

## Introduction and Recommendations

New Hampton is set in the geographic center of the state and lies roughly halfway between Newfound Lake and Lake Winnepesaukee, between the White Mountain National Forest and the state capitol in Concord. Interstate 93 and Routes 104 and 132 converge at the town's center.

As travel and tourism continue to be mainstays of the New Hampshire economy, New Hampton by virtue of its very location must be prepared to accommodate not only the growth of its own population, but that of surrounding communities and, indeed, the state as a whole. No town exists in a void, and, particularly since September 11<sup>th</sup>, 2001, many health and safety issues for New Hampton citizens must be considered in concert with other towns, the region and the state. Motorcycle Week in Laconia, for example, drew a record crowd of 135,000 in 2001. Due to our proximity and location on the Interstate, New Hampton's police, fire and rescue personnel are forced to deal with additional traffic and safety challenges as the popularity of just that one event grows.

Indicative of that reality, communication with other town governments, regionally and statewide, is an important tool New Hampton regularly employs to the benefit of its citizens. The number of state and regional organizations to which New Hampton has affiliated itself is long. New Hampton is a regular member of the Lakes Region Planning Commission and the New Hampshire Municipal Association to name two. The departments which serve its residents maintain memberships in like manner. Some examples include the NH Preservation Alliance, NH Association of Conservation Commissions, NH Ambulance Association, National Fire Protection Association, NH State Firemen's Association, the Belknap County Chiefs of Police, Northern New England Police Association, NH Association of Police Chiefs, the NH Finance Officers Association, NH Association of Assessing Officials, NH City and Town Clerks Association, the NH Tax Collectors' Association and others. Additionally, volunteer civil servants who serve the town's various boards often attend regional and state level conferences and meetings with those expenses paid by the town budget.

The Master Plan is a tool to be used by the Planning Board and the Board of Selectmen to guide growth at a rate that is consistent with the town's ability to absorb it, while preserving the existing rural and small town character. The Master Plan furthers this goal through natural resource protection, historic and agricultural preservation, and

protection of the town's aesthetic values, which will assure a pleasant, attractive, and desirable community in which to live and play. The Business and Industry Association of NH, in 1996, after extensive research, identified the *Quality of Life in New Hampshire* as the state's most important economic asset. As a result New Hampshire is the fastest growing state in New England. It is estimated that the population of New Hampshire will grow from 1.2 million in 2001 to 1.5 million in 2020. That is an increase of 25% in just 19 years. New Hampshire is losing 20,000 acres of farm and forestland each year to development. New Hampton is going to see its fair share of that growth and loss of farm and forest. It is not a question of if we are going to see it; it is more a question of how we are going to handle it.

This update to the 1985 New Hampton Master Plan attempts to set down as clearly and practically as possible the best and most appropriate future development of the town, and makes recommendations to aid the boards in designing ordinances that result in preserving and enhancing the unique quality of life and culture that reside in New Hampton. Additionally, it attempts to guide the Board of Selectman, the Planning Board, and other Town officials in the performance of their duties in a manner that advances the principals of smart growth, sound planning, and wise resource protection.

The revised Master Plan contains five major sections. They are:

- Introduction and Recommendations
- Visioning
- Population
- Land Use
- Historical

Each section is covered in depth and highlights of each are presented here in summary.

**Visioning-** The Visioning Subcommittee sent out 1,100 questionnaires to residents and voters of New Hampton of which 416 responses were returned for tabulation and analysis. This is a 38% return rate. The chairperson of the Visioning Committee wrote in her summary, " A survey with this overwhelming response is not only a representative reflection of the values and attitudes of the community, but with such a high percentage of respondents can be construed literally as a *mandate* from the community regarding future direction of their town".

**Population-** This chapter examines five facets of population change in New Hampton: historical population trends, migration pattern,

units, and low income/subsidized housing. When senior housing was addressed, the over-56 group said it was inadequate at nearly twice the rate of the under-40 group (46% vs.24%). However, an almost equal group of over-56ers (41%) was undecided.

Adding more large multi-family dwellings with 5-8 units or with 9 or more units received a strong “thumbs down” from 87% of respondents. New condos weren’t welcomed either (70% said “No”), and the possible addition of new mobile home parks was very (87%) unpopular.

### 1.5 Preserving Our Roots

If we’re not ready to add a lot of new construction, we certainly do like what we have and are ready to preserve the historic aspects of our community. Slightly more than half of respondents (59%) wanted to establish historic districts. Even more popular was the suggestion of adding to the inventory of historic buildings (64%). But we are most enthused about identifying areas of significant historic interest (81%) and establishing consistent identifiers/markers for those historical sites (83%).

### 1.6 Conservation

We’re not only concerned with preservation of our man-made structures. In a question about town involvement in preservation of other resources, there was overwhelming support for conservation of areas of scenic or natural beauty (85%), the Pemigewasset River (84%), important wildlife habitats (83%), shorelines (80%), followed by historic buildings, wetlands, and working farms and farmlands (all above 65%).

