

# WOLFEBORO PLANNING BOARD

January 5, 2010

## PUBLIC HEARING MINUTES

**Members Present:** Kathy Barnard, Chairman, Stacie Jo Pope, Vice-Chairman, Chris Franson, Jennifer Haskell, Fae Moore, Members, Steve Buck, Alternate.

**Members Absent:** Kristi Ginter, Selectmen's Representative, Richard O'Donnell, Member, Dave Alessandroni, Alternate.

**Staff Present:** Rob Houseman, Director of Planning & Development, Lee Ann Keathley, Secretary.

*Chairman Barnard opened the Public Hearing at 7:00 PM.*

### PUBLIC HEARINGS

➤ **Section 175:175**

**Change in definition of Boardinghouse**

**Addition of definition for Dormitory & Permitted Uses**

Rob Houseman reviewed the proposed changes to Section 175:175, see attached presentation; noting such would be a permitted use by Special Exception and the number of occupants was reduced from 10 to 8.

Kathy Barnard stated the Board held one public hearing on 11/17/09 and based on comments received the Board amended the definition.

*Chairman Barnard opened the public hearing.*

Luzanne Pierce, 11 Green Street, stated she is in favor of the changes. She questioned whether there are parking requirements related to the definitions.

Rob Houseman stated parking is reviewed as part of the Site Plan Review process.

Luzanne Pierce questioned how parking would be controlled.

Bridget Pierce, 11 Green Street, stated the term dormitory implies students however, the definition states "occupants" and questioned whether such should be clarified.

*There being no further questions or comments, Chairman Barnard closed the public hearing.*

Steve Buck questioned the parking issued raised by the public.

Stacie Jo Pope stated such is addressed in Site Plan Review.

Kathy Barnard stated the ZBA also addresses parking as part of the Special Exception process.

It was moved by Jennifer Haskell and seconded by Stacie Jo Pope to move Section 175:175, Change in definition of Boardinghouse and addition of definition for Dormitory & Permitted Uses to the 2010 Town Warrant. All members voted in favor. The motion passed.

➤ **Zoning Amendments per the Agricultural Commission**

Rob Houseman reviewed the proposed changes relative to such, see attached presentation.

*Chairman Barnard opened the public hearing.*

Referencing the definition of horticulture, Ken Perry questioned whether "production" should be placed in the definition and questioned whether the intent is to have a for sale operation and no onsite production.

Rob Houseman stated horticulture as a use would still have to meet the requirements of agriculture and farming.

Ken Perry questioned how slaughtering of animals is dealt with in regard to the State definition of agriculture; questioning whether a person can bring in significant numbers of livestock from another location to complete the final processing of an animal. Referencing the forestry portion of the definition of Agriculture and Farming, Ken Perry stated there is a neighboring town that takes such to interpret bringing in significant quantities of lumber to a site, processing it and reselling it off the site. He stated the activities under the listing of farm and land implies that the forestry and lumber operations deal with products from that particular land.

Rob Houseman stated the latter is a fair and consistent interpretation.

Ken Perry questioned if a person expands their commercial activity to include slaughtering or lumbering, would other town procedures and approvals be necessary for such a commercial operation.

Rob Houseman stated it would need to be determined whether the use and activity was inconsistent with the definition of Agriculture and if so, was such a permissible use under the ordinance. He stated that if the use or activity was not a permissible use, the use would be prohibited.

Referencing the Wetlands Overlay District and Aquifer Protection Overlay District, Suzanne Ryan questioned whether there is a setback within the districts under the Best Management Practices for the storage of manure.

Rob Houseman stated manure pile is not allowed in the Wetlands Overlay District however, is allowed in the Aquifer Overlay Protection District and is a use permitted today with no limitations; noting the Agricultural Commission is recommending such be restricted to Best Management Practices only. He stated such is considered an improved practice.

Stacie Jo Pope provided Ms. Ryan with the Best Management Practices on manure.

*There being no further questions or comments, Chairman Barnard closed the public hearing.*

Sarah Silk stated the commercial breeding of animals was recommended to be removed from the ordinance because such is covered by statute. She thanked the Board for working with the Agricultural Commission to have such as a separate warrant article.

➤ **Zoning Renaming & Redistricting**

Rob Houseman reviewed the proposed changes to the Village Residential, Residential and General Residential Districts, see attached presentation.

Kathy Barnard stated the Board held a public forum on 12/8/09 and based on comments received the Board amended the proposal.

*Chairman Barnard opened the public hearing.*

Referencing the Village Residential District, Linda Murray stated home daycares are permitted however, no other daycare centers are permitted, such as the Wolfeboro Area Children's Center.

