

https://www.caledonianrecord.com/news/local/zoning-ordinance-proposed-again-for-dalton-after-landfill-effort-falters/article_9b1c3de3-6ead-5f72-931a-67232ad17b77.html

Zoning Ordinance Proposed Again For Dalton After Landfill Effort Falters

Similar Effort Failed In 2022 In Town Without Zoning

Robert Blechl rblechl@caledonian-record.com Staff Writer

Aug 6, 2026



After Tuesday's town vote, Jo Beth Dudley was reelected to the Dalton Select Board and four residents were elected to the town's new landfill host community agreement negotiating team. (Contributed photo)

After Dalton voters by a wide margin rejected a permanent zoning ordinance at a special town vote in June 2022, the originator of that proposal is asking the planning board to consider supporting another go at it.

In 2019, voters in Dalton — a town that has never had zoning — adopted emergency temporary zoning, allowed under New Hampshire statute and sparked by a local response to a proposed commercial landfill.

Since then, after two applications for the proposal were withdrawn by the applicant, one was denied by the state, and new siting regulations were signed into law last week, the proposal faces headwinds and remains far from certain.



During Wednesday's Dalton Planning Board meeting, resident Jon Swan approached the board — which was tasked with drawing up the previous proposed zoning ordinance — about a second try.

The board chairman said that for any ordinance to advance, enough townspeople would need to support it.

“I’m here to ask the planning board to consider reintroducing the zoning ordinance that you worked on several years ago in order to help protect the town from any kind of future unwanted, potential, harmful development,” said Swan. “And obviously in accordance with the town master plan that was recently updated, to kind of help control the future development of the town, so as to be in line with the town master plan. It’s just a simple ask to dust off the ordinance that you worked on.”

One consideration for a potential edit would be to designate the 22-acre town property, where the old unlined landfill is located, as a “nuisance zone,” said Swan.

“So, in essence, mimicking what Bethlehem did with their zoning with District V, which is where the [NCES] landfill is,” he said. “Make that the nuisance zone for projects that may come into town, such as anything waste-related, solid waste-related ... Let’s say in the near future, New Hampshire passes a bottle bill, a container bill. The last thing Dalton’s going to want to see is mom and pop redemption centers popping up all over town, because of the nuisance that is associated with redemption centers.”

Such impacts can include odor, vermin, and traffic, said Swan.

Other potential nuisances would be data centers, advanced recycling centers, or a materials recovery facility, and such uses are better suited in a designated zone, he said.

In terms of what Bethlehem has established in regard to preemption by the state, a solid waste facility or landfill can still be approved by the state for a community, but would have to go in a specific zone if such a place is created by the town, said Swan.

Such zones for certain developments have been upheld in courts, he said.

Edward Jones > edwardjones.com | Member SIPC



Northeast Kingdom: The power of personal attention working for you
Our process? We listen. Really listen. Stop by.



BettyAnn Gwatkin
Financial Advisor
1033 Broad Street
Lyndonville, VT 05851
802-427-1221

EJ9-19325-A-E-0A-4 AECSPAD 08/08/20

“That’s why I propose using the 22-acre town property as the nuisance zone for any potential development that may come to town,” he said.

If that parcel is bought by someone else, the town could use the proceeds to build a new highway department elsewhere, for instance, if the need arises, said Swan.

But a zone controls where certain developments would be located and strengthens Dalton’s standing with any potential legal issues and the state’s preemption, he said.

“In other words, just an addendum to your zoning ordinance that you crafted several years ago to create a nuisance zone,” said Swan. “That’s all I really want to ask you to consider as a board ... Because as a property owner, I feel over the last seven years we’ve seen what happens when you have an unwanted development that comes to town. I feel we’ve obviously dodged a bullet with that project and I’d hate to see us go through it again.”

The town can skip a few steps by going straight to a permanent ordinance instead of another emergency temporary zoning ordinance, he said.

“At this time, with the next move on this, you wouldn’t have that undue influence that we saw the last time this was presented to a vote,” said Swan. “I think it might be something that after the last seven years the town might be more in agreement with, again controlling development and the beauty that we all appreciate here in the town of Dalton.”

Any proposed ordinance would have to go to a town meeting vote through a warrant article, said planning board chairman Carl Lindquist.

The planning board can review an ordinance if there is interest in the town, he said.

“That’s really what it has to come down to, if the town is saying please do it,” said Lindquist. “It’s not us just to push it without a significant ask of the town.”

One way to gauge interest is to launch another voter petition for emergency temporary zoning, said Swan.

“But then we have to go through that step again where you have the temporary zoning, create a zoning board, and then you pick up creating a permanent zoning ordinance a year or two later, depending on the mood of the planning board,” he said.

If that will be the path, there's no prohibition in the New Hampshire statute on emergency temporary zoning to bring back another petition for temporary zoning, said Swan.



Robert Blechl