

2019 Zoning Amendment List

(Draft for 01/08/2019 Public Hearing)

*Note Language to be removed is shown in “Existing Language” with ~~strikethrough~~. Language to be added is shown in the “Proposed Language” in **bold**.

Amendment #1: Expansion of Non-Conforming Structures (175-43)

Existing Language

~~175-43 Non-Conforming Structures~~

~~A. Expansion.~~

~~(1) A nonconforming building or structure may be maintained or rebuilt as it existed at the time of the passage of this section and may, by special exception, be expanded by no more than 25% of its existing area at that time.~~

Proposed Language

175-43 Non-Conforming Structures

A. Expansion and Extension

(1) The purpose of this section is to establish and distinguish between permitting requirements with respect to Building Permits, Special Exceptions and Variances regarding expansion or extension of existing, non-conforming structures.

(2) Any Building Permit application(s) and/or application(s) to the Zoning Board of Adjustment made pursuant to this section should include a plan prepared by a NH Licensed Surveyor. Any application that proposes further encroachment, requiring a variance, shall include a plan prepared by a NH Licensed Surveyor. The plan shall include all relevant existing and proposed conditions and dimensions.

(3) Any nonconforming portion of a building or structure may be expanded or extended by no more than 25% of the nonconforming building or structure, but with no further intrusion in to the setback area and if a special exception is granted. The 25% expansion shall be a total cumulative expansion based on the lawfully existing non-conforming structure.

(4) The basis for determining the maximum and cumulative expansion limitations (25%) shall be the existing nonconforming footprint (measured to the overhang extent) of the existing, lawful portion of the nonconforming structure excluding appurtenant features such as exterior stairs and non-habitable areas such as open decks.

(5) The nonconforming limit of encroachment is a measurement of the shortest distance between the lot line or the mean high water line and the intruding part of the structure.

(6) For purposes of determining the pre-existing limit of encroachment, the structure does not include appurtenant features such as exterior stairs and non-habitable areas such as open decks.

(7) The basis for determining maximum and cumulative expansion limitations established shall be the existing non-conforming habitable footprint of the existing, non-conforming structure in lawful existence as of the date of this ordinance, excluding appurtenant features.

(8) No nonconforming portion of a building that is without a roof (such as a deck) can be roofed over or enclosed unless it receives a special exception. A deck expansion cannot exceed 25% of the non-conforming portion and cannot further encroach in to the setback.

(9) Any proposed construction activity located within a setback area with further encroachment shall require a Variance.

(10) A structure may be expanded vertically within any setback above existing non-conforming footprint beyond 25%, but must obtain a special exception from the Zoning Board of Adjustment.

B. The following construction activities are permitted by right via a Building Permit.

(1) Installation of a new foundation or the replacement of an existing foundation provided that (a) the sill height is not increased by more than 24"; (b) the existing footprint is not expanded; (c) and the resulting structure falls within the District's height limitation.

(2) Replacement of a structure provided that the replacement structure is the same size and configuration as the non-conforming structure and (b) the location is the same or a less-non-conforming location.

(3) Removal and replacement of open decks attached to dwelling units provided that (a) the replacement deck is the same size or smaller and (b) the Building Inspector has inspected and confirmed the deck dimensions prior to its removal.

Amendment #2: Terms Defined (175-175)

Existing Language

LOT LINE

A. LOT FRONT - The front property line of a lot shall be determined as follows:

(1) CORNER LOT

~~The front property line of a corner lot shall be the shorter of the two lines adjacent to the streets as platted, subdivided or laid out or that line which is obviously the front by reason of the prevailing custom of the other buildings on the block. Where the lines are equal, the front line shall be that line which is obviously the front by reason of the prevailing custom of the other buildings on the block. If such front is not evident, then either may be considered the front of the lot, but not both. Where such front property line is not obviously evident, the Zoning Administrator shall determine the front property line.~~

Proposed Language

LOT LINE

A. LOT FRONT- The front property line of a lot shall be determined as follows:

(1) CORNER LOT

For the purposes of building setbacks, all lot lines abutting a street shall be treated as front setbacks with all other lines as side setbacks.-Where such front property line is not obviously evident, the Zoning Administrator shall determine the front property line.

Amendment #3: Parking Standards (175-138)

Existing Language

§ 175-138 ~~Waivers from parking requirements~~; Parking management plans.

A. ~~The total number of parking spaces required pursuant to this article may be reduced to the extent that the applicant can demonstrate that the proposed development can be adequately served by a more efficient approach that more effectively satisfies the intent of this article and the goals of the Master Plan and to reduce dependence on the single-passenger automobile.~~

B. ~~Any waiver granted shall not exceed 50% of the required number of spaces. Waivers shall only be granted by the Planning Board.~~

C. ~~In order to be considered for a waiver~~ The applicant shall submit a parking management plan that specifies why the parking requirements of § 175-139 are not applicable or appropriate for the proposed development, and proposes an alternative that more effectively meets the intent of this article. A parking management plan shall include, but not be limited to:

(1) A calculation of the parking space required pursuant to table § 175-139.

