TOWN OF SWANZEY

OFFICE OF PLANNING & COMMUNITY DEVELOPMENT

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Swanzey Planning Board Agenda
November 5, 2026
6:00 PM

A regular meeting of the Swanzey Planning Board will be held on **Thursday, November 5, 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. October 22, 2026

3) Public Hearings
   A. None

4) Discussions/Other Business
   A. Amendment Discussion
   B. Day care discussion
   C. Agricultural uses discussion
   D. Multi-family discussion

5) Adjournment

Town of Swanzey, New Hampshire
Swanzey Planning Board
Meeting Minutes – October 22, 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 6:00pm by Chair Victoria Ames. The meeting was held at Whitcomb Hall. Other members present: Vice Chair Scott Self, Michael York, Richard Lane, Brandon Self, Jane Johnson, Charlie Harbeck, and Selectman's Representative Alan Gross. Also present was Director of Planning and Community Development Adam Paquette.

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

Absent:
Mark Scalera, Stacey Goodale

SEATING ALTERNATES:
The chair seated Jane Johnson for Mark Scalera

Others Present:
Chris Tymula, Bob Bollinger, Tanmay Patel, Bhumik Patel, Michael Gomarlo, Selectmen Jimmy Tempesta, J.R. Coughlin, David Painchaud Sr

MINUTES:
The meeting minutes of October 8, 2026 were considered. A motion was made by S.Self to approve the meeting minutes as presented. There was a second by Lane. All were in favor, except for York, who abstained. With no further discussion, the motion passed.

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

APPLICATIONS AND PUBLIC HEARING(S):
PB 26-017: Site Plan Review application submitted by the Arihant Corporation. The applicant seeks permission to expand the existing gasoline service station with various improvements, such as new retail fuel canopies, new underground fuel storage, EV and commercial diesel parking spaces, re-striping the parking lot, and more. The subject property is located at 765 W Swanzey Rd (identified as Tax Map 232, Lot 52) within the Business District.

The applicant was granted a Special Exception for the proposed use on September 21, 2026. Additionally, the Planning Office has already reviewed and approved all proposed sign refacing. Existing dimensional nonconformities, specifically the diesel fuel canopy and the proximity of the parking area to NH Route 10, will not be expanded, intensified, or made further nonconforming.

- **The Board discussed if the application is complete. S.Self makes a motion that the application is complete. B Self seconds. All in favor. Motion carries.**
- Chair Ames opens the public hearing for PB 26-017 at 6:05 p.m.
- Chris Tymula starts to discuss the application by going over lot specifics and existing conditions.
- Tymula explains the nature of the mixed-use building and existing businesses.
- Tymula explains that they have received special exception from the ZBA for the use.
- Tymula goes on to explain the proposed improvements to the site to include:
    - New diesel canopy
    - Restriping the parking lot and providing EV parking spaces
    - Commercial diesel parking in the rear
    - General beautification of the site
- Proposing 12 new trees on site in various locations
    - 120 new shrubs and plantings
    - Variety of perennials and new grass
    - Outdoor seating near entrance
- Tymula explains the stormwater plan for the site
- Tymula explains the erosion control plan
- Tymula provides the Board with an email from DOT explaining that the existing encroachments are permitted to exist
- NH DES has received the applicant's underground storage license
- Chair Ames says that the hearing could take up to two meetings to complete due to the complexities
- Lane inquires about electric vehicle charging stations and if they are permitted or not in the business district.
    - Tymula answers that if they are not allowed, the applicant could remove
- S.Self inquires about existing and proposed diesel tanks
- Gross inquires about the number of parking spaces and the applicant explains that the proposed parking meets code standards
- The Board speaks about EV Charging stations
    - Paquette speaks about EV Charging stations being an accessory to the primary use of vehicle fueling station and convenience store, and is permitted pursuant to Section V, Article B.1.s
- Chair Ames discusses EV charging stations with the board
    - B.Self states he is in favor of considering the EV Charging Stations as accessory
    - Gross asks if the apartments nearby would be able to use the spots, no answer by applicant
    - S.Self disagrees because the Zoning specifically allows non-retail and is silent on retail
- Tymula explains the client will remove the EV charging station from the plan in order to not go back to the ZBA for a variance
- Ames inquires about setbacks along the State route with existing structures
- Ames inquires about the circulation in the lot, for cars, semis, and pedestrians
    - Tymula explains the advantage of having three existing curb cuts. Commercial diesel spaces are talked about and Tymula explains that this is not like a truck stop, instead commercial diesel spaces are for overfill truck parking. There will be no overnight truck parking on site. Tymula shows an overhead view to show how far away they are to abutters.