Rob Houseman stated the ROI (Residential Office Institutional) Overlay District allows for such (adopted 3/09); noting the district runs from Pickering Corner to the library.

Linda Murray stated the Board may want to review such.

Roger Murray, Brackett Road, stated he is in favor of the amendments; noting the changes implement the recommendations of the Master Plan. He stated it makes sense to have higher density in the Downtown area and preserve the rural area and open space.

Sarah Silk stated the boundaries of the districts are based on the availability of public water service and verified the term "availability" is not referring to the capacity of the water or sewer plant; only availability to the lines that run in the street.

Rob Houseman replied yes, the availability is based on the existence of water or sewer lines and capacity is regulated by the Town and NH DES.

Rob Houseman reviewed the proposed changes to the Rural Residential and Agricultural Districts, see attached presentation.

Suzanne Ryan verified the Ag 10 area remains unchanged, including frontage. She stated she agrees with the change to the frontage setback per the 12/8/09 public forum comments.

Ken Perry stated he is supportive of the proposed changes and recommended renaming the Agricultural District with a term that reflects low density residential and agricultural uses (per the Land Use Committee recommendation); noting the area is not exclusively an agricultural area.

*There being no further questions or comments, Chairman Barnard closed the public hearing.*

Kathy Barnard questioned the incorporation of daycare centers.

Rob Houseman stated the Board needs to determine where and how to permit such.

Steve Buck cautioned the Board in regard to unintended consequences.

Chris Franson stated a provision for home daycare exists.

Linda Murray stated there should be an area in town that allows for a daycare outside of a home daycare.

Rob Houseman stated daycare centers are allowed in the ROI District and all commercial districts. He stated the definition of personal services is broad ("care of a person") therefore, is allowed as a permitted use.

Following further discussion, the Board agreed to change the name of the Agricultural District to Agricultural Residential District and present the proposed changes on one warrant article.

**It was moved by Chris Franson and seconded by Jennifer Haskell to move Zoning Renaming and Redistricting including the newly named Agricultural Residential District to the 2010 Town Warrant. All members voted in favor. The motion passed.**

➤ **Central Business District**

Rob Houseman reviewed the proposed changes to the Central Business District, see attached presentation; noting the Board tabled for consideration the proposal of the Central Business District Overlay District.

*Chairman Barnard opened the public hearing.*

Suzanne Ryan agreed with the elimination of the TRC process.

*There being no further questions or comments, Chairman Barnard closed the public hearing.*

**It was moved by Stacie Jo Pope and seconded by Jennifer Haskell to move Central Business District to the 2010 Town Warrant. All members voted in favor. The motion passed.**

➤ **Conservation Subdivision**

Rob Houseman reviewed the proposed changes to Conservation Subdivision, see attached presentation.

*Chairman Barnard opened the public hearing.*

Roger Murray questioned whether such would replace the current cluster ordinance.

Rob Houseman replied yes.

Suzanne Ryan stated she is in favor of open space however, cannot support the proposed ordinance; noting she has issues with the mandatory part of the ordinance. She stated the ordinance needs better incentives, more bonuses and not be mandated. She stated the proposal is sweeping over the whole town and needs a different approach.

Ken Perry questioned the number of projects done in the Town in the past 30 years that has acted on the existing cluster option of the ordinance.

Rob Houseman replied 5 in the last 20 years.

*There being no further questions or comments, Chairman Barnard closed the public hearing.*

Chris Franson stated the Board agreed that not being locked into frontage requirements was an additional incentive included in the proposal.

Stacie Jo Pope stated the Town has relief mechanisms and exemptions therefore, supports the proposal.

*It was moved by Jennifer Haskell and seconded by Stacie Jo Pope to move Conservation Subdivision to the 2010 Town Warrant. All members voted in favor. The motion passed.*

Other Business

➤ **Petition Warrant Articles**

Rob Houseman stated the Board has received 3 Petition Warrant Articles; noting two require a public hearing, scheduled for 1/19/10, in which the Board will either recommend or not recommend the articles.

➤ **Great Waters Bank**

Rob Houseman stated the applicant is seeking a return of their financial security; noting legal opinion has been sought relative to such and the request would be placed on the 1/19/10 agenda.