(2) A narrative that outlines how the proposed parking management plan addresses the specific needs of the proposed development, and more effectively satisfies the intent of this article and the goals of the Master Plan.

(3) An analysis of the anticipated parking demand for the proposed development, such an analysis shall include, but is not limited to:

(a) Information specifying the proposed number of employees, customers, visitors, clients, shifts, and deliveries;

(b) Anticipated parking demand by time of day and/or demand by use;

(c) Anticipated parking utilizing shared spaces or dual use based on a shared parking analysis utilizing current industry publications;

(d) Any other information established by the administrative officer as may be necessary to understand the current and projected parking demand.

(4) Such a plan shall identify strategies that the applicant will use to reduce or manage the demand for parking into the future which may include but are not limited to:

(a) A telecommuting program;

(b) Participation/establishment in a transportation management system that includes methods to increase the use of car pool, van pool, or non-auto modes of travel;

(c) Implementation of a car-share program; and

(d) Development or use of a system using off-site parking and/or shuttles.

D. ~~Prior to any approval by the Planning Board pursuant to this section, the means by which the parking management plan will be guaranteed and enforceable over the long-term easement, or other means, and whether the Town should be a party to the management contract or easement, shall be acceptable to the Town Attorney.~~

E. ~~Maximum parking spaces. The total number of parking spaces provided in all parking districts shall not be more than 125% of the minimum number of spaces required in table in § 175-139~~

Proposed Language

§ 175-138 **Parking Alternatives**; Parking management plans.

A. The total number of parking spaces required pursuant to this article may be reduced to the extent that the applicant can demonstrate that the proposed development can be adequately served by a more efficient approach that more effectively satisfies the intent of this article and the goals of the Master Plan and to reduce dependence on the single-passenger automobile.

B. Any proposed parking alternative reduction shall not exceed 50% of the required number of spaces.

C. The applicant shall submit a parking management plan that specifies why the parking requirements of § 175-139 are not applicable or appropriate for the proposed development, and proposes an alternative that more effectively meets the intent of this article. A parking management plan shall include, but not be limited to:

- (1) A calculation of the parking space required pursuant to table § 175-139.**
- (2) A narrative that outlines how the proposed parking management plan addresses the specific needs of the proposed development, and more effectively satisfies the intent of this article and the goals of the Master Plan.**
- (3) An analysis of the anticipated parking demand for the proposed development, such an analysis shall include, but is not limited to:**
 - (a) Information specifying the proposed number of employees, customers, visitors, clients, shifts, and deliveries;**
 - (b) Anticipated parking demand by time of day and/or demand by use;**
 - (c) Anticipated parking utilizing shared spaces or dual use based on a shared parking analysis utilizing current industry publications;**
 - (d) Any other information established by the administrative officer as may be necessary to understand the current and projected parking demand.**
- (4) Such a plan shall identify strategies that the applicant will use to reduce or manage the demand for parking into the future which may include but are not limited to:**
 - (a) A telecommuting program;**
 - (b) Participation/establishment in a transportation management system that includes methods to increase the use of car pool, van pool, or non-auto modes of travel;**
 - (c) Implementation of a car-share program; and**
 - (d) Development or use of a system using off-site parking and/or shuttles.**

D. Prior to any approval by the Planning Board pursuant to this section, the means by which the parking management plan will be guaranteed and enforceable over the long-term easement, or other means, and whether the Town should be a party to the management contract or easement, shall be acceptable to the Town Attorney.

E. Maximum parking spaces. The total number of parking spaces provided in all parking districts shall not be more than 125% of the minimum number of spaces required in table in § 175-139

Amendment #4: Article IVA: Overlay District: Affordable Nonprofit Housing for the Elderly and Affordable Nonprofit Workforce Housing (175-27.3)

Existing Language

§ 175-27.3 Density and phasing.

A. C2 GDA, VR and R Zoning Districts: For lots which are served by both municipal water and sewer, the density shall not exceed four units per acre. For any other lot, the density shall not exceed two units per acre or as required by high-intensity soil survey standards for multifamily housing (see Subdivision Regulations), whichever is fewer.

~~*B. Affordable nonprofit workforce housing projects shall be phased so that, Town wide, no more than 40 dwelling units shall be permitted in any one calendar year.*~~

Proposed Language

§ 175-27.3 Density and phasing.