### 1.7 Recreational Facilities

When work is over and it’s time to play, New Hampton residents have strong opinions about recreational opportunities that should be available. Outdoor eating and the opportunity to walk off the calories topped the list with 76% of respondents choosing picnic areas and hiking trails as the most wanted facilities to be added or improved in the town. Seventy-five percent want a nice town beach and 71% want cross-country ski trails marked for winter recreation. Biking trails and boat access to the river were also strong on the “wish list” with 69% support. There were activities that a significant majority was strongly

2. Daytime hours are between 7 A.M. and 8 P.M. Nighttime hours are between 8 P.M. and 7 A.M.
  3. Measurements shall be made at the property line, at least four (4) feet from ground level, using a sound level meter meeting the standards prescribed by the American National Standards Institute.
  4. Construction authorized by a building permit allows an increase to 75 DBA for daytime hours.
  5. Exemptions: The following uses and activities shall be exempt from the provisions of this section:
    - a. Safety signals, warning devices, emergency relief valves, emergency generators, and other emergency equipment when in operation due to an emergency, or testing or other planned operation; testing or other planned operation shall take place only during the day as defined in this section.
    - b. Unamplified human voices and crowd noises generated at gatherings open to the public.
    - c. Power tools, including lawn mowers, snow blowers and chain saws, when used for the construction or maintenance of property.
- M. Pollution Control: To avoid undesirable and preventable elements of pollution such as noise, smoke, soot, particulate, or any other discharges into the environment which might prove harmful or a nuisance to persons, structures, groundwater, or adjacent properties is that the applicant will employ the best standards and technology economically available at the time.
- N. Protection of Natural and Historic Features: All significant natural and historic features on the site, such as large or unusual trees, natural stone outcroppings, stone walls, etc. shall be shown on the plan. Board approval shall be obtained before removal of such features.
- O. Where required by law, all buildings shall have access for handicapped persons.
- P. Where appropriate, installation of any new utilities and/or transmission lines shall be buried underground.
- Q. Architectural Review: In the New Hampton Master Plan 2002, community survey respondents were asked to identify the one most important thing to preserve in New Hampton. The Town's historic, rural character and natural beauty were the most common responses. In order to better protect these resources, an architectural plan shall be prepared that meets the requirements of this section, unless specifically waived by the Board. The requirement for the preparation of an architectural plan will be based upon the finding of the Planning Board that the development site meets the standard of applicability as defined below. When an architectural plan is required, all buildings and outbuildings shall be designed by a professional registered architect or other acceptable professionals as determined by the Board.



**ARTICLE IV DISTRICT REGULATIONS****A. General Residential, Agriculture and Rural District (GR)****1. District Description**

This District includes all property within the Town of New Hampton not otherwise specified within the other Districts outlined in this ordinance and as shown on the adopted Zoning Map.

**2. General Purpose and Characteristics**

The purpose of this District is to provide an area for residential use in a rural setting. Since public water and sewer services usually will not be available, the land should not have severe limitations for on-site sewage disposal and the lots should be of sufficient size to provide for septic tanks and drainage fields.

**3. District Property Uses****Table of Uses**

<b><u>USE</u></b>	<b><u>PERMITTED</u></b>	<b><u>CONDITIONAL USE</u></b>	<b><u>SPECIAL EXCEPTION</u></b>
Single-Family Dwelling	X		
Home Occupation or Professional Office	X		
General Farming & Agriculture	X		
Accessory Building incidental to the principal structure.	X		
Manufactured Homes <sup>1</sup>	X		
Yard/Garage Sales	X		
One accessory apartment per lot			X
Church			X
Public Use or Building			X
Hospital, Clinic or Nursing Home			X
Two-Family Dwelling			X
Multi-Family Dwelling			X
Cluster Development			X
Recreational Camping Parks <sup>2</sup>			X

<b><u>Table of Uses</u></b> – Cont.			
Bed & Breakfast/Tourist Home			X
Outdoor Education			X
<b><u>Notes:</u></b> <b>1 – Manufactured Homes:</b> These homes must be stamped with HUD approval as defined in Title 24 – Housing and Urban Development Part 3280 Manufactured Home Construction and Safety Standards. <b>2 – Recreational Camping Parks:</b> provided that all current sanitary laws and regulations are met as provided in State of New Hampshire, Division of Public Health Services, Sanitary Laws and Regulations, Recreational Camping Parks, Concord, NH, 1976, and subsequent revisions.			

#### 4. Dimensional Standards

- i. Frontage: Every building lot shall have a minimum street frontage of 150 feet, except where 1 or 2 lots are served by a deeded private right-of-way of at least 50 feet in width or where said lots are located on curves, cul-de-sac or are affected by other such factors that sound planning justifies less frontage. In addition, every lot abutting the shore of a lake or pond or the shore or bed of any stream shall have a minimum water frontage of 150 feet for each dwelling unit that will utilize or be granted rights of use of the water frontage, measured as a straight line between the points of intersection of the side lot lines with the shoreline at normal high water elevation.
- ii. Front Setbacks: 35 Feet from any public or private road right-of-ways.
- iii. Side and Rear Setbacks: 20 Feet from the property line.
- iv. Minimum Land Area: See Article V, Section N.
- v. Maximum Lot Coverage: 20 Percent.
- vi. Height Regulations: Maximum height of buildings shall be thirty-five (35) feet except for domestic radio and television antennas, silo, barns, church towers, water storage structures, chimneys or wind operated devices.