*It was moved by Chris Franson and seconded by Fae Moore to adjourn the January 5, 2010 Wolfeboro Planning Board meeting. All members voted in favor.*

*There being no further business, the meeting adjourned at 9:01 PM.*

Respectfully Submitted,

*Lee Ann Keathley*

Lee Ann Keathley



## The Changing Face of Wolfeboro

### Public Hearing Zoning Amendments

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- Boarding House and Dormitory
- Ag Com Recommended Agricultural Amendments
- Residential Redistricting
  - Village Residential
  - Residential
  - General Residential
  - Rural Residential
  - Agricultural
- Central Business District
- Conservation Subdivision

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## Wolfeboro Planning Board

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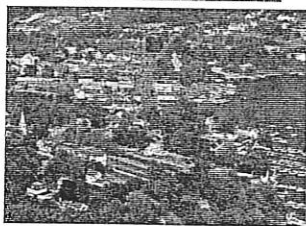
- Kathy Barnard, Chairman
- Christine Franson
- Kristi Ginter, Selectmen's Rep
- Jennifer Haskell
- Fae Moore
- Richard O'Donnell
- Stacie Jo Pope, Vice Chairman
- David Alessandrini, Alternate
- Steve Buck, Alternate

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## The Changing Face of Wolfeboro

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Wolfeboro recognizes that social and economic forces continually influence our community, and that our individual and collective interests are best served through understanding, preparedness, participation and planning.

The 2007 Master Plan serves as the foundation for the *proposed Zoning*. *Zoning is the key Master Plan implementation tool* from which we can guide development and growth to preserve and enhance the quality of life in Wolfeboro.

3 12/31/2009

## Zoning Public Hearing Process

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RSA 674:1 outlines the "Duties of the Planning Board." Paragraph V of that statute states that the Planning Board "...may, from time to time, recommend to the local legislative body amendments of the zoning ordinance..."

The Planning Board is responsible for preparing and holding hearings on proposals to adopt or revise the Zoning Ordinance. A zoning ordinance or revision of the ordinance must then be adopted by ballot vote at Town Meeting.

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## Zoning Definitions

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- **BOARDINGHOUSE** – A building, and accessories thereto, principally used, designed or adapted to provide living accommodations for not more than 10 occupants and having common cooking and dining facilities. A dwelling for not more than 10 occupants which where lodgers rent one or more rooms for one or more nights, and sometimes for extended periods of weeks and months. The common parts of the house are maintained, and some services, such as laundry and cleaning, may be supplied.
- **DORMITORY** – A building occupied by a resident manager and used, designed and adapted to provide housing for more than ten (10) occupants. Such units are distinguished by separate study and sleeping quarters; common social assembly rooms; common toilet facilities; and common cooking and dining facilities, where provided.

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## Boarding House and Dormitory Changes

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*Example of permitted use by Special Exception, as suggested at the hearing, and Site Plan Review (will be included in the proposed VR (1/2 acre district) and R (1 acre district)*

**ARTICLE X, General Residential District (GR1)**  
§175-72. Special exception uses.

1. ....
2. Uses which may be permitted by special exception shall be as follows:
3. Veterinarians and animal hospitals.1
4. Home occupation.1
5. Museum.
6. Affordable nonprofit housing for the elderly.1 [Added 3-11-2003 ATM by Art. 4; amended 3-9-2004 ATM by Art. 2]
7. Dormitory!

\*NOTE: Requires Planning Board approval under the provisions of RSA 676:4.

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**Boarding House and Dormitory Changes**

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- Public Hearing
- Public Comments

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**Agricultural Commission Recommended Zoning Changes**

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- Adopt state definitions relating to agriculture as those definitions are set forth in RSA 21:34-a, 674:32-a and 674:32-b and establish "Farm, Agriculture, Farming" as defined in RSA 21:34-a as the farming use.
- Amend the definition of Horticultural Establishments to be "an establishment for the sale of flowers, fruit, vegetables, and nursery stock."
- Require that agricultural activities in the Wetlands Conservation Overlay District and the Aquifer Protection Overlay District be conducted in accordance with New Hampshire Department of Agriculture or Industry Best Management Practices.

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**Agricultural Commission Recommended Zoning Changes**

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- Remove "keeping or harboring of domestic animals not generally considered household pets" as a permitted use in the General Residential Districts (GR1, GR2 and GR3) and the Agricultural District and to add "the keeping or harboring of all livestock in accordance with NH Dept. of Agriculture's Best Management Practices" as a permitted use in those districts.
- Remove "keeping or harboring of domestic animals not generally considered household pets" as a Special Exception use in the General Residential Districts (GR1, GR2 and GR3) as Special Exception.

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**Agricultural Commission Recommended Zoning Changes**

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- Remove commercial breeding of animals as a permitted use in the Agricultural District.
- Replace Farming with "Farm, Agriculture, Farming in accordance with NH Dept. of Agriculture's Best Management Practices" in all Zoning Districts.