A. C2 GDA, VR and R Zoning Districts: For lots which are served by both municipal water and sewer, the density shall not exceed four units per acre. For any other lot, the density shall not exceed two units per acre or as required by high-intensity soil survey standards for multifamily housing (see Subdivision Regulations), whichever is fewer.

Amendment #5: Pine Hill Road Development District Boundary Adjustment (175-2.C.12)

**** The proposed boundary adjustment will add the eight (8) parcels as shown on the map below in blue to the existing Pine Hill Road Development District.**

Existing Language

12. Pine Hill Road Development District Pine Hill Road: beginning at a point being the southernmost corner of Lot 190-22; thence northerly along the center line of Pine Hill Road to Lot 161-14-2; 161-14-3, thence on the boundary between Lot 161-16 and Lots 161-14-3, 175-11 thence on the boundary between Lot 189-8 and Lot 175-11 thence on the boundary between Lot 175-12 and Lots 175-11 and 190-26, thence on the boundary between Lots 189-1 and 190-26, thence on the boundary between Lots 203-47 and 190-26, ~~thence on the boundary between Lot 190-26 and Lots 189-11, and 190-15, thence on the boundary between Lot 190-20 and Lots 190-25, 190-24 and 190-22 to the point of beginning.~~

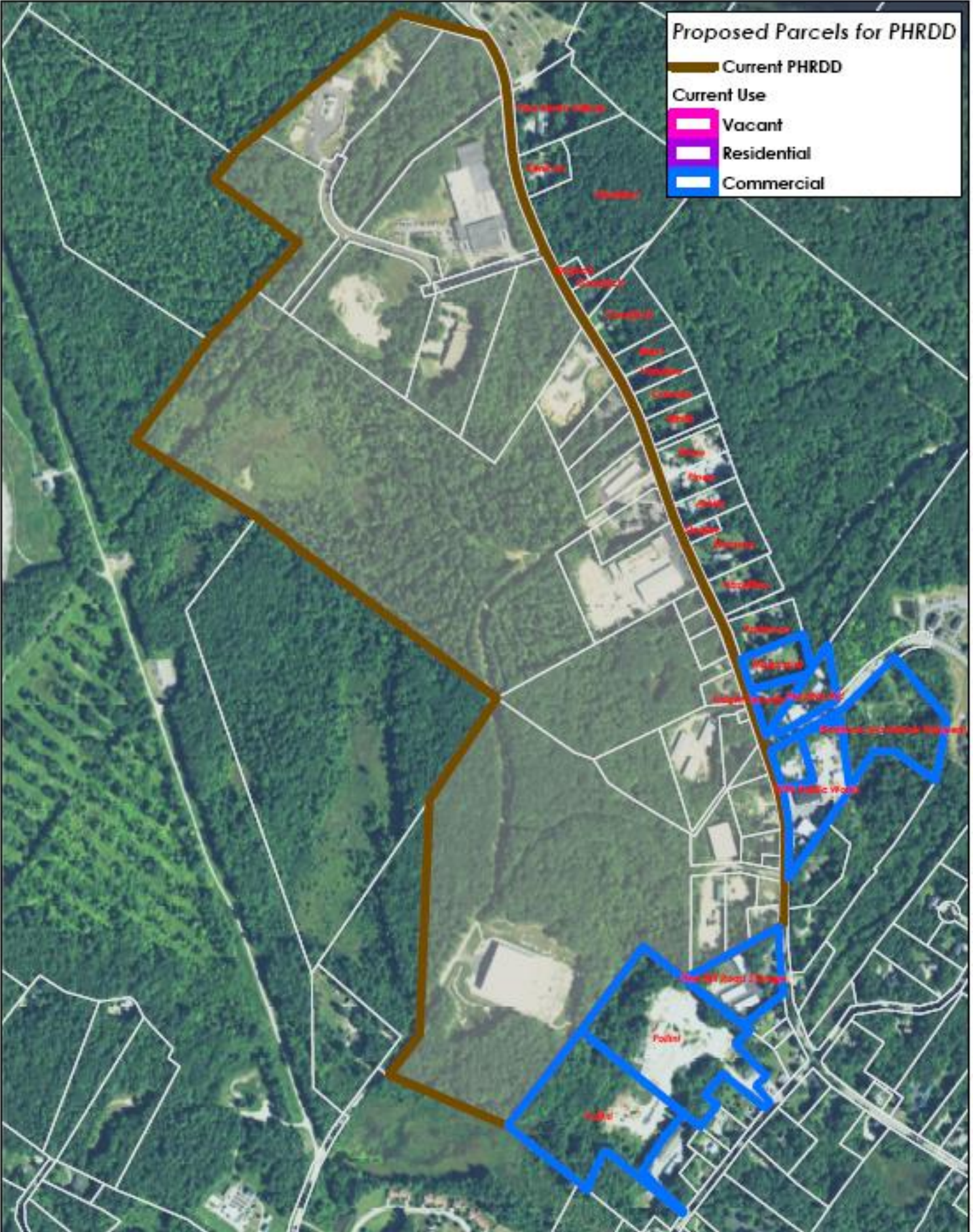
Proposed Language

12. Pine Hill Road Development District Pine Hill Road: beginning at a point being the southernmost corner of Lot 190-22 , **following the center line of Pine Hill Road, to the northeasterly corner of Lot 190-23;thence crossing Pine Hill Road to the southern corner of Lot 190-30, thence northeasterly along the southern boundary of 190-30, thence along the boundary between Lot 176-20 and Lot 176-20-1 to point across from the southeastern corner of Lot 176-10, thence crossing Beck Drive, to the southeastern corner of Lot 176-10 and running along the boundary between Lot 176-10 and Lots 176-20-1 and 176-19, thence following the boundary between Lot 176-012 and Lots 176-19 and 176-13 to the center line of Pine Hill Road,** thence northerly along the center line of Pine Hill Road to Lot 161-14-2; 161-14-3, thence on the boundary between Lot 161-16 and Lots 161-14-3, 175-11 thence on the boundary between Lot 189-8 and Lot 175-11 thence on the boundary between Lot 175-12 and Lots 175-11 and 190-26, thence on the boundary between Lots 189-1 and 190-26, thence on the boundary between Lots 203-47 and 190-26, **southeasterly on the boundary of Lot 189-11, these on the boundary of lot 189-11 and Lots 189-12 and 189-10, thence on the boundary of Lot 190-15 and Lots 190-13, 190-14, and 190-16, thence northwesterly along the boundary of Lot 190-15 and 190-19, thence running northeastern along the southern boundary of lot 190-20, thence running northerly along the center line of Pine Hill Road Development District to the point at the beginning.**

Proposed Parcels for PHRDD

Current PHRDD
Current Use

- Vacant
- Residential
- Commercial



