexually oriented business must comply with the following operational standards.

A. No operator or employee of any Sexually Oriented Business shall allow or permit any employee or patron to engage in any Specified Sexual Activity on the premises of the business, including parking lots or streets adjacent to the business which are used by patrons of the business.

B. No Sexually Oriented Business shall allow or permit upon the premises any person under the age of 18, either as patron or employee.

C. A Sexually Oriented Business which features any booth, room or other area used for the viewing of live performances, films, still or motion pictures, tapes, computer displays or other visual representations depicting Specified Anatomical Areas or Specified Sexual Activity – excluding adult motels, and adult cabarets or theaters designed to seat at least 15 persons – shall comply with the following:

1. The business shall be laid out so that there is always a direct view – unobstructed by doors, partitions, curtains, walls, display racks or otherwise – of the interior of all booths, rooms or other areas to which patrons are given access for any purpose, from a manager's station at which an employee shall be on duty at all times during which any patron is on the premises. Restrooms are excluded from this requirement only if they contain no images, pictures, or video reproduction equipment.

2. The entire premises shall be lighted with fixtures of sufficient intensity to light all areas to which patrons are given access at an illumination of at least one foot-candle, measured at floor level.

3. No such booth or viewing room may at any time be occupied by more than one person.

4. Any such booth or viewing room shall have floors and walls of non-porous, easily cleanable surfaces, and shall be maintained at all times in a clean and sanitary condition. No such booth or viewing room shall contain any type of waste receptacle. No apertures or openings of any kind shall exist in the floor or walls of any such booth or room, or between any two such booths or rooms. An Operator shall inspect regularly enough to assure continued compliance with this paragraph.

D. No sign for a Sexually Oriented Business shall include any image or depiction of, or linguistic reference to, nudity, Specified Anatomical Areas, Specified Sexual Activity, or any device or paraphernalia designed for use in connection with Specified Sexual Activity.

**ARTICLE XII. SEXUALLY ORIENTED BUSINESSES, OPERATIONAL STANDARDS
continued:**

E. No Specified Anatomical Areas, Specified Sexual Activity, or any device or paraphernalia designed for use in connection with Specified Sexual Activity, or any image or depiction of any of these, shall be visible in any way whatsoever from the exterior of any building where a Sexually Oriented Business is located.

F. No Sexually Oriented Business, except an Adult Motel, shall remain open at any time between the hours of midnight and eight o'clock A.M.

G. No employee in a state of dress exposing Specified Anatomical Areas shall be closer than 10 feet from any patron, shall touch a patron or his or her clothing, or shall solicit or accept any pay or gratuity from a patron.

12.6 SPECIAL OPERATIONAL PERMIT REQUIRED

No person shall operate a Sexually Oriented Business within the Town unless the business has a currently-valid special operational permit issued by the Land Use Office. Application must be on a form provided by the Town. The following information shall be provided. (amended 3/12/13)

A. The names and signatures of all operators and, if one or more operators is a business entity, the legal business name of such operator entity, and the name of every officer of such operator entity, and of every person with more than a 20 percent interest in such operator entity.

B. Every operator's age, mailing address, driver's license number, Social Security number and/or tax identification number, any alias, and proof that he or she is more than 18 years of age.

C. The tax map number, street address and telephone number (s) of the proposed Sexually Oriented Business, the name (s) under which it will be operated, and a detailed diagram, drawn to scale and accurate to plus or minus six inches, of the entire premises, clearly labeling all areas and their uses, a statement of total floor space, the location of one or more manager's stations, the location and intensity of all lighting fixtures, and designation of any areas where patrons will not be admitted.

D. A statement, with respect to each operator, of whether that person, or any business entity in which that person has an interest, holds any license or land use or zoning permit to operate a Sexually Oriented Business in any other municipality or county, and if so the names and locations of any such other businesses.

ARTICLE XII. SEXUALLY ORIENTED BUSINESSES, SPECIAL OPERATIONAL PERMIT REQUIRED continued:

E. A statement of whether any operator, or business entity in which any operator has an interest, has ever had a license or permit to operate a Sexually Oriented Business denied, suspended, or revoked, in this or any other municipality or county, including the name and location of the business for which the permit was denied, suspended, or revoked, and the date or dates of such denial, suspension or revocation.

F. A drawing, accurate to plus or minus 10 feet, prepared within 30 days prior to the application by a licensed land surveyor, and depicting the property lines and structures of any existing Sexually Oriented Business within 1100 feet of the proposed business, and showing the location of all uses listed in Section 12.9.

12.7 ISSUANCE, SUSPENSION and REVOCATION

A. The Land Use Office shall issue a special operational permit within 30 days after submission of an approved Site Plan and completed application for said permit if the applicant has provided all information required by this Section, the application is consistent with this Ordinance, and the fee under Section 12.8 is paid, unless (amended 3/12/13)

1. Any of the information provided with the application is found to be materially false, or

2. The building or premises proposed to be used for the business is not in compliance with applicable laws, ordinances or codes, or

3. Any operator of the proposed business, or business entity in which any such operator has an interest has had a license or permit to operate a Sexually Oriented Business revoked within two years of the date of the current application, or such license or permit is currently under suspension, either in this Town or any other municipality or county.

B. A permit shall not be transferable to any other operator or operators, nor to any other location.

C. A permit shall expire within one year of issuance, subject to renewal upon updating of the information required by Section 12.6, and payment of the fee under Section 12.9.

D. A permit shall be suspended for thirty days if, regardless of fault, the Sexually Oriented Business, or any operator or employee, violates or is out of compliance with any provision of this Section, including any refusal to allow an inspection.

ARTICLE XII. SEXUALLY ORIENTED BUSINESSES, ISSUANCE, SUSPENSION AND REVOCATION continued:

E. A special operational permit shall be revoked

1. If any operator is found to have knowingly submitted false or misleading information as part of the application process,

2. If any operator knowingly operates the Sexually Oriented Business during a time when the permit is suspended

3. If the Sexually Oriented Business, or any operator or employee, regardless of fault, violates or is out of compliance with any provision of this Section, including any refusal to allow an inspection, and the permit was suspended at any time within the preceding twelve months,

4. If any operator knowingly allows prostitution, or the sale, use or possession of any controlled drug, on the premises.

12.8 FEES AND INSPECTIONS

A. Every application for a special operational permit for a Sexually Oriented Business shall be accompanied by an annual non-refundable application and inspection fee in an amount determined by the Selectmen.

B. Every operator or employee shall permit the Land Use Office, Health Officer or authorized representatives of the Police Department, or Fire Department to inspect the premises of a Sexually Oriented Business for purposes of assuring compliance with the law, at any time it is occupied or open for business. Refusal of any operator or employee to permit any such inspection shall be a violation of this Section. (amended 3/12/13)

12.9 SETBACK/SITE PLAN STANDARDS

A sexually oriented business use may be allowed by the Board of Adjustment as a Special Exception, subject to the following conditions:

A. After a review of the plans showing the location, layout, a scale drawing and location of any signs and utilities, the board, in its judgment, must find that the use will not create excessive traffic congestion, noise, or odors, nor tend to reduce the value of surrounding property, has adequate sewage and water facilities and sufficient off-street parking and will preserve the attractiveness of the town.

ARTICLE XII. SEXUALLY ORIENTED BUSINESSES, SETBACK/SITE PLAN STANDARDS continued:

B. No sexually oriented business use shall be located within 1,000 feet from any property line of the following:

1. A public, religious or private nursery school, kindergarten school, elementary school, middle school, junior high school, high school or similar educational facility.

2. Licensed Child Day Care Facility.

3. A public park, public recreational field or any publicly owned property or facility.

4. A religious institution or place of worship.

5. Any existing residential dwelling.

C. The proposed site may be required to be screened in such a manner that limits pedestrian and vehicular access to adjacent properties, but which does not restrict adequate lines of sight or create unsafe site conditions. This visual barrier shall be maintained by the owner of the property.

