

**WILTON LAND USE LAWS AND REGULATIONS
ZONING ORDINANCE**

7.0 COMMERCIAL DISTRICT

A building or structure may be erected, altered or used, and a lot may be used or occupied for any of the following purposes in accordance with the following provisions. Any change in use or type of activity in an existing structure or any new construction in this district, other than a single family dwelling or a two-family dwelling permitted by Section 5.5 of this ordinance, must have prior approval from the Planning Board under the Site Plan Review regulations. *(Amended March 2003, March 2017)*

7.0.1 Commercial District Location.

The Commercial District encompasses the following areas within the Town of Wilton. *(Amended March 1992, March 2010, March 2014):*

- a. The area on the south side of NH Route 101 between the north and south intersections of 101 and Intervale Road to a depth of 150 feet from the edge of the State right-of-way.
- b. The area on the south side of NH Route 101 in West Wilton as delineated on the Town of Wilton Tax Map C encompassing lots 102, 102-1, 103, 104 and 105. *(Amended March 2002.)*
- c. The area north and south of Frye Mill Road as delineated on the Town of Wilton Tax Map A encompassing lots 23, 24, 28 and 63. *(Amended March 2010)*
- d. Deleted 2014.
- e. Deleted 2014.
- f. The area south of Main Street near the Milford Line as delineated on the Town of Wilton Tax Map K as lot 163.
- g. The area at the intersection of NH Routes 101 and 31 South as delineated on Town of Wilton Tax Map F lots 162, a portion of 163 north of a line drawn from the southeast corner of 164 to the southwest corner of 162 and 164. *(Amended March 2001, March 2010)*

7.0.2 Deleted 2019 (Formerly Section 7.0.2) Downtown Commercial District Location:

~~The District is part of the Commercial District and is subject to the general district requirements except as specifically noted otherwise in the Zoning Ordinance. Specifically, the Downtown Commercial District encompasses the following areas within the Town of Wilton *(Amended March 2014):*~~

- ~~a. The area in the western section of downtown Wilton located north and south of Forest Road as delineated on the Town of Wilton Tax Map J encompassing lots 79, 90, 90-1A, 90-1B, 91, 99, 100 and 101. *(Former 7.0.1.d. Amended March, 2014).*~~
- ~~b. The area in Downtown Wilton north and south of Main Street as delineated on the Town of Wilton Tax Map J encompassing lots 43, 44, 45, 46, 47, 48, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 60-1, 61, 62, 63, 64; and Tax Map K encompassing lots 63, 64, 64-1, 65, 85, 103, 104, 170, 171, 172, 173, portions of lot 66 south of a line drawn between the southeast corner of 67 and the northwest corner of 76, and portions of 166 west of a line drawn~~

WILTON LAND USE LAWS AND REGULATIONS
ZONING ORDINANCE

~~between due south from the southeast corner of 103 to the river. (Amended March 2006, March 2010)(Former 7.0.1.e. Amended March, 2014)~~

7.1 **Permitted Uses.**

The following uses shall be permitted in the Commercial District:

- a. Any use permitted in the General Residence and Agricultural District under the same provisions as apply to the use in that district, including density, except that the lot dimensional requirements shall be as specified in this section; (*Amended March, 2007*)
- b. Duplex and multi-family dwellings, inns, tourist courts, cabins and bed and breakfasts, including such retail businesses within these permitted buildings as are conducted for the convenience of the residents or guests;
- c. ~~Restaurants and other retail establishments;~~ **Retail Services: Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods, including retail stores, restaurants, taverns and banks. Also, establishments primarily engaged in providing services involving the care of a person or his or her apparel (such as barbershops and beauty salons, spas, tailors and dry cleaners);**
- d. **Parking garages, parking lots and filling stations, and automotive service stations;**
- e. Business and professional offices;
- f. ~~Theaters, halls, clubs and amusement centers;~~ **Community buildings, social halls, clubs, lodges, fraternal organizations, theaters, recreation facilities, and amusement centers;**
- g. Greenhouses and florist shops: **An establishment where retail and wholesale garden products and produce are sold to the consumer. The establishment imports most of the items sold, but may include a nursery and/or greenhouse, and may include plants, nursery products and stock, potting soil, hardware, other garden and farm variety tools and outdoor furniture;**
- h. Funeral homes;
- i. Wholesale establishments in connection with permitted retail establishments, warehousing or merchandise for retail sale within the District;
- j. Houses of worship including, but not limited to, churches, synagogues, parish houses, mosques, convents, and other accessory uses; (*March 2010, March 2018*)
- k. Hospitals, emergency medical centers and clinics; (*March 2010*)
- l. Schools, kindergartens, preschools, and daycare centers, including in-home childcare; (*March 2010*)
- m. **Medical offices, which provide health services to people on an outpatient basis including doctors, dentists, physical therapists, massage therapist and chiropractors;**