Amendment #6: Landscaping, Streetscaping, and Buffering Standards (175-153 – 175-158)

All content will be removed from the Landscaping, Streetscaping, and Buffering standards and moved to the Site Plan Review Regulations with the exception of the proposed language shown below.

Existing Language

~~§ 175-153 Purpose and intent.~~

~~The process of development, with its alteration of the natural topography and creation of impervious cover, can have a negative effect on the ecological balance of an area and by accelerating the processes of runoff, erosion and sedimentation.~~

~~A. The purpose of this article is to:~~

~~(1) Encourage quality and flexibility in streetscape, buffering, and screening.~~

~~(2) Establish procedures and practices governing the protection, installation and long-term maintenance of trees, vegetation and other streetscape and buffer elements within the limits of the Town of Wolfeboro.~~

~~B. The purpose and intent of this article is as follows:~~

~~(1) To implement the recommendations of the Master Plan, including:~~

~~(a) To protect and enhance the gateways.~~

~~(b) To maintain and enhance the scenic quality of road corridors.~~

~~(c) To preserve and enhance the overall appearance of the Town.~~

~~(d) To preserve and enhance the quality of development within the Town.~~

~~(e) To protect and enhance property values.~~

~~(2) To aid in stabilizing the environment's ecological balance by contributing to the processes of air purification, oxygen regeneration, groundwater recharge and stormwater runoff retardation while at the same time aiding in noise, glare and heat abatement.~~

~~(3) To ensure that the local stock of native trees and vegetation is protected and replenished.~~

~~(4) To provide visual buffering and enhance the beautification of the Town.~~

~~(5) To safeguard and enhance property values and to protect public and private investment.~~

~~(6) To preserve and protect the identity and environment of the Town of Wolfeboro and preserve the economic base attracted to the Town of Wolfeboro by such factors.~~

~~(7) To conserve energy by providing shade in the summer and direct sun in the winter.~~

~~(8) To protect the public health, safety and general welfare.~~

~~(9) To preserve and improve the visual and environmental character of the neighborhood and the Town of Wolfeboro in general.~~

~~§ 175-154 Streetscape, buffer and screening plans; plantings.~~

~~A. Streetscape, buffer and screening plans, as part of the site plan review process, shall be submitted for all commercial and multifamily residential uses. The plans shall clearly delineate the existing and proposed parking spaces or other vehicular use, access, aisles and driveways and the location, size and description of all landscape and buffer materials, including the quantity, botanical and common names of all plants.~~

~~B. No streetscape, buffer, and screening plan submitted pursuant to this section shall be approved unless it conforms to the requirements of this article.~~