    - Ames inquires about truck circulation and how they will move to the rear spaces. Tymula answers and demonstrates the circulation.
- Ames inquires about the abutting apartment complex and fence line, and where the pedestrians from the apartments will walk to get to the convenience store.
    - Tymula explains that there is more landscaping between the uses to provide more of a buffer
- Ames asks if the applicant could consider making a pathway between the apartments and the property in question. Tymula explains that the applicant wants to be a good neighbor. Ames asks to eliminate the summer wine ninebark.
- Ames shares concern regarding mail delivery for the post office and how the USPS semi orients on and off site. Ames asks if the applicant can address that problem with the USPS semi. Applicant will work with USPS to ensure they do not block drive isles or parking spaces.
- Ames asks if the restaurant use will continue and Tymula answers that there might be a new tenant in the future.
- B.Self asks about the driver for USPS and discusses ways they could mitigate the issue on-site
- Ames asks if the Board could waive parking spaces to help alleviate any potential USPS truck issues. Paquette answers that the Board cannot waive parking requirements because those requirements come from the ordinance.
- S.Self states that the goal is to make the site better, not worse.
- Tymula explains that they can keep the existing conditions near the state route, eliminating the proposed green space.
- The Board continues to discuss circulation
- Ames reads a letter submitted by Debbie Murray into the record, which reads as follows:

Hi,

I am writing regarding the planning board meeting on October 22 regarding the fuel canopies and commercial diesel parking spaces at 765 W Swanzey Road. I wish to have this letter read at the meeting.

My name is Debora Murray and I own and live at 73 Perry Lane, Unit 8, the condo unit that is most adjacent to the parking lot at the above mentioned property.

I moved in to 73 Perry Lane, Unit 8 in August of 2004. By 2007 I started experiencing asthma symptoms. When I would get a cold it would turn in to a major bronchial event, causing immediate inflammation, coughing, headaches and dizziness. I would have to start on steroid pills and a steroid inhaler. If I did not catch it quick enough I would be on a breathing nebulizer treatment every four hours. It made it difficult to sleep and work. The vibrations when a layed my head on the pillow caused as much issue as the exhaust, it caused headaches and difficulty sleeping, which led to difficulty concentrating, I eventually had to start taking sleeping medication. It wasn't until I was at the Dr and said I hadn't slept anyways because of the tractor trailer trucks parked out back running all night that my doctor realized what the issue was and determined it was most likely the exhaust coming in my window, which I kept open, often year round for "fresh air" From that point on I was unable to open my bedroom or living room windows

and pretty much stopped opening all windows in my home because of the exhaust smell from the trucks that were allowed to park all day and night in the lot. They were left running for hours at a time.

Per NH Administrative code ENV-A 11-2.02 the maximum allowable idling time is directly tied to the outside temperature
Above 32 degrees – 5 consecutive minutes in an 60 minute period
Between -10 degrees and 32 degrees 15 minutes in any 60 minute period
Below -10 degrees no limit provided it does not create a public nuisance – operating near a home is in clear violation of this

I have called the Swanzey police and have been told:
Go knock on the truck door and ask then to turn the truck off
There are no trucks in the lot, when I can clearly see them
There are no trucks running, it is the coolers on the Gomarlos roof (I drove over myself and SAW the trucks running)

Over the last two to three years trucks have no longer been parking there and I have had no breathing or sleeping issues. I no longer use an inhaler or a nebulizer on a regular basis. The owner states that the intent of the additional 10 parking spaces is to allow trucks to line up to fuel, which seems unlikely to have a need for ten trucks to be waiting. However, if the actual intent is to allow overnight parking I strongly discourage the town from allowing this project to move forward in this setting. It will be a disruption and a nuisance and will affect the health and wellbeing of the people living nearby, especially those in the nearby condos and the apartments.