D. There shall be a minimum of 1,000 feet between any two sexual oriented businesses.

E. There shall be sufficient parking as established by local and state fire, building, or health codes, whichever is greater.

F. The site shall be maintained daily in a condition that is free and clear of any sexual paraphernalia or packaging.

G. Signs shall not visually depict any person in a “State of Nudity” or “Semi-Nude”, and no sexually explicit material or advertising shall be visible from outside the building.

12.10 SAVING CLAUSE

The invalidity of any provision of this ordinance shall not affect the validity of any other provision of this ordinance.

ARTICLE XIII. HISTORIC DISTRICT ORDINANCE FOR HISTORIC DISTRICT OVERLAY

1. purpose and intent

This Historic District Ordinance reaffirms the goals of the 2003 Bristol Master Plan by working to preserve Bristol's historic structures and historic character. Specifically, the purpose of the Historic District Ordinance is to recognize, preserve, enhance and perpetuate buildings, structures and sites within the Town having historic, architectural, cultural or design significance, in accordance with RSA 674:45.

It is hereby declared that it is a public interest that the historic value of Bristol will be safeguarded by:

- a. preserving the heritage of the Town by providing for the protection of buildings, structures and sites representing elements of its history;
- b. enhancing the visual character of the Town by encouraging and regulating the compatibility of new construction and alterations to existing buildings, structures and sites within the Historic District to reflect the Town's distinctive architectural identity, unique character and prevailing scale;
- c. fostering public appreciation of and civic pride in the beauty of the Town and the accomplishments of its past;
- d. strengthening the economy of the Town by protecting and enhancing the attractiveness of the community to residents, tourists and visitors;
- e. stabilizing and improving property values within the Town; and
- f. promoting the use of Historic Districts for the education, pleasure and welfare of the citizens of Bristol.

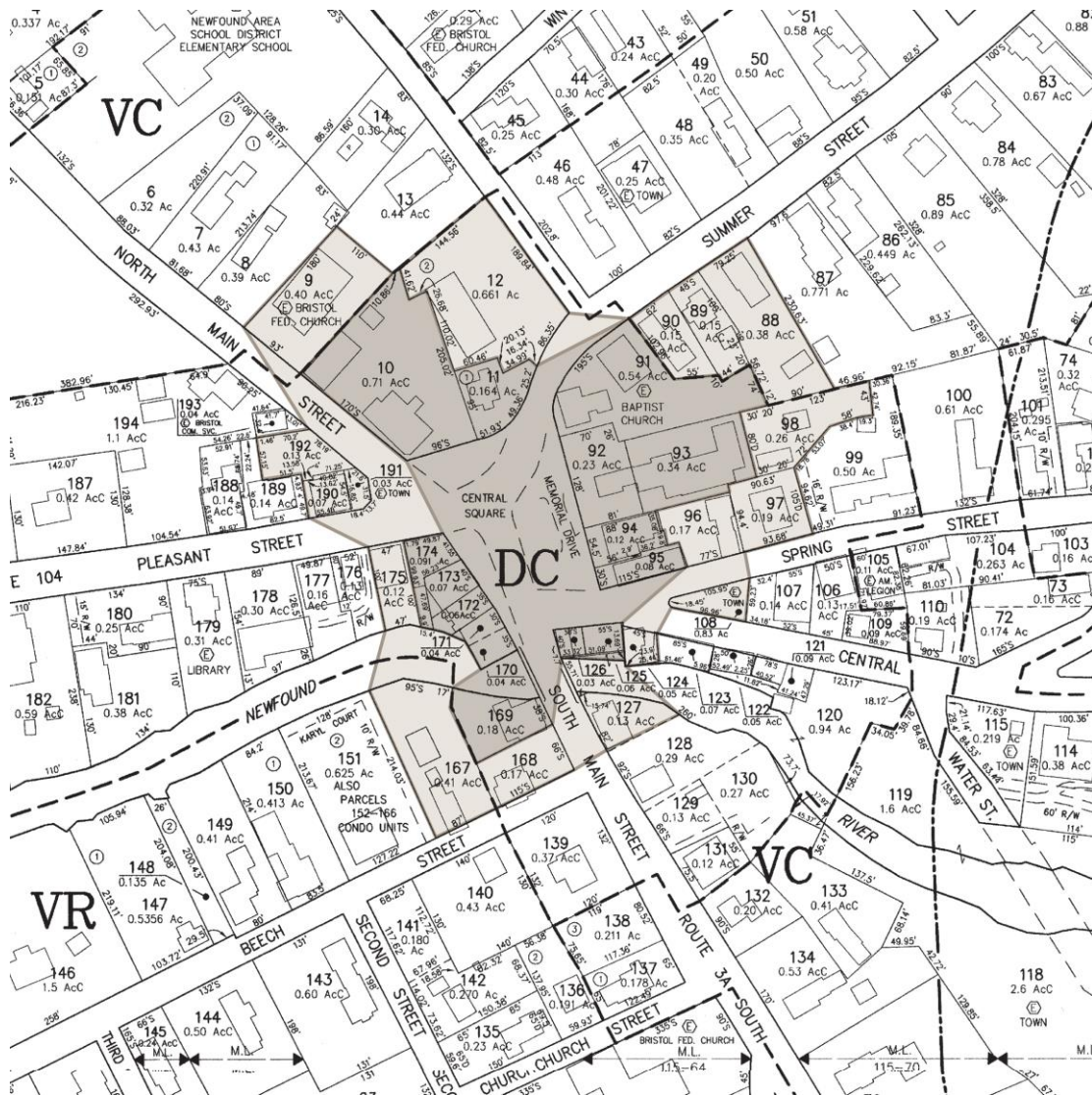
2. historic district overlay map

Incorporated as part of this Article, the Historic Overlay District, as described in a map entitled Historic Overlay District dated December 13, 2005, is hereby adopted in accordance with RSA 674:46 as an overlay to the official Zoning Map of the Town of Bristol (see Map below). This map includes the properties in Bristol's central business district that as of 2005 were listed on the US Department of the Interior's National Register of Historic Places. In addition, an area comprised of those properties abutting the properties on the National Register will be included in the Historic District. (revised 3/10/09)

3. general regulations

The minimum standards of the underlying zoning district(s) shall apply in the Historic District Overlay. All uses permitted in the underlying zoning district(s) are permitted in the Historic District Overlay. In case of any conflict between Historic Overlay District requirements and the other requirements of this Ordinance, the provision which imposes the greater restriction or higher standard shall be controlling.

ARTICLE XIII. HISTORIC OVERLAY DISTRICT continued:



Historic District Overlay Map

The Bristol Historic District will include those primary and non-contributing properties in the dark shaded area on this map, abutting properties indicated by the light shaded area, and all area circumscribed within the shaded areas. Properties are indicated by their 2005 Bristol Tax Map number.

Primary properties include Bristol Tax Map No. 114, plat nos. 010, 011, 091, 092, 094, 125, 126, 169, 170, 171, 172, 173 and 174; non-contributing properties include Bristol Tax Map No. 114, plat nos. 093 and 095; abutting properties include Bristol Tax Map No. 114, plat nos. 009, 012, 088, 089, 090, 096, 097, 098, 108, 124, 127, 167, 168, 175, 190, 191 and 192.

ARTICLE XIII. HISTORIC OVERLAY DISTRICT continued:

4. certificate of approval required

A permit for repair, alteration, construction, relocation or demolition of any structure or sign within the Historic District shall not be issued until and unless a Certificate of Approval is issued by the Historic District Commission in accordance with the provisions of Section 6.B.

