

Proposed Zoning Amendments

Town Meeting 2023

Proposed changes to the existing language of the ordinance are indicated as follows:

~~Language that is proposed to be deleted is depicted in red strikethrough~~

Language that is proposed to be added is depicted in blue underline.

AMENDMENT 1

Ballot language: Are you in favor of adoption of Amendment #1 as proposed by the Planning Board for the town's Development Ordinance as follows?

Amend Section VII.C. Non-Conforming Lots to clarify that changes to lot boundaries that do not impact that lot's compliance with the Ordinance are permitted.

FULL AMENDMENT

Under Section VII. Non-Conformity

VII. C. Non-Conforming Lots

The following control non-conforming lots:

VII.C.(1) No action shall be permitted to change the boundary of the lot ~~unless it brings the lot closer to conformance with this Ordinance, and it makes no other~~that would make ~~-any~~ aspect of the lot and/or ~~all~~ structures or uses thereon more non-conforming. Changes to lot boundaries or dimensions that would bring the lot closer to conformance, or which would not change the degree of conformance, are permitted.

AMENDMENT 2

Ballot language: Are you in favor of adoption of Amendment #2 as proposed by the Planning Board for the town's Development Ordinance as follows?

Amend Section III. Definitions to redefine Large Scale Business to apply to any commercial or industrial business with aggregate gross floor area of 10,000 sq. ft. or more contained on a single lot, and to amend Section IV.B.(4)(g) Large Scale Business Setbacks to reference the definition of Large Scale Business and to add a purpose statement.

FULL AMENDMENT

Under Section III Definitions

Large Scale Business: An individual ~~retail or wholesale~~ commercial or industrial business that occupies buildings or structures, or a grouping of ~~retail or wholesale~~ commercial or industrial -businesses, with aggregate gross floor area of 10,000 sq. ft. and larger contained on a single lot. (Rev. 3/06)
(Rev. 3/20)

Under Section IV.B. Dimensional Requirements

IV.B.(4) SETBACKS. Structures shall be set back from property lines in conformance with the minimum and maximum setback requirements set forth in this section.

(g) Large Scale Business Setbacks. The intent of this section is to ensure that large commercial and industrial development is of a quality that supports the vision of the Northwood Master Plan, that contributes to the character of Northwood, and that protects and enhances the health, safety, and welfare of the community. Increased setbacks for Large Scale Businesses are intended to mitigate negative impacts associated with those businesses including but not limited to increased noise and traffic, alterations to the environment and community character, and demands on infrastructure and town services.

Minimum front, side, and rear setbacks for all businesses meeting the definition of a Large Scale Business shall be set according to the size of the aggregate gross floor area. Minimum setbacks are also specified in Table IV-3, the Large Scale Business Minimum Setback Table.

(1) Between 10,000 sq. ft. and 15,000 sq. ft. gross floor area Front, side, and rear setbacks for buildings or structures, or a grouping of buildings or structures, with aggregate gross floor area between 10,000 sq.ft. and 15,000 sq.ft. is 50 feet. These front, side, and rear setbacks also apply to paved areas not including access points.

(2) Between 15,001 sq. ft. and 25,000 sq. ft. gross floor area Front setbacks for buildings or structures, or a grouping of buildings or structures, with aggregate gross floor area between 15,001

sq.ft. and 25,000 sq.ft. is 75 feet. Side and rear setbacks for buildings or structures, or a grouping of buildings or structures, with aggregate gross floor area between 15,001 sq.ft. and 25,000 sq.ft. is 50 feet. These front, side, and rear setbacks also apply to paved areas not including access points.

(3) Between 25,001 sq. ft. and 35,000 sq. ft. gross floor area Front setbacks for buildings or structures, or a grouping of buildings or structures, with aggregate gross floor area between 25,001 sq.ft. and 35,000 sq.ft. is 150 feet. Side and rear setbacks for buildings or structures, or a grouping of buildings or structures, with aggregate gross floor area between 25,001 sq.ft. and 35,000 sq.ft. is 75 feet. These front, side, and rear setbacks also apply to paved areas not including access points. (Rev. 3/06)

(4) Gross Floor Area 35,001 sq. ft. or Larger Front setbacks for buildings or structures, or a grouping of buildings or structures, with aggregate gross floor area of 35,001 sq.ft. or larger is 300 feet. Side and rear setbacks for buildings or structures, or a grouping of buildings or structures, with aggregate gross floor area 35,001 sq. ft. or larger is 150 feet. These front, side and rear setbacks also apply to paved areas not including access points. (Rev. 3/07)