If the project moves forward, I request the following:

Signs be placed stating that trucks may not idle for greater than the 5-15 minutes, dependent on the temperature
Trucks may only idle if they are waiting to use the diesel pumps
Swanzey Police department patrol the lot and are prepared to uphold the state law
Swanzey Police be prepared to respond to neighbor calls when there are issues
The parking spaces be moved to the front of the lot, as far away from the condo are as possible
The spaces be reduced from 10 to 3 (given the number of pumps being added it is unlikely that 10 additional trucks will be waiting to fuel)

My last concern is the lights on the pumps. The current lights are very bright and disruptive, shining in windows. This problem has become worse over the years as trees in the area have died off and fallen. The owner states that new lighting will be used, which will be very different and less disruptive than what is there now. Unfortunately, we have no way to know this until the project is complete If the lighting is bright and visible through our windows and causing issues, I would like the opportunity to revisit and address concerns with 24 hour lighting or request that the applicant, Arihant Corporation, add additional trees or barriers for the lighting.

Thank you,

Debbie Murray

- Tymula responds to the above letter by stating the distance from the diesel parking and residential use. He also goes over the wooded buffer between the two uses.
- York states that state laws dictate how long trucks can idle and the applicant states they will abide by those laws.
- Lane asks if the lighting is hooded. Tymula states the lights are dark sky compliant.
- Tempesta asks how the changes near the post office will affect the plan submission. S.Self answers that if the changes make the site unsafe, the board could ask for changes to make safer. S.Self states that the Planning Board has the obligation to review the entire site and if something is not working property, they can address at the meeting. Tempesta and the Board continue to discuss the end of the property that contains USPS.
- S.Self asks about the parking spaces and the applicant states they include spaces at the pumps
- Mike Gomarlo states that he believes the plan is good and the applicant deserves some grace regarding the USPS issues. He has positive comments regarding the applicants and their business.
- Painchaud states that the idling diesel trucks is a significant concern. He also reiterates that the trucks should not be able to idle. Lane states that the applicant has addressed this concern and they will not permit overnight parking.
- Gross inquires about state law and York says that NH abides by federal law on idling. York reads the idling timelines.
- Lane inquires about EV parking and Tymula reiterates that the applicant is open to removing those spaces.
- Bhumik asks if the zoning would ever change to permit retail EV charging in the future. The Board states that zoning may change but as of now, they would need a variance.
- **Ames closes the public hearing at 7:10p.m.**
- The Board discusses the merits of a walkway
- Lane discusses the possibility of providing a curb along pavement between apartment and use. The Board does not require this.
- **Lane makes a motion to approve the site plan with the following conditions:**

    1. No overnight truck parking is permitted on site.
    2. Applicant shall provide pedestrian access through the landscaped buffer to the residential use directly north of the development site.
    3. Revise the divider near the southmost curb cut so it is striped, instead of extended green space.
    4. No EV stations are permitted until a variance from the ZBA is obtained.
    5. All other relevant local and state permits must be obtained prior to building permit.

- **York seconds with no further discussion. All in favor. Motion carries.**

Discussions and Other Business:

A. Warrant Article Discussion

- Paquette discusses a conversation with the town's legal representation. The overall thought is that the first draft of the amendments is on the right track. They will be discussed at a public hearing.

B. Floodplain District (Section IX) Review

- Paquette asks if the Board has any questions on the proposed floodplain district changes.
    - S.Self had a question on Item 9, section D, as shown below:

        9. All recreational vehicles placed on sites within a special flood hazard area shall either:
            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.

    - S.Self asked if the "or" should be changed to an "and" at the end of i.

    - Paquette explains changes to Section III.V regarding the floodplain exception
    - Paquette and the Board discuss the public hearing, which will happen on November 19.

