

HEY, NEWBURY!

**Would you like to help shape
the future of our Town?**

Please come and participate.

Add your **input** to the **ongoing preparation**
of the **Master Plan Update** by joining us
for the upcoming **Planning Board Public Forum**.

Refreshments served to facilitate discussion.

PUBLIC FORUM

MASTER PLAN UPDATE

Saturday, November 3, 2007

9:00 – 11:00 am

Town Office Building

- **Review & Discuss the Issues, Goals, &
Recommendations from the draft Land Use
Chapter for the Master Plan Update**

*Copies of the
Draft Issues, Goals & Recommendations
from the draft Land Use Chapter*

*are available to pick up in the Town Offices
or they can be found on the Town's Website:*

<http://newburynh.virtualtownhall.net/home>

MATERIALS for the MASTER PLAN **PUBLIC FORUM on LAND USE**

NOVEMBER 3, 2007

ISSUES: LAND USE

1. Uncontrolled development of individual sites on the hillsides facing lakes and ponds negatively impacts the views from the lakes and surrounding areas
2. Currently no regulations exist for the following critical development capacity determinants:
 - a. the capacity of the soils to support the proposed
 - b. evaluation of the impact of proposed development on all the surface water resources downhill or downstream of any proposed development site; and
 - c. requirements and standards for surface water control.
3. The results of the 2006 Community Survey on land uses gives clear direction as to what types of uses Newbury citizens wish in their town.
4. Agricultural lands, wildlife habitat, corridors for wildlife, and fragile natural plant habitats are fragile and threatened.
5. The Town is concerned about the potential impacts on demand for town services and overall impact on the growth and development of the community and the region.
6. The Town remains subject to strip commercial development along sections of Route 103.
7. The Town survey showed that residents think that future commercial

development is undesirable along Route 103A, Route 103B and scattered throughout town.

8. Commercial projects can negatively impact the appearance off the Town if the design of the building, landscaping and lighting and screening of outdoor uses, outside operations and storage of materials or solid waste are not controlled.
9. Residents have shown they prefer the following types of commercial businesses:
 - a. Outdoor recreation related businesses;
 - b. Tourist related businesses;
 - c. Restaurants;
 - d. Professional offices;
 - e. Personal services (barbers, laundries, hairdressers, etc.); and
 - f. Cottage industry/home occupations.
10. The following types of land uses have major impacts that Newbury residents have shown they do not want:
 - a. Heavy industry;
 - b. Shopping centers; and
 - c. Factory outlet businesses.
11. Except for single-family residences, there are not enough of the other types of housing units available in Newbury. The people responding to the survey support only single-family residences on individual lots in the future while the Planning Board recognizes the need for a mix of residential uses for all household income levels in Newbury.
12. Newbury's Cluster Development Ordinance is outdated. A Conservation Development Ordinance which focuses on preserving the environment and protecting the natural resources encountered on a property during the subdivision and development review process is better suited to the Town's needs.
13. Manufactured housing parks (trailer parks) are not consistent with the rural character of a small community and are not favored by the respondents to the 2006 Community Survey.
14. Newbury has fragile land and special conditions that are impacted by development. They are:
 - a. Steep slopes (slopes in excess of 25%);
 - b. 100 year floodplains;