5. definitions

The following words, terms and phrases shall govern the Article:

Alteration: as applied to a building or structure, means a change or rearrangement in the structural parts, or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

Architectural feature: shall mean the architectural style, design, detail and general arrangement of outer surfaces of a building or structure that represent a time or region and that, if altered or removed, would affect the character of the external appearance of the building or structure. Examples of “architectural features” include but are not limited to the kind and texture of building materials and the type of and style of windows, doors, lights, cornices, roofs, porticos and other fixtures pertaining to such features.

Certificate of Approval (or Certificate): a certificate issued by the Historic District Commission indicating its approval of an application to alter, repair, construct, add onto, move, or demolish a building, structure or a site within a Historic District.

Contributing resource (property): shall mean any building, structure, or site which contributes to the overall historic and architectural significance of the Historic District and was present during the period of historic significance but which possesses some diminishment of significance due to alterations, disturbances, or other changes to the building, structure, or site. This diminishment of significance to the District is not so substantial as to prevent the building, structure or site from possessing historic and architectural integrity reflecting the character of that time or being capable of yielding important information about the historically significant period. Qualities of the building, structure or site which contribute to the overall historic and architectural significance of the Historic District include, but are not limited to, setback, massing, height, materials, architectural features and/or fenestration.

Economic hardship: shall mean quantifiable or verifiable expenditures or fiscal loss that is unreasonable for the property owner to bear under the circumstances.

Interim sign: a non-electric sign constructed of cloth, canvas, fabric or other light material whose primary function is to identify a business while an application for an Historic District Commission Certificate of Approval for commercial signage of a permanent nature is pending and for a maximum of sixty (60) days following approval by the Historic District Commission. (amended 3/13/07)

Massing: a unified composition of two-dimensional shapes and three dimensional volumes that defines the form of a structure in general outline rather than in detail and gives the impression of weight, density, and bulk.

Noncontributing resource (property): shall mean any building, structure or site which does not contribute to the overall historic or architectural significance of the Historic District due to alterations, disturbances, or other changes to the building, structure or site, and therefore no longer possesses historic nor architectural integrity, or was not present during the period of historic significance, or is incapable of yielding important information about that period. The building, structure or site may have qualities which do not detract from the overall character of the Historic District including, but not limited to, setback, massing, height and materials.

ARTICLE XIII. HISTORIC OVERLAY DISTRICT continued:

Ordinary maintenance and repair: shall mean work done to prevent deterioration, decay or damage to a building, structure or site, or any part thereof, by restoring the building, structure or site as nearly as practicable to its condition prior to such deterioration, decay or damage.

Primary resource: shall mean any building, structure or site which contributes to the overall historic and architectural significance of the Historic District and was present during the period of historic significance and possesses historic and architectural integrity with little or no diminishment in value reflecting the character of that time or is capable of yielding important information about the historically significant period. Qualities of the building, structure, or site which contribute to the overall historic and architectural significance of the Historic District include, but are not limited to, setback, massing, height, materials, architectural features and/or fenestration.

Scale: a certain proportionate size, extent, or degree, usually judged in relation to some standard or point of reference.

Significant tree: means any woody plant which has a circumference of fifteen inches or more at a point four feet from the ground.

6. historic district commission

In order to carry out the purpose of this ordinance, the March 2005 town meeting of Bristol gave the authority to create an Historic District Commission.

a. membership

1. Members and alternates shall be appointed by the Board of Selectmen consistent with RSA 673:4, 5, 6, 12 and 13.
2. Membership shall consist of five regular members and not more than five alternate members.
3. In the event of a vacancy on the commission, interim appointments shall be made within 60 days by the appointing authority to complete the unexpired term of such position.
4. Members and alternates shall be governed in their conduct by RSA 673:14.

b. powers and duties

1. It shall be the duty of the Historic District Commission to develop regulations for accomplishing the goals of this Ordinance within the Historic District, within the provisions of other Town ordinances and in conformance with the Bristol Master Plan.
2. Notwithstanding any inconsistent ordinance, local law, code rule or regulation concerning the issuing of building permits, no change in any architectural feature in the district shall be commenced without a Certificate of Approval from the Historic District Commission nor shall any building permit for such change be granted without such a Certificate of Approval having first been issued. The Certificate of Approval required by this section shall be in addition to and not in lieu of any Land Use permit that may be required by any ordinance, local law, code, rule or regulation of the Town of Bristol. Exceptions are declared in Section 6.B.4.
3. The Commission shall have the power to accept, review, and act upon all Land Use permits and the issuance of Certificates of Approval for applications situated within the boundaries of the Historic District. Such power of review and approval or disapproval shall be limited to those considerations which affect the relationship of the applicant's proposal to its surroundings, to the location and arrangement of structures, to the treatment of exterior architectural features and finish of structures, and the compatibility of the land uses within the district as may be deemed to affect the character and integrity of said district to achieve the purposes of this Ordinance. For the purposes of this article, the following activities shall be reviewed by the Historic District Commission: (amended 3/12/13)

ARTICLE XIII. HISTORIC OVERLAY DISTRICT, POWERS AND DUTIES continued:

a. erection, alteration, major repair, sandblasting, abrasive cleaning, relocation or demolition of a building or structure, and construction on any site;

b. erection, alteration or removal of any exterior, visible feature of a building or structure;

c. construction, reconstruction or significant repair of any stone wall, fencing, sidewalk, street, paving, street light, traffic control device or pole; (revised 3/10/09)

d. grading, excavation or removal of stone walls, fences, paving or significant trees.

e. Erection or display of any sign; provided, however that the Historic District Commission shall, as part of its regulations, establish specific design criteria for signs which will not require Commission approval, so that the Land Use Office may authorize signs which meet all of those criteria to be erected or displayed without the need of a Certificate of Approval from the Historic District Commission. Any person aggrieved by a decision of the Land Use Office concerning whether such criteria are met may appeal to the Zoning Board of Adjustment under Section 5.2 of the Zoning Ordinance. (adopted 3/10/09) (amended 3/12/13)

4. The Historic District Commission is not required to review the following activities:

a. ordinary maintenance and repair of any architectural feature which does not involve removal or a change in design, dimensions, materials or outer appearance of such feature;

b. painting or repainting of buildings or structures.

c. use of interim signs. (amended 3/13/07)

5. The following procedure shall be followed in processing applications for approval of work covered by this article:

a. An application must be submitted to the Historic District Commission for a Certificate of Approval for any work to be performed which is within the scope of this article.

b. The applicant shall be required to pay an application fee and to pay for any legal advertising in an amount to reflect actual costs.

c. Application fees shall be set by the Town's Board of Selectmen.

6. The applicant shall make written application to the commission through the Land Use Office for a Certificate of Approval. The application shall include: (amended 3/12/13)

a. completed permit form;

b. narrative description of the project;

c. graphic materials of sufficient clarity and detail to give the Commission a clear and certain understanding of the applicant's intention regarding the work contemplated.

The Commission may request, and the applicant shall supply, site plans, building plans, elevations, perspective sketches, photographs, building material samples or other information reasonably required by the Commission to make its determination of approval or disapproval.

ARTICLE XIII. HISTORIC OVERLAY DISTRICT, POWERS & DUTIES continued:

7. In reviewing the application package, the Commission may request reports and recommendations regarding the feasibility of the applicant's proposal from the Planning Board, Fire Chief, Land Use Office or other administrative officials who may possess information concerning the impact of the proposal on the Historic District. In furtherance of the review, the Commission may ask the applicant to furnish information from professional, educational or other groups or persons as may be deemed necessary for making a reasonable decision. (amended 3/12/13)

8. Regarding the application for Certificate of Approval, the Historic District Commission shall:

- a. conduct a hearing on the application within 35 days of filing the completed application package;
- b. issue a Certificate of Approval or Notice of Disapproval within ten days of the hearing date unless the hearing is continued;

Failure to render a decision within forty-five days after the filing of the application shall be deemed to constitute approval by the Commission. Written notice of the Commission hearing date shall be given to each abutting property owner, in cases involving demolition, relocation, new construction and/or substantial alteration.

