

**Town of Tuftonboro  
Zoning Ballot  
March 12, 2024**

1. Are you in favor of the adoption of **Amendment #1** as proposed by the Planning Board for the Tuftonboro Zoning Ordinance to reverse the order of Sections I (Definitions) and II (Authority) so that Authority and Purpose are first, followed by Definitions?

*The purpose of this amendment is simply to order the sections in a logical fashion.*

**YES 498 NO 85**

2. Are you in favor of the adoption of **Amendment #2** as proposed by the Planning Board for the Tuftonboro Zoning Ordinance to amend Section 1.1.19 by deleting the word “Family” and replacing it with “Household”?

*The purpose of this amendment is to eliminate the definition of Family, which is difficult to define and enforce, and replace it with a term that is used by the U.S. Census and others in describing persons living together.*

**YES 440 NO 158**

3. Are you in favor of the adoption of **Amendment #3** as proposed by the Planning Board for the Tuftonboro Zoning Ordinance to amend Section 1.1.21 by deleting the definition of Family and adding a definition for Household, as follows?

“Household: All the people who occupy a single housing unit, regardless of their relationship to one another. A household can be constituted by a single person.”

*The purpose for this amendment is the same as Amendment #2.*

**YES 443 NO 153**

4. Are you in favor of the adoption of **Amendment #4** as proposed by the Planning Board for the Tuftonboro Zoning Ordinance to add the following definitions to Section I (renumbered Section II) and renumber the section accordingly?

“Nonconforming Building: A building that lawfully existed prior to the adoption of the effective date of the ordinance with which it is now in conflict.”

“Nonconforming Lot: Means a lot that lawfully existed prior to the adoption of the effective date of the ordinance with which it is now in conflict.

*Since the ordinance only defines Nonconforming “uses”, the purpose of this amendment is to add clarity to the ordinance in regard to the other types of nonconformities.*

**YES 452 NO 134**

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5. Are you in favor of the adoption of **Amendment #5** as proposed by the Planning Board for the Tuftonboro Zoning Ordinance to amend Section I (renumbered Section II) – Definitions by adding a definition for Wetlands, renumber the section accordingly, and replace references in Section XII to “Very Poorly Drained and Poorly Drained Soils” with “wetlands” as follows?

“Wetland: An area that, either through surface water or groundwater, is wet enough and wet for a long enough period of time, to support a predominance of vegetation that grows in saturated soil conditions. In order for an area to be deemed a wetland, all three (3) of the following must be present:

- Hydric Soils – Soils that are saturated or flooded during the growing season sufficient to produce anaerobic conditions in the upper soil layers.
- Hydrophytic Vegetation – Greater than 50% of the vegetation present is adapted for life in saturated soil conditions.
- Hydrology – Evidence exists that demonstrates the soils in the area are inundated with water either permanently or periodically throughout the growing season.”

*The purpose of this amendment is to simplify the administration of the ordinance and to ensure that the wetland definition in the ordinance is consistent with the definition recognized by the NH Department of Environmental Services.*

**YES 377 NO 143**

6. Are you in favor of the adoption of **Amendment #6** as proposed by the Planning Board for the Tuftonboro Zoning Ordinance to change all references in the Zoning Ordinance to Wetland Conservation District to Wetlands and to remove the “WTC” column in the Table of Use?

*The purpose of this amendment is to remove an inconsistency from the Table of Uses since there is no designated conservation district.*

**YES 383 NO 129**

7. Are you in favor of the adoption of **Amendment #7** as proposed by the Planning Board for the Tuftonboro Zoning Ordinance to amend Section III – Districts and Uses by adding a new section 3.7.6 - Accessory Dwelling Units, that would permit attached or detached units by the issuance of a building permit, subject to certain criteria; add a definition for Accessory Dwelling Units to Section I (renumbered Section II), and renumber the section accordingly, as follows?

“Accessory Dwelling Unit: A residential living unit that is within or attached to a single-family dwelling or that is in a separate structure on the property, and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.”

*The purpose of this amendment is to comply with revised state-wide legislation and to expand options for housing choice.*

**YES 386 NO 129**

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8. Are you in favor of the adoption of **Amendment #8** as proposed by the Planning Board for the Tuftonboro Zoning Ordinance to amend Section V by adding a new section 5.1.3 - Nonconforming Lots, to clarify the circumstances under which nonconforming vacant lots can be built on and/or enlarged, as follows? (See Amendment #4 for the new definition.)

***“Non-Conforming Lots of Record (Grandfather Clause)”***

1. In any district, a vacant lot that was a lawful lot of record as of the effective date of this ordinance may be developed for the uses permitted in that district, even though the lot does not conform to the area or frontage requirements of this ordinance. The applicable district requirements for yard setbacks and state septic system requirements shall still apply.
2. Any non-conforming lot may be enlarged, even though the enlargement does not make the lot conforming.”

*The purpose of this amendment is to allow existing, legal lots of record to be built on without zoning board approval; and to allow non-conforming lots to become more conforming.*

**YES 341 NO 165**

9. Are you in favor of the adoption of **Amendment #9** as proposed by the Planning Board for the Tuftonboro Zoning Ordinance to delete Section XI – Excavation in its entirety.

*The purpose of this amendment is to place the authority for Excavation with the Planning Board as a regulation (administered by the Planning Board) and not an ordinance (requires ZBA approval for any change). This offers more flexibility in administering the regulation and streamlines the process for an applicant.*

**YES 357 NO 146**

10. Are you in favor of the adoption of **Amendment #10** as proposed by the Planning Board for the Tuftonboro Zoning Ordinance to amend Section XII – Wetlands Conservation District by adding a new paragraph to 12.5.3, as follows?

12.5.3 Special Provisions:

A.1. No structure or impervious surface may be constructed or enlarged closer than twenty-five (25) feet laterally to any Very Poorly Drained or Poorly Drained Soils.

*The purpose of this amendment is to provide additional protection to wetlands by requiring a setback for structures and impervious surfaces. This does not affect the ability to cross a wetlands with a driveway, subject to all applicable permits.*

**YES 330 NO 179**

11. Are you in favor of the adoption of **Amendment #11** as proposed by the Planning Board for the Tuftonboro Zoning Ordinance to amend Section XVII – Board of Adjustment by increasing the number of alternates from three to five alternates, as allowed by state law?

*The purpose of this amendment is to be consistent with state law.*

**YES 413 NO 90**