- c. Wetlands & wetland buffers;
 - d. Surface waters & buffers for surface waters;
 - e. Deer wintering areas;
 - f. Public lands or lands held by private, non-profit land protection agencies adjacent to the development;
 - g. Skylines; and
 - h. Hillsides - particularly the steeper upper hillsides to the ridgelines
15. The Planning Board currently has no authority to require a Conservation Development Ordinance approach when any of the natural resources listed above are encountered in land development.
 16. Subdivisions that consume all the land with lots and roads are not effective in trying to protect the natural resources listed above. These subdivisions are inflexible in their lot layout and design. They do not provide the opportunity to have common land incorporating these natural resources and the buffer setbacks from these resources. They do not provide sensitive building and site design concurrent with the subdivision process as part of the overall development review process.
 17. The strip residential pattern of houses built fairly close to roads in the rural areas results in loss of rural character.
 18. The comparatively high-density residential developments along the shores of Lake Sunapee, such as along Bay Point Road, the Edgemont area, and the Pine cliff area, are a potential threat to water quality.
 19. South Newbury Village at one time was the Town governmental center as well as a commercial center for the community. The governmental center has moved to Newbury Center and, with a few exceptions, the commercial uses have died out. What remains is a quintessential New England village rich in historical character and architecture. The first three hundred feet off Route 103 remains in the Business District Zone which exposes the historic village to the development of incompatible commercial land uses.
 20. The Town recently acquired a number of parcels of land in Newbury Center. In the series of three visioning workshops during the summer of 2007 public input was provided. The planning process culminated in the crafting of a Newbury Town Center Plan for these public lands in Newbury Center. It provides a flexible plan and guide to the Town of how to use the public lands in Newbury Center.
 21. The private land located around Newbury Center, particularly the area between just south of the Harbor easterly to the intersection of 103 and 103A has all of the elements that attract mixed-use development: the quality and natural beauty of the Lake and the Mountains, views and the heavy and growing traffic.

22. The growth and development of Newbury Center is constrained by the capacity of on-site wastewater treatment systems. As development intensifies in Newbury Center, the potential exists for increasing the nutrient loading into nearby Lake Sunapee from on-site wastewater systems.

GOALS: LAND USE

The Planning Board solicited public input on the Master Plan update in order to develop a plan which reflects the community's collective vision for the future of Newbury. The Planning Board conducted several public work sessions to define the issues facing the Town over the next ten years. With that input, the Planning Board developed and administered two Community Surveys which provided the Board with guidance throughout the process of updating the Master Plan.

The Planning Board developed the following land use goals based on public input. Input was gleaned from public meetings on updating the Master Plan, feedback compiled from results of the Community Surveys, and discussion among the Board members. In particular, the first goal directly expresses the prevailing sentiment from the results of the Community Surveys concerning the community's collective vision for the future of Newbury:

1. to remain primarily a rural residential community with a small town atmosphere, uncrowded, with quiet living conditions, and a scenic and unpolluted natural environment;
2. to preserve, protect, improve and enhance the natural, scenic, recreational, cultural, and historic resources of the Town, to continue the desirable characteristics of the traditional Northern New England land use settlement pattern;
3. to maintain and to improve accessibility to and economic viability of existing villages;
4. to ensure that the density, intensity, and siting of future development is consistent with the capacities of access, utilities and natural resources and able to support such land use development;
5. to protect the character of rural areas and their natural resources by continued wise use of natural resources, and by avoiding scattered development and incompatible land uses; and
6. to encourage protection measures and preserve sufficient healthy habitats to ensure the continuation of the community's wildlife and rare plant species

resources.

RECOMMENDATIONS: LAND USE

Guided by these land use goals, the Planning Board made the following recommendations on the land use issues articulated previously.

1. The Planning Board should ***protect scenic views around the lakes and ponds*** by developing an overlay district in the Zoning Ordinance, or by developing other tools and techniques, to ensure minimal visual impact from development. These ordinances should encourage sensitive site and building layout and design.
2. The Planning Board should ***update the land use regulations and ordinances to ensure that the best and most appropriate use of the land occurs on proposed development sites*** by:
 - a. Requiring an evaluation of the capacity of the soils to support the proposed development including the houses, septic systems and wells to be conducted by a professional soil scientist;
 - b. Requiring an evaluation of the impact of the proposed development on all the surface water resources downhill or downstream of the proposed development site by a professional wetland scientist; and
 - c. Updating and/or adding sections on requirements and standards for surface water drainage reports and sediment & erosion control plans.
3. The Newbury Planning Board should ***compare the results from the Community Survey with the uses in the Zoning Ordinance*** to evaluate whether feedback from the survey would suggest changing the status of a use in the zoning ordinance. Those uses receiving ambivalent support from the Community Survey may best be suited as a use permitted by special exception rather than a use permitted by right. Those uses receiving strong support should be permitted uses and those not supported should be identified as uses not permitted.
4. The Planning Board should consider additional tools and techniques to protect:
 - a. ***Agricultural lands;***
 - b. ***Wildlife habitat and corridors for wildlife; and***
 - c. ***Fragile natural plant habitats some sites with rare and endangered species.***
5. The Town should monitor the impact of the overall growth and development of the ***Mt. Sunapee Resort.***
6. ***The Planning Board should study amending the Business District boundaries to limit future commercial development in Newbury to the following areas along Route 103:***

- a. The traffic circle area;
- b. Newbury Center;
- c. The flats along 103 between the bottom of the Cut to Village Road; and
- d. The area along 103 around Morse Hill Road at the north end of Lake Todd.

