TOWN OF SWANZEY

OFFICE OF PLANNING AND ECONOMIC DEVELOPMENT

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Swanzey Planning Board Agenda
October 8, 2026
6:00 PM

A regular meeting of the Swanzey Planning Board will be held on **Thursday, October 8, 2026, at 6:00 p.m. The meeting is upstairs at Whitcomb Hall (17 Main Street, Swanzey).** More information on public access to the meeting is available on the Town's website at: www.swanzeynh.gov.

1) Call to Order

2) Approval of Minutes
   A. September 24, 2026

3) Public Hearings
   A. NONE

4) Discussions/Other Business
   A. Warrant Article Public Hearing Timeline
      i) Floodplain District
      ii) Childcare Zoning
      iii) Consolidation of Uses & Definitions
      iv) Multi-family
      v) Agriculture
      vi) ADU
      vii) Manufactured Housing

5) Adjournment

Town of Swanzey, New Hampshire
Swanzey Planning Board
Meeting Minutes – **September 24, 2026**
Whitcomb Hall, Main Street, Swanzey, NH

Note: Draft Minutes are subject to review, correction and approval by the Board. Review and approval of Minutes generally takes place at the next regularly scheduled meeting of the Board.

CALL TO ORDER:
The meeting of the Swanzey Planning Board was called to order at 6pm by Chair Victoria Ames. The meeting was held at Whitcomb Hall and online for the public. Other members present: Vice Chair Scott Self, Michael York, Richard Lane, Mark Scalera, Brandon Self, Alternates Stacey Goodale, Charlie Harbeck, and Selectman's Representative Alan Gross. Also present was Town Planner Adam Paquette and Recording Secretary Susan Ells.

The Chair called the roll and read the agenda for the evening. A quorum was present.

Absent: Alternate Jane Johnson

Others Present:
Kai Kraemer with FACT TV, John Noonan (Fieldstone Land Consultants), Grayson Smith (GDS Landmark), and Cheri Domina (Conservation Commission Chair)

MINUTES:
The meeting minutes of September 10, 2026 were considered. A motion was made by Mark Scalera to approve the meeting minutes as presented. There was a second by Scott Self who made several suggestions for edits. All were in favor of the changes. With no further discussion, the motion passed.

REGIONAL IMPACT
A motion was made by Mark Scalera that there was no regional impact. There was a second by Brandon Self. All were in favor. With no further discussion, the motion passed.

Chair Ames informed the group that the two hearings would be heard concurrently.

APPLICATIONS AND PUBLIC HEARING(S):
A. **PB 26-015 –** A site plan review application submitted by Fieldstone Land Consultants to allow construction of a detached structure measuring 6,384 square feet and multiple expansive outdoor storage areas to accommodate storage and maintenance needs for ongoing commercial operations. The property in question is identified as Tax Map 254, Lot 30 (80 Warmac Road) and is in the Rural/Agricultural District.
B. **PB 26-016 –**A conditional use permit application submitted by Fieldstone Land Consultants to allow a new structure and impervious surfaces to be built within the Wetlands Conservation District. The proposed structure measures 6,384 square feet and the multiple outdoor storage areas are roughly 18,000 square feet in total. The property in question is identified as Tax Map 254, Lot 30 (80 Warmac Road) and is in the Rural/Agricultural District.

The property currently features a single-family dwelling, a barn, and a storage shed. In addition to these residential structures, the site hosts a mix of uses, combining ongoing agricultural activities with the commercial storage of materials for the owners' business. The proposed 6,384 square foot structure is located 44 feet from the Wetland Conservation District boundary.

In addition to the Site Plan Review application, the applicant has requested a Conditional Use Permit (CUP) due to the structure's proximity to the wetland.

The applicant secured Zoning Board of Adjustment (ZBA) approval for a use variance on September 21, 2026. Additionally, the ZBA granted a special exception on the same date to accommodate the size of the proposed structure.

John Noonan reviewed the application checklist; no waivers are being requested. Chair Ames asked if the Board had questions; there were none.

A motion was made by Brandon Self to accept the Site Plan Application and checklist as complete; Mark Scalera seconded. With no discussion, the motion passed unanimously.

A motion was made by Mark Scalera to accept the Wetlands Conditional Use checklist as complete; Brandon Self seconded; with no discussion, the motion passed unanimously.

A motion was made by Scott Self that the Application for Conditional Use is complete and ready to go to public hearing; Brandon Self seconded the motion; with no further discussion, the motion passed unanimously.

Chair Ames opened both public hearings at 6:19pm.

Mr. Noonan explained that Grayson Smith has been operating his construction business (GDS Landmark) on this property for 14 years; prior to that, there had been a similar business operating in the same location since 1981. He is planning to remove the current storage building and construct a new, larger building for storage of his equipment and material, clean up the property, add plants, and remove several outbuildings. His house is for residential use; the barn on the property is for his animals and agricultural use. The proposed building will be encroaching less on the wetlands than the current buildings are now. Mr. Noonan described the improvements to storm water management; lighting will be shining down; and the tree line will remain as is. When facing the property from Warmac Road, the incline blocks the view, so this business area is not visible from the road.

Richard Lane asked if the driveway and parking area is gravel and that was confirmed. Scott Self asked if there would be any customer traffic; Mr. Smith stated that no customers ever go to the property; he and his employees go to the customers' sites.

Brandon Self asked what the previous business was and Mr. Smith replied that while there in not a good record, it appears that MA Goodell Logging and Excavation was the prior business; roughly since 1981.

When asked about his agricultural use, Mr. Smith replied that he sometimes has dairy cows and sometimes has some chickens for personal use. He also stores his maple sap collection equipment during the off season.

Mr. Smith added that minor equipment repairs would occur in the building, but that heavy equipment repair is offsite.

Mark Scalera asked if the outdoor storage areas meet the setback requirements; Mr. Smith replied they might not, but they have removed 2 sheds and grass will be planted.

Richard then asked if the products in the storage areas are permanent. Mr. Smith replied that the type of product ebbs and flows while a project is being worked on.

Chair Ames asked him to explain his business model for the benefit of the other board members. Mr. Smith explained that when they are hired to build a house, they provide all services from excavation, concrete, framing, etc. from start to completion, and he only subcontracts electrical and plumbing services. Because of this, he has a broad range of equipment; some of it doesn't get used often, but by owning a variety of equipment, it enables him to provide full service to the customer with one company. This building will allow him to store, protect and maintain that equipment.

Chair Ames then moved on to conditional use permit application and reviewed the report from the Conservation Commission which expressed no concerns. She asked Cheri Domina if she had anything to add; Cheri replied that she had walked the area and is also a neighbor of Mr. Smith, and she would not consider it wetlands.

Mr. Noonan reviewed the Conditional Use Criteria comments that were provided to the Board.

Chair Ames closed the public hearing at 6:50pm.

Chair Ames asked the board if they felt there were any conditions to be required; a typo to the square footage of the building needs to be corrected.

A motion was made by Brandon Self to approve the Conditional Use application with the condition that reference to the building size in the proposal be corrected to 6,384 SF; Mark Scalera seconded the motion; all were in favor and the motion passed unanimously.

A motion was made by Brandon Self to approve Site Plan application with the condition of receipt of the septic plan approval, the ZBA approvals, and the reference to square footage on the application be corrected to read 6,384 SF. Richard Lane seconded the motion; with no further discussion the motion was approved unanimously.

Discussions and Other Business:

A. Zoning Audit Discussion

Adam Paquette led the group in the discussion of the proposed changes to the Zoning Ordinance. They reviewed the Table of Uses line by line and discussed changes they will be recommending.

B. Childcare Zoning Discussion – postponed to a future meeting.

C. Timeline for Zoning Ordinance Amendments - postponed to a future meeting

Chair Ames read a draft of a letter from the Planning Board to the Swanzey Water and Sewer Advisory Committee in support of the Town purchasing the West Swanzey Water Company. She asked for approval by the board, who agreed by Consensus. This letter will be provided to Sara Barrett who is preparing a grant application for the Town to use to purchase the company.

Adam said updated documents next week to prepare for public hearings. Priorities are as follows:

1) Flood Plain comes first and a model ordinance will be sent out next week
2) Child Care Zoning
3) Definitions will be continued
4) Multi Family and Commercial Districts

The first public hearing will be planned for October 22 for the changes to the Zoning Ordinance.

Chair Ames announced, with regret, that FACT TV will no longer be available to record the meetings for the Town. Alan Gross thanked Kai Kraemer for his hard work; others echoed the sentiment. Mark said he depends on the video when he can't attend the meetings. He hopes the Town can find a way to replace this service. Richard said that Jackson NH uses Zoom for their meetings which enables the public to ask questions. This discussion will continue at a future meeting.