10. Definitions (Section XIII) Review

- S.Self asks about definitions and how they will be reflected in the ordinance
- Chair Ames asks about definitions we have not discussed yet
- Chair Ames asks about governmental uses and whether they should be in the ordinance if the Board cannot govern those uses
- Chair Ames asks about recreation facility
- Chair Ames states there are still definitions missing from permitted uses found within the ordinance
    - Paquette states he wants all uses defined by end of next year and doesn't have the bandwidth to include extra definitions to staff workload
- Chair Ames asks about how the uses are alphabetization and Paquette states he will re-alphabetize the definitions

Gross asks if Paquette can provide some education to the people of Swanzey to more succinctly describe upcoming amendments. The Board discusses.

York reminds the Board of CIPC items

ADJOURNMENT

A motion to adjourn was made by Lane. There was a second to the motion by B.Self with no further discussion. All were in favor and the m*otion passed.* Adjournment occurred at 7:55pm.

Next Meeting: November 5, 2026

Respectfully Submitted,

Adam Paquette, Director of Planning & Community Development

Approved on

DRAFT

Article 2 To vote by ballot on the following amendments proposed by the Swanzey Planning Board to the Town of Swanzey Zoning Ordinance (new text in *italics*, deleted text in ~~strikethrough~~):

Amendment No. 1 Are you in favor of the adoption of Amendment No. 1, as proposed by the Planning Board, to replace Section IX of the Swanzey Zoning Ordinance with the New Hampshire Office of Planning and Development's "Model D" Floodplain Management Ordinance, keeping Swanzey's existing higher standards and updating all related references throughout the ordinance?

Note: This amendment aligns Swanzey's floodplain management ordinance with federal and state standards. This action protects property, secures continued resident access to the National Flood Insurance Program (NFIP), and preserves the town's existing, more stringent local protections.

The full language of this amendment is available for inspection at the Town Clerk's office.

Amendment No. 2 Are you in favor of the adoption of Amendment No. 2, as proposed by the Planning Board, to amend the Swanzey Zoning Ordinance to incorporate amended and consolidated definitions throughout the entire ordinance, giving each land use one name and one definition?

Note: This amendment is a housekeeping measure designed to eliminate redundant, conflicting, or vague terms by establishing uniform definitions across all sections of the zoning regulations.

The full language of this amendment is available for inspection at the Town Clerk's office.

Amendment No. 3 Are you in favor of the adoption of Amendment No. 3, as proposed by the Planning Board, to amend Section III-AA of the Swanzey Zoning Ordinance in its entirety, regulating Accessory Dwelling Units (ADUs), bringing local regulations into compliance with state statutory standards?

Note: This amendment completely updates Section III-AA to align Swanzey's Accessory Dwelling Unit regulations with current New Hampshire statutory standards.

The full language of this amendment is available for inspection at the Town Clerk's office.

Amendment No. 4 Are you in favor of the adoption of Amendment No. 3, as proposed by the Planning Board, to adopt Section III-C into the Swanzey Zoning Ordinance, regulating family day care homes, family group day care homes, and child care centers, and update all related references throughout the ordinance?

Note: This amendment creates a dedicated section in the zoning ordinance to clearly define and regulate where and how different types of childcare facilities can operate in Swanzey, ensuring alignment with state statutes.

The full language of this amendment is available for inspection at the Town Clerk's Office.

Amendment No. 5 Are you in favor of the adoption of Amendment No. 4, as proposed by the Planning Board, to adopt Section III-D into the Swanzey Zoning Ordinance, governing agricultural uses, and update all related references throughout the ordinance?

Note: This amendment establishes a clear, unified framework within the town's zoning ordinance to define and guide farming and agricultural operations, ensuring local regulations align with state protections.

The full language of this amendment is available for inspection at the Town Clerk's office.

Amendment No. 6 Are you in favor of the adoption of Amendment No. 5, as proposed by the Planning Board, to adopt Section III-E into the Swanzey Zoning Ordinance, governing multi-family dwellings and adaptive reuse, and update all related references throughout the ordinance?

