

subsurface disposal systems. However, to qualify under this section 1 such lots must be in separate ownership and shall not be of continuous frontage with other lots in the same ownership with which it could be combined, in whole or in part, to create a conforming lot or lots.

2. Any non-conforming property consisting of a lot occupied by a structure, which is non-conforming, either because of any requirement of Article IV or because of use prohibited by Article III, and was lawfully in existence and in active use when this Ordinance became effective, may continue indefinitely in such use.

3. Upon approval of the Board of Adjustment after submission of a site plan, any and all property non-conforming because of use prohibited by Article III, which was lawfully in existence and in active use when this Ordinance or subsequent amendments became effective, may be altered or expanded in use as the business and conditions reasonably warrant; provided the Board finds that such alteration or expansion will not make any existing conforming structure non-conforming under part 4, Article IV and that the previous use will not be altered materially in purpose or so as to be more detrimental to the neighborhood.

4. Any and all non-conforming property which is partially or totally destroyed by reason of obsolescence, fire or other act of God may be restored, remodeled and operated, if done within two (2) years, providing, however, that proximity to a lot line or right-of-way may be no nearer than the lesser of the original building and the setbacks defined in this ordinance.

## **ARTICLE VII Growth Management**

### 1. Growth Management and Timing of Development – Authority and Purpose

This Article is enacted pursuant to the authority granted by NH RSA 674:22 as amended. It is intended to regulate and control the timing of development in accordance with the objectives of each of the Town of Webster's Master Plan and Capital Improvements Plan. These two documents assess and balance the community development needs of the Town of Webster and consider regional development needs. This Article allows the orderly growth of population and development at a rate that avoids placing an undue strain and burden upon existing and planned Town services, schools, roads and other infrastructure.

### 2. Annual Building Permit Limitation

A. The number of building permits issued in a calendar year for new residential dwelling units is limited to an amount that is 4.0% of total dwelling units in the town of Webster as of December 31 of the prior year. When the maximum number of building permits has been issued the building inspector may continue to accept applications for placement on a waiting list. Any waiting list will be discarded at the end of each calendar year.

B. For the purpose of this Article, the December 31 base of dwelling units shall be the

number of buildings valued at \$5000.00 or greater according to the Town of Webster property tax data base as of December 31.

3. Equitable Distribution of Building Permits

The Town shall issue building permits on a “first come, first serve” basis provided, however, that no more than three (3) permits per year will be issued to any individual, corporation, partnership, or entity.

4. Expiration

This Article shall expire at 11:59 p.m., March 31, 2010.

**ARTICLE VII-A  
Growth Management Pillsbury Lake**

The number of building permits issued in a calendar year for new residential dwelling units in the Pillsbury Lake Community shall be limited to no more than 2% of the number of dwelling units in the Pillsbury Lake Community as of December 31 of the prior year. When the maximum number of permits has been issued the building inspector may continue to accept applications for placement on a waiting list. Any waiting list will be discarded at the end of each calendar year.

**ARTICLE VIII  
Building and Construction**

A Building Inspector may be appointed annually by the Board of Selectmen and he shall be the administrative officer under this article and be answerable to the Board of Selectmen. If the Selectmen do not appoint a Building Inspector, his administrative powers and duties shall be vested in the Board of Selectmen.

1. Any individual, corporation, partnership or entity before commencing construction of any new dwelling unit, must first obtain a permit from the Building Inspector. Any such permit shall be void unless the foundation is completed within six (6) months of the date of issuance. The outside of the structure must be completed within two (2) years of issuance of permit.
2. All applicants shall supply the Building Inspector with all required documentation, including but not limited to: proof of ownership, septic system approval, subdivision approval, driveway permit and a detailed drawing of the lot. The drawing shall show the location, size, and topography of the lot; the location, size and elevation of the proposed dwelling, accessory structures, drainage systems, wells, driveways, curbs, sidewalks, setbacks, bodies of water, and wetlands. The Building Inspector may at his discretion waive the inclusion of some of these where applicable. The Building Inspector shall determine what constitutes proper documentation and a completed application. Construction or placement of any item shall not deviate from that