ADJOURNMENT
A motion to adjourn was made by Brandon Self. There was a second to the motion by Mark Scalera with no further discussion. All were in favor and the m*otion passed.* Adjournment occurred at 8:32pm.

Next Meeting: October 8, 2026

Respectfully Submitted,

Susan Ells, Recording Secretary

Approved on

DRAFT

SWANZEY ZONING AUDIT

2027 WORKPLAN

Items to bring forward for public hearings in 2026 for the 2027 warrant.

Seven amendments to the existing Zoning Ordinance are proposed for the 2027 Town Meeting. Most bring the ordinance in line with recent State law. The full ordinance reorganization and a consolidated Table of Permitted Uses follow in 2028.

Full amendment text is in *Swanzey 2027 Zoning Amendments: Proposed Language*. Floodplain language is a separate draft.

Amendment	What it does	Status
Floodplain management	Replaces outdated floodplain rules with the State model, keeping local higher standards	Draft, under State and legal review
Child care	Sets clear rules for home-based child care and child care centers	Proposed language
Consolidated definitions	Gives each use one name and one definition	Proposed language
Multifamily housing	Allows multifamily housing by right in Village Business I and the Business District	Proposed language
Agriculture	Defines farming by State law and removes extra local review	Proposed language
Accessory dwelling units	Updates ADU rules to match current State law	Proposed language
Manufactured housing	Updates the definition to match State law	Proposed language

1. FLOODPLAIN MANAGEMENT

What changes: Section IX is replaced with the NH Model D Floodplain Management Ordinance. Swanzey keeps its stricter local rules: development in the flood zone still needs a Special Exception, and new manufactured homes and parks remain prohibited there.

Why: New FEMA flood maps for Cheshire County are coming. If the ordinance isn't current when they take effect, residents could lose access to National Flood Insurance Program coverage.

What it means for property owners: Little changes day to day for building in the flood zone. The update protects residents' ability to buy and renew flood insurance.

Full language: Flood Plain.docx (draft, pending NH OPD and Town counsel review).

2. CHILD CARE

What changes: The ordinance adopts State definitions for family day care homes, family group day care homes, and child care centers.

- Home-based child care is allowed by right wherever a home is permitted or lawfully exists.
- Child care centers are allowed by right in Village Business I, Village Business II, and the Business District, and by Special Exception in the Rural/Agricultural and Residence Districts.
- In the Commercial/Industrial and Industrial Park Districts, centers are allowed only for the children of employees of businesses there.

Why: The current ordinance uses undefined terms like "daycare facility" and doesn't separate home care from larger centers. State law (RSA 674:16 and RSA 674:81) now sets zoning requirements for both.

What it means for property owners: A licensed home daycare needs no Special Exception or Site Plan Review. Centers serving more than 30 children need Site Plan Review.

Full language: Proposed Language, Section 2.

3. CONSOLIDATED DEFINITIONS

What changes: About 20 uses currently go by two or more names across the district lists, such as "repair garage" and "body shop," or "one-family" and "single-family" dwelling. Each

use gets one term and one definition, and every district uses that term. Where a State statute defines the use, the ordinance adopts the statutory definition.

Why: Inconsistent names make the ordinance harder to read and apply. Settling them now makes the 2028 Table of Permitted Uses simpler.

What it means for property owners: Nothing changes about what is allowed where. A use permitted today stays permitted, and one requiring a Special Exception still does, unless another 2027 amendment says otherwise.

Full language: Proposed Language, Section 1. The appendix lists each new term and the old terms it replaces.

4. MULTIFAMILY HOUSING IN COMMERCIAL DISTRICTS

What changes:

- **Village Business I:** multifamily housing becomes permitted by right, up to 4 units per acre. It is not allowed there today.
- **Business District:** multifamily housing moves from Special Exception to permitted by right. Existing density limits and the 5-unit minimum stay the same.
- **Existing buildings:** a building converted to multifamily or mixed use without getting bigger, taller, or closer to the lot lines is exempt from setback, height, and frontage requirements.

Why: Since July 1, 2026, State law (RSA 674:80) requires towns to allow multifamily housing on commercially zoned land where roads, water, and sewer are adequate.

What it means for property owners: Apartment projects in these two districts no longer need a Zoning Board hearing. They still need Site Plan Review and adequate infrastructure.

Full language: Proposed Language, Section 4.

5. AGRICULTURE

What changes: Farming is defined by reference to State law (RSA 21:34-a). Anything the statutes protect is allowed townwide without additional local review. The requirement that "farming as a business" get a Special Exception and Site Plan Review is removed.

Why: State law protects agriculture in every zoning district. Uses the ordinance doesn't mention are presumed permitted, and growing crops can't be prohibited anywhere.

What it means for property owners: Farms no longer need a Zoning Board hearing or Site Plan Review to operate as a business. Farm roadside stands keep the existing requirement that they be located so they don't create roadside hazards or congestion.

Full language: Proposed Language, Section 3.

6. ACCESSORY DWELLING UNITS

What changes: Section III-AA is rewritten to match current State law (RSA 674:71–73, updated in 2025 and 2026).

- One ADU, attached or detached, is allowed by right wherever single-family homes are allowed.
- The rule that a detached ADU match the look of the main house is removed.
- Parking drops to one space for the house plus one for the ADU, on-site or at a legally dedicated off-site location.
- Septic rules follow State standards; separate systems aren't required.
- Existing structures such as garages can be converted even if they don't meet today's setbacks.
- A separate electrical panel and service can't be denied.
- ADUs aren't allowed with townhouses or on rented or leased land.

Why: State law now limits what towns can require of ADUs. Parts of the current section, including the parking and design rules, no longer comply.

What it means for property owners: Adding an ADU gets simpler. The 1,000-square-foot size cap, two-bedroom limit, owner-occupancy requirement, and ban on selling the ADU separately all stay.

Full language: Proposed Language, Section 5.

7. MANUFACTURED HOUSING

What changes: The definition is updated to match State law (RSA 674:31). The main effect is lowering the on-site size threshold from 540 to 320 square feet. "Manufactured Housing" replaces "mobile home" throughout.

Why: The current definition doesn't match the State's, so some units the State treats as manufactured housing fall outside Swanzey's definition.

What it means for property owners: Smaller units between 320 and 540 square feet are now treated as manufactured housing, the same as under State law.

Full language: Proposed Language, Section 6.

APPENDIX: DEFINITIONS CROSSWALK

Each new term replaces the old terms listed beside it. Full definitions are in the Proposed Language document, Sections 1, 2, and 6.

New term	Replaces	Source
Single-Family Dwelling	One-family dwelling; single-family dwelling	RSA 674:71–72
Two-Family Dwelling	Two-family dwelling; duplex	Local
Multi-Family Dwelling	Multi-family dwelling; multiple dwelling; multiple-unit dwelling; multi-family residential dwelling	RSA 674:43, I
Manufactured Housing	Manufactured housing on individual lots; manufactured housing dwelling; mobile home	RSA 674:31
Farm; Agriculture and Farming	General farming; farming as a business; customary agricultural uses	RSA 21:34-a
Farm Roadside Stand	Roadside stands for the sale of home grown produce	RSA 21:34-a, III
Family Day Care Home; Family Group Day Care Home	New terms	RSA 170-E:2
Child Care Center	Daycare facility; child care facility	RSA 674:81; RSA 170-E:2
Nursing Home	Licensed nursing home; nursing home	RSA 151-A:1, IV
Governmental Use	Governmental facility	RSA 674:54, I
Religious Use	Religious institution; religious facility	RSA 674:76
Educational Institution	Educational institution; educational facility; educational activities; kindergarten facility	Local

New term	Replaces	Source
Retail Establishment	Gift shop; antique shop; craft shop; retail establishment; principally retail nursery or greenhouse	Local
Commercial Recreation Facility	Recreation facility conducted as a business; recreational facility conducted as a business	Local
Recreation Facility	Recreational facility (noncommercial)	Local
Club or Lodge	Private club or lodge; club or lodge	Local
Research and Development Facility	Research and development; research and testing laboratories	Local
Motor Vehicle Repair Facility	Repair garage; body shop	Local
Printing and Publishing Establishment	Printing and publishing establishments; publishing companies	Local
Manufacturing	Manufacturing facility; manufactured uses; manufacturing, production, fabrication, processing, packaging, or assembly	Local
Warehousing and Distribution	Warehousing; wholesale, warehouse and storage facilities	Local
Wholesale Establishment	Wholesaling	Local
Bulk Storage and Distribution	Bulk storage and distribution of large quantities of material intended for resale	Local

The combined term "wholesale, warehousing or manufacturing facility" is discontinued. Each use is classified as Manufacturing, Warehousing and Distribution, or Wholesale Establishment.

