

Town of Sunapee Planning Board Notice of Public Hearing

Notice is hereby given that the Sunapee Planning Board will hold a Public Hearing on Thursday, December 3, 2015 at 7:00 PM at the Town Hall to receive public input on the amendments to the Town of Sunapee Zoning Ordinance. The full text of the zoning amendments are included below.

Amendment #1

Amend Article IV Section 4.33 (B)(1) – Shorelines – Specific Provisions – by removing all local requirements for docks and deferring to state regulations.

The full text of Article IV, Section 4.33(B)(1) – Shorelines – Specific Provisions – as amended will be as follows:

Docks for boating and swimming facilities are permitted subject to required State permits and standards. ~~The width of the deck of a pier or dock shall not exceed six (6) feet. In lakes and ponds of less than 1,000 acres in size, the length shall be limited to twenty (20) feet. Docks or piers permitted on property with less than seventy five (75) feet of shore frontage shall be no larger than 4 X 24 Feet. For properties with shore frontage of 75' or more, there shall be a minimum of seventy five (75) feet of shore frontage for the first two slip structures, and an additional seventy five (75) feet of shore frontage on the property for each additional boating slip or securing location on a structure.~~

Amendment #2

Amend Article IV Section 4.33 (B)(8)(b)(I) – Cutting and Removal of Natural Vegetation within the Natural Woodland Buffer – by adding to this section the requirement that the Board of Selectmen or their agent will review all cutting and clearing plans in the Natural Woodland Buffer including those reviewed by the Planning Board.

The full text of Article IV, Section 4.33(B)(8)(b)(I) – Cutting and Removal of Natural Vegetation within the Natural Woodland Buffer –as amended will be as follows:

- (I) A cutting and clearing plan shall be subject to the approval of the Planning Board for the following:
 - (1) Cutting within the Natural Woodland Buffer of more than five (5) trees having a diameter of six (6) inches or more at a point 4.5 feet above existing ground in any calendar year;
 - (2) Removal of large areas of vegetation (over one thousand [1000] square feet) within the Natural Woodland Buffer in any calendar year.

The Board of Selectmen or their agent shall review and approve the cutting of all trees having a diameter of six (6) inches or more. ~~which are not included above.~~
In addition, on ponds, lakes or rivers, any cutting or removal of natural vegetation must be by permit from DES.

Amendment #3

Amend Article VII Section 7.10 – Conversion Requirements – by allowing for an increased septic flow on a property if a licensed septic designer provides certification that the existing designed system has adequate capacity.

The full text of Article VII, Section 7.10 – Conversion Requirements – as amended will be as follows:

7.10 No structure shall be converted in any manner resulting in increased septic flow or water utilization without ~~the approval of the New Hampshire Department of Environmental Services Water Division Subsurface Systems bureau or approval from the Sunapee Water and Sewer Commission if on municipal sewer.~~

- 1) *The approval of the New Hampshire DES Water Division Subsurface Systems Bureau or*
- 2) *Certification from a New Hampshire licensed septic designer that the existing designed system will handle the additional septic flow or*
- 3) *Approval from the Sunapee Water & Sewer Commission if on municipal sewer.*

Amendment #4

Amend Article VIII Section 8.21(e) – Certificate of Zoning Compliance – Permit – to include both interior and *exterior* improvements as projects requiring permits.

The full text of Article VIII, Section 8.21(e) – Certificate of Zoning Compliance – Permit - as amended will be as follows:

- 8.21 Certificate Required if:
- (a) a new structure is dimensionally changed or installed;
 - (b) an existing structure is dimensionally changed;
 - (c) additional dwelling units are to be added to existing structure;
 - (d) any municipal structure is to be constructed or dimensionally changed;
 - (e) major alterations/*interior or exterior* renovations are planned;
 - (f) a structure is to be demolished;
 - (g) a Site Plan Review approval has been granted by the Planning Board

Amendment #5

Amend Article XI – Definitions and Explanations – by removing the reference to the screening of contractor yards from the definition of Home Occupation and placing it in the definition of Contractor’s Yards.

The full text of Article XI – Definitions and Explanations – Contractor’s Yards and Home Occupations – as amended will be as follows:

Contractor’s Yards – A area used by builders, electricians, plumbers, excavators, roofers, yard maintenance, or other similar contracting service establishments for the storage of materials and equipment only. *Heavy equipment and materials shall be either screened or enclosed.* There shall be no service or sales on the site and any signs must be in accordance with Section 5.34 of this ordinance and specify for deliveries only. A Site Plan Review will be required. Any use of the contractor yard beyond this definition will require a variance from the Zoning Board of Adjustment.

Home Occupation – Any use that is customarily conducted in the home by the inhabitants of such home. A home occupation shall not involve on-site sales or customer service. There shall be no employees and no on-site signs, advertising or outside displays. The home occupation shall be subordinate and incidental to the primary residential use of the property and shall not change the residential character of the dwelling or neighborhood. The home occupation shall no generate noise, odor, traffic, or any other negative influence on the community or neighboring properties. ~~Heavy equipment and materials in contractor’s yards shall be either screened or enclosed.~~

Amendment #6

Amend Article XI – Definitions and Explanations – by adding a definition for Maximum Residential Density which will clearly outline that residential dwelling units are the sole factor for determining allowable density.

The full text of Article XI – Definitions and Explanations – as amended will be as follows:

Maximum Residential Density – The maximum number of residential dwelling units allowed within a specified area. Density shall only be calculated using a Dwelling Unit as defined elsewhere in this article. Office spaces, commercial spaces, motel rooms, and other commercial uses do not fall under the requirements of residential density.

Amendment #7

Amend Article XI – Definitions and Explanations – Structures (minor) – by adding patios as minor structures and give limitations to height, size, and future use as a footprint.

The full text of Article XI – Definitions and Explanations – Structures (minor) - as amended will be as follows:

Structures, Minor – A minor structure is exempt from the terms of this Ordinance and shall not require a Certificate of Zoning Compliance. Minor structures shall include the following:

- 1) Fence measuring less than five (5) feet high from the ground surface provided that the fence is constructed in such a manner as to allow the fence owner the ability to maintain both the fence and fence owner's land, if any, on the neighbor's side of the fence
- 2) Mail Box
- 3) Flag Pole
- 4) Dog House
- 5) Thirty-two (32) square foot platform and associated stairs, which is no more than four (4) feet off the ground and is used for access to a structure
- 6) *Patio constructed from pervious materials, less than 150 square feet in area and less than 12" above the existing ground elevation. Patios will not be considered a footprint for future construction.*