- n. **Veterinary clinics which may include facilities for overnight boarding or caring of animals provided that any such facility shall be designed, constructed and operated in such a manner so as not to be a nuisance to adjacent uses by way of noise or odor;**
- o. **Libraries, museums;**
- p. **Adult day care facilities: Any person, corporation, partnership, voluntary association, or other organization, either established for profit or otherwise, which provides for the daily care and supervision of an adult person away from the person's home and which requires licensing by the State of NH;**
- q. **Nanobreweries as defined in NH RSA 178:12-a, Brewpubs as defined in NH RSA 178:13, Wine retail outlets and tasting rooms pursuant to NH RSA 178:8, and Liquor manufacturers pursuant to NH RSA 178:6;**
- r. **Light Manufacturing: Includes all manufacturing and assembly, packaging, finishing or treating of products carried on completely within a structure, and involving no ~~permanent~~ outside storage of equipment or materials. Light Industry shall not be interpreted to include any industry, the operations of which would cause danger of fire or explosion or which shall result in significant objectionable vibration, noise, smoke, fumes, odor, dust, gas fumes, chemicals, radiation or other waste materials which would constitute a nuisance, nor which would adversely affect other private or public properties; and**
- s. **Mixed Uses: The development of a tract of land or building or structure with two or more different permitted uses such as but not limited to residential, office, retail, public, or entertainment ~~in a compact urban form~~. Individual uses within a mixed use property must conform to any requirement within their particular class of use.**

7.2 **Lot Requirements.**

7.2.1 **Frontage.** Frontage shall be as follows:

- a. Two hundred (200) feet on a public right-of-way, Class V or better;
- b. ~~Deleted 2019. Twenty-five (25) feet on Main Street. (Amended March, 2014)~~

7.2.2 **Setbacks.** Setbacks shall be as follows:

- a. Front setback - thirty-five (35) feet;
- b. Side setback - twenty-five (25) feet;
- c. Rear setback - twenty (20) feet;
- d. ~~Deleted 2019 Setbacks on Main Street at a depth to conform with existing neighboring buildings. (Amended March, 1991, March, 2014)~~

WILTON LAND USE LAWS AND REGULATIONS
ZONING ORDINANCE

- e. No buildings or parking areas are permitted in the front setback or in any setback which abuts a residentially or residential/ agriculturally zoned parcel; (Amended, March 1991.)
 - f. Parking areas are permitted up to within ten (10) feet of the side or rear lot line of a commercially zoned parcel where it abuts another commercially or industrially zoned parcel; and (Amended March 1991.)
 - g. Parking areas shared between two adjacent commercially or industrially zoned parcels may be developed up to the common side or rear lot-line if all other conditions of the district are met. (Amended March 1991.)
- 7.2.3 Percentage of Lot Coverage. A maximum of seventy-five percent (75%) of the gross area of any lot shall be occupied by buildings, parking and roadways. Commercial buildings, structures and parking areas in existence as of March 13, 1990 that exceed the permitted lot coverage within the district may be maintained at or rebuilt to the existing level. Any increase in impervious area will not be permitted. (Amended March 1992.)
- 7.2.4 Access. Access to lots within the commercial district shall be as follows:
- a. Any lot with frontage on NH Route 101 shall be accessed by any other street or side road that is available and only by NH Route 101 if no other alternative exists. If no other access is available, entrance and exit for the lot(s) is limited to one (1) curb cut on NH Route 101 for each lot-of-record existing as of March 11, 1986. If access to a lot is available to a street or side road other than NH Route 101, access to the lot shall be taken from the street or side road.
 - b. As each lot within this district is developed, provisions shall be made during the site plan review process for the lay-out and construction of streets or side roads as the Planning Board shall determine necessary to permit travel between adjacent lots without accessing NH Route 101. To encourage shared lot access, where at all possible and practical, the location of all accessory street or roadway curb cuts shall be situated to allow adjacent lots to also take advantage of or share the same point of access along the street or roadway.
 - c. Access to any Town road or State highway shall require Town or State permit approval.