PLANNING BOARD DECISIONS (REMOVE BEFORE PUBLIC DISTRIBUTION)

The public version of this cheat sheet assumes these items are settled. Each has a recommended answer for the board to confirm.

NEEDED BEFORE THE PUBLIC HEARINGS

Item	Recommendation
Wholesale, warehousing or manufacturing facility	Discontinue the combined term. Assign each entry to Manufacturing, Warehousing and Distribution, or Wholesale Establishment.
Club or lodge in the institutional category	Remove it from the combined educational, governmental, or religious category and use the standalone Club or Lodge definition.
Bulk storage and distribution	Keep it as a separate use with its own definition, since the ordinance already regulates it differently from warehousing.
Nursery or greenhouse	Treat crop and nursery-stock production as agriculture, and a principally retail nursery or greenhouse as a Retail Establishment.
Recreational facility	Keep it separate from Commercial Recreation Facility, with a definition covering public and nonprofit recreation.
Kindergarten facility	Classify it as an Educational Institution, unless it is a licensed program that meets the Child Care Center definition. Either answer leads to a Special Exception in Rural/Agricultural.
Floodplain: no-rise standard	Retain the stricter no-rise standard outside designated floodways as a local higher standard.
Floodplain: cumulative substantial improvement	Do not carry it forward; Model D's standard applies. The board may keep it as a higher standard if it prefers.
Floodplain: temporary manufactured housing	Add "except in the Flood Plain District" to Section III.V so it doesn't conflict with the new flood-zone ban.
ADUs on townhouses and leased land	Adopt both limits. State law allows, but does not require, towns to prohibit these.

SWRPC | Southwest Region Planning Commission

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SWANZEY 2027 ZONING AMENDMENTS: PROPOSED LANGUAGE

About this document

This document collects the full proposed amendment language for the 2027 Town Meeting in one place. Amendments are written for the existing Zoning Ordinance, as amended through March 10, 2026. New subsection locators are shown in brackets, such as [m].

Language is drawn from SWRPC memos to the Planning Board dated August 7 and August 13, 2026, and the September 11, 2026 joint meeting memo. Text marked **NEW DRAFT** was written for this document and has not yet been reviewed by the Planning Board.

The floodplain amendment is a separate document.

1. CONSOLIDATED DEFINITIONS

Each use gets one term and one definition in Section XIII, and every district provision uses that term. These changes do not alter whether a use is permitted, requires a Special Exception, or is not permitted, except where another 2027 amendment says so.

STATUTORY DEFINITIONS

Single-Family Dwelling: A structure containing one dwelling unit designed for residential occupancy. (Terminology of RSA 674:71–72.)

> Replaces: one-family dwelling; single-family dwelling

Multi-Family Dwelling: A structure containing more than two dwelling units. (RSA 674:43, I.)

> Replaces: multi-family dwelling(s); multiple dwelling; multiple-unit dwelling; multi-family residential dwelling

Farm: Any land, buildings, or structures on or in which agriculture and farming operations or activities are carried out or conducted and shall include the residence or residences of owners, occupants, or employees located on such land. Structures shall include all farm outbuildings used in the care of livestock; in the production and storage of fruit, vegetables, or nursery stock; in the production of maple syrup; greenhouses for the production of annual or perennial plants; and any other structures used in the operations or activities named in RSA 21:34-a, II(a) or (b) or any combination of such individual operations or activities. (RSA 21:34-a, I, as amended.)

Agriculture and Farming: All operations or activities of a farm, as defined in RSA 21:34-a, II, as amended, including:

1. The cultivation, conservation, or tillage of the soil.
2. The storage and use of or spreading of commercial fertilizer, lime, wood ash, sawdust, compost, animal manure, septage, and, where permitted by municipal and state rules and regulations, other lawful soil amendments.
3. The use of or application of agricultural chemicals.
4. The husbandry of livestock which shall include but not be limited to all beef or dairy cattle, steer, oxen, goats, sheep, swine, horses, mules or other equidae, as well as domesticated strains of buffalo, bison, llamas, alpacas, emus, ostriches, poultry, rabbits, yaks, elk (Cervus canadensis), fallow deer (Dama dama), red deer (Cervus elephus), or reindeer (Rangifer tarandus).
5. The husbandry, boarding, training, or riding instruction of equines.
6. The husbandry and harvesting aquaculture products including fresh or salt water finfish, shellfish, or other aquatic organisms grown for consumption or processing.
7. The husbandry of poultry or game birds or production of eggs.
8. The husbandry of bees or production of honey.
9. The husbandry of domesticated strains of fur-bearing animals.
10. The production of greenhouse crops.
11. The production, cultivation, growing, or harvesting of any agricultural, floricultural, viticultural, forestry, or horticultural crops including, but not limited to, berries, herbs, honey, maple syrup, fruit, vegetables, tree fruit, grapes, flowers, seeds, grasses, nursery stock, sod, trees or tree products, Christmas trees grown as part of a

commercial Christmas tree operation, trees grown for short rotation tree fiber, compost, or any plant that can be legally grown or harvested extensively for profit or subsistence.

12. Any practice or activity on the farm incident to, ancillary to, or in conjunction with such farming operations, as listed in RSA 21:34-a, II(b), including preparation for market, transportation of supplies, materials, and farm workers, forestry or lumbering operations, marketing and agritourism, irrigation, the use of dogs for herding, working, or guarding livestock, and the production and storage of compost.

> Replaces: general farming, including horticulture, dairying, livestock and poultry raising and other agricultural enterprises or uses; farming as a business; customary agricultural uses including gardens, nurseries and greenhouses

Farm Roadside Stand: A farm roadside stand that remains an agricultural operation and is not considered commercial, provided that at least 35 percent of the product sales in dollar volume is attributable to products produced on the farm or farms of the stand owner. (RSA 21:34-a, III, as amended.)

> Replaces: roadside stands for the sale of home grown produce

Nursing Home: Any institution or facility, whether proprietary or non-proprietary, defined as a nursing home for licensing purposes pursuant to RSA 151, or the equivalent facility or facilities as defined by the secretary of the United States Department of Health, Education and Welfare. (RSA 151-A:1, IV, as amended.)

> Replaces: licensed nursing home; nursing home

Governmental Use: A use, construction, or development of land owned or occupied, or proposed to be owned or occupied, by the state, university system, the community college system of New Hampshire, or by a county, town, city, school district, or village district, or any of their agents, for any public purpose which is statutorily or traditionally governmental in nature. (RSA 674:54, I, as amended.)

> Replaces: governmental facility, within "educational, governmental, or religious facility"

Religious Use: Use of land or structures primarily for religious purposes. (Terminology of RSA 674:76.)

> Replaces: religious institution; religious facility

LOCAL DEFINITIONS

Two-Family Dwelling: A building containing two independent dwelling units.

> Replaces: two-family dwelling; duplex

Retail Establishment: An establishment principally engaged in selling goods or merchandise directly to the ultimate consumer.

> Replaces: gift shop; antique shop; craft shop; retail establishment

Commercial Recreation Facility: A recreation facility operated as a business and open to the general public for a fee.

> Replaces: recreation uses conducted as a business; recreational facility conducted as a business; recreation facility conducted as a business

Recreation Facility: NEW DRAFT. A facility or area used for active or passive recreation, such as playing fields, courts, trails, or nature areas, that is owned or operated by a public entity or a nonprofit organization and is not a Commercial Recreation Facility.

> Replaces: recreational facility (Village Business II)

Club or Lodge: A building or facility used by an organization for social, educational, recreational, or similar purposes, with participation generally limited to members and their guests.

> Replaces: private club or lodge; club or lodge, including where it appears within a combined educational, governmental, or religious category

Research and Development Facility: A facility principally used for research, development, testing, design, or experimentation, excluding mass manufacturing except for incidental prototype development.

> Replaces: research and development; research and testing laboratories

Motor Vehicle Repair Facility: An establishment where service or repair work is performed on motor vehicles. (Adapted from RSA 358-D:1, V.)

> Replaces: repair garage; body shop; repair garage and body shop

Printing and Publishing Establishment: An establishment principally engaged in printing, reproducing, publishing, binding, or engraving written or graphic materials.

> Replaces: printing and publishing establishments; publishing companies

Manufacturing: The mechanical or chemical transformation of materials or substances into new products, including assembly of component parts and blending of materials.