9. Commission action on applications or any other matters brought before the Commission shall be by majority vote and shall be taken in public session. Action in the form of a Commission vote may be taken at the conclusion of a site visit or at a meeting or at a reconvened meeting of the commission. The Historic District Commission shall not consider interior arrangements or features not subject to any public view. In acting on applications the commission may vote to approve, disapprove, continue, or approve with conditions. If the application is disapproved the basis for the action will be explained in writing in the minutes and on the Report of Action Taken form. The commission may vote to give preliminary approval with conditions on any application where such action is appropriate, requiring the applicant to return for a subsequent meeting for final action. The Historic District Commission shall consider the following criteria, in addition to others it may deem appropriate to the application, in passing upon the appropriateness of architectural features:

- a. general design and arrangement (density, scale, unity in composition).
- b. exterior architectural features and the extent to which they harmonize with existing features found within the Historic District.
- c. all signs which are subject to view from a public street, way or place.
- d. the type or types of materials to be used on the structure (board and batten, clapboard, brick, fieldstone, granite or wood shakes, etc.).
- e. the type of roof (within the area there are several types of roof, depending on the era of construction: gable, salt box, hip, gambrel, etc.).
- f. architectural detail (the relationship of detail may include cornices, lintels, arches, balustrades, railings, entrance doors, windows, dormers, chimneys, etc.).
- g. the type or types of materials used to construct or install paving, walks, walls, steps, etc. (asphalt, stone dust, cobbles, granite, bluestone, fieldstone, etc.).
- h. the type or types of material used to construct fencing or screening.
- i. the placement of and types of lighting fixtures, lights, poles, trash receptacles and vending machines.

ARTICLE XIII. HISTORIC OVERLAY DISTRICT, POWERS & DUTIES continued:

10. The Historic District Commission may refuse to issue a Certificate of Approval for the erection, reconstruction, alteration, demolition, partial demolition or removal of any structure within the Historic District, which in the opinion of the Historic District Commission would be detrimental to the interest of the Historic District and against the public interest of the Town.

11. The Historic District Commission may conduct surveys of buildings for the purposes of determining those of historic and/or architectural significance and pertinent facts about them, formulate recommendations concerning the preparation of maps, brochures, and historic markers for selected historic and/or architectural sites and buildings, cooperate with and advise the governing body, the Planning Board and other municipal agencies involving historic and/or architectural sites and buildings; advise owners of the buildings of the advantages and disadvantages of preservation and restoration.

12. The Historic District Commission may adopt bylaws governing the composition and conduct of its meetings.

7. interpretation

Nothing in this ordinance shall be construed to prevent the construction, alteration, repair, moving or demolition of any structure under a permit issued by the Land Use Office or any duly delegated authority prior to the establishment of such district. (amended 3/12/13)

8. violations

Failure to comply with any of the provisions of this ordinance shall be deemed a violation and the violator shall be liable to a fine as authorized by RSA 676:17 and subject to an order to cease and desist as authorized by RSA 676:17-a, injunctive relief as authorized by RSA 676:15, and local land use citation as authorized by RSA 676:17-b.

9. appeals

Any person or persons jointly or severally aggrieved by a decision of the Historic District Commission shall have the right to appeal concerning such decision to the Zoning Board of Adjustment.

10. validity

If any section, subsection, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

11. effective date

This ordinance shall take effect March 14, 2006.

ARTICLE XIV. SMALL WIND ENERGY SYSTEMS (adopted 3/10/09)

14.1 PURPOSE

This small wind energy systems ordinance is enacted in accordance with RSA 674:62-66, and the purposes outlined in RSA 672:I-III-a. The purpose of this ordinance is to accommodate small wind energy systems in appropriate locations, while protecting the public's health, safety and welfare. In addition, this ordinance provides a permitting process for small wind energy systems to ensure compliance with the provisions of the requirements and standards established herein.

14.2 DEFINITIONS

A. Meteorological tower (met tower). Includes the tower, base plate, anchors, guy wires and hardware, anemometers (wind speed indicators), wind direction vanes, booms to hold equipment for anemometers and vanes, data loggers, instrument wiring, and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location. For the purpose of this ordinance, met towers shall refer only to those whose purpose is to analyze the environmental factors needed to assess the potential to install, construct or erect a small wind energy system.

B. Modification. Any change to the small wind energy system that materially alters the size, type or location of the small wind energy system. Like-kind replacements shall not be construed to be a modification.

C. Net metering. The difference between the electricity supplied to a customer over the electric distribution system and the electricity generated by the customer's small wind energy system that is fed back into the electric distribution system over a billing period.

D. Power grid. The transmission system, managed by ISO New England, created to balance the supply and demand of electricity for consumers in New England.

E. Shadow flicker. The visible flicker effect when rotating blades of the wind generator cast shadows on the ground and nearby structures causing a repeating pattern of light and shadow.

F. Small wind energy system. A wind energy conversion system consisting of a wind generator, a tower, and associated control or conversion electronics, which has a rated capacity of 100 kilowatts or less and will be used primarily for onsite consumption.

G. System height. The vertical distance from ground level to the tip of the wind generator blade when it is at its highest point.

H. Tower. The monopole, guyed monopole or lattice structure that supports a wind generator.

ARTICLE XIV. SMALL WIND ENERGY SYSTEMS continued:

I. Tower height. The height above grade of the fixed portion of the tower, excluding the wind generator.

J. Wind generator. The blades and associated components mounted on top of the tower whose purpose is to convert kinetic energy of the wind into rotational energy used to generate electricity.

14.3 PROCEDURE FOR REVIEW

A. Land Use permit. Small wind energy systems and met towers are an accessory use permitted in the Rural District where structures of any sort are allowed. No small wind energy system shall be erected, constructed, or installed without first receiving a Land Use permit from the Land Use Office. A Land Use permit shall be required for any physical modification to an existing small wind energy system. Met towers that receive a Land Use permit shall be permitted on a temporary basis not to exceed 3 years from the date the Land Use permit was issued. (amended 3/12/13)

B. Application. Applications submitted to the Land Use Office shall contain a site plan with the following information: (amended 3/12/13)

1. Property lines and physical dimensions of the applicant's property as well as all areas of other properties located within 300 feet of the proposed system.
2. Location, dimensions, and types of existing major structures on the property as well as all areas of other properties located within 300 feet of the proposed system.
3. Location of the proposed small wind energy system, foundations, guy anchors and associated equipment.
4. Tower foundation blueprints or drawings drawn to scale.
5. Tower blueprints or drawings drawn to scale.
6. Setback requirements as outlined in this ordinance.
7. The right-of-way or traveled way (as appropriate) of any public highway or private road or driveway located within 300 feet of the proposed system.
8. Any overhead utility lines.
9. Small wind energy system specifications, including manufacturer, model, rotor diameter, tower height, tower type, nameplate generation capacity.
10. Small wind energy systems that will be connected to the power grid shall include a copy of the application for interconnection with their electric utility provider.
11. Sound level analysis prepared by the wind generator manufacturer or qualified engineer.
12. Electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the NH State Building Code.
13. Evidence of compliance or non-applicability with Federal Aviation Administration requirements.
14. List of abutters to the applicant's property including addresses.