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**Agricultural Commission Recommended Zoning Changes**

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- Public Hearing
- Public Comments

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**FUTURE LAND USE**

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- Guidelines
  - Preserve and protect our critical land and water resources
  - New development consistent with
    - Town's rural/lakeside character and village character
    - Preservation of open space
    - Promote traditional neighborhood development
    - Support diversified housing needs
  - Zoning – The primary tool in the toolbox for Master Plan Implementation

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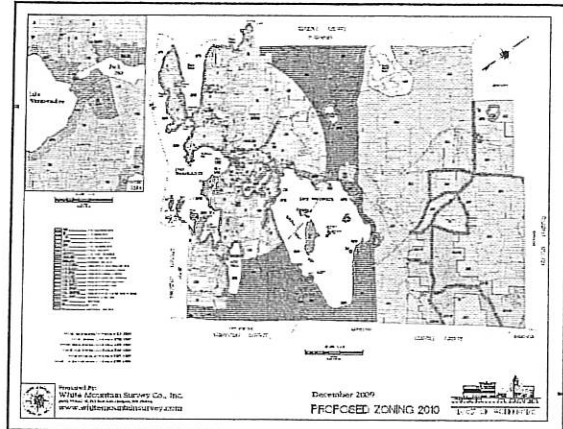
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## Proposed Zoning District Changes

- Availability of infrastructure (sewer and water)
- Development Density based on infrastructure and proximity to services (Smart Growth principles)
- New District names:
  - Village Residential
  - Residential
  - General Residential
  - Rural Residential
  - Agricultural

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## Village Residential

*The Village Residential District is to provide for higher density residential dwellings in a range of dwelling units from single family to multi-family within the built-up area and with organized community services such as fire and police protection and community water and sewer service. The location of these units depends on the readily available community services and the existing servicing of these areas by public water and sewer systems.*

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## Village Residential

**Village Residential District (VR)**  
 Minimum lot area: 21,780 square feet.  
 Each additional dwelling unit: 10,890 square feet per unit.  
 Minimum lot frontage: 75 feet.

- A. Setback requirements.
1. Front yard (street):
    - a. Minimum 20 feet.
    - b. Maximum 30 feet.
  2. Side yard. 10 feet.
  3. Rear yard. 10 feet.

Garages shall be located to the side or rear of the principal dwelling unit. The Garage shall be integrated into and masked by the residence or set back at least 15 feet behind the front building line and not be the dominant architectural feature of the streetscape.

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## Village Residential

### Permitted uses.

- A. One of the following dwelling unit structures is permitted per lot:
  - (1) One single detached dwelling per lot.
  - (2) One single detached dwelling per lot with one accessory apartment.
  - (3) One duplex dwelling per lot.
- B. Accessory structures.
- C. Accessory uses.
- D. The seasonal, outside storage of items of personal property on residential lots, provided that such items must be placed on the lot to the side or rear of the dwelling, but their use for living and/or business while so stored is prohibited.
- E. One home occupation, occupying up to 500 square feet of the single-family dwelling (requires TRC approval).
- F. The keeping or harboring of all domestic animals, not generally considered household pets, on one-acre-per-beast.

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## Village Residential

### Special Exception Uses.

- A. Veterinarians and animal hospitals.<sup>1</sup>
- B. Home occupation.<sup>2</sup>
- C. The keeping or harboring of all livestock domestic animals, not generally considered household pets, on less than one-acre-per-beast, in accordance with NH Dept. of Agriculture's Best Management Practices.
- D. Schools.<sup>1</sup>
- E. Churches on lots with frontage on a State numbered highway.<sup>1</sup>
- F. Conversion of a dwelling unit into a bed-and-breakfast.<sup>1</sup>
- G. Elderly housing.<sup>1</sup>
- H. In-home day care.<sup>1</sup>
- I. Horticultural establishments.<sup>1</sup>
- J. Multifamily dwellings.<sup>1</sup>

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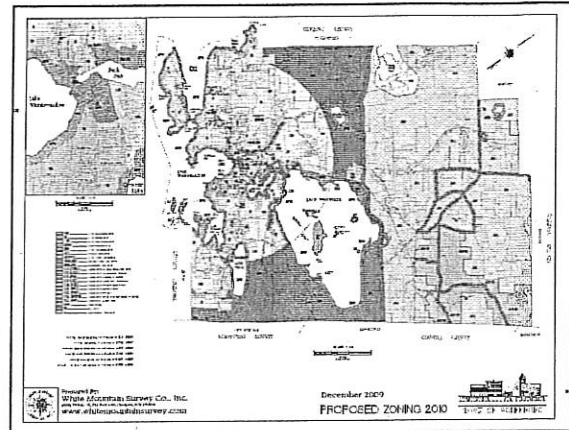
## Village Residential