> Replaces: manufacturing facility; manufactured uses; establishments engaged in manufacturing, assembly, compounding, processing/packaging, treatment or distribution of products; manufacturing, production, fabrication, processing, packaging, assembly, refurbishing and/or repair of goods

Warehousing and Distribution: A facility principally used for the storage, wholesale handling, or distribution of manufactured products, supplies, or equipment and not principally engaged in manufacturing or production.

> Replaces: warehousing; wholesale, warehouse and storage facilities; wholesale, warehouse or storage facilities with office, repair and customer service areas

Wholesale Establishment: An establishment principally engaged in selling or distributing merchandise to retailers, businesses, institutions, professional users, or other wholesalers.

> Replaces: wholesaling; wholesale components of combined use descriptions

Bulk Storage and Distribution: NEW DRAFT. A facility principally used for the storage of large quantities of liquid, solid, or gaseous material in bulk, such as fuel, propane, or aggregate, and the distribution of that material for resale. This term does not include Warehousing and Distribution.

> Replaces: bulk storage and distribution of large quantities of material, liquid, solid, or gaseous intended for resale

Educational Institution: A public, parochial, or private institution that provides educational instruction to students.

> Replaces: educational institution; educational facility; educational activities; kindergarten facility (see classification rules)

Classification rules

These rules apply where an existing term is split or reassigned rather than simply renamed.

1. **Wholesale, warehousing or manufacturing facility.** Discontinue the combined term. Each district entry is reassigned to Manufacturing, Warehousing and Distribution, or Wholesale Establishment, as the entry intends.
2. **Nursery or greenhouse.** The production of greenhouse crops and nursery stock is Agriculture and Farming. A nursery or greenhouse principally engaged in retail sales is a Retail Establishment.
3. **Kindergarten facility.** A kindergarten is an Educational Institution. A program licensed as a child day care agency that meets the definition of Child Care Center is a Child Care Center.
4. **Club or lodge in a combined category.** Remove Club or Lodge from the combined educational, governmental, or religious category and list it separately under its own definition.

EXISTING SECTION XIII DEFINITIONS TO REPEAL

Repeal the following existing definitions, which are replaced above or in Section 6: Duplex; Dwelling, one family; Dwelling, two-family; Dwelling, multi-family; Club or Lodge; Manufactured Housing or Mobile Home; Manufacturing; Recreation Facility Conducted as a Business; Repair Garage; Retail Establishment; Warehousing; Wholesaling.

2. CHILD CARE

Home-based child care becomes an accessory use allowed by right wherever a residence is permitted or lawfully exists. Child care centers are allowed by right in the Village Business I, Village Business II, and Business Districts, by Special Exception in the Rural/Agricultural and Residence Districts, and only for employees' children in the Commercial/Industrial and Industrial Park Districts.

Source: August 7, 2026 memo, Child Care Zoning Language Follow-Up.

DEFINITIONS (SECTION XIII)

Family Day Care Home: A family day care home as defined in RSA 170-E:2, IV(a), as amended. Child care provided in an occupied residence for less than 24 hours per day, except in emergencies, generally for up to 6 children from one or more unrelated families, subject to applicable State licensing requirements. In addition to the 6 children, up to 3 children attending a full day school program may also be cared for up to 5 hours per day on school

days and all day during school holidays, provided that the after school and holiday increase in capacity is permitted by the state fire code and in compliance with any local ordinance.

Family Group Day Care Home: A family group day care home as defined in RSA 170-E:2, IV(b), as amended. Child care provided in an occupied residence for less than 24 hours per day, except in emergencies, generally for 7 to 12 children from one or more unrelated families, subject to applicable State licensing requirements. In addition to the 12 children, up to 5 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays, provided that the after school and holiday increase in capacity is permitted by the state fire code and any local ordinance.

Child Care Center: A child day care agency, other than a family day care home or family group day care home, that provides child day care outside of a residence through one or more of the following program types: group child day care center, infant and toddler program, night care program, preschool program, school-age program, small group child day care center, or any combination thereof, as defined in RSA 170-E:2, IV(c), IV(d), IV(e), IV(f), IV(g), and IV(i), and regulated by the New Hampshire Department of Health and Human Services. This term is intended to correspond with "child care center" as defined in RSA 674:81, as amended.

> Replaces: daycare facility; child care facility; daycare or kindergarten facility (see Section 1, classification rules)

New subsection [III.X]: Family Day Care Homes and Family Group Day Care Homes

1. Family day care homes and family group day care homes, as defined in Section XIII, shall be permitted by right as accessory uses on any lot where primary residential use is permitted or lawfully exists, provided that the program complies with all applicable requirements of the New Hampshire Department of Health and Human Services under He-C 4002 and RSA 170-E.
2. Family day care homes and family group day care homes may be conducted within the primary dwelling or within an existing accessory structure located on the same lot as the primary residential use.
3. Family day care homes and family group day care homes shall not require a special exception and shall not be subject to local site plan review. They shall not be regulated as home occupations or home-based businesses under Section III.U.
4. Nothing in this section shall exempt the use from applicable state licensing, building, fire, health, life safety, water supply, or sewage disposal requirements.

5. Nothing in this section shall be construed to override any private covenant, including homeowners' association covenants.

New subsection [III.Y]: Child Care Centers

1. The allowance and regulation of child care centers shall comply with RSA 674:81, as amended.
2. A child care center with a licensed capacity exceeding 30 children shall be subject to site plan review in accordance with the Town's Site Plan Review Regulations.
3. A child care center shall not be permitted on a lot containing an existing industrial or manufacturing use, or on a lot adjacent to an existing industrial or manufacturing use, unless the child care center is intended exclusively for the children of employees of the industrial or manufacturing use.

DISTRICT PROVISIONS TO AMEND

District	Section	Amendment
Rural/Agricultural	IV.A.1.j; IV.A.2.[n]	Repeal "Daycare or kindergarten facility." Add to the Special Exception list: "Child care center, subject to Section [III.Y]."
Residence	IV.B.2.c	Replace "Daycare facility" with "Child care center, subject to Section [III.Y]."
Village Business I	V.A.1.[m]; V.A.2.a	Add to permitted uses: "Child care center, subject to Section [III.Y]." Remove "daycare facility" from the Special Exception list.
Business	V.B.1.[w]; V.B.2.a	Add to permitted uses: "Child care center, subject to Section [III.Y]." Remove "Daycare facility" from the Special Exception list.
Village Business II	V.C.1.[u]	Add to permitted uses: "Child care center, subject to Section [III.Y]."
Commercial/Industrial	VI.A.1.d.[25]	Add: "Child care center, as accessory to a principal use permitted in the district, exclusively serving the

		children of employees of that principal use, subject to Section [III.Y]."
Industrial Park	VI.B.2.h	Replace "Child care facility" with: "Child care center, as accessory to a principal use permitted in the district, exclusively serving the children of employees of that principal use, subject to Section [III.Y]."

3. AGRICULTURE

Agriculture is defined by reference to State law, and anything the statutes protect is allowed townwide without additional local review. The blanket Special Exception and Site Plan Review requirement for "farming as a business" is removed.

Source: August 13, 2026 memo, Recommended Content Amendments. Definitions of Farm, Agriculture and Farming, and Farm Roadside Stand appear in Section 1.

NEW SUBSECTION [III.Z]: AGRICULTURAL USES

Agricultural operations and activities shall be permitted and regulated in accordance with RSA 672:1, RSA 674:32-a through RSA 674:32-d, and the definitions of farm, agriculture, and farming contained in RSA 21:34-a. The tilling of soil and the growing and harvesting of crops and horticultural commodities, as either a primary or accessory use, shall be permitted in all zoning districts.

DISTRICT PROVISIONS TO AMEND

District	Section	Amendment
Rural/Agricultural	IV.A.1.d	Replace the entire entry, including the sentence requiring a Special Exception and Site Plan Review for farming as a business, with: "Agriculture and Farming, subject to Section [III.Z]."
Rural/Agricultural	IV.A.1.e	Replace with: "Farm roadside stands, provided that they are so located on the lot as to not create roadside hazards or undue congestion."

Residence	IV.B.1.b	Replace "Customary agricultural uses including gardens, nurseries and greenhouses" with: "Agriculture and Farming, subject to Section [III.Z]."
Residence	IV.B.1.c	Replace with: "Farm roadside stands, provided that they are so located on the lot as to not create roadside hazards or undue congestion."
Business	V.B.1.k	Repeal "Commercial greenhouse or nursery." Production is Agriculture and Farming under Section [III.Z]; principally retail operations are a Retail Establishment, already permitted at V.B.1.f.
Commercial/Industrial	VI.A.1.d.16	Repeal "Commercial greenhouse or nursery," for the same reason. Retail Establishment is already permitted at VI.A.1.d.11.