AND

Table IV-3

Large Scale Business Minimum Setback Table

Aggregate gross floor area of business in square feet	Front building setback	Side and rear building setbacks
10,000 sq. ft. – 15,000 sq. ft.	50 ft.*	50 ft.*
15,001 sq. ft. – 25,000 sq. ft.	75 ft.*	50 ft.*
25,001 sq. ft. – 35,000 sq. ft.	150 ft. *	75 ft. *
35,001 and larger (Rev. 3/07)	300 ft. *	150 ft. *

* applies to paved areas not including access points

(Rev. 3/06)

AMENDMENT 3

Ballot language: Are you in favor of adoption of Amendment #3 as proposed by the Planning Board for the town's Development Ordinance as follows?

Amend Section VI.C. Agricultural Soils Overlay District to expand requirements to use Open Space Design for subdivisions of land where at least 25 percent of the total land is designated as soils designated "prime" or of "statewide importance". This amendment would lower the threshold from all subdivisions that are twenty (20) acres or larger to all subdivisions that are ten (10) acres or larger.

FULL AMENDMENT

Under VI.C. Agricultural Soils Overlay District

VI.C.(3) DEVELOPMENT PATTERN All new subdivision proposals on properties that are ~~20~~-10 (ten) acres or larger and possess a sum of 25 percent (%) or greater in agricultural land with soils designated "prime" or of "statewide significance" by the U. S. Natural Resource Conservation Service soil survey as shown on the map titled "All Overlay Zones" dated July 2001 or its equivalent map depicting the layers referenced above maintained at the Northwood Town office, shall be Open Space Design proposals consistent with Section IX of this regulation. (Rev. 3/04) All proposed development lots shall be clustered away from or as close to the edge of the overlay district as possible. Open space as required by Section IX of this regulation shall prioritize, as much as possible, the conservation and continued use of agricultural soils of prime or statewide significance for agricultural purposes where this overlay is present.

AMENDMENT 4

Ballot language: Are you in favor of adoption of Amendment #4 as proposed by the Planning Board for the town's Development Ordinance as follows?

Amend Section VII.D.(3) Permitted Conversion of Seasonal Dwellings for Year-Round Occupancy to provide examples of other ordinance requirements that proposals must meet. This amendment is for informational purposes only and would not change any regulations.

FULL AMENDMENT

Under Section VII. Non-Conformity

VII.D.(3) Permitted Conversion of Seasonal Dwellings for Year-Round Occupancy: Seasonal dwellings may be expanded to year-round occupancy wherever single-family residential uses are permitted, and as long as the expansion complies with the following requirements:

- (a) The lot and structure must comply with all provisions of Section IV. General District, *including, but not limited to lot size, setback, type and length of road frontage, and height requirements.*
- (b) A Subsurface Disposal System permit approval is obtained from the NH Department of Environmental Services Subsurface Systems Bureau.
- (c) The expansion complies with the most recent edition of the Life Safety Code (RSA Chapter 155-A).
- (d) The expansion complies with the Code for Energy Conservation in New Building Construction (NH RSA Chapter 155-D).
- (e) Where multiple seasonal dwellings exist on one lot, only one seasonal dwelling may be converted for year-round occupancy. All seasonal dwellings not being converted shall be eliminated.

AMENDMENT 5

Ballot language: Are you in favor of adoption of Amendment #5 as proposed by the Planning Board for the town's Development Ordinance as follows?

Amend Section IV.B.(1) Road Frontage to require that all frontage needed to meet the requirements of the ordinance be contained in a single contiguous segment.

FULL AMENDMENT

Under Section IV.B. Dimensional Requirements

IV. B. (1) ROAD FRONTAGE All lots are required to meet the road frontage requirements of this section. (*Rev. 3/00, 3/01, 3/08*)

- (f) Contiguous Frontage. The entire length of required road frontage shall be contained within a single contiguous segment. Corner lots are permitted to count frontage on both roads towards this requirement as long as the parcel contains the entire frontage leading up to the corner on both roads. Parcels with multiple non-contiguous frontage segments will be deemed compliant as long as at least one frontage segment is long enough to satisfy the applicable minimum frontage requirement on its own.

