

**TOWN OF WARNER, NH PLANNING BOARD**

**2019 Zoning Ordinance Definitions**

**Glossary**

**Complete text of definitions used in NH Revised Statutes Annotated (RSA)**

**“Abutter” as defined in RSA 672:3**

“Abutter” means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For the purposes of receiving testimony only, and not for purposes of notification, the term “abutter” shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For the purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term “abutter” means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For the purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park as defined in RSA 205-A:1, II, the term “abutter” includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street from the land under consideration by the local land use board.

**2019 Zoning Ordinance Definition – Glossary - Complete text of definitions used in NH Revised Statutes Annotated (RSA) – (Continued)**

“Agriculture” as defined in RSA 21:34-a, II

The words “agriculture” and “farming” mean all operations of a farm, including:

- (a)(1) The cultivation, conservation, and tillage of soil.
- (2) The storage, use of, and spreading of commercial fertilizer, lime, wood ash, sawdust, compost, animal manure, septage, and, where permitted by municipal and state rules and regulations, other lawful soil amendments.
- (3) The use and application of agricultural chemicals.
- (4) The raising and sale of livestock which shall include but not be limited to all beef and dairy cattle, steer, oxen, goats, sheep, swine, horses, mules or other equidae, as well as domesticated strains of buffalo, bison, llamas, alpacas, emus, ostriches, poultry, rabbits, yaks, elk, (*Cervus canadensis*), fallow deer (*Dama dama*), red deer (*Cervus elephus*), and reindeer (*Rangifer tarandus*).
- (5) The breeding, boarding, raising, training, riding instruction, and selling of equines.
- (6) The commercial raising, harvesting, and sale of fresh water fish, or other aquaculture products.
- (7) The raising, breeding, or sale of poultry or game birds.
- (8) The raising of bees.
- (9) The raising, breeding, or sale of domesticated strains of fur-bearing animals.
- (10) The production of greenhouse crops.
- (11) The production, cultivation, growing, harvesting, and sale of agricultural, floricultural, viticultural, forestry, or horticultural crops, including, but not limited to, berries, herbs, honey, maple syrup, fruit, vegetables, tree fruit, grapes, flowers, seeds, grasses, nursery stock, sod, trees and tree products, Christmas trees grown as part of a commercial Christmas tree operation, trees grown for short tree rotation tree fiber, compost, or any other plant that can be legally grown and harvested extensively for profit or subsistence.

**2019 Zoning Ordinance Definitions - Glossary - Complete text of definitions used in NH Revised Statutes Annotated (RSA) – (Continued)**

“Agriculture” as defined in RSA 21:34-a, II (Continued)

(b) Any practice on the farm incident to, or in conjunction with such farming operation, including, but not necessarily restricted to:

- (1) Preparation for market, delivery to storage or to market, or to carriers for transportation to market of any products or materials from the farm.
- (2) The transportation to the farm of supplies and materials.
- (3) The transportation of farm workers.
- (4) Forestry or lumbering operations.
- (5) The marketing or selling at wholesale or retail, of any products from the farm, on-site and off-site, where not prohibited by local regulations. Marketing includes agritourism, which means attracting visitors to a farm to attend events and activities that are accessory uses to the primary farm operation, including, but not limited to, eating a meal, making overnight stays, enjoyment of the farm environment, education about farming operations, or active involvement in the activity of the farm.
- (6) Irrigation of growing crops from private water supplies or public water supplies where not prohibited by state or local rule or regulation.
- (7) The use of dogs for herding, working, or guarding livestock, as defined in RSA 21:34-a, II(a)(4)
- (8) The production and storage of compost and materials necessary to produce compost, whether such materials originate, in whole or in part, from the operations of the farm.

“Person” as defined in RSA 21: 9

NH RSA 21:9 Person – The word “person” may be extended and be applied to bodies corporate and politic as well as to individuals.

**2019 Zoning Ordinance Definitions - Glossary - Complete text of definitions used in NH Revised Statutes Annotated (RSA) – (Continued)**

“Subdivision as defined in RSA 672:14

- I. “Subdivision” means the division of the lot, tract, or parcel of land into 2 or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.
- II. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision under this title.
- III. The grant of an easement in gross to a public utility for the purpose of placing and maintaining overhead and underground facilities necessary for its transmission or distribution network such as poles, wires, cable, conduit, manholes, repeaters, and supporting apparatus, including any unstaffed structure which is less than 500 square feet, shall not be construed as a subdivision under this title, and shall not be deemed to create any new subdivision of land for any other purposes.
- IV. The rent, lease, development, or grant of an easement to a person for the purpose of placing and maintaining a wireless communications facility shall not be construed as a subdivision under this title, and shall not be deemed to create any new subdivision of land for any other purpose. For the purposes of this paragraph, “wireless communications facilities” means any towers, poles, antennas, or other unstaffed structure of less than 500 square intended for use in connection with licensed transmission or receipt of radio or television signals, or any other licensed spectrum-based transmissions or receptions. This paragraph shall not be deemed to affect other local zoning, site plan, or regulatory authority over wireless communication facilities.