

Article V NONCONFORMING USES

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~~In any District other than a Residential Neighborhood or a Flood Hazard Overlay District, a non-conforming use may be moved, enlarged, altered, extended, reconstructed, restored, or changed to another non-conforming use as a conditional use if, after notice and hearing, the ORB finds (a) that the degree of non-conformance after such change will be no more nonconforming than existed prior to such change, and (b) that such change shall not adversely affect:~~

- ~~S.1.1 — The capacity of existing or planned community facilities.~~
- ~~S.1.2 — The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal plan.~~
- ~~S.1.3 — Traffic on roads and highways in the vicinity.~~
- ~~S.1.4 — By laws and Ordinances then in effect.~~
- ~~S.1.S — Utilization of renewable energy resources.~~
- ~~S.1.6 — Performance standards pursuant to Section 4414 (5) of the Act and Section 4.4.5 of this bylaw.~~

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~~In a Residential Neighborhood District, if a non-conforming use has been discontinued for more than a 12-month time period, the non-conforming use may not be re-established. An existing non-conforming use or one that has not been discontinued for 12 months may be moved, enlarged, altered, extended, reconstructed, restored, or changed to another non-conforming use as a conditional use if, after notice and hearing, the ORB finds (a) that the degree of non-conformance after such change will be no more non-conforming than existed prior to such change, and (b) that such change shall not adversely affect:~~

- ~~S.2.1 — The capacity of existing or planned community facilities.~~
- ~~5.2.2 — The character of the area affected, as defined by the purpose or purposes of the zoning district within which the project is located, and specifically stated policies and standards of the municipal plan.~~
- ~~S.2.3 — Traffic on roads and highways in the vicinity.~~
- ~~S.2.4 — By laws and Ordinances then in effect.~~
- ~~5.2.S — Utilization of renewable energy resources.~~
- ~~S.2.6 — Performance standards pursuant to Section 4414 (S) of the Act and Section 4.4.5 of this bylaw.~~

~~5.3~~

~~In any district other than a Flood Hazard Overlay District, a non-conforming structure may be maintained, repaired, and replaced provided that such action does not increase the degree of non-compliance in any respect.~~

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~~Substantial improvements to non-conforming structures in a Flood Hazard Overlay District must meet the development standards in section 11.S.~~