4. MULTIFAMILY HOUSING IN COMMERCIAL DISTRICTS

NEW DRAFT. Multi-family dwellings become permitted by right in Village Business I and the Business District, as RSA 674:80 requires for commercially zoned land. Village Business I gets a 4-unit-per-acre cap; existing densities elsewhere do not change. Village Business II already permits multi-family dwellings by right and is not amended.

Source: September 11, 2026 joint meeting memo, Section 3, and Planning Board direction.

DEFINITIONS (SECTION XIII)

Adaptive Reuse: The repurposing of existing buildings or structures in whole or in part for residential purposes. (RSA 674:79, III, as amended.)

Mixed-Use: A type of development that combines residential, commercial, cultural, institutional, or entertainment uses within a single building or development area. (RSA 674:79, II, as amended.)

NEW SUBSECTION [III.W]: MULTI-FAMILY DWELLINGS AND ADAPTIVE REUSE

1. Where multi-family dwellings are permitted by right in a commercial district, adequate infrastructure, including roads, water, and sewage systems, shall be available or provided to support the development, in accordance with RSA 674:80, I. Multi-family dwellings shall be subject to Site Plan Review in accordance with the Town's Site Plan Review Regulations.
2. In any district, a building being converted to multi-family or mixed-use through adaptive reuse shall be exempt from the requirements of this ordinance regarding setbacks, height, and frontage, provided that the building's existing floor area, height, and setbacks are not increased, in accordance with RSA 674:80, IV.

DISTRICT PROVISIONS TO AMEND

District	Section	Amendment
Village Business I	V.A.1.[n]	Add to permitted uses: "Multi-family dwelling(s), subject to Section [III.W]. The maximum density permitted for a multi-family dwelling(s) shall be four (4) dwelling units per acre."
Business	V.B.2.b; V.B.1.[x]	Move the existing multi-family entry from the Special Exception list to the permitted-use list, unchanged except for adding "subject to Section [III.W]": "Multi-family dwelling(s), subject to Section [III.W]. The density requirement for a multi-family dwelling(s) shall be one (1) acre for the first dwelling unit and one half (1/2) acre for each additional dwelling unit, unless connected to public sewer. The maximum density permitted for a multi-family dwelling(s) connected to public sewer shall be twelve (12) units per acre. The minimum number of units for a multi-family dwelling in the Business District shall be five (5) units."

5. ACCESSORY DWELLING UNITS

NEW DRAFT. Replace Section III-AA in its entirety with the text below, which tracks RSA 674:71–73 as amended by HB 577 (2025) and HB 1079 (2026, effective August 31, 2026). The separate attached and detached lists are merged into one set of standards.

Source: August 13, 2026 memo, Update Accessory Dwelling Unit Standards; RSA 674:72; RSA 674:73; HB 1079; RSA 674:16, VII as amended by SB 284 (2025).

SECTION III-AA: ACCESSORY DWELLING UNIT ORDINANCE

Authority. This section is enacted in accordance with RSA 674:71 through RSA 674:73, as amended.

Purpose. To provide expanded housing opportunities and flexibility in household arrangements, consistent with State law.

Definitions.

- **Accessory dwelling unit:** A residential living unit on the same parcel of land as the principal single-family dwelling it accompanies, which provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation, as defined in RSA 674:71, as amended.
- **Attached accessory dwelling unit:** A unit that is within or attached to the principal dwelling unit. (RSA 674:71, II, as amended.)
- **Detached accessory dwelling unit:** A unit that is neither within nor physically connected to the principal dwelling unit. (RSA 674:71, III, as amended.)

Standards.

1. **Permitted as of right.** One accessory dwelling unit, which may be either attached or detached, shall be permitted as a matter of right in all zoning districts that permit single-family dwellings. Except as provided in this section, an accessory dwelling unit shall not be subject to additional requirements for lot size, setbacks, aesthetic requirements, design review requirements, frontage, space limitations, or other controls beyond what would be required for a single-family dwelling without an accessory dwelling unit.
2. **Number.** No more than one accessory dwelling unit shall be permitted per single-family dwelling or lot.
3. **Attached dwellings and leased land.** Accessory dwelling units shall not be permitted in association with multiple single-family dwellings attached to each other, such as townhouses, or in association with rented or leased land.
4. **Size.** The total living space of an accessory dwelling unit shall not exceed 1,000 square feet.

5. **Bedrooms.** An accessory dwelling unit shall have no more than two bedrooms.
6. **Owner occupancy.** One of the dwelling units shall be owner occupied. The owner shall demonstrate that one of the units is the owner's principal place of residence. The Town shall not specify which unit the owner must occupy.
7. **Occupants.** A familial relationship between the occupants of the accessory dwelling unit and the occupants of the principal dwelling unit shall not be required.
8. **Ingress and egress.** An attached accessory dwelling unit shall have either an independent means of ingress and egress or ingress and egress through a common space shared with the principal dwelling, at the owner's choice.
9. **Parking.** Parking for the principal dwelling unit shall be provided as required by Section III.Q. No more than one additional parking space shall be required for the accessory dwelling unit. Required parking may be provided either on-site or at a legally dedicated off-site location, at the property owner's discretion.
10. **Water supply and sewage disposal.** The applicant shall make adequate provisions for water supply and sewage disposal for the accessory dwelling unit in accordance with RSA 485-A:38, but separate systems shall not be required for the principal and accessory dwelling units. Prior to constructing an accessory dwelling unit, an application for approval of a sewage disposal system shall be submitted in accordance with RSA 485-A as applicable. The approved system shall be installed if the existing system has not received construction approval and approval to operate under current rules or predecessor rules, or the system fails or otherwise needs to be repaired or replaced. The Town shall not impose greater septic requirements for a single-family dwelling with an accessory dwelling unit than those required by the New Hampshire Department of Environmental Services.
11. **Existing structures.** An accessory dwelling unit may be converted from an existing structure, including but not limited to a detached garage, regardless of whether the structure violates current dimensional requirements for setbacks or lot coverage.
    1. For the purposes of this section, "existing structure" means a structure existing on or before July 1, 2025. Any structure containing an accessory dwelling unit approved and built after July 1, 2025 shall receive protection from future zoning changes in accordance with RSA 674:39, II, provided the structure meets the time periods in RSA 674:39, I.

2. If an existing structure does not comply with current dimensional requirements for setbacks and lot coverage, the applicant for the building permit shall demonstrate either that the structure qualifies as a preexisting nonconforming structure under RSA 674:19 or Section XI of this ordinance, or that it received a prior zoning approval or determination exempting it from those requirements.
3. Conversion of an existing structure to an accessory dwelling unit shall not constitute a change of use that causes the structure to lose its status as a preexisting nonconforming structure.

12. **Electrical service.** The Town shall not deny the establishment of a separate electrical panel and separate electrical service to the accessory dwelling unit.
13. **Permits and codes.** A building permit shall be approved and issued before construction of an accessory dwelling unit. The accessory dwelling unit shall meet all applicable building, fire, and life-safety codes. Prior to occupancy, the owner shall obtain an occupancy permit from the Code Enforcement Officer.
14. **Ownership.** The principal dwelling unit and the accessory dwelling unit shall remain in common ownership. Conveyance of the accessory dwelling unit as a condominium unit separate from the principal dwelling unit is prohibited.

6. MANUFACTURED HOUSING DEFINITION

The definition is updated to match RSA 674:31, which lowers the on-site size threshold from 540 to 320 square feet. "Manufactured Housing" replaces "mobile home" throughout.

Source: August 13, 2026 memo, Update the Manufactured Housing Definition.

DEFINITIONS (SECTION XIII)

Manufactured Housing: Any structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width and 40 body feet or more in length, or when erected on site, is 320 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 systems contained therein. Manufactured housing as defined in this section shall not include presite built housing as defined in RSA 674:31-a. (RSA 674:31, as amended.)

> Replaces: Manufactured Housing or Mobile Home

Manufactured Housing Park: Rename the existing definition "Manufactured Housing Park or Mobile Home Park" to "Manufactured Housing Park." The text is unchanged.

DISTRICT PROVISIONS TO AMEND

District	Section	Amendment
Rural/Agricultural	IV.A.1.g	Replace "Manufactured housing on individual lots" with "Manufactured Housing."
Residence	IV.B.1.g	Replace "Manufactured housing on individual lots" with "Manufactured Housing."
Village Business I	V.A.1.k	Replace "Manufactured housing on individual lots" with "Manufactured Housing."
Business	V.B.5	Replace "manufactured housing dwelling" with "Manufactured Housing."