#### 5. Special Exception:

Special Exception Uses listed above may be permitted by the Board of Adjustment, provided the following conditions have been met:

- i. The specific site is an appropriate location for such use.



- ii. There is adequate area for safe and sanitary sewage disposal.
- iii. The use will not adversely affect the adjacent area.
- iv. There will be no nuisance or hazard created.
- v. Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- vi. The use will not impair the aesthetic values exhibited by the surrounding neighborhood.
- vii. The building, parking and/or driveway shall not exceed 50% of the lot.

**B. Business Industrial District (BI)**

**1. District Description**

This District, as shown on the adopted Zoning Map, begins 1,000 feet north of Route 104 on the western side of Route 132 North and extends northward along the western side of Route 132. The western border of the district is Interstate 93, and its northern border is the point where Interstate 93 crosses over Route 132.

**2. General Purpose and Characteristics**

The Business Industrial District is primarily intended for commercial and light industrial uses, which would benefit from the location in close proximity to an interchange of a State Highway and Interstate 93.

**3. District Property Uses**

**Table of Uses**

<b><u>USE</u></b>	<b><u>PERMITTED</u></b>	<b><u>CONDITIONAL</u></b> <b><u>USE</u></b>	<b><u>SPECIAL</u></b> <b><u>EXCEPTION</u></b>
Business	X		
Commercial	X		
Light Industrial	X		
Industrial Parks <sup>1</sup>			X
Increased height			X
<b><i>Notes:</i></b> <b>1 - Industrial Parks:</b> See Special Exception Setbacks, Lot Coverage and Buffer Strip rules in the Dimensional Standards section below.			

in the area, noise, parking, lighting, etc.

5. If the proposal involves a property that has never received Site Plan Review from the Planning Board for previous non-residential or multi-family use.

**A. Activities Not Subject to Site Plan Review**

1. Proposals that involve no change in use or level of activity.
2. Internal building modifications to a non-residential use that do not affect the scale or impact of the existing use.
3. A re-use of a premise for which a Site Plan Review has already been conducted, provided the new use is not different in type or impact.
4. Agricultural activities, including agricultural structures. Large commercial "farm-stands" in which 35% or more of the items for sale are not produced within the municipality shall, however, require site plan review if they otherwise meet the criteria for site plan review.
5. Timber harvesting and forest management activities.

**B. Uncertain Applicability**

In cases where there is uncertainty as to whether a development proposal is subject to site plan review, the Planning Board shall make a determination, in writing, as to whether site plan review is required, and what level of review is necessary.

**SECTION IV. DEFINITIONS**

The following definitions apply to these regulations. In addition, the definitions contained in the New Hampton Zoning Ordinance and the Subdivision Regulations shall apply to these Regulations.

- A. **Abutter:** Means: (1) any person whose property adjoins or is directly across the street or stream from the land under consideration by the Planning Board; and (2) affected municipalities and the regional planning commission(s) in the event of developments having regional impact. For purposes of receiving testimony only, and not for purpose of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B: 3, XXIII.
- B. **Applicant:** Means the owner of record of the land to be developed, or his/her designated agent duly authorized in writing at the time of application.
- C. **Board:** The Planning Board of the Town of New Hampton.
- D. **Change or Expansion of Use:** the creation, alteration, modification or enlargement of a non-residential use which increases, intensifies or otherwise negatively impacts any of the following: site lighting, sewage, water, drainage, pedestrian or vehicular traffic, parking or



loading, sign usage, landscaping or buffer zones, site access, noise, or other public health, safety or welfare consideration.

Situations not ordinarily constituting "change or expansion of use" include: a mere substitution in tenant, owner, service or product, with no impact regarding the above considerations; interior remodeling which does not increase square footage. Whether a "change or expansion of use" occurs is a determination to be made by the Planning Board.

- E. **Engineer:** Means a legally licensed civil engineer in the State of New Hampshire.
- F. **Forester:** Means a legally licensed forester in the State of New Hampshire.
- G. **Geologist:** Means a legally licensed geologist in the State of New Hampshire.
- H. **Landscape Architect:** means a legally licensed landscape architect in the State of New Hampshire.
- I. **Public Hearing:** Means a meeting, notice of which must be given per RSA 675:7 and 676:4, I (d), at which the public is allowed to offer testimony.
- J. **Soil Scientist:** Means a legally licensed soil scientist in the State of New Hampshire.
- K. **Surveyor:** Means the licensed New Hampshire surveyor of the subdivision.
- L. **Wetlands Scientist:** Means a Certified New Hampshire Wetlands Scientist.

## SECTION V. APPLICATION PROCEDURE

- A. The application procedures as outlined in the New Hampton Subdivision Regulations shall apply to Site Plan Review

- B. **Expedited Review**

The Board may provide for an expedited review of minor site plans. Criteria the Board will use to determine whether an application qualifies