AMENDMENT 6

Ballot language: Are you in favor of adoption of Amendment #6 as proposed by the Planning Board for the town's Development Ordinance as follows?

Amend Section III Definitions to replace the existing definition of Affordable Housing with definitions of Affordable Housing and Workforce Housing from RSA 674:58. Amend Section V. Use Regulations to add Workforce Housing as a column 1 permitted use, rename the existing Elderly Housing performance criteria as Cluster Housing and to permit Cluster Housing to be used only for Elderly Housing and Workforce Housing in order to comply with state statute. Amend Table V-2 Elderly Housing Requirements to be retitled Cluster Housing Requirements and to reduce the maximum density of Cluster Housing from 4 units per acre to 2 units per acre. Amend the ordinance to update references to the Elderly Housing development type to refer to Cluster Housing as necessary.

FULL AMENDMENT **Under Section III. Definitions**

Affordable (Housing): Housing with combined rental and utility costs or combined mortgage loan debt services, property taxes, and required insurance that do not exceed 30 percent of a household's gross annual income.

AND

~~**Affordable Housing:** A decent safe and sanitary dwelling, apartment or other living accommodation for a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development. An owner-occupied housing unit is affordable to a household if the unit's expected sales price is reasonably anticipated to result in monthly housing costs (including mortgage principal and interest payments, mortgage insurance costs, homeowners' insurance costs, real estate taxes and basic utility and energy costs) that do not exceed 33% of the household's gross monthly income. A renter-occupied housing unit is affordable to a household if the unit's monthly housing costs (including rent and basic utility and energy costs) do not exceed 28% to 33% of the household's gross monthly income. (3/05)~~

AND

Cluster Housing: Housing development with more than one principal residential structure per lot. Cluster housing development may only be used for the construction of Elderly Housing and/or Workforce Housing as defined by this ordinance. See Section V.B.(4). Cluster Housing is distinct from and not to be confused with provisions for Open Space Design for subdivisions as contained in Section IX. of this ordinance.

AND

Elderly Housing: Housing units, with a maximum of two bedrooms, occupancy of which is restricted in perpetuity to persons 62 years of age or older; or in the case of housing units financed wholly or partially with state or federal funds, housing units occupied solely by elderly persons or elderly families or handicapped persons as defined in the funding program in perpetuity, provided the number of units available for occupancy by the handicapped persons who are not elderly shall be the minimum needed to establish eligibility for the federal or state program and that the program has received the approval of the United States Department of Housing and Urban Development as one designed and operated to assist elderly persons. May be developed using the Cluster Housing provisions of Section V.B.(4).~~(3/05)~~

AND

Workforce Housing: Housing which is intended for sale and which is affordable to a household with an income of no more than 100 percent of the median income for a 4-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. "Workforce housing" also means rental housing which is affordable to a household with an income of no more than 60 percent of the median income for a 3-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. Housing developments that exclude minor children from more than 20 percent of the units, or in which more than 50 percent of the dwelling units have fewer than two bedrooms, shall not constitute workforce housing for the purposes of this subdivision.

Under Section IV.B Dimensional Requirements

IV. B. (1) ROAD FRONTAGE All lots are required to meet the road frontage requirements of this section. (Rev. 3/00, 3/01, 3/08)

(c) Length of Frontage

[4] ~~Elderly housing:~~Cluster Housing: The minimum frontage for ~~an elderly a Cluster Housing housing~~ development shall be as shown in Table V-2. This requirement applies to developments as well as existing lots of record. (Rev. 3/04)

AND

IV.B.(3) RESIDENTIAL DENSITY Residential density shall not exceed the requirements of this section. Residential density is measured by the number of residential units per acre.

(e) ~~Elderly Housing~~Cluster Housing The maximum residential density for ~~elderly housing~~Cluster Housing shall be ~~4~~2 units per acre.(Rev. 3/01) (Rev. 3/05)

AND

Table IV-2
Residential Density Table

District	Units/ Acre	Restrictions
General District -See Section IV(B)	1/2	Maximum Density Formula
Elderly Housing Cluster Housing	4-2 per acre	See Section V(B)(4)
Conservation Overlay District -See Section VI(B)	1/4	Maximum Density Formula
Wellhead Protection Overlay District (Rev. 3/01) -See Section VI(D)	1/4	Maximum Density Formula
Wetlands Conservation Overlay District -See Section VI(A)		Not permitted
Agricultural Soils Overlay District -See Section VI(C)		Open Space Design Required
Steep Slope Protection Overlay District -See Section VI(E)		Special Exception Required 20-25% slopes; Restrictions apply 25%+ slopes
Open Space Design -See Section VIII		Maximum Density Open Space Formula