ARTICLE XIV. SMALL WIND ENERGY SYSTEMS continued:

C. Abutter and Regional Notification: In accordance with RSA 674:66, the Land Use Office shall notify all abutters and the local governing body by certified mail upon application for a Land Use permit to construct a small wind energy system. The public will be afforded 30 days to submit comments to the Land Use Office prior to the issuance of the Land Use permit. The Land Use Office shall review the application for regional impacts per RSA 36:55. If the proposal is determined to have potential regional impacts, the Land Use Office shall follow the procedures set forth in RSA 36:57,IV. (amended 3/12/13)

D. Notices under C above shall inform the recipients of a date, at least 30 days from the date of the notice, upon which the permit is proposed to be issued, and shall further inform recipients of where the application materials may be reviewed, and of the opportunity to submit written comments to the Land Use Office during the 30-day period. Any person aggrieved by the issuance of such a permit may administratively appeal to the Zoning Board of Adjustment pursuant to Section 5.2 of the Ordinance and RSA 676:5. (amended 3/12/13)

14.4 STANDARDS

A. The Land Use Office shall evaluate the application for compliance with the following standards:

1. Setbacks: The setback shall be calculated by multiplying the minimum setback requirement multiplier by the system height, and measured from the center of the tower base to property line, public roads, or nearest point on the foundation of an occupied building.

Minimum Setback Requirement Multipliers:

Occupied buildings on applicant's property:	0
Occupied buildings on abutting property:	1.5
Property lines of abutting property and utility lines:	1.1
Public roads:	1.5

a. Small wind energy systems must meet all setbacks for principal structures for the zoning district in which the system is located.

b. Guy wires used to support the tower are exempt from the small wind energy system setback requirements.

2. Tower: The maximum tower height shall be restricted to 35 feet above the tree canopy within 300 feet of the small wind energy system. In no situation shall the tower height exceed 150 feet or 35 feet above the surrounding tree canopy, whichever is less.

3. Sound Level: The small wind energy system shall not exceed 60 decibels using the A scale (dbA), as measured at the site property line, except during short-term events such as severe wind storms and utility outages.

4. Shadow Flicker: Small wind energy systems shall be sited in a manner that does not result in significant shadow flicker impacts. Significant shadow flicker is defined as more than 30 hours per year on abutting occupied buildings. The applicant has the burden of proving that the shadow flicker will not have significant adverse impact on neighboring or adjacent uses. Potential shadow flicker will be addressed either through siting or mitigation measures.

ARTICLE XIV. SMALL WIND ENERGY SYSTEMS continued:

5. Signs: All signs, including flags, streamers and decorative items, both temporary and permanent, are prohibited on the small wind energy system, except for manufacturer identification or appropriate warning signs.

6. Code Compliance: The small wind energy system shall comply with all applicable sections of the New Hampshire State Building Code.

7. Aviation: The small wind energy system shall be built to comply with all applicable Federal Aviation Administration regulations including, but not limited to, 14C.F.R. part 77, subpart B regarding installations close to airports, and the New Hampshire Aviation regulations including, but not limited to, RSA 422-b and RSA 424.

8. Visual Impacts: It is inherent that small wind energy systems may pose some visual impacts due to the tower height needed to access wind resources. The purpose of this section is to reduce the visual impacts without restricting the owner's access to the optimal wind resources on the property.

a. The applicant shall demonstrate through project site planning and proposed mitigation that the small wind energy system's visual impacts will be minimized for surrounding neighbors and the community. This may include, but not be limited to information regarding site selection, wind generator and tower design or appearance, buffering, and screening of ground mounted electrical and control equipment. All electrical conduits shall be underground.

b. The color of the small wind energy system shall either be the stock color from the manufacturer or painted with a non-reflective, unobtrusive color that blends in with the surrounding environment. Approved colors include, but are not limited to, white, off-white or gray.

c. a small wind energy system shall not be artificially lit unless such lighting is required by the Federal Aviation Administration (FAA). If lighting is required, the applicant shall provide a copy of the FAA determination to establish the required markings and/or lights for the small wind energy system.

9. Approved Wind Generators: The manufacturer and model of the wind generator to be used in the proposed small wind energy system must have been approved by the California Energy Commission or the New York State Energy Research and Development Authority, or a similar list approved by the state of New Hampshire, if available.

10. Utility Connection: If the proposed small wind energy system is to be connected to the power grid through net metering, it shall adhere to RSA 362-A:9.

11. Access: The tower shall be designed and installed so as not to provide step bolts or a ladder readily accessible to the public for a minimum height of 8 feet above the ground. All ground-mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.

12. Clearing: Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the small wind energy system and as otherwise prescribed by applicable laws, regulations, and ordinances.

ARTICLE XIV. SMALL WIND ENERGY SYSTEMS continued:

14.5 ABANDONMENT

A. At such time that a small wind energy system is scheduled to be abandoned or discontinued, the applicant will notify the Land Use Office by certified U.S. mail of the proposed date of abandonment or discontinuation of operations. (amended 3/12/13)

B. Upon abandonment or discontinuation of use, the owner shall physically remove the small wind energy system within 90 days from the date of abandonment or discontinuation of use. This period may be extended at the request of the owner and at the discretion of the Land Use Office. “Physically remove” shall include, but not be limited to: (amended 3/12/13)

1. Removal of the wind generator and tower and related above-grade structures.
2. Restoration of the location of the small wind energy system to its natural condition, except that any landscaping, grading or below-grade foundation may remain in its same condition at initiation of abandonment.

C. In the event that an applicant fails to give such notice, the system shall be considered abandoned or discontinued if the system is out of service for a continuous 12-month period. After the 12 months of inoperability, the Land Use Office may issue a Notice of Abandonment to the owner of the small wind energy system. The owner shall have the right to respond to the Notice of Abandonment within 30 days from Notice receipt date. After review of the information provided by the owner, the Land Use Office shall determine if the small wind energy system has been abandoned. If it is determined that the small wind energy system has not been abandoned, the Land Use Office shall withdraw the Notice of Abandonment and notify the owner of the withdrawal. (amended 3/12/13)

D. If the owner fails to respond to the Notice of Abandonment or if, after review by the Land Use Office, it is determined that the small wind energy system has been abandoned or discontinued, the owner of the small wind energy system shall remove the wind generator and tower at the owner’s sole expense within 3 months of receipt of the Notice of Abandonment. If the owner fails to physically remove the small wind energy system after the Notice of Abandonment procedure, the Land Use Office may pursue legal action to have the small wind energy system removed at the owner’s expense. (amended 3/12/13)

14.6 VIOLATION

It is unlawful for any person to construct, install, or operate a small wind energy system that is not in compliance with this ordinance. Small wind energy systems installed prior to the adoption of this ordinance are exempt from this ordinance except when modifications are proposed to the small wind energy system.

14.7 PENALTIES

Any person who fails to comply with any provision of this ordinance or a Land Use permit issued pursuant to this ordinance shall be subject to enforcement and penalties as provided in RSA 676:16 through 676:18. (amended 3/12/13)

APPENDIX A.
ZONING MAP OF BRISTOL

APPENDIX B

TOWN OF BRISTOL FLOODPLAIN ZONING ORDINANCE

This ordinance, adopted pursuant to the authority of RSA 674:16, shall be known as the Town of Bristol Floodplain Zoning Ordinance. The regulations in the Town of Bristol Floodplain Zoning Ordinance shall be considered part of the Zoning Ordinance for purposes of administration and appeals under State Law. If any provision of this ordinance differs or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.

The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Grafton NH" together with the associated Flood Insurance Rate Maps, dated February 20, 2008 which are declared to be a part of this ordinance and are hereby incorporated by reference. (Selectmen change 12/20/07)

ARTICLE I DEFINITION OF TERMS:

The following definitions shall apply only to this Floodplain Zoning Ordinance, and shall not be affected by the provisions of any other ordinance of the Town of Bristol.

A. AREA OF SPECIAL FLOOD HAZARD

is the land in the floodplain within the Town of Bristol subject to a one-percent or greater possibility of flooding in any given year. These areas are designated on the FIRM as zones A or AE. (amended 3/13/07)

B. BASE FLOOD

means the flood having a one-percent possibility of being equaled or exceeded in any given year.