### Special Exception Uses.

- K. Recreational uses.<sup>1</sup>
- L. Museum on lots with frontage on a State numbered highway<sup>1</sup>
- M. Affordable nonprofit housing for the elderly.<sup>1</sup> [Added 3-11-2003 ATM by Art. 4; amended 3-9-2004 ATM by Art. 2]

<sup>1</sup>NOTE: Requires Planning Board approval under the provisions of RSA 676:4

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## Residential District (R)

*The Residential District has a district boundary based on the availability of public water service.*

*It is designed to provide medium density development near the central services in a manner that is typical in many New England villages. With adequate safeguards, certain other types of uses such as home occupations, agricultural and bed and breakfast uses will be permitted.*

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## Residential District (R)

Minimum lot area: 43,560 square feet.  
Each additional dwelling unit: 21,780 square feet per unit.  
Minimum lot frontage: 150 feet.

- A. Setback requirements.
- (1) Front yard (street) 30 feet.
  - (2) Side yard 20 feet.
  - (3) Rear yard 25 feet.

Permitted uses shall be as follows:

- A. One of the following dwelling unit structures is permitted per lot:
- (1) One single detached dwelling per lot.
  - (2) One single detached dwelling per lot with one accessory apartment.
  - (3) One duplex dwelling per lot.
- B. Accessory structures.

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## Residential District (R)

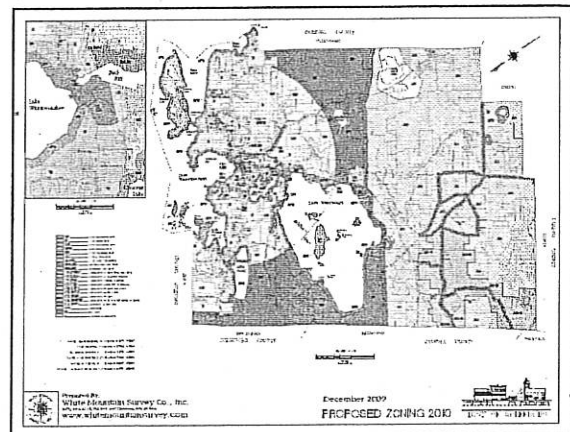
### Permitted uses.

- D. Home occupation, occupying up to 500 square feet of the single-family dwelling (requires TRC approval).
- E. The keeping or harboring of all domestic animals, not generally considered household pets, on one acre per beast.

### Special Exception Uses.

- A. Agriculture/Farming.
- B. Conversion of a dwelling unit into a bed-and-breakfast.<sup>1</sup>
- C. Recreational uses.<sup>1</sup>
- D. In-home day care.<sup>1</sup>
- E. Home occupation.
- F. Horticultural establishments.<sup>1</sup>

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## General Residential (GR)

*The General Residential District has a district area contained within a 2 ½ mile arc from the center of the village and without services of public sewer and/or water. It is designed to provide lower density development outside the area of the area of central services in a manner that is typical in many New England villages. With adequate safeguards, certain other types of uses such as home occupations, agricultural and bed and breakfast uses will be permitted.*

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## General Residential (GR)

Minimum lot area 87,200 square feet.  
Each additional dwelling unit: 21,780 square feet per unit.  
Minimum lot frontage 200 feet.

Setback requirements.  
(1) Front yard (street) 30 feet.  
(2) Side yard 25 feet.  
(3) Rear yard 25 feet.

Permitted uses shall be as follows:

- A. One of the following dwelling unit structures is permitted per lot:  
(1) One single detached dwelling per lot.  
(2) One single detached dwelling per lot with one accessory apartment.  
(3) One duplex dwelling per lot.

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## General Residential (GR)

- B. Accessory structures
- C. Accessory uses.
- D. The seasonal, outside storage of items of personal property on residential lots, provided that such items must be placed on the lot to the side or rear of the dwelling, but their use for living and/or business while so stored is prohibited.
- E. Home occupation, occupying up to 500 square feet of the single-family dwelling (requires TRC approval).
- F. The keeping or harboring of all livestock domestic animals, not generally considered household pets, on less than one acre per beast, in accordance with NH Dept. of Agriculture's Best Management Practices.

