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Zoning Petition To Go To Special Town Meeting

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With several petitioned articles on the warrant relating to the proposed landfill, next week's annual town meeting in Dalton could be another packed house. A public hearing in July 2019, pictured here, drew several hundred residents turning out to express their views on emergency temporary zoning for the town. (File photo by Robert Blechl)

After a presentation to the planning board in early August, a proposal to implement zoning in Dalton will now go to a special town meeting vote, currently scheduled for September.

During a Dalton Select Board work session on Monday, board members scheduled the vote for 6 p.m. Thursday, Sept. 24 and the public hearing that will precede it for 5 p.m. Saturday, Sept. 19.

The alternate dates are 5 p.m. Friday, Oct. 16 for the public hearing and 6 p.m. Thursday, Oct. 22 for the vote.



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On Tuesday, town clerk Jeanette Charon was awaiting confirmation from the town moderator regarding his availability.

During the Select Board's meeting on Aug. 18, resident Jon Swan submitted a petition for emergency temporary zoning.

It's the first step toward a proposed permanent zoning ordinance, which would go to a regular town meeting vote in the future. If voters ultimately approve it, the ordinance would be a first for Dalton.

"I have a petition for the Select Board signed by citizens in Dalton," Swan said to the board members. "As a property owner and citizen of Dalton, I'd like to see that my property rights, and others agree with me, our property rights, are protected from undue harm and nuisance."

Following RSA 674:24-29, the New Hampshire statute for emergency temporary zoning (ETZ) and planning ordinance, a petition is the best way to gauge the town's temperature, as Carl Lindquist, chairman of the planning board, said.

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The RSA calls for a special town meeting and a public hearing before the vote.

“A permanent zoning ordinance would protect our property rights,” said Swan. “I would assume that the Select Board and the citizens of the town would agree that we live in a very special and unique place, and it needs to be protected. And right now, we have no protections from the next storm that might come to town. That’s the rationale behind this.”

ETZ was first adopted by the town in 2019 and extended by another vote several years later.

In 2022, a vote to adopt a permanent zoning ordinance failed.

“There’s no prohibition against a town doing it the second time,” said Swan. “As we saw the first time, it passed twice. While there’s a calm before the storm, the next storm that may come, in the form of a data center or whatnot. I think we need to get the planning board to update the 2022 zoning ordinance they put forth to the town, this time with a vote without any undue influence behind it. So, in essence, a fair vote this time.”

The 2019 petition draw some 100 voter signatures.

The law requires a minimum of 50 signatures from registered voters in towns with a population of less than 10,000.

On Monday afternoon, Swan said he could have gotten more than 50 signatures, but will enough to meet the requirement and wanted to submit the petition and move ahead with the process of putting it on the warrant as soon as possible, without making a statement.



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