C. BASEMENT

means any area of a building having its floor subgrade on all sides.

D. BUILDING

see "STRUCTURE"(Y)

E. DEVELOPMENT

means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operation or storage of equipment or materials. (amended 3/13/07)

F. FEMA

means Federal Emergency Management Agency.

APPENDIX B, ARTICLE I, DEFINITION OF TERMS continued:

G. FLOOD OR FLOODING

means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland waters.
2. the unusual and rapid accumulation or runoff of surface waters from any source.

H. FLOOD BOUNDARY AND FLOODWAY MAP (deleted 3/13/07)

I. FLOOD ELEVATION STUDY

means an examination, evaluation, and determination of flood hazards and if appropriate, corresponding water surface elevations, or an examination and determination of mud-slide or flood-related erosion hazards.

J. FLOOD INSURANCE RATE MAP (FIRM)

means an official map incorporated with this ordinance, on which FEMA has delineated both the special flood hazard areas and the risk premium zones applicable to the Town of Bristol.

K. FLOOD INSURANCE STUDY

see FLOOD ELEVATION STUDY (I).

L. FLOODPLAIN or FLOOD-PRONE AREA

means any land area susceptible to being inundated by water from any source. See definition of FLOODING (G).

M. FLOOD-PROOFING

means any combination of structural and non-structural addition, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures and their contents.

N. FLOODWAY

see REGULATORY FLOODWAY (W).

O. FUNCTIONALLY DEPENDENT USE

means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking and port facilities that are necessary for the loading/unloading of cargo or passengers, and the ship building/repair facilities but does not include long-term storage or related manufacturing facilities.

APPENDIX B, ARTICLE I, DEFINITION OF TERMS continued:

P. HIGHEST ADJACENT GRADE

means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Q. HISTORIC STRUCTURE

means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminary determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminary determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. by an approved state program as determined by the Secretary of the Interior, or
 - b. directly by the Secretary of the Interior in states without approved programs.

R. LOWEST FLOOR

means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, useable solely for the parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

S. MANUFACTURED HOME

means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" includes park trailers, travel trailers, and other similar vehicles placed on site for greater than 180 days. This includes manufactured homes located in a manufactured home park or subdivision. (amended 3/13/07)

APPENDIX B, ARTICLE I, DEFINITION OF TERMS continued:

T. MANUFACTURED HOME PARK OR SUBDIVISION

Means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale. (amended 3/13/07)

U. MEAN SEA LEVEL

means the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a communities Flood Insurance Rate Map (FIRM) are referenced.

V. NEW CONSTRUCTION

Means, for the purpose of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures. (amended 3/13/07)

W. 100-YEAR FLOOD

see BASE FLOOD (B).

X. RECREATIONAL VEHICLE

means a vehicle which is (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel or seasonal use.

Y. REGULATORY FLOODWAY

means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. (amended 3/13/07)

Z. SPECIAL FLOOD HAZARD AREA

means an area having flood, mud-slide, and/or flood-related erosion hazards, and shown on the FIRM as Zone A or AE. See AREA OF SPECIAL FLOOD HAZARD (A). (amended 3/13/07)

AA. STRUCTURE

means for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

APPENDIX B, ARTICLE I, DEFINITION OF TERMS continued:

BB. START OF CONSTRUCTION

includes substantial improvements, and means the date the Land Use permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure. (amended 3/12/13)

CC. SUBSTANTIAL DAMAGE

means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

DD. SUBSTANTIAL IMPROVEMENT

means any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceeds fifty percent of the market value of the structure. The market value of the structure should equal: (1) the appraised value prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures which have incurred substantial damage, regardless of actual repair work performed. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a “historic structure”, provided that the alteration will not preclude the structure’s continued designation as “historic structure”.

EE. VIOLATION

Means the failure of a structure or other development to be fully compliant with the community’s flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44CFR~60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided. (amended 3/13/07)

FF. WATER SURFACE ELEVATION

means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains.

APPENDIX B continued:

ARTICLE II.

All proposed development in any special flood hazard areas shall require a permit.

ARTICLE III

The Land Use Office shall review all Land Use permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is located in a special flood hazard area, all new construction or substantial improvements shall: (amended 3/12/13)

1. Be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
2. be constructed with materials resistant to flood damage
3. be constructed by methods and practices that minimize flood damages;
4. be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

ARTICLE IV.

Where new or replacement water and sewer systems (including on site systems) are proposed in a special flood hazard area the applicant shall provide the Land Use Office with assurance that these systems will be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems will be located to avoid impairment to them or contamination from them during periods of flooding. (amended 3/12/13)

ARTICLE V.

For all new or substantially improved structures located in Zones A or AE, the applicant shall furnish the following information to the Land Use Office (amended 3/13/07) (amended 3/12/13):

1. the as-built elevation (in relation to NGVD) of the lowest floor (including basement) and include whether or not such structures contain a basement.
2. if the structure has been flood-proofed, the as-built elevation (in relation to NGVD) to which the structure was flood proofed.

APPENDIX B, ARTICLE V. continued:

3. any certification of flood-proofing.

The Land Use Office shall maintain for public inspection, and shall furnish such information upon request. (amended 3/12/13)

ARTICLE VI.

The Land Use Office shall not grant a building permit until the applicant certifies that all necessary permits have been received from those government agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. (amended 3/12/13)

ARTICLE VII.

A. In riverine situations, prior to the alteration or relocation of a watercourse, the applicant for such authorization shall notify the Wetlands Bureau of New Hampshire Environmental Services Department and submit copies of such notification to the Land Use Office, in addition to the copies required by the RSA 482-A:3. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Land Use Office, including notice of all scheduled hearings before the Wetlands Board. (amended 3/13/07), (amended 3/12/13)

B. The applicant shall submit to the Land Use Office, certification provided by a registered professional engineer, assuring that the flood carrying capacity of an altered or relocated watercourse can and will be maintained. (amended 3/12/13)

C. Along watercourses with a designated Regulatory Floodway no encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the proposed encroachment would not result in any increase in flood levels within the community during the base flood discharge. (amended 3/13/07)

D. Along watercourses that have not had a Regulatory Floodway designated, no new construction, substantial improvements, or other development (including fill) shall be permitted unless it is demonstrated by the applicant that the cumulative effect of the proposed development, when combined with all existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

APPENDIX B, ARTICLE VII continued:

E. The Land Use Office shall obtain, review, and reasonably utilize any floodway data available from the Federal, State, or other sources as criteria for requiring that all development located in Zone A meet the following floodway requirement: (amended 3/12/13)

“No encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway that would result in any increase in flood levels within the community during the base flood discharge.” (amended 3/13/07), (amended 3/12/13)

ARTICLE VIII.

A. In special flood hazard areas the Land Use Office shall determine the 100 year flood elevation in the following order of precedence according to the data available: (amended 3/12/13)

1. In A zones, the Land Use Office shall obtain, review, and reasonably utilize any 100 year flood elevation data available from any Federal, State or other source including data submitted for development proposals submitted to the community (i.e., subdivisions, site approvals.). (amended 3/13/07), (amended 3/12/13)

2. In zone AE, refer to the elevation data provided in the community’s Flood Insurance Study and accompanying FIRM. (amended 3/13/07)

B. The Land Use Office’s 100 year flood elevation determination will be used as criteria for requiring in zones A and AE that (amended 3/13/07), (amended 3/12/13):

1. All new construction or substantial improvement of residential structures have the lowest floor (including basement) elevated to or above the 100 year flood elevation;

2. That all new construction or substantial improvements of non-residential structures have the lowest floor (including basement) elevated to or above the 100 year flood level; or together with attendant utility and sanitary facilities, shall:

a. be flood-proofed so that below the 100 year flood elevation the structure is watertight with walls substantially impermeable to the passage of water;

b. have structural components capable of resisting hydrostatic and hydrodynamics loads and the effects of buoyancy; and

c. be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section;

APPENDIX B continued:

3. All manufactured homes to be placed or substantially improved within special flood hazard areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood level; the pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and waterloads acting simultaneously on all building components. Water loading value used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State and local building standards.