AND

IV.B.(6) DEVELOPMENT ON A SINGLE LOT

- (b) Residential Only There shall be no more than one principal residential structure per lot, except for ~~Elderly Housing~~ **Cluster Housing** developments.
- (c) Mix of residential and non-residential uses on one lot In certain instances it is appropriate to have a mix of permitted uses on a single lot. Residential use may be permitted in combination with non-residential uses on a single lot or in a single structure, provided the following conditions are met:
 - [1] Site Plan Review approval shall be required for the entire property to ensure that the site is suitable for the proposed mix of uses.
 - [2] There shall be no more than one principal residential structure per lot, except for ~~Elderly Housing~~ **Cluster Housing** developments

Under Section V. Use Regulations

Table V-1
Table of Uses

USE	#1	#2	#3
Single Family Residential	X		
Two Family Residential	X		
Accessory Dwelling Unit see Sec. IV B(6)(d) <i>(Rev. 3/20)</i>	X		
Seasonal Dwelling <i>(Rev. 3/20)</i>	X		
Workforce Housing (Rev. 3/23)	X		
Forestry and Agriculture	X		
Church	X		
Telecommunication antenna mounted on existing building or mount	X		
School	X		
Accessory Use	X		
Residential, Multi-Family		X	
Retail		X	
Light Manufacturing		X	
Restaurant		X	
Bed and Breakfast		X	
Day Care		X	
Home Business		X	
Telecommunications Mount		X	
Excavations		X	
Service Business <i>(Rev. 3/01)</i>		X	
Elderly Housing (Rev. 3/01) Cluster Housing (may consist of Elderly and/or Workforce Housing only)		X	
Business Office <i>(Rev. 3/05)</i>		X	
Professional Office <i>(Rev. 3/05)</i>		X	
Kennels <i>(Rev. 3/01)</i>			X
Manufacturing			X
Sexually Oriented Businesses <i>(3/03)</i>			X

Column 1: Permitted Use; See Section V.A.

Column 2: Performance Criteria Apply; See Section V.B.

Column 3: Additional Criteria Apply; See Section V.C.

AND

V.B. (4) ~~ELDERLY CLUSTER~~ HOUSING

- (a) ~~Elderly Cluster~~ housing developments, two family, and multi-family residential housing must meet the standards as set forth in the development ordinance. (Rev. 3/05)
- (b) To create an attractive design and livable community for Elderly Housing and Workforce Housing development projects, one or more principal residential structure(s) per lot is permitted provided:
- [1] Each residential structure shall contain a full foundation and a minimum of two residential units.
 - [2] There shall be a separation of at least 40' between principal residential structures.
 - [3] Manufactured housing shall not be permitted in ~~Elderly Cluster~~ Housing development projects. (Rev. 3/02) (Rev. 3/06)
 - [4] All residential units contained within the Cluster Housing development project shall be Elderly Housing units and/or Workforce Housing units as defined by this ordinance.
- (c) Road Frontage Road Frontage requirements for ~~Elderly Cluster~~ Housing developments are specified in Table V-2, Elderly Housing Requirements Table.
- (d) Lot Size The minimum lot size for ~~elderly Cluster~~ hHousing development shall be 10 acres.
- (e) Setbacks: Front, Side and Rear Setbacks are specified in Table V-2, ~~Elderly Cluster~~ Housing Requirements Table.
- (d) Maximum Density: specified in Section IV(B)(3)(e) and in Table V-2, ~~Elderly Cluster~~ Housing Requirements Table.
- (e) Open Space Component There shall be an open space component to every ~~elderly Cluster~~ hHousing development. The required lot percentage and restricted land types shall be consistent with Section IX(E)(1). (Rev. 3/05)

AND

Table V-2
Elderly Cluster Housing Requirements
 See Section V(B)(4)