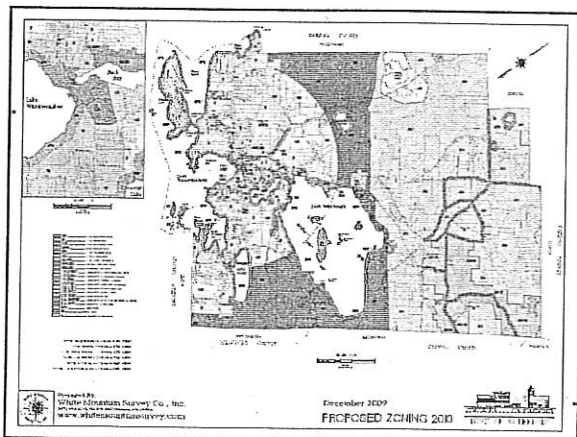
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## General Residential (GR)

§ 175-82. Special Exception Uses.

- A. Farm, Agriculture, Farming.
- B. Veterinarians and animal hospitals.<sup>1</sup>
- C. The keeping or harboring of all domestic animals, not considered household pets, on less than one acre per beast.
- D. Schools.<sup>1</sup>
- E. Church on lots with frontage on a State numbered highway.<sup>1</sup>
- F. Conversion of a dwelling unit into a bed-and-breakfast.<sup>1</sup>
- G. Recreational uses.<sup>1</sup>
- H. Elderly housing.<sup>1</sup>
- I. In-home day care.<sup>1</sup>
- J. Home occupation.
- K. Horticultural establishments.<sup>1</sup>
- L. Museum on lots with frontage on a State numbered highway<sup>1</sup>
- M. Affordable nonprofit housing for the elderly.<sup>1</sup> [Added 3-11-2003-ATM by Art. 4; amended 3-9-2004-ATM by Art. 2]

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## Rural Residential District (RR)

*The Rural Residential District has a district boundary based is the area between the 2 ½ mile arc from the center of the village and the Agricultural District and without services of public sewer and water. It is designed to provide low density in order to preserve open space, reduce demanded for services and reduce scattered and premature development.*

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## Rural Residential District (RR)

Minimum lot area: 130,680 square feet.  
Each additional dwelling unit: 21,780 square feet per unit.  
Minimum lot frontage: 200 feet.

### A. Setback requirements.

- (1) Front yard (street): 30 feet.
- (2) Side yard: 25 feet.
- (3) Rear yard: 25 feet.

### Permitted uses.

#### A. One of the following dwelling unit structures is permitted per lot:

- (1) One single detached dwelling per lot.
- (2) One single detached dwelling per lot with one accessory apartment.
- (3) One duplex dwelling per lot.

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## Rural Residential District (RR)

### B. Accessory structures.

### C. Accessory uses.

D. The seasonal, outside storage of items of personal property on residential lots, provided that such items must be placed on the lot to the side or rear of the dwelling, but their use for living and/or business while so stored is prohibited.

E. Home occupation, occupying up to 500 square feet of the single-family dwelling (requires TRC approval).

F. The keeping or harboring of all livestock domestic animals, not generally considered household pets, on in accordance with NH Dept. of Agriculture's Best Management Practices, less than one acre per beast.

### Special Exception Uses.

Farm, Agriculture, Farming.

Veterinarian/Hospital

C. Recreational use.<sup>1</sup>

D. Conversion of a dwelling unit into a bed-and-breakfast.<sup>1</sup>

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## Rural Residential District (RR)

E. In-home day care.<sup>1</sup>

F. Home occupation.<sup>1</sup>

G. Horticultural establishments.<sup>1</sup>

H. Churches on lots with frontage on a State numbered highway.<sup>1</sup>

I. Museum on lots with frontage on a State numbered highway.<sup>1</sup>

<sup>1</sup>NOTE: Requires Planning Board approval under the provisions of RSA 676:4.

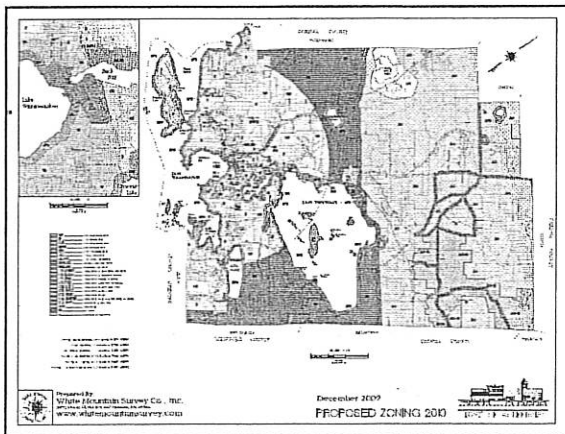
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## Residential District Changes

■ Public Hearing

■ Public Comments

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## Agricultural District

*The Agricultural District represents the portion of the Town furthest from the core services and due to its remoteness, steep slopes and similar limiting factors, should have a very low intensity of use in order not to permanently damage the land, not to cause undue burdens on the Town for providing municipal services and to prevent scattered and premature development. In these areas, the primary land use will be low density residential, agricultural and farming.*

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## Agricultural District

### Dimensional controls.

- A. Minimum lot area: 217800 square feet.
- B. Minimum lot frontage: 400 feet.