7. FLOODPLAIN MANAGEMENT

The floodplain amendment replaces Section IX with the NH OPD Model D Floodplain Management Ordinance, keeping Swanzey's higher standards. Its full draft language is in a separate document, Floodplain.docx, pending review by NH OPD and Town counsel.

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SWANZEY FLOODPLAIN MANAGEMENT ORDINANCE – DRAFT LANGUAGE FOR 2027 TOWN MEETING

PURPOSE

This guidance provides full draft language to replace Section IX, Flood Plain District Regulations, with the NH OPD Model D Floodplain Management Ordinance at the 2027 Town Meeting, retaining Swanzey's higher standards with clarifications. It is sample language for the Town to send to OPD and Town counsel for review. Swanzey additions are tagged **[Swanzey higher standard]** or **[Swanzey clarification]**, and open decisions are bracketed. Map dates remain May 23, 2006 until the Select Board adopts the new maps by resolution under RSA 674:57. References are to the Zoning Ordinance as amended through March 10, 2026.

REVISIONS TO MODEL D

Model D is adopted in full except for the revisions below, which make the model text consistent with Swanzey's higher standards. **Locators in this section refer to the Model D ordinance.** (In the draft, Model D Sections I–XI appear as Items I–XI of Section IX, following the existing ordinance format.)

- **Model D Section VIII.4.** The one-foot cumulative rise allowed in Zone AE without a designated floodway is replaced with Swanzey's no-rise standard.
- **Model D Section IX.2.c.** "To be placed or substantially improved" is revised to "to be substantially improved," because Swanzey prohibits placing new manufactured homes in the special flood hazard area. The elevation and anchoring requirement for substantially improved manufactured homes, an NFIP minimum, is retained.
- **Model D Section IX.2.d(iii).** Deleted. Under the Model D definition in Section XI.18, a recreational vehicle on site more than 180 days is a manufactured home, which Swanzey prohibits. Options (i) and (ii) remain.

Model D placeholders are filled in (municipality name, Flood Insurance Study and FIRM dates, and zones in Section XI.23). The Zone AO provisions (Sections IX.1.c, IX.2.f, and XI.1) are retained in brackets until the new maps are checked for Zone AO.

SWANZEY HIGHER STANDARDS

The Local Standards at the start of the draft carry forward Swanzey's existing higher standards, with these clarifications:

- **Local Standards 1 and 2 (special exception).** Carry forward existing Section IX, paragraphs 1, 2, and 4. The floodplain criteria apply in addition to the general special exception criteria in Section XII.C.2. The separate definition of "development" in the existing opening paragraph is removed so the Model D definition governs. "100 year flood" becomes "base flood," and uses allowed by special exception in the underlying district qualify. **The Board should confirm the no-rise standard (Local Standard 2.b) is intended**, since it is stricter than Model D outside designated floodways.
- **Local Standard 3 (manufactured homes).** Carries forward existing Section IX, paragraph 3 and the broader ban in existing Item II. It prohibits manufactured home parks and subdivisions and the placement of new manufactured homes in the special flood hazard area; existing manufactured homes may be substantially improved if elevated and anchored. It uses the Model D term "manufactured home park or subdivision" in place of the undefined "mobile home park."

Related provision outside Section IX.

Section III.V (Temporary Manufactured Housing Permits) allows temporary manufactured housing on any lot in any district for up to six months. Local Standard 3 would prohibit this in the special flood hazard area, so the Board may want to add "except in the Flood Plain District" to Section III.V for consistency.

EXISTING PROVISIONS NOT CARRIED FORWARD

These provisions of the existing Flood Plain Development Ordinance (Section IX) are not in Model D and would be dropped. None were identified as higher standards to retain:

- **Cumulative substantial improvement** (existing Item I definition). Counts the combined cost of repairs over time toward the 50% threshold. This is a recognized higher standard and could be retained if the Board wishes.
- **Recreational vehicles** (existing Item VIII.2.e). Applies only in Zone AE; Model D applies in all special flood hazard areas, so Model D is stricter.
- **Wind anchoring** (existing Item VIII.2.c). Covered by the State Building Code.
- **Definitions** of Alluvial Fan, Apex, Functional Dependent Use, and Riverine, and the "Violation" presumption tied to 44 CFR §60.3 (existing Item I). Not used in the Model D text.

COMPANION AMENDMENT: SECTION II.A.7 FLOOD PLAIN DISTRICT

The district description in Section II.A.7 repeats the map dates found in Section IX. So the map dates appear in only one place (and can be updated by a single RSA 674:57 resolution), replace Section II.A.7 with the following **[Swanzey clarification]**:

7. Flood Plain District. The Flood Plain District is established as an overlay district. It includes all lands designated as special flood hazard areas as described in Section IX, Item II of this ordinance. Uses permitted in the underlying district are allowed in the Flood Plain District only by special exception and only if they meet the requirements of Section IX.

DRAFT ORDINANCE TEXT

Replace Section IX of the Zoning Ordinance in its entirety with the following:

SECTION IX – FLOOD PLAIN DISTRICT REGULATIONS

LOCAL STANDARDS [Swanzey higher standards]

The following local standards apply in addition to the Floodplain Management Ordinance below.

1. **Special Exception Required.** In addition to the floodplain development permit required by Item III, all development in a special flood hazard area is prohibited except by special exception granted by the Zoning Board of Adjustment.

2. **Special Exception Criteria.** In addition to the general special exception criteria in Section XII.C.2, no special exception shall be granted under Local Standard 1 unless:
   a. The proposed use is permitted, or permitted by special exception, in the underlying zoning district. Where the underlying district also requires a special exception for the use, the Zoning Board of Adjustment may consider both special exceptions in a single application;
   b. The applicant demonstrates that the proposed development will not result in any increase in flood levels during the base flood discharge; and
   c. The proposed development complies with Local Standard 3.
   Upon granting a special exception under Local Standard 1, the Zoning Board of Adjustment shall notify the applicant in writing that a permit must also be obtained from the Building Inspector and that the requirements of the Floodplain Management Ordinance apply to that permit.

3. **Manufactured Home Parks, Subdivisions, and New Manufactured Homes Prohibited.**
   No new manufactured home park or subdivision, no expansion of an existing manufactured home park or subdivision, and no placement of a new manufactured home shall be permitted in a special flood hazard area, and no special exception shall be granted for such use. Existing manufactured homes may be repaired or substantially improved in accordance with Item IX.2.c.

FLOODPLAIN MANAGEMENT ORDINANCE [NH OPD Model D]

ITEM I – PURPOSE

Certain areas of the Town of Swanzey, New Hampshire are subject to periodic flooding, causing serious damages to properties within these areas. Relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968. Therefore, the Town of Swanzey, New Hampshire has chosen to become a participating community in the National Flood Insurance Program, and agrees to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended) as detailed in this Floodplain Management Ordinance.

ITEM II – ESTABLISHMENT

This ordinance, adopted pursuant to the authority of RSA 674:16, shall be known as the Town of Swanzey Floodplain Management Ordinance. The regulations in this ordinance shall overlay and supplement the regulations in the Town of Swanzey Zoning Ordinance, and 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 invalidity of any section or provision of this Ordinance shall not invalidate any other section or provision thereof. It shall be the duty of the Board of Selectmen (or their designee) to enforce and administer the provisions of this Ordinance in accordance with RSA 676.

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 Cheshire, N.H." dated May 23, 2006 or as amended, together with the associated Flood Insurance Rate Maps dated May 23, 2006 or as amended, which are declared to be a part of this ordinance and are hereby incorporated by reference.

ITEM III – PERMITS

All proposed development in any special flood hazard area shall require a permit.

ITEM IV – CONSTRUCTION REQUIREMENTS

The Building Inspector shall review all building 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:

a. Be designed (or modified) and adequately anchored to prevent floatation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

b. Be constructed with flood damage-resistant materials;

c. Be constructed by methods and practices that minimize flood damages; and

d. 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.

ITEM V – WATER AND SEWER SYSTEMS

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 Building Inspector 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.

ITEM VI – CERTIFICATION

For all new or substantially improved structures located in special flood hazard areas, the applicant shall furnish the following information to the Building Inspector:

a. The as-built elevation (in relation to mean sea level) of the lowest floor (including basement) and include whether or not such structures contain a basement.

b. If the structure has been floodproofed, the as-built elevation (in relation to mean sea level) to which the structure was floodproofed.

c. Any certification of floodproofing.

The Building Inspector shall maintain the aforementioned information for public inspection, and shall furnish such information upon request.