~~C. Inclusion of existing trees in the landscape design is encouraged.~~

~~D. All plantings shall be appropriate for the Wolfeboro hardiness zone (Zone 4, plants capable of withstanding temperatures to at least -30° F.).~~

~~E. Seventy-five percent of all acceptable plantings shall be from the tree list in the publication "Selecting Trees for Urban Landscape Ecosystems: Hardy Species for Northern New England Communities" NH Department of DRED and/or Selective Shoreland Plantings. See Attachment A.[1]~~

~~[1] Editor's Note: Attachment A is included at the end of this chapter.~~

~~F. Streetscape, buffering, and screening plans shall be developed and approved as required in the Site Review Regulations,[2] Town of Wolfeboro. In the case where a question may arise between the Town and the developer regarding a proposed streetscape, buffer and screening plan, a third party (certified landscape professional or landscape architect), as approved by the Town and the developer, may be called upon to make recommendations for Planning Board consideration, all costs to be borne by the developer.~~

~~[2] Editor's Note: See Ch. 172, Multifamily Site Plan Review, and Ch. 173, Nonresidential Site Plan Review.~~

~~G. After the implementation of the streetscape, buffer, and screening plan, a one-year performance guarantee to replace dead or dying plantings shall be required. The guarantee shall be equal to 25% of the installed cost of the streetscape, buffering, and screening plantings.~~

~~§ 175-155 Waiver standards.~~

~~The streetscape and buffer provisions of this article may be waived by the Planning Board if the following criteria are determined by the Planning Board to comply with the purpose and intent of this article:~~

~~A. The proposed project is located in the C2-GDA, C2-WF, C1-CS and the proposal is for the adaptive reuse of existing buildings.~~

~~B. New development is in compliance with the Voluntary Design Review Guidelines, including, but not limited to, architectural style of buildings and structures, landscaping, lot layout and design, and building scale and massing.~~

~~§ 175-156 Streetscapes.~~

~~A. Objectives. The objectives of this section are to encourage the planting and retention of existing trees and other vegetation to improve the appearance of the streetscape/front yard areas; to protect and preserve the appearance, character and value of surrounding properties and thereby promote the general welfare, safety and aesthetic quality of the Town of Wolfeboro.~~

~~B. Definitions. As used in this section, the following terms shall have the meanings indicated:~~

~~STREETSCAPE A combination of physical space and vertical elements, such as trees and shrubs, the purpose of which is to maintain and improve the appearance of the public streets' corridors.~~

~~STREETSCAPE YARD The yard area established by the front (street) setback required for maintaining existing vegetation (trees and shrubs) or the planting of new trees and shrubs to create and maintain a desirable streetscape.~~

~~C. General standards.~~

~~(1) The existing natural streetscape character shall be preserved to the extent reasonable and feasible. As an example of this, in the front yard (streetscape) area containing a stand of trees, the developer shall use care to preserve such trees in accordance with the following standards:~~

~~(a) All trees shall be unmistakably delineated in the field so that it is obvious to all equipment operators and other construction personnel.~~

~~(b) All field personnel who work directly around or in the vicinity of protected tree areas should know the techniques for preventing damage.~~

~~(c) Harmful practices include grading or trenching within a save area, placing backfill near trees, driving or parking equipment within the save areas, and dumping trash, or hazardous material in close proximity to tree save areas. See attachment B.[1]~~

~~[1]Editor's Note: Attachment B is included at the end of this chapter.~~

~~(d) Historic or special interest trees within the streetscape yard shall be preserved.~~

~~(2) In determining whether there is compliance, the Planning Board shall consider topographical constraints on design, drainage, access and egress, utilities and other factors reasonably related to the health, safety and welfare of the public which necessitated disturbance of the property without the disturbance of its natural character, the nature and quality of the landscaping installed to replace it and such other factors as may be relevant and proper. Clearing and stripping of the natural vegetation on a lot is prohibited prior to obtaining an approved streetscape, buffer, and screening plan as part of the site plan approval.~~

~~(3) All landscaping which is in the required streetscape areas and which is adjacent to pavement shall be protected with concrete or granite curbs or equivalent barriers (such as car bumpers, railroad ties, etc.) when necessary to protect the vegetation from vehicular damage.~~

~~(4) Landscaping in streetscape areas shall not obstruct the view between the street and the access drives and parking aisles near the street yard entries and exits, nor shall any landscaping which creates an obstruction of view be located in the radius of any curb return.~~

~~(5) Plant materials used in conformance with the provisions of this article shall be of nursery stock quality and conform to the American Standard for Nursery Stock, American Standards Institute, Inc., 1250 I Street, NW, Suite 500, Washington, D.C. 20005.~~

~~D. Streetscape yard area requirements.~~

~~(1) In cases where the zoning requires a street buffer area, landscaping requirements under the buffering subsection[2] shall also be followed.~~

~~[2] Editor's Note: See § 175-157, Buffering.~~

~~(2) Shrubbery, ground cover and other planting materials shall be used to complement the tree planting but shall not be the sole contribution to the landscaping. Effective use of earth berms, existing topography and existing~~

trees is also encouraged as a component of the streetscape and buffer plan and shall be considered as a part of the landscaping requirement.