Characteristic	Requirement
Maximum Density <i>(Rev. 3/05)</i>	4-2 Units/ acre
Minimum Front Setback <i>(Rev. 3/04)</i>	50 feet
Minimum Side/Rear Setback <i>(Rev. 3/04)</i>	50 feet
Road Length Frontage for 20 units or less <i>(Rev. 3/04)</i>	250 feet
Road Length Frontage for 21-30 units <i>(Rev. 3/04)</i>	250 feet plus an additional 5 ft. for each unit over 20
Road Length Frontage for 31-40 units <i>(Rev. 3/04)</i>	300 feet plus an additional 10 ft. for each unit over 30
Road Length Frontage for over 40 units <i>(Rev. 3/04)</i>	400 feet plus an additional 15 ft. for each unit over 40
Minimum Lot Size	10 acres

Under Section VII. Non-Conformity

Table IV-2
Residential Density Table

District	Units/ Acre	Restrictions
General District -See Section IV(B)	1/2	Maximum Density Formula
Elderly Housing Cluster Housing	4-2 per acre	See Section V(B)(4)
Conservation Overlay District -See Section VI(B)	1/4	Maximum Density Formula
Wellhead Protection Overlay District (Rev. 3/01) -See Section VI(D)	1/4	Maximum Density Formula
Wetlands Conservation Overlay District -See Section VI(A)		Not permitted
Agricultural Soils Overlay District -See Section VI(C)		Open Space Design Required
Steep Slope Protection Overlay District -See Section VI(E)		Special Exception Required 20-25% slopes; Restrictions apply 25%+ slopes
Open Space Design -See Section VIII		Maximum Density Open Space Formula

Under Section IX. Open Space Design

IX.A. Purpose The purpose of this section is to encourage residential subdivision designs, multi-family residential developments, and ~~elderly housing~~ **Cluster Housing** developments, which allow creation of high quality, traditional residential neighborhoods while also protecting important components of the natural landscape. The primary mechanism to accomplish this purpose is the reduction in individual lot sizes and dimensions, with the balance of the land put into a common open space. The purpose of the open space may vary, but shall include one or more of the following purposes:

AND

IX.B. Application Procedures

IX.B. (1) Subdivision applications, and site plan applications for multi-family residential developments or ~~elderly housing~~ **Cluster Housing** developments, under the Open Space Design provisions shall follow the standard application review process specified in the Subdivision and Site Plan Review Regulations.

AND

IX. E. Open Space Requirements

IX.E. (1) MINIMUM SIZE OF OPEN SPACE The following standards shall apply:

- (a) the area of open space provided shall at least equal the total amount of reduction in building lot areas;
- (b) the area of open space provided shall be 33% or more of the gross area of the subdivision or lot approved for multi-family residential development or ~~elderly housing~~[Cluster Housing](#) development;

AND

IX. E. Open Space Requirements

IX.E.(4) The required open space shall be in common ownership by the owners of the lots within the subdivision or owners of condominium rights of any part of a lot or structure in a multi-family residential development or ~~elderly housing~~[Cluster Housing](#) development. It shall be protected by legal arrangements, satisfactory to the Planning Board, sufficient to assure its maintenance and preservation for whatever purpose is intended. Covenants or other legal arrangements shall specify: ownership of the open space; method of maintenance; responsibility for maintenance; maintenance of taxes and insurance; compulsory membership and compulsory assessment provisions for all subdivision lot owners or condominium owners in a multi-family residential development or elderly housing development which guarantees that any association formed to own and maintain the open space will not be dissolved without the consent of the Planning Board; and any other specifications deemed necessary by the Planning Board. (Rev. 3/01) (Rev. 3/04) (Rev. 3/05)

AMENDMENT 7

Ballot language: Are you in favor of adoption of Amendment #7 as proposed by the Planning Board for the town's Development Ordinance as follows?

Amend Section IV.B.(5) Structure Height to clarify the points from which structure height is measured.

Under Section IV.B. Dimensional Requirements

IV.B.(5) STRUCTURE HEIGHT Structure heights shall not be greater than the maximum requirements set forth in this section.