Note: This amendment aligns with state law to allow multi-family housing in commercial zones, provided there is adequate infrastructure, and the project passes local site plan review. It also promotes adaptive reuse by exempting existing buildings from setback, height, and frontage rules during conversion, as long as the original footprint and height do not increase.

The full language of this amendment is available for inspection at the Town Clerk's office.

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.)

A. Standards

1. 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. No more than one accessory dwelling unit shall be permitted per single-family dwelling or lot.

3. 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. The total living space of an accessory dwelling unit shall not exceed 1,000 square feet.

5. An accessory dwelling unit shall have no more than two bedrooms.

6. 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. A familial relationship between the occupants of the accessory dwelling unit and the occupants of the principal dwelling unit shall not be required.

8. 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 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. 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. 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.

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

SECTION III-C
FAMILY DAY CARE HOME, FAMILY GROUP DAY CARE HOME, AND DAY CARE CENTER

A. Family Day Care Home and Family Group Day Care Home

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.

B. Child Care Center

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.

SECTION III-D
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.

SECTION III-E
MULTI-FAMILY DWELLINGS AND ADAPTIVE REUSE IN COMMERCIAL DISTRICTS

A. In accordance with RSA 674:80, as amended, the Town of Swanzey permits multi-family dwelling units and adaptive reuse, as defined in RSA 674:43, I, as amended, on commercially zoned land. For the purposes of this section, the following districts are considered commercial:

1. Business District
2. Village Business District I
3. Village Business District II

B. Where multi-family dwellings are permitted by right in a commercial district, adequate infrastructure, including roads, water, and sewage systems, shall be available to support the development, in accordance with RSA 674:80, I, as amended. Where infrastructure is not adequate, it may be provided by the applicant in accordance with regulations. Multi-family dwellings shall be subject to site plan review in accordance with the Town's Site Plan Review Regulations.

C. Pre-existing nonconforming structures may be converted to multi-family dwellings or mixed-use developments, provided that the structural envelope is not expanded or altered in a manner that increases or worsens any nonconforming dimensional attribute, in accordance with RSA 674:80, V, as amended. Additionally, within commercial districts, any building converted to multi-family or mixed-use through adaptive reuse shall be exempt from the dimensional requirements of this ordinance regarding setbacks, height, and frontage, provided that the conversion does not change the building's existing floor area, height, or setbacks, in accordance with RSA 674:80, IV, as amended.

D. Proposed multi-family dwellings and adaptive reuse projects shall demonstrate adequate infrastructure and utility capacity by satisfying the following requirements:

1. Developments shall demonstrate the potential impact on local traffic by submitting data showing existing conditions and expected traffic generation. The Planning Board may require a formal traffic impact study in accordance with NH RSA 674:80, I(a), as amended.
2. Developments connecting to a public water and sewer system shall provide written connection approval from the system owner, operator, or designated authority. This approval must specify the number of authorized dwelling units and bedrooms, the approved water demand or wastewater design flow in gallons per day (GPD), and any infrastructure improvements or conditions required to provide service.

    a. In the absence of public systems, developments shall provide compliant on-site infrastructure. On-site water supplies must be designed and approved in accordance with NH RSA 482-B and RSA 485, as amended. On-site sewage disposal systems must comply with all applicable state and local design and engineering standards.

E. Pursuant to RSA 674:80, II, as amended, the Planning Board may deny an application if the Board determines that:

1. Road infrastructure is inadequate;
2. Pedestrian safety is not ensured;
3. Sufficient water supply cannot be secured; or
4. Wastewater cannot be adequately disposed of.