ITEM VII – OTHER PERMITS

The Building Inspector shall not grant a building permit until the applicant certifies that all necessary permits have been received from those governmental 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.

ITEM VIII – WATERCOURSES

1. In riverine situations, prior to the alteration or relocation of a watercourse the applicant for such authorization shall notify the Wetlands Bureau of the New Hampshire Department of Environmental Services and submit copies of such notification to the Building Inspector, in addition to the copies required by RSA 482-A:3. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Building Inspector, including notice of all scheduled hearings before the Wetlands Bureau.

2. The applicant shall submit to the Building Inspector, certification provided by a registered professional engineer, assuring that the flood carrying capacity of an altered or relocated watercourse can and will be maintained.

3. 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.

4. Until a Regulatory Floodway is designated along watercourses, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zone AE on the FIRM, unless it is demonstrated by the applicant that the proposed development will not result in any increase in flood levels during the base flood discharge. **[Swanzey higher standard – Model D Section VIII.4 revised to no-rise]**

5. The Building Inspector shall obtain, review, and reasonably utilize any floodway data available from Federal, State, or other sources as criteria for requiring that all development located in Zone A meet the following floodway requirement: “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."

ITEM IX – SPECIAL FLOOD HAZARD AREAS

1. In a special flood hazard area, the Building Inspector shall determine the base flood elevation in the following order of precedence according to the data available:
   a. In Zone AE, refer to the base flood elevation data provided in the community's Flood Insurance Study and accompanying FIRM.
   b. In Zone A, the Building Inspector shall obtain, review, and reasonably utilize any base 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). Where a base flood elevation is not available or not known for Zone A, the base flood elevation shall be determined to be at least 2 feet above the highest adjacent grade.
   c. [Retain only if Zone AO appears on the effective FIRM:] In Zone AO, the flood elevation is determined by adding the elevation of the highest adjacent grade to the depth number specified on the FIRM or if no depth number is specified on the FIRM at least 2 feet.

2. The Building Inspector's base flood elevation determination will be used as criteria for requiring in special flood hazard areas that:
   a. All new construction or substantial improvement of residential structures have the lowest floor (including basement) elevated to or above the base flood elevation.
   b. That all new construction or substantial improvements of non-residential structures have the lowest floor (including basement) elevated to or above the base flood elevation; or together with attendant utility and sanitary facilities, shall:
   (i) Be floodproofed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
   (ii) Have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and
   (iii) 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.
   c. All manufactured homes to be 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 elevation; and be securely anchored to resist floatation, collapse, or lateral movement. Methods of anchoring

may include, but are not limited to, use of over-the-top or frame ties to ground anchors. **[Swanzey higher standard – Model D Section IX.2.c revised to remove "placed"]**

d. All recreational vehicles placed on sites within a special flood hazard area shall either: **[Swanzey higher standard – Model D Section IX.2.d(iii) deleted]**

(i) Be on the site for fewer than 180 consecutive days; or

(ii) Be fully licensed, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions.

e. 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:

(i) The enclosed area is unfinished or flood resistant, usable solely for the parking of vehicles, building access or storage;

(ii) The area is not a basement;

(iii) 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 either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two flood 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 flood openings shall be no higher than one foot above grade. Flood openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.

f. [Retain only if Zone AO appears on the effective FIRM:] Proposed structures to be located on slopes in special flood hazard areas, Zone AO shall include adequate drainage paths to guide floodwaters around and away from the proposed structures.

ITEM X – VARIANCES AND APPEALS

1. Any order, requirement, decision or determination of the Building Inspector made under this ordinance may be appealed to the Zoning Board of Adjustment as set forth in RSA 676:5.

2. If the applicant, upon appeal, requests a variance as authorized by RSA 674:33, I, the applicant shall have the burden of showing in addition to the usual variance standards under state law that:

   a. The variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense.

b. If the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result.
c. The variance is the minimum necessary, considering the flood hazard, to afford relief.

3. The Zoning Board of Adjustment shall notify the applicant in writing that:
a. The issuance of a variance to construct below the base flood elevation will result in increased premium rates for flood insurance up to amounts as high as $25 for $100 of insurance coverage; and
b. Such construction below the base flood elevation increases risks to life and property.
Such notification shall be maintained with a record of all variance actions.

4. The community shall:
a. Maintain a record of all variance actions, including the justification for their issuance, and
b. Report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.

ITEM XI – DEFINITIONS

The following definitions shall apply only to this Floodplain Management Ordinance, and shall not be affected by the provisions of any other ordinance of the Town of Swanzey.

1. **Area of Shallow Flooding** [retain only if Zone AO or AH appears on the effective FIRM] means a designated AO, AH, or VO zone on the Flood Insurance Rate Map (FIRM) with a one-percent or greater annual possibility of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet-flow.

2. **Base Flood** means the flood having a one percent chance of being equaled or exceeded in any given year.

3. **Base Flood Elevation (BFE)** means the elevation of surface water resulting from the "base flood."

4. **Basement** means any area of a building having its floor subgrade on all sides.

5. **Building** – see "structure."

6. **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, excavating or drilling operation or storage of equipment or materials.
7. **FEMA** means the Federal Emergency Management Agency.
8. **Flood or Flooding** means a general and temporary condition of partial or complete inundation of normally dry land areas from: a. the overflow of inland or tidal waters, or b. the unusual and rapid accumulation or runoff of surface waters from any source.
9. **Flood Insurance Rate Map (FIRM)** means the 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 Swanzey.
10. **Flood Insurance Study (FIS)** means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e. mudflow) and/or flood-related erosion hazards.
11. **Flood Opening** means an opening in a foundation or enclosure wall that allows automatic entry and exit of floodwaters. See FEMA "Technical Bulletin 1, Openings in Foundation Walls and Walls of Enclosures."
12. **Floodplain or Flood-prone area** means any land area susceptible to being inundated by water from any source (see definition of "Flooding").
13. **Flood proofing** means any combination of structural and non-structural additions, 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.
14. **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.
15. **Highest adjacent grade** means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
16. **Historic Structure** means any structure that is: a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; b. Certified or preliminarily 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; c. 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 d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (i) by an approved state program as determined by the Secretary of the Interior, or (ii) directly by the Secretary of the Interior in states without approved programs.

17. **Lowest Floor** means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for 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.

18. **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 consecutive days. This includes manufactured homes located in a manufactured home park or subdivision.

19. **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.

20. **Mean sea level** means, for the purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum to which base flood elevations shown on a community's Flood Insurance Rate Maps are referenced.

21. **New construction** means, for the purposes 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.

22. **Recreational Vehicle** is defined as: 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.

23. **Special flood hazard area** is the land in the floodplain within the Town of Swanzey subject to a one-percent or greater possibility of flooding in any given year. The area is designated as Zones A and AE [update if the effective FIRM adds other zones].

24. **Start of Construction** includes substantial improvements, and means the date the building 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 a 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.

25. **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.

26. **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.

27. **Substantial Improvement** means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either: a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or b. Any alteration of a “historic

structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure." [If the Board retains Swanzey's cumulative standard, see Drafting Notes.]

28. **Violation** means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations.

29. **Water surface elevation** means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains.

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DATE: August 7, 2026

TO: Town of Swanzey Planning Board

FROM: Southwest Region Planning Commission

SUBJECT: Child Care Zoning Language Follow-Up

Background

On July 23, 2026, the Swanzey Planning Board met with Southwest Region Planning Commission staff to discuss the recommendations contained in SWRPC's June 29 memorandum concerning family day care homes, family group day care homes, and child care centers.

This memorandum summarizes the Planning Board's direction and presents a revised amendment approach for further consideration. The revised approach includes:

1. Adopting standardized definitions for child care uses, consistent with statute;
2. Replacing instances of non-standardized child care language throughout the ordinance;
3. Adopting a family and family group day care home ordinance;
4. Adopting a child care center ordinance;
5. Amending or repealing existing child care use provisions that are inconsistent with these revisions.

Standardizing Child Care Terminology

The Planning Board reached consensus on the child care terminology proposed in SWRPC's June 29 memorandum. The draft amendments should carry those terms and definitions forward without substantive revision:

1. **Family day care home** [broadly: child care within a home for up to 6 children, with additional allowances for partial day care for school-aged children]

A family day care home as defined in RSA 170-E:2, IV(a), as amended. Child care provided in an occupied residence for less than 24 hours per day, except in emergencies, generally for up to 6 children from one or more unrelated families, subject to applicable State licensing requirements. In addition to the 6 children, up to 3 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays, provided that the after school and holiday increase in capacity is permitted by the state fire code and in compliance with any local ordinance.