Outside of these areas, commercial uses should be limited to home occupations and cottage industries.

7. Newbury ***should not permit future commercial development:***
 - a. to be scattered throughout town;
 - b. along Route 103A; and
 - c. along Route 103B.
8. ***Future commercial development and redevelopment/reuse projects*** in Newbury should be ***designed and built to be a positive addition to the character of the community.*** The Planning Board should add to and refine the ***Design Guidelines*** in the Site plan Review Regulations to accomplish this recommendation and provide these guidelines to prospective developers.

Commercial projects need to provide a positive visual appearance through design of the building, landscaping and lighting and screening of any outdoor uses, outside operations and storage of materials or solid waste.

9. In general, residents in Newbury would prefer to limit commercial development. ***If commercial development must occur, residents have shown they prefer the following types of businesses:***
 - a. Outdoor recreation related businesses;
 - b. Tourist related businesses;
 - c. Restaurants;
 - d. Professional offices;
 - e. Personal services (barbers, laundries, hairdressers, etc.); and
 - f. Cottage industry/home occupations.
10. Newbury should ***discourage and not permit*** the future development of the following ***types of businesses:***
 - a. Heavy industry;
 - b. Shopping centers; and
 - c. Factory outlet businesses.
11. Newbury should ***educate the public on the need for various housing types other than single family residential*** in order to provide housing opportunities for all our current and future residents and their families. ***Newbury should promote a mix of residential uses for all household income levels in the future*** to include the following ***types of residential uses:***
 - a. Single-family residences;

- b. Two family residences;
 - c. Accessory apartments; and
 - d. Multi-family residences.
- 12. Newbury should ***discourage and not permit*** the future development of the following ***types of residential uses***:
 - a. Manufactured housing parks (trailer parks).
- 13. The Planning Board should ***propose a redraft of the Cluster Ordinance to become a Conservation Development Ordinance with goals to maximize preservation of natural resources***.
- 14. ***New residential developments should continue to be designed and constructed to further the protection of:***
 - a. Steep slopes (slopes in excess of 25%);
 - b. 100 year floodplains;
 - c. Wetlands & wetland buffers;
 - d. Surface waters & buffers for surface waters;
 - e. Deer wintering areas;
 - f. Public lands or lands held by private, non-profit land protection agencies adjacent to the development;
 - g. Skylines; and
 - h. Hillsides - particularly the steeper upper hillsides to the ridgelines providing the scenic vistas from the lakes and public highways.
- 15. Protection of these natural resources can be maximized by using the redrafted Conservation Development Ordinance. The ***Planning Board should propose an amendment to the Zoning Ordinance to provide the Planning Board with the authority to require a Conservation Development approach to protect these natural resources when any of those listed above are included in or contiguous to a major development proposal, if these natural resources are threatened by the development***.
- 16. ***Subdivisions that consume all the land with lots and roads should be avoided when trying to protect the natural resources*** listed above. These subdivisions are inflexible in their lot layout and design. They do not provide the opportunity to have common land incorporating these natural resources and the buffer setbacks from these resources. They do not provide sensitive building and site design concurrent with the subdivision process as part of the overall development review process
- 17. The Planning Board should amend its regulations and recommend amendments to the Zoning Ordinance to ***discontinue the strip residential pattern of houses built fairly close to roads in the rural areas*** which is resulting in loss of rural character. The rural character of the Town will be enhanced by retaining more open space along the rural roadways. Deeper setbacks (100 to 150 feet in depth)

from town roads providing more open space along the rural roadways, use of common driveways, use of internal roads to provide frontage for new lots, and locating new homes in wooded areas and not open fields or agricultural crop land will all enhance the character of the rural areas of Town.