~~(3) All newly planted trees shall be planted in a permeable area of no less than a three-foot wide radius from the base of the tree.~~

~~(4) Minimum requirements.~~

~~(a) The following minimum streetscape requirements shall be required in the yard area adjacent to any platted right-of-way in an area equal to the front setback requirements as established by the applicable zoning district:~~

~~[1] One canopy tree of at least three-inch caliper per each 1,000 square feet of yard area, half of which may be evergreen;~~

~~[2] One shrub at least two feet in height per 500 square feet of yard area.~~

~~[3] The Planning Board may, based on the guidance of a certified landscape professional or landscape architect, permit existing living vegetation to be used to satisfy all or a portion of these requirements.~~

~~(b) The aforementioned requirements are minimum standards and do not express the landscaping design layout.~~

~~§ 175-157 Buffering.~~

~~A. Objectives. The objectives of this section are to encourage the planting and retention of existing trees and other vegetation to preserve the appearance, character and value of surrounding properties; to establish buffer strips between properties of different land uses in order to reduce the effects of sight and sound and other incompatibilities between abutting land uses; and to ensure that noise, glare and other distractions within one area do not adversely affect activity within the other area.~~

~~B. Definitions. As used in this section, the following terms shall have the meanings indicated:~~

~~BUFFER A combination of physical space and vertical elements such as plants, berms, fences or walls, the purpose of which is to separate and screen incompatible land uses from each other.~~

~~BUFFER YARD The yard area required on a more intensively developed lot for plantings and architectural screening. The buffer yard is intended to mitigate some of the adverse impacts of more intensely developed properties. The buffer yard width shall be established per the standards set forth in Table 1[1] and the depth shall be equal to the length of the impacted property line or the limits of site development plus 50 feet, whichever is less.~~

~~[1] Editor's Note: Table 1 is included at the end of this section.~~

~~C. Buffer yards, when required.~~

~~(1) A buffer yard shall be required of any lot in any zoning district, except lots within the Central Business District, South Wolfeboro Limited Business District and the Bay Street Limited Business District, that do not share a boundary line with a lot which lies in any residential district, when the proposed use of a lot abuts a lot of a lower intensity use. Historic or special interest trees within the buffer yard shall be preserved.~~

~~[Amended 3-9-2010ATM by Art. 3]~~

~~(2) When a public right-of-way separates lots of different intensities, buffer yards shall be provided on any side or rear of the higher intensity use that abuts the right-of-way as per the table below. The buffer yard shall be required in the front yard of use groups classified as Use Intensity 4 or 5.~~

~~(3) When a site plan is submitted to modify or expand an existing building or site improvements, or accommodate a change in land use, buffer yard and screening requirements shall only be applied to those portions of the site that are directly affected by the proposed improvements, or change in land use, as determined by the Planning Board.~~

~~D. Buffer yards, general standards. Buffer yards shall contain vegetative plantings and/or architectural screening that achieves the purpose of the buffer yard, and which meets the requirements for buffering below. Trees used for buffering purposes shall be suitable as defined below in § 175-158D entitled "Screening, general standards."~~

~~(1) The maximum slope of any buffer yard shall be 2 to 1. Additional width shall be added to any portion of any buffer yard that exceeds this slope such that the minimum buffer yard width is met by land less steep than 2 to 1.~~

~~(2) The buffer yard shall be located entirely within the higher intensity use lot and abutting a lower intensity use lot, or adjacent right-of-way. However, the buffer yard may be placed in the lower intensity use lot or partially on both lots if both lots and entire buffer yard width are within common ownership and a permanent easement is provided over any portion of the buffer yard not on the higher intensity use lot.~~

~~(3) A driveway required to serve the principal structure on the site may exist in the buffer yard; provided, however, that the driveway does not lessen the effectiveness of any required side or rear buffer yard.~~

~~(4) Buffer yards shall be maintained in a natural condition free of structures, loading or storage areas, parking, roads, or driveways except as provided for in Subsection D(3) above.~~

~~(5) Buffer yards required by this section shall be applied equally to all similarly situated properties. Modifications to these standards may be granted in writing by the Planning Board if the Planning Board, after consultation with a certified landscape professional or landscape architect, finds any of the following circumstances exist on the proposed building site, or surrounding properties:~~