### Setback requirements; height requirements.

- (1) Front yard (street): 30 feet.
- (2) Side yard: 25 feet 40-foot
- (3) Rear yard: 25 feet 40-foot

### Permitted uses.

- A. One of the following dwelling unit structures is permitted per lot:
  - (1) One single detached dwelling per lot.
  - (2) One single detached dwelling per lot with one accessory apartment.
  - (3) One duplex dwelling per lot.
- B. Accessory structures.
- C. Accessory uses.

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## Agricultural District

- D. The seasonal, outside storage of items of personal property on residential lots, provided that such items must be placed on the lot to the side or rear of the dwelling, but their use for living and/or business while so stored is prohibited.
- E. One home occupation, occupying up to 500 square feet of the single-family dwelling (requires TRC approval).
- F. The keeping or harboring of all livestock domestic animals, not generally considered household pets, on less than one acre per beast, in accordance with NH Dept. of Agriculture's Best Management Practices.
- G. Farm Agriculture, Farming and commercial livestock and poultry raising, and the processing necessary thereto.
- H. Commercial breeding of animals, Veterinarians - animal hospitals.
- I. No more than two signs per business, including add-on signs, each not over 24 1/2 square feet in area.
- J. Accessory uses.
- K. Horticultural establishments.<sup>1</sup>

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## Agricultural District

### Special Exception uses.

Uses which may be permitted by special exception shall be as follows:

- A. School.
- A. Churches on lots with frontage on a State numbered highway.<sup>1</sup>
- B. Conversion of a single family dwelling unit existing as of March 10, 1987, into a rooming house, boarding house, tourist home, or bed-and-breakfast, subject to sign provisions.<sup>1</sup>
- B. The keeping or harboring of all domestic animals, not generally considered household pets, on less than one acre per beast.
- D. Clubs and lodges.
- C. Home occupation with no more than two employees.<sup>1</sup>
- F. Nursing or convalescent homes and the like.
- G. Storage for volatile fuels.

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## Agricultural District

- H. Governmental buildings of any kind.
- I. Nonprofit educational institutions.
- G. Public parks and playgrounds.
- E. Recreational Use<sup>1</sup>
- D. Public utility lines, substations, radio or television transmission facilities and the like.<sup>1</sup>
- L. Hospitals for the treatment of human beings.
- E. Cemeteries for human beings.
- N. Libraries, museums and the like.<sup>1</sup>
- O. Uses necessary to the above.
- P. Nonprofit housing for the elderly in those portions of the Town served by Town water and sewer by special exception by the Zoning Board of Adjustment with site review by the Planning Board.
- H. Contractor's yards, light<sup>1</sup>

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## Agricultural District

- Public Hearing
- Public Comments

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## Central Business District



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## Central Business District



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12/31/2009

## Central Business District

### Purpose

*The Central Business District is designed to protect the character of the existing downtown, maintaining its pedestrian scale, while promoting a healthy mix of retail, professional office, medical and residential uses within the district and promoting mixed uses on individual properties. It is intended to enable the downtown to remain a vibrant, compact commercial center, serving the needs of community residents, the region and tourists as the economic center, and to promote a complimentary and diverse mix of commercial and residential uses.*

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12/31/2009

## Central Business District

### § 175-91. Permitted uses.

1. One of the following dwelling unit structures is permitted per lot:
  1. One single detached dwelling per lot.
  2. One accessory apartment.
2. One duplex dwelling per lot.
3. Accessory structures.
4. Accessory uses.
5. One home occupation, occupying up to 500 square feet of the single-family dwelling (requires TRC approval).
6. Commercial Establishments (Stores and shops for the conduct of retail business or personal service).
  1. Offices
  2. restaurants,
  3. banks,
  4. indoor theater,
  5. similar community services.<sup>1</sup>

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12/31/2009

## Central Business District

7. Signs, no more than two per business, including add-on signs
8. Nursing or convalescent homes, and the like. <sup>1</sup>
9. Multifamily dwellings.<sup>1</sup>
10. One accessory dwelling unit per principal commercial building (no density requirements shall apply).<sup>1</sup>
11. Conversion of structures to a bed-and-breakfast.<sup>1</sup>
12. Conversion of a permitted use to another permitted use and no changes to the exterior of the building or parking is required. <sup>1,2</sup>

- <sup>1</sup> NOTE: Requires Planning Board approval under the provisions of RSA 676:4.  
<sup>2</sup> NOTE: THE USE SHALL REQUIRE A CHANGE OF USE PERMIT AND COMPLIANCE WITH ALL APPLICABLE BUILDING AND LIFE SAFETY CODES.