4. For all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted provided they meet the following requirements:

(1) the enclosed area is unfinished or flood resistant, usable solely for the parking of vehicles, building access or storage.

(2) the area is not a basement;

(3) shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater.

Designs for meeting this requirement must be either certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.

5. Recreational vehicles placed on sites within Zones A and AE shall either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet all standards of Section 60.3 (b) (1) of the National Flood Insurance Program Regulations and the elevation and anchoring requirements for “manufactured homes” in Paragraph (C) (6) of Section 60.3. (amended 3/13/07)

ARTICLE IX VARIANCES AND APPEALS:

A. Any order, requirement, decision or determination of the Land Use Office made under this ordinance may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5. (amended 3/12/13)

ARTICLE IX VARIANCES AND APPEALS continued:

B. If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, I (b), the applicant shall have the burden of showing in addition to the usual variance standards under State Law:

1. that the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense.
2. that if the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result.
3. that the variance is necessary, considering the flood hazard, to afford relief.

C. The Zoning Board of Adjustment shall notify the applicant in writing that:

1. The issuance of a variance to construct below the base flood level will result in increased premium rates for Flood Insurance up to amounts as high as \$25.00 for \$100.00 of insurance coverage; and
2. Such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with a record of all variance actions.

D. The community shall (i) maintain a record of all variance actions, including their justification for their issuance, and (ii) report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.

APPENDIX C.
DISTRICT USES ALLOWED

Key

* = Permitted is a Dwelling Unit above the first floor to a maximum of four units
P = Permitted Uses
E = Permitted by Special Exception
N = Not Permitted

<u>USE</u>	<u>DISTRICT</u>						
	Village Commercial	Village Residential	Downtown Commercial	Corridor/Nodal Commercial	Rural	Industrial	Lake
Accessory Building/Use	P	P	P	P	P	P	P
Agriculture	N	N	N	P	P	N	P
Amusement, Indoor or Outdoor	P	N	P	N	N	N	E
Automobile Service Station	P	N	E	N	N	N	N
Automotive Repair Services & Garage	P	N	N	N	N	P	N
Banks	P	N	P	P	N	N	N
Bed & Breakfast	P	E	P	P	E	N	P
Boarding Houses	P	N	P	N	N	N	N
Boat Storage	N	N	N	N	N	N	E
Child/Day Care Center	P	N	P	N	P	N	N
Church	P	P	P	N	N	N	E
Club	P	E	P	N	N	N	P
Cluster Development	N	E	N	N	P	N	P
Combined Dwelling & Business	P	N	P	P	N	N	N
Commercial Docking Facility	N	N	N	N	N	N	E
Condominium Docking Facility	N	N	N	N	N	N	E
Convenience Store	P	N	P	N	N	N	E
Dwelling Unit Efficiency	P	N	P	P	N	N*	N
Dwelling, Single and Two Family	P	P	P	P	P	N	P
Excavation	N	N	N	N	E	N	N
Forestry	N	N	N	P	P	N	N
Funeral Home	P	N	P	P	N	N	N
Greenhouse	P	N	E	P	P	P	N
Hall	P	N	P	N	N	N	N
Home Occupation	P	P	P	P	P	N	P
Hotel/Motel/Lodging Facility (11/15/2000)	E	N	N	E	N	N	E
Light Industrial Facility (10/24/2000)	E	N	N	N	N	P	N

APPENDIX C.
DISTRICT USES ALLOWED

Key

* = Permitted is a Dwelling Unit above the first floor to a maximum of four units
P = Permitted Uses
E = Permitted by Special Exception
N = Not Permitted

<u>USE</u>	<u>DISTRICT</u>						
	<u>Village Commercial</u>	<u>Village Residential</u>	<u>Downtown Commercial</u>	<u>Corridor/Nodal Commercial</u>	<u>Rural</u>	<u>Industrial</u>	<u>Lake</u>
Manufactured Housing	N	N	N	N	P	N	N
Manufactured Housing Park	N	N	N	N	E	N	N
Manufacturing	N	N	N	N	N	P	N
Marina	N	N	N	N	N	N	N
Medical Facility	P	N	P	N	N	N	E
Multifamily Dwelling	P	N	P	N	E	N	N
Office	P	E	P	N	N	P	N
Outlet Store	N	N	N	N	N	P	N
Parking Facility	P	N	P	E	N	N	N
Personal Service Shop	P	N	P	P	N	N	N
Presite Built Housing Sales	P	N	N	P	N	P	N
Printing Shop	N	N	N	N	N	P	N
Recreational Camping Park	N	N	N	N	E	N	E
Recreational Facility	N	N	N	N	E	N	E
Repair Shop	P	N	N	N	N	N	N
Research and/or Testing Facility	N	N	N	N	N	P	N
Residential Institution (10/24/2000)	E	E	N	E	N	N	N
Restaurant	P	N	P	E	N	P	E
Restaurant - High Impact	P	N	P	N	N	N	N
Restaurant - Take Out	P	N	P	N	N	N	P
Retail Sales	P	N	P	E	N	E	N
Retail Storage	P	N	P	N	N	N	N
Sales Room	P	N	P	N	N	N	N
School	P	P	N	P	N	N	N
Shopping Center (11/15/2000)	E	N	P	N	N	N	N
Stable & Kennel	N	N	N	N	E	N	N
Storage Yards	N	N	N	N	N	P	N
Trucking Facility	N	N	N	N	N	P	N
Veterinary Hospital	P	N	E	N	E	P	N
Warehouse and Wholesale Marketing	P	N	N	P	N	P	N
Warehouse Self Service	P	N	N	P	N	P	N
Yard, Barn or Garage Sales	P	P	P	N	P	N	P

ZONING ORDINANCE OF THE TOWN OF BRISTOL TABLE OF CONTENTS

ARTICLE I. PURPOSE AND AUTHORITY	2
ARTICLE II. TITLE	2
ARTICLE III. DISTRICTS AND DISTRICT REGULATIONS	2
3.1 Districts	2
3.2 District Regulations	3
A. Village Commercial District	3
B. Village Residential District	4
C. Downtown Commercial District	4
D. Corridor Commercial District	5
E. Rural District	5
F. Lake District	6
G. Industrial District	8
H. Pemigewasset Overlay District	8
3.3 Land and Space Requirements	11
A. Village Commercial District	11
B. Village Residential District	12
C. Downtown Commercial District	13
D. Corridor Commercial District	14
E. Rural District	15
F. Lake District	16
G. Industrial District	16
H. Pemigewasset Overlay District	17
I. Wetlands Conservation Overlay District	17
ARTICLE IV. GENERAL PROVISIONS	17
4.1 Obnoxious Use	17
4.2 Keeping of Farm Animals	18
4.3 Manufacturing Storage Containers	18
4.4 Building Height	18
4.6 Flood Area	18
4.7 Cluster Residential Development	18
4.8 Manufactured Housing Parks	19
4.9 Recreational Camping Parks	20
4.10 Recreational Vehicles	21
4.11 Signs	22
4.12 Non-Conforming Structures, Lots and Uses	25
A. Non-Conforming Lots	25
B. Non-Conforming Uses	25
C. Non-Conforming Structures	26
D. Non-Conforming Condominium Conversion	27
4.13 Marina, Condominium, Community & Commercial Docking Facilities	27
4.14 Multiple Uses on a Lot	28