~~(a) Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of this section.~~

~~(b) Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening or buffering effect.~~

~~(c) The required buffering would be ineffective at maturity due to the proposed topography of the site, and/or the location of the improvements on the site.~~

~~(d) The topography of adjacent and surrounding sites is such as to render required buffering ineffective at maturity.~~

~~(6) Buffering must provide year-round opaque screening of the site.~~

~~(7) When the acreage of a site is significantly larger than the area proposed for physical improvements or active usage, buffer yards shall be reserved as required by this section. However, to achieve the intent of this section, the Planning Board may require an alternative location and design for required screening and plantings.~~

~~(8) Buffer yard dimensions and screening requirements shall be provided as detailed in the chart below~~

Proposed Language

175-153: Streetscape, Buffering, and Landscaping Standards

All development constructed under the provisions of this Ordinance shall comply with the appropriate streetscape, buffering, and landscaping standards contained in the Site Plan Review and/or Subdivision Regulations of the Town of Wolfeboro.

Amendment #7 – Bay Street Limited Business District Boundary Amendment (175-2.C.9)

**** The proposed boundary adjustment will add the three (3) parcels shown on the map below and numbered as 2, 8, and 10 Pine Hill Road.**

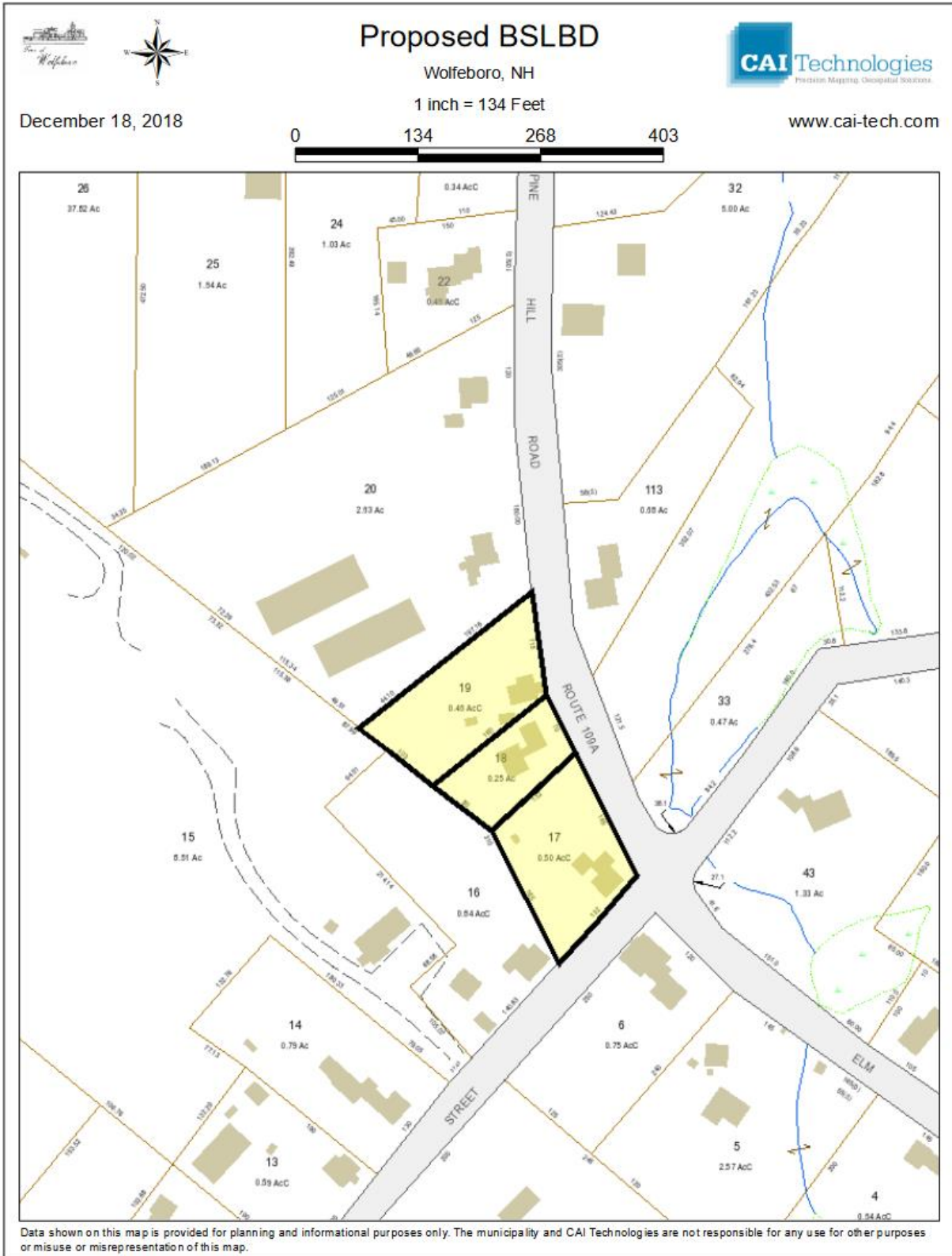
Existing Language

Bay Street Limited Business District (BSLBD): the land area bounded as follows: beginning on Bay Street at the Clow's Brook culvert and heading easterly along the thread of the brook to Back Bay; thence northeasterly along the Back Bay property boundary of Lot 203-73, 68, 67, 65, 64, 63, 62, 61, 60, 59, 58, 27 and 190-9; Thence northeasterly along the southeastern boundary of Lot 190-9 and 204-4; thence northwesterly along the northeasterly boundary of Lot 190-9 to Bay Street; thence northeasterly along the southeast boundary of Lot 190-12, 13, 14, 15, 16; thence north ~~and northwesterly along the eastern boundary of 190-16; thence west southwesterly along the northern boundary of 190-16;~~ thence running a straight line to the northerlymost corner of Lot 190-14; thence southwesterly along the northern boundary of Lot 190-14; thence southeasterly along the western boundary of Lot 190-14 to the northerlymost point of Lot 190-13; thence southwesterly along the northwestern boundary of 190-13; thence northwesterly along the northeastern boundary of Lot 190-10; thence southwesterly along the northwest boundary of Lot 190-10; thence running a straight line to the northernmost corner of Lot 203-51; thence southwesterly along the northwest boundary of Lot 203-51; thence northwesterly along the northeast boundary of Lot 203-49; thence southwesterly along the northwest boundary of Lot 203-49; thence southeasterly along the southwest boundary of Lot 203-49 to the