18. The town should conduct a *feasibility study for providing sewer collection and treatment for the comparatively high-density residential development along the shores of Lake Sunapee such as along Bay Point Road.*
19. **Recommendations relative to the future land use and development of South Newbury Village** include the following:
 - A. **Preserving Historical Character:** As noted in the historic Preservation Chapter, the Town, through its Historical Society and Conservation Commission, should consider developing a Historic District for South Newbury Village. In the meantime or in the alternative, the Planning Board should amend its Site Plan Review Regulations to incorporate a standard relative to minimizing the impacts of a proposed project on historic structures and sites.
 - B. **Future Land Use:** Future land uses in and around the village should be primarily residential uses with a mix of low-impact home occupations. If land use recommendation #6 is implemented, the existing business district zone along Route 103 in South Newbury would be eliminated. Until this recommendation is implemented, any business uses proposed in south Newbury should be restricted to commercial uses which generate minimal impacts on neighboring residential uses, the historic character of the village and the environment, particularly the aquifer underlying this area. Efforts should be made to relocate the industrial uses out of this area as opportunities arise. Commercial use proposals in the South Newbury Village need to be sensitive to:
 - 1) aesthetic issues related to building size, scale and architectural style appropriate to preserving the historic character of the existing village;
 - 2) the size and intensity of commercial uses. A small restaurant with eight seats and a general store with 500 square feet may be appropriate intensity of uses, whereas a forty-seat restaurant and a 3,000 square-foot retail store may not fit in with the village.
 - C. **Promote Reuse of Town Buildings:** The Town buildings in South Newbury that formerly housed the Town government center need to be restored for future uses. The Town needs to promote reuse of the Town Hall, Sherman Hall and the Grange while being sensitive to the compatibility of any reuse proposal with the character of the residential

village. A study of the Town buildings in South Newbury is being undertaken in 2007 to ascertain the restoration needs for these buildings. The Capital Improvements Program 2008-2013 has included \$30,000 in 2008 for the actual restoration work. The 2007 study may reveal the need for additional capital improvements.

20. **The Town needs to implement the plan for Town owned lands developed for Newbury Center** during the summer of 2007 as reflected in the report dated August 25, 2007 found in Appendix D. Newbury Center should continue to serve as the governmental, commercial and service center for the community, supporting a mix of commercial and institutional land uses along Route 103 in the village and bordered by residential uses beyond.
- 21 **The Town needs to carefully manage the development of private land located in Newbury Center**, particularly the area from just south of the Harbor easterly to the intersection of 103 and 103A. This area has all of the elements that attract development: the quality and natural beauty of the Lake and the Mountains, views and the heavy and growing traffic. Newbury Center is and should continue to be a mixed use center. It should continue to be promoted to serve as the governmental center, to provide commercial sales and services including restaurants, and to provide housing of all types.
- 22 In order to realize its full development and reuse potential and to maintain lake water quality, the Town should **study the feasibility of serving Newbury Center with a small centralized wastewater collection and treatment system**. Providing sewer service to Newbury Center would facilitate the following:
 - A) afford new and expanded opportunities for commercial uses to develop in Newbury Center;
 - B) offer additional opportunities for small lot, residential development in areas bordering the village;
 - C) make reuse opportunities easier to accomplish such as reuse of the Veterans' Hall; and
 - D) improve the lake water quality by replacing existing on-site wastewater systems with a centralized collection and treatment system.

FUTURE LAND USE MAP

The Future Land Use Map (see Map III-1) provides some broadly defined geographic boundaries to the written recommendations discussed in the section above. The Master Plan outlines these areas in conceptual form only. These areas will need to be refined in the process of developing any rezoning proposal(s). In particular, the Future Land Use

Map highlights:

1. elimination of the potential for continuous strip commercial development along Route 103 through the consolidation of the Residential/Business District Zone to the four recommended areas; and
2. focusing the more intensive development in or around the villages.

Outside the village areas and the areas along Route 103 to remain in the Residential/Business District zone, the vision for the remaining area of Town is to permit low-density residential development, while protecting the natural, scenic, recreational, cultural, and historic resources of the community.

MAP IX-1
Future Land Use