SECTION IV
RESIDENCE DISTRICTS

A. RURAL/AGRICULTURAL DISTRICT

1. PERMITTED USES. In the Rural/Agricultural District, no buildings or premises shall be erected, altered or used and no land shall be used for any purposes except:

d. ~~General farming, including horticulture, dairying, livestock and poultry raising and other agricultural enterprises or uses.~~ *Agriculture and farming, subject to Section III-D.* ~~Farming as a business will require a Special Exception from the Board of Adjustment and Site Plan review from the Planning Board; (Amended March 10, 1998)~~

e. ~~Roadside stands for the sale of home grown produce~~ *Farm roadside stand,* provided that they are so located on the lot as to not create roadside hazards or undue congestion;

~~**j.** Daycare or kindergarten facility; (Adopted March 10, 1992)~~

2. In addition to the aforementioned permitted uses, the following are permitted after the issuance of a Special Exception by the Board of Adjustment:

~~**n**~~***o***. *Child care center, subject to Section III-C*

B. RESIDENCE DISTRICT

1. USES PERMITTED. In the Residence District, no building or premises shall be erected, altered or used and no land shall be used for any purpose except:

b. ~~Customary agricultural uses including gardens, nurseries and greenhouses~~ *Agriculture and Farming, subject to Section III-D*;

c. ~~Roadside stands for the sale of home grown produce~~ *Farm roadside stands,* provided that they are located on the lot as not to create roadside hazards or undue congestion;

2. In addition to the aforementioned permitted uses, the following are permitted after the issuance of a Special Exception by the Board of Adjustment: (Section IV.B.2. Amended March 9, 1999)

c. ~~Daycare facility~~ Child care center, subject to Section III-C; ~~educational, governmental, or religious facility; rooming or a boarding house; bed and breakfast facility.~~

SECTION V
VILLAGE BUSINESS DISTRICTS I AND II AND BUSINESS DISTRICT

A. VILLAGE BUSINESS DISTRICT I

1. USES PERMITTED. In the Village Business District I no building or premises shall be erected, altered or used and no land shall be used for any purposes except:

m. Child care center, subject to Section III-C

n. Multi-family dwelling(s), subject to Section III-E.

B. BUSINESS DISTRICT.

1. USES PERMITTED. In the Business District, no buildings or premises shall be erected, altered or used and no land shall be used for any purpose except:

k. ~~Commercial greenhouse or nursery~~ *Agriculture and farming, subject to Section III-D*;

w. Child care center, subject to Section III-C

x. Multi-family dwelling(s), subject to Section III-E

2. In addition to the aforementioned permitted uses, the following are permitted after the issuance of a Special Exception by the Board of Adjustment: (Section V.B.2. Amended March 9, 1999)

a. ~~Daycare facility~~; gasoline service stations; ~~repair garage or body shop~~ *motor vehicle repair facility*; motor vehicle dealership; wholesale *establishment*, warehousing *and distribution,* or manufacturing ~~facility~~; industrial park; vehicle wash facility; (Amended March 14, 2000, Amended March 8, 2022, Amended March 2024)

~~**b.** Multi-family dwelling(s): 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; (Amended March 14, 2000, Amended March 8, 2022)~~

C. VILLAGE BUSINESS DISTRICT II.

1. USES PERMITTED. In the Village Business District II no building or premises shall be erected or used and no land shall be used for any purposes except:

s. Multi-family dwelling(s), *subject to Section III-E:* ~~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 six (6) units per acre. The minimum number of units for a multi-family residential dwelling in the Business District shall be three (3) units. (Amended March 10, 2020; Amended March 2024)~~

u. Child care center, subject to Section III-C

SECTION VI
COMMERCIAL/INDUSTRIAL DISTRICT AND INDUSTRIAL PARK DISTRICT USES
(Adopted March 13, 1990, Amended March 8, 2022)

A. COMMERCIAL/INDUSRTIAL DISTRICT (Amended March 8, 2022)

d. USES PERMITTED. In the Commercial/Industrial Zone no building or premise shall be erected, altered or used and no land shall be used for any purpose except:

16) ~~Commercial greenhouse or nursery~~ *Agriculture and farming, subject to Section III-D*;

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-C.*

B. INDUSTRIAL PARK DISTRICT (Moved from X-A March 8, 2022; Amended March 8, 2022)

2. USES PERMITTED In the Industrial Park District, no buildings or premises shall be erected, altered, or used, and no land shall be used for any purposes, except: (Amended March 8, 2022; March 14, 2023)

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-C* ~~facility~~. (Adopted March 12, 2002)