northernmost point of Lot 203-48; thence southwesterly along the northwest boundary of Lot 203-48 and 47; thence southeasterly along the southwest boundary of lot 203-47 to the northernmost point of Lot 203-44; thence southwesterly along the northwest boundary of Lot 203-44 to the northernmost point of Lot 203-28; thence northwesterly along the northeastern boundary of Lot 203-27; thence southwesterly along then northwest boundary of Lot 203-27; thence northwesterly along the northeast boundary of Lot 203-25; thence southwesterly along the northwest boundary of 203-25; thence southeasterly along the southwest boundary of Lot 203-25 to Bay Street; thence southwesterly along Bay Street to the point at the beginning.

Proposed Language

*Bay Street Limited Business District (BSLBD): the land area bounded as follows: beginning on Bay Street at the Clow's Brook culvert and heading easterly along the thread of the brook to Back Bay; thence northeasterly along the Back Bay property boundary of Lot 203-73, 68, 67, 65, 64, 63, 62, 61, 60, 59, 58, 27 and 190-9; Thence northeasterly along the southeastern boundary of Lot 190-9 and 204-4; thence northwesterly along the northeasterly boundary of Lot 190-9 to Bay Street; thence northeasterly along the southeast boundary of Lot 190-12, 13, 14, 15, 16, **and 17**; thence north **along the eastern boundary of Lot 190-017, 18, and 19**; thence west southwesterly along the north boundary of Lots **190-019 and Lot 190-106**;-thence running a straight line to the northerlymost corner of Lot 190-14; thence southwesterly along the northern boundary of Lot 190-14; thence southeasterly along the western boundary of Lot 190-14 to the northerlymost point of Lot 190-13; thence southwesterly along the northwestern boundary of 190-13; thence northwesterly along the northeastern boundary of Lot 190-10; thence southwesterly along the northwest boundary of Lot 190-10; thence running a straight line to the northernmost corner of Lot 203-51; thence southwesterly along the northwest boundary of Lot 203-51; thence northwesterly along the northeast boundary of Lot 203-49; thence southwesterly along the northwest boundary of Lot 203-49; thence southeasterly along the southwest boundary of Lot 203-49 to the northernmost point of Lot 203-48; thence southwesterly along the northwest boundary of Lot 203-48 and 47; thence southeasterly along the southwest boundary of lot 203-47 to the northernmost point of Lot*

203-44; thence southwesterly along the northwest boundary of Lot 203-44 to the northernmost point of Lot 203-28; thence northwesterly along the northeastern boundary of Lot 203-27; thence southwesterly along then northwest boundary of Lot 203-27; thence northwesterly along the northeast boundary of Lot 203-25; thence southwesterly along the northwest boundary of 203-25; thence southeasterly along the southwest boundary of Lot 203-25 to Bay Street; thence southwesterly along Bay Street to the point at the beginning.



Amendment #8 – RESERVED FOR PETITION

Amendment #9 – RESERVED FOR PETITION