

Dated: November 10, 2006

CHAPTER III

LAND USE

Recommendations: Land Use - General

1. The Planning Board should *protect scenic views around the lakes and ponds* by developing a protective overlay district in the Zoning Ordinance or by developing other tools and techniques to ensure minimal visual impact. These ordinances would 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 a 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 soils and plant habitats.*

5. The Town should limit the use of public land for private gain and ***not support future efforts to expand the Mt. Sunapee Resort*** due to the potential impacts on demand for town services and overall impact on the growth and development of the community and the region.
 6. Newbury should conduct a ***Design Charette*** focused on evaluating and reaching consensus on a ***future vision for possible uses and possibly enlarging of the area of Newbury Center***.
 7. The town should conduct a ***feasability study for providing a small, sewer collection and treatment system for Newbury Center***, if the consensus reached through the Design Charette process on future uses and development of Newbury Center requires sewer service.
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Recommendations: Land Use - Commercial

8. ***The Planning Board should propose 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.

9. Newbury ***should not permit future commercial development :***
 - a. to be scattered throughout town;
 - b. along Route 103A; and
 - c. along Route 103B.
10. ***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***. 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.

11. The Planning Board should develop *Design Guidelines* to accomplish the goal above and provide these guidelines to prospective developers.
 12. 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.
 13. Newbury should *discourage and not permit* the future development of the following *types of businesses:*
 - a. Heavy industry;
 - b. Shopping centers;
 - c. Factory outlet businesses; and
 - d. Concentrated commercial recreational facilities.
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Recommendations: Land Use - Residential

14. Newbury needs to *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.
15. Newbury *should accommodate 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.
16. Newbury should *discourage and not permit* the future development of the following *types of residential uses :*
 - a. Manufactured housing parks (trailer parks).

17. ***New residential developments should continue to be designed and constructed to protect:***
- 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 a 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.
18. ***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
19. The Planning Board should ***propose a redraft of the Cluster Ordinance to become a Conservation Ordinance with goals to maximize preservation of natural resources.***
20. Protection of these natural resources can be maximized by using the redrafted Cluster Development Ordinance. The ***Planning Board should propose an amendment to the Zoning Ordinance to provide the Planning Board with the authority to require a Cluster Development when any of the natural resources listed above are included in or contiguous to a major development proposal, to the extent that it threatens these natural resources, in order to protect them.***
21. The Planning Board should amend their 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. Deeper setbacks 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.

22. The town should conduct a *feasability 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.*