TABLE OF CONTENTS continued

4.15	Junk Yards	28
4.16	Fences	28
4.17	Steep Slope & Ridgeline Provisions	28
4.18	Accessory Buildings	30
4.19	Erosion & Sediment Control During Construction	30
4.20	External Lighting	31
4.21	Fire Safety Requirements	32
	ARTICLE V. BOARD OF ADJUSTMENT	33
5.1	Creation, Appointment, and Jurisdiction	33
5.2	Appeals	33
5.3	Variances	33
5.4	Special Exceptions	34
	ARTICLE VI. ADMINISTRATION AND ENFORCEMENT	35
6.1	Responsibility of Petitioner	35
6.2	Penalties	35
6.3	Enforcement	35
6.4	Land Use Permits	35
6.5	Effective Date	35
	ARTICLE VII. MISCELLANEOUS PROVISIONS	36
7.1	Separability	36
7.2	Amendments	36
7.3	Validity	36
	ARTICLE VIII. DEFINITIONS	36
	ARTICLE IX. WETLANDS CONSERVATION OVERLAY DISTRICT	54
9.1	Title and Authority	54
9.2	Purpose and Intent	54
9.3	Wetland Definitions	55
9.4	Wetlands Conservation Overlay District	56
	A. Wetlands Conservation Overlay District Defined	56
	B. Establishment of the Wetlands Conservation Overlay District	56
	C. Wetlands Incorrectly Delineated	56
	D. Relation to Other Districts	57
9.5	Permitted Uses	57
9.6	Special Use Permit	58
9.7	Consideration for Decisions	59
9.8	Special Provisions	59
9.9	Administration and Enforcement	60
	ARTICLE X PERSONAL WIRELESS SERVICE FACILITIES (CELL TOWERS)	61
10.1	Purpose	61
10.2	Applicability	61
10.3	Definitions	61
10.4	Procedure	63
10.5	Local Provisions	63

TABLE OF CONTENTS

continued

10.6	Use Provisions	64
10.7	Dimensional Requirements	64
10.8	Performance and Design Standards	66
10.9	Monitoring and Maintenance	68
10.10	Abandonment or Discontinuation of Use	69
10.11	Insurance	69
ARTICLE XI IMPACT FEE ORDINANCE		70
Section 1	Purpose	70
Section 2	Authority	70
Section 3	Assessment Methodology	71
Section 4	Administration	71
Section 5	Appeals	72
Section 6	Definitions	72
Section 7	Effective Date	72
ARTICLE XII SEXUALLY ORIENTED BUSINESS ORDINANCE		72
12.1	Authority	72
12.2	Purpose and Findings	73
12.3	Definitions	74
12.4	Allowed District	76
12.5	Operational Standards	77
12.6	Special Operational Permit Required	78
12.7	Issuance, Suspension and Revocations	79
12.8	Fees and Inspections	80
12.9	Setback/Site Plan Standards	80
12.10	Saving Clause	81
ARTICLE XIII HISTORIC OVERLAY DISTRICT		82
13.1	Purpose and Intent	82
13.2	Historic District Overlay Map Description	82
13.3	General Regulations	82
	Historic District Overlay Map	83
13.4	Certificate of Approval Required	84
13.5	Definitions	86
13.6	Historic District Commission	85
Section a	Membership	85
Section b	Powers & Duties	85
13.7	Interpretation	88
13.8	Violations	88
13.9	Appeals	88
13.10	Validity	88
13.11	Effective Date	88
ARTICLE XIV SMALL WIND ENERGY SYSTEMS		89
14.1	Purpose	89
14.2	Definitions	89

TABLE OF CONTENTS
continued

14.3	Procedure for Review	90
14.4	Standards	91
14.5	Abandonment	93
14.6	Violation	93
14.7	Penalties	93
APPENDIX A. ZONING MAP OF BRISTOL		94
APPENDIX B. TOWN OF BRISTOL FLOODPLAIN ZONING ORDINANCE		95
	Article I Definition of Terms	95
	Article II	100
	Article III	100
	Article IV	100
	Article V	100
	Article VI	101
	Article VII	101
	Article VIII	102
	Article IX. Variances and Appeals	103
APPENDIX C. DISTRICT USES ALLOWED (GRAPH)		105



TOWN OF BRISTOL

230 Lake Street, Bristol, NH 03222

October 3, 2013

Mr. Brian Mills
Senior Planning Advisor
Office of Electricity Delivery and Energy Reliability (OE-20)
U.S. Department of Energy
1000 Independence Ave. SW
Washington, DC 20585

Dear Mr. Mills,

We are writing to you today on behalf of the community of Bristol, New Hampshire which is one of the Towns located on the proposed route of the Northern Pass Project. As currently proposed there will be 2.4 miles of new transmission line along the existing right of way in Bristol.

The purpose of this correspondence is to express our concern with the potential visual, environmental and economic impacts with regard to the project. The current and proposed transmission lines pass through some sensitive environmental areas including hilly terrain, wetlands and the Pemigewasset River. A review of the plans indicates that the existing 115kV line will be relocated within the existing right of way in addition to the construction of the new transmission line. This will result in the disturbance of twice the soil during construction of the towers. In addition, a visual inspection of the project maps indicates that additional removal of trees within the right of way will be necessary to accommodate the relocation of existing towers and the construction of new towers. This will create additional visual and environmental impacts as well.

A review of the plans also indicates that that the new transmission towers will average ninety feet in height which is more than twice the average height of the existing towers. Some of the new towers will be more than one hundred and ten feet high. Towers of this height will create economic impacts to property values along the transmission route as they are the most visible reminder of the project. Recent information indicates that proximity of a property to the project area can have a negative economic impact on its value. This may create a hardship for property owners who may need or want to sell their land and homes by discouraging those who might otherwise consider purchasing property in this beautiful and scenic part of New Hampshire.

As stewards of our Town we have a responsibility to honor the objectives stated in our Towns' Master Plan which include, safeguarding the rural quality of Bristol, conserving and showcasing our natural assets, maintaining the economic viability of Bristol's lands and forests and maintaining the health of natural systems that support life in Bristol. The impacts of this proposed project run counter to those stated objectives and in fact, counter to the scenic beauty that many Towns in New Hampshire strive to protect.

"Gateway to Newfound Lake"

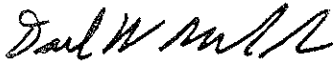
Phone: 603-744-3354 ~ Fax: 603-744-2521 ~ www.townofbristolnh.org

We would respectfully request that alternatives to the proposed plan and proposed route be considered. The environmental, visual and economic impacts to Bristol and other communities along the route need to be weighed equally when evaluating whether the purported benefits of the project are worth the cost.

We appreciate the opportunity to present our concerns and hope that you will give them the serious consideration they deserve. Please do not hesitate to contact the Town Administrator by phone 603-744-3354 X14 or by email townadmin@townofbristolnh.org if you have any questions or require any additional information.

Best Regards,

The Bristol Select Board



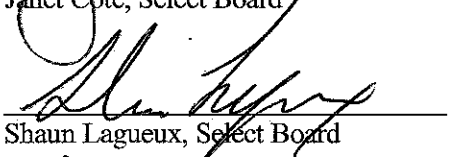
Don Milbrand, Chair



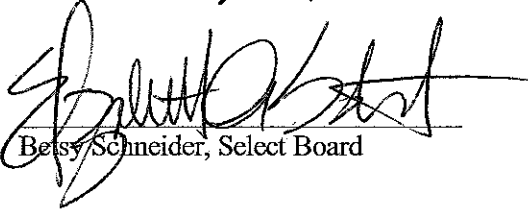
Joe Denning, Vice Chair



Janet Cote, Select Board



Shaun Lagueux, Select Board



Betsy Schneider, Select Board

cc: U.S. Senator Kelly Ayotte
U.S. Senator Jeanne Shaheen
U.S. Congresswoman Anne McLane Kuster
U.S. Congresswoman Carole Shea Porter