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2. **Family group day care home** [broadly: child care within a home for up to 12 children, with additional allowances for partial day care for school-aged children]

A family group day care home as defined in RSA 170-E:2, IV(b), as amended. Child care provided in an occupied residence for less than 24 hours per day, except in emergencies, generally for 7 to 12 children from one or more unrelated families, subject to applicable State licensing requirements. In addition to the 12 children, up to 5 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays, provided that the after school and holiday increase in capacity is permitted by the state fire code and any local ordinance.

3. **Child care center** [broadly: child care services provided outside of a home]

A child day care agency, other than a family day care home or family group day care home, that provides child day care outside of a residence through one or more of the following program types: group child day care center, infant and toddler program, night care program, preschool program, school-age program, small group child day care center, or any combination thereof, as defined in RSA 170-E:2, IV(c), IV(d), IV(e), IV(f), IV(g), and IV(i), and regulated by the New Hampshire Department of Health and Human Services. This term is intended to correspond with "child care center" as defined in RSA 674:81, as amended.

Family day care homes and family group day care homes would be regulated through one general accessory-use provision. Child care centers would be listed separately within the applicable zoning districts and governed by consistent center-specific standards.

This approach would prevent the existing district provisions from being interpreted to include both small home-based providers and larger center-based programs under the same undefined term.

Family Day Care Homes and Family Group Day Care Homes

The Planning Board generally supported the amendment language presented in the June 29 memorandum. The Board requested one revision so that the provision would also apply to lawful residential uses located in districts where primary residential use is no longer permitted.

The revised provision would read:

> ***Family Day Care Homes and Group Family Day Care Homes***
>
> *Family day care homes and family group day care homes, as defined in [Section XIII], shall be permitted by right as accessory uses on any lot where primary residential use is permitted or lawfully exists, provided that the program complies with all applicable requirements of the New Hampshire Department of Health and Human Services under He-C 4002 and RSA 170-E.*

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Family day care homes and family group day care homes may be conducted within the primary dwelling or within an existing accessory structure located on the same lot as the primary residential use.

Family day care homes and family group day care homes shall not require a special exception and shall not be subject to local site plan review. They shall not be regulated as home occupations or home-based businesses under [Section III.U].

Nothing in this section shall exempt the use from applicable state licensing, building, fire, health, life safety, water supply, or sewage disposal requirements.

Nothing in this section shall be construed to override any private covenant, including homeowners' association covenants.

Adding "or lawfully exists" is more permissive than the minimum language in RSA 674:16, VI. It would allow a family day care home or family group day care home to operate as an accessory use to a lawful nonconforming residential use.

SWRPC recommends locating the proposed amendment within existing **Section III: General Provisions Applicable to All Districts** or within the proposed **Accessory Uses** subsection if the broader zoning reorganization is adopted.

Child Care Centers

Rural/Agricultural and Residence Districts

The Planning Board expressed concern about allowing child care centers by right in the Rural/Agricultural District, as is implied by the existing zoning ordinance under Section IV, Article A.1.j, "Daycare or kindergarten facility." RSA 674:81 does not expressly require child care centers to be allowed by right in noncommercial districts.

SWRPC recommends amending the existing child care-related provisions in the Rural/Agricultural and Residence Districts to clearly distinguish home-based care from center-based care. Under this approach:

- **Family day care homes and family group day care homes** would be allowed by right under the general accessory-use provision. This provision would be located within a new subsection of Section III under the existing ordinance structure or within the proposed Accessory Uses subsection of the reorganized zoning ordinance.
- **In the Rural/Agricultural District**, the existing permission for a "daycare or kindergarten facility" in Section IV, Article A.1.j would be repealed. If the Planning Board wishes to retain an approval pathway for child care centers in this district, "child care center" would be added as a use permitted by special exception. The Board may also wish to develop dimensional caps for a child care center in this district if permitted by

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special exception, this would ensure that a center would not be out of scale with the surrounding area.

- **In the Residence District**, the existing reference to "daycare facility" in Section IV, Article B.2.c would be replaced with the defined term "child care center." The existing special exception approval pathway could otherwise be retained.

The Planning Board should determine whether it wishes to allow child care centers by special exception in both districts. If it does not, the existing center-related entries should be repealed without adding a replacement use. Language provided in this memorandum assumes the Board wishes to permit child care centers in these districts via special exception.

Commercial/Industrial and Industrial Park Districts

The Planning Board discussed whether child care centers should be allowed generally within the Commercial/Industrial and Industrial Park Districts. Board members expressed concern that the establishment of a center could create compatibility concerns or constrain the future use of land intended for industrial and manufacturing activities.

Town staff observed that the practical risk may be limited because the ordinance already restricts many of the higher-impact uses that would be most likely to conflict with a child care use. The Planning Board nevertheless preferred to preserve these districts for industrial and manufacturing uses.

RSA 674:81 expressly allows municipalities to restrict child care centers in zones where industrial and manufacturing uses are permitted, but it protects centers intended exclusively for employees of businesses located within those zones.

Village Business I, Village Business II, and Business Districts

The Planning Board supported allowing child care centers by right in the Village Business I, Village Business II, and Business Districts, consistent with RSA 674:81.

Recommended Approach

To streamline child care center permissions across districts and ensure that amendments adopted under the existing ordinance can be carried forward consistently into the reorganized ordinance, SWRPC recommends the following revised approach.

For the existing ordinance, adopt as a new subsection within Section III:

[III.X] Child Care Centers

1. *The allowance and regulation of child care centers shall comply with RSA 674:81, as amended.*

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2. *A child care center with a licensed capacity exceeding 30 children shall be subject to site plan review in accordance with the Town's Site Plan Review Regulations.*
3. *A child care center shall not be permitted on a lot containing an existing industrial or manufacturing use, or on a lot adjacent to an existing industrial or manufacturing use, unless the child care center is intended exclusively for the children of employees of the industrial or manufacturing use.*

The Village Business I, Village Business II, and Business Districts would be amended to list "Child care center, subject to Section [III.X]" within the permitted uses as follows:

- Village Business I: Section V.A.1[m];
- Business District: Section V.B.1[w]; remove "Daycare facility" from V.B.2.a;
- Village Business II: Section V.C.1[t]

Amend Section VI.A.1.d (Commercial/Industrial District) to include new subsection [25]:

> *25. Child care center, as accessory to a principal use permitted in the district, exclusively serving the children of employees of that principal use, subject to Section [III.X].*

Amend Section VI.B.2.h (Industrial Park District, Child care facility):

> *h. Child care center, as accessory to a principal use permitted in the district, exclusively serving the children of employees of that principal use, subject to Section [III.X].*

For the reorganized ordinance:

Locate the operative language in a subsection within the proposed Specific Use Standards section.

> ***[X.X.X] Child Care Centers***
>
> 1. *The allowance and regulation of child care centers shall comply with RSA 674:81, as amended.*
> 2. *A child care center with a licensed capacity exceeding 30 children shall be subject to site plan review in accordance with the Town's Site Plan Review Regulations.*
> 3. *A child care center shall not be permitted on a lot containing an existing industrial or manufacturing use, or on a lot adjacent to an existing industrial or manufacturing use, unless the child care center is intended exclusively for the children of employees of the industrial or manufacturing use.*

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Demonstrate district permissions within the proposed Table of Uses:

	USE	R/A	R	VBI	VBII	B	C/I	IP	SUBJECT TO
	COMMERCIAL / PROFESSIONAL								
1	CHILD CARE CENTER	SE	SE	P	P	P	NP[1]	NP[1]	X.X.X

1. *Permitted as accessory to a principal use permitted in the district, exclusively serving the children of employees of that principal use.*

Summary District Framework

District	Home based child care	Child Care Centers
Rural/Agricultural	By right as an accessory use	Optional special exception
Residence	By right as an accessory use	Optional special exception
Village Business I	By right as an accessory use	By right
Village Business II	Only where associated with an existing lawful residential use	By right
Business	Only where associated with an existing lawful residential use	By right
Commercial/Industrial	Only where associated with an existing lawful residential use	Only for children of employees of businesses located in the district
Industrial Park	Only where associated with an existing lawful residential use	Only for children of employees of businesses located in the district

Next Steps

The Swanzey Planning Board should:

- Determine whether child care centers should be allowed by special exception in the Rural/Agricultural and Residence Districts or not permitted in those districts.
- Determine if the remaining amendment approach presented in this memorandum is acceptable or identify the need for further revisions.

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Based on the Planning Board's direction, SWRPC will:

- Work with Town staff to address any outstanding revisions.
- Work with Town staff to prepare draft warrant article language for Planning Board review.
- Attend and provide support at the required public hearing or hearings.