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## Central Business District

### § 175-92. Special Exception uses.

Uses which may be permitted by special exception shall be as follows:

1. Dispensing of marine fuels.<sup>1</sup>
2. Nonprofit educational institutions. <sup>1</sup>
3. Public parks and playgrounds. <sup>1</sup>
4. Hospitals for the treatment of human beings. <sup>1</sup>
5. Libraries, museums and the like. <sup>1</sup>
6. Uses necessary to the above. <sup>1</sup>
7. Affordable Nonprofit Housing for the Elderly and Affordable Nonprofit Workforce Housing<sup>1</sup>

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## Central Business District

### Development Standards

- A. Parking – No new parking shall be located on the portion of the lot between the front wall of the principal building and the front property line. This restriction shall apply to the full width of the lot. For corner lots, this restriction shall apply to all frontages abutting a public street.
- B. Vehicular Access – No new vehicular access or driveway shall be located or pass between the front wall of the principal building and the front property line.
- C. Building Setback – the front wall the principal building shall be located within fifteen feet (15) of the front property line.
- D. Pedestrian Area – the area directly in front of the front wall of the building and extending to the front property line shall be maintained as a pedestrian area and shall be improved with appropriate amenities to link the building with the sidewalk and to encourage pedestrian and/or customer use of the space.

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## Central Business District

- A. Front Entrance – the front wall of the principal building shall contain a "front" door providing access to the building for tenants, customers, or users of the building.
- B. Treatment of the front façade – The front wall of the principal building shall be designed to include windows appropriate to the proposed use. On the first floor, not less than twenty percent of the surface area of the front wall shall be windows. On upper floors, not less than ten (10) percent of the surface area shall be windows.

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## Central Business District

- Buffer yards, when required.
  - A buffer yard shall be required of any lot in any zoning district, except lots within the Central Business District, South Wolfboro Limited Business District and the Bay Street Limited Business District that do not share a boundary line with a lot which lies in any residential district, when the proposed use of a lot abuts a lot of a lower intensity use. Historic or special interest trees within the buffer yard shall be preserved.

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## Central Business District

- Public Hearing
- Public Comments

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## Conservation Subdivision

### Purpose.

The purpose of this article is to allow an alternative to the basic provisions of conventional residential subdivision practices. This alternative encourages the environmentally sound development of land and provides for the preservation of open space, the protection of natural resources and the creation of attractive living environments and to provide for a diversity of lot sizes, building densities and housing choices to accommodate a variety of age and income groups, and residential preferences, so that the community's population diversity may be maintained.

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## Conservation Subdivision

### Exempt Subdivisions

- The subdivision will consist of three (3) or fewer lots accommodating a total of not more than three (3) dwelling units and no future subdivision
- The subdivision will consist of lots, all of which will have a minimum lot area of four hundred thousand (400,000) square feet, and there will be no potential for the future subdivision of the parcel or any of the lots created by the subdivision nor for the construction of additional dwelling units on any of the lots, or
- The subdivision will consist of three (3) or fewer lots accommodating a total of not more than three (3) dwelling units, there is additional land that may be developable in the future for which a Conceptual Long Range Development Plan.
- The subdivision will create not more than one additional lot accommodating one (1) dwelling unit and no other lots have been created from the parcel within the preceding seven (7) year period.

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## Conservation Subdivision

### § 175-149. Zoning districts in which permitted.

The Conservation Subdivision Option shall be required in all residential districts when the parcel size noted below has been met:

Minimum Lot size (Underlying Zoning)	Parcel Size Triggering Required Open Space
1 acre	10 acres
2	20
3	30
5-10	50

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## Conservation Subdivision

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- Permitted density.
  - Calculate the *net development density* of the tract.
  - Determine the maximum density of the tract permitted by the High Intensity Soil Survey requirements of the Subdivision Regulations.
  - Determine the maximum density permitted under Articles VIII through XX.
  - The lesser density determined by the above standards shall be the permitted density within the tract.

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## Conservation Subdivision

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Discretionary Density Bonuses: Additional density may be allowed by the Board when one of the following public benefits is proposed:

- Public Usage of Open space: a maximum of a 10% density bonus shall be permissible when public open space is provided to address critical recreational or conservation needs.
- Provision for Affordable Housing: Inclusionary Zoning provisions shall be permissible.

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## Conservation Subdivision

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- Public Hearing
- Public Comments

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