- (a) Purpose. Control of structure height is important for a variety of reasons. Structure height is related to fire safety and the fire department's ability to protect public safety. Structure height strongly affects the character of the neighborhood and the allowance of adequate sunlight and air circulation. It is a critical control of intensity of use, especially for non-residential uses.
- (b) Structure Height. -The maximum structure height is specified in Table IV-1, the Dimensions Table. Maximum structure height shall apply to all structures, and shall be measured as the distance between the upper bound and lower bound as follows:-
 - [1] the upper bound shall be the highest point of the roof.
 - [2] the lower bound shall be the lowest finished ground level within 10 feet of the structure.
- (c) Open Space Design The Open Space Design section of this Ordinance does not permit alteration of structure height requirements. The standards for structure height shall apply regardless of the pattern of development.
- (d) Telecommunications Mounts The maximum height of a telecommunications mount shall be determined by § V(B)(3)(a-d).
- (e) Special Exception The ZBA can relax the maximum structure height limit to a maximum of 60' by granting a Special Exception when the following conditions are met:
 - [1] the proposed structure which exceeds the height limit must exceed the height limit to fulfill its unique purpose, such as an agricultural silo or church steeple; and
 - [2] there shall be no occupied floor space above the standard height limit.

AMENDMENT 8

Ballot language: Are you in favor of adoption of Amendment #8 as proposed by the Planning Board for the town's Development Ordinance as follows?

Amend Section III Definitions to define Religious Uses and Section V. Use Regulations to comply with requirements of RSA 674:76 exempting predominantly religious uses from most zoning requirements.

Under Section III. Definitions

Religious Uses. Property that is or will be used at least 51 percent of the time, and upon which at least 51 percent of land and/or structures will be used for religious purposes, including but not limited to houses of public worship, parish houses, church parsonages occupied by their pastors, convents, monasteries, buildings and the lands appertaining to them owned, used and occupied directly for religious training or for other religious purposes by any regularly recognized and constituted denomination, creed or sect, organized, incorporated or legally doing business in this state and the personal property used by them for the purposes for which they are established. Land or structures containing religious uses may also contain accessory non-religious uses provided these are incidental to or clearly subordinate to the religious uses.

Under Section V. USE REGULATIONS

Table V-1
Table of Uses

USE	#1	#2	#3
Single Family Residential	X		
Two Family Residential	X		
Accessory Dwelling Unit see Sec. IV B(6)(d) (Rev. 3/20)	X		
Seasonal Dwelling (Rev. 3/20)	X		
Forestry and Agriculture	X		
Church Religious Uses	<u>Exempt – see Section V.F.</u>		
Telecommunication antenna mounted on existing building or mount	X		
School	X		
Accessory Use	X		
Residential, Multi-Family		X	
Retail		X	
Light Manufacturing		X	
Restaurant		X	
Bed and Breakfast		X	

Day Care		X	
Home Business		X	
Telecommunications Mount		X	
Excavations		X	
Service Business (Rev. 3/01)		X	
Elderly Housing (Rev. 3/01)		X	
Business Office (Rev. 3/05)		X	
Professional Office (Rev. 3/05)		X	
Kennels (Rev. 3/01)			X
Manufacturing			X
Sexually Oriented Businesses (3/03)			X

AND

V.F. Exempt Uses

V.F.(1) RELIGIOUS USES Pursuant to RSA 674:76, land or structures primarily used for religious purposes are permitted as follows:

- (a) Land or structures primarily used for religious purposes shall comply with all applicable provisions of Section IV.B. Dimensional Requirements of this ordinance, including Table IV-1 Dimensions Table. Where those dimensional requirements are superseded by Section IX. Open Space Design the land and structures shall comply with dimensional requirements contained in Table IX-1 Open Space Design Incentives.
- (b) Where owners of land or structures primarily used for religious purposes would be entitled to rights specified by Section VII. Non-Conformity, those owners may exercise said rights consistent with that section.
- (c) Land or structures primarily used for religious purposes are exempt from all other standards or performance criteria applied to any use, structure, or lot by this ordinance provided they meet the following conditions:
 - [1] Land or structures primarily used for religious purposes shall continue to comply with other applicable federal, state, and local codes including but not limited to building, fire, and health codes. Where state or federal policy requires issuance of a state or federal permit a copy of any such permit will be provided to the Town.
 - [2] Any proposal requiring a building permit to construct or alter a structure that is to be primarily used for religious purposes shall be accompanied by sufficient information necessary to determine compliance with the dimensional requirements described above.
 - [3] Any proposal requiring a building permit, or which would introduce a new use or otherwise constitute a change of use shall

be accompanied by an affidavit from an authorized representative of the religious organization making the proposal. This affidavit shall attest to the fact that the land or structures are or will be used at least 51 percent of the time, and that 51 percent of the area of the lot and/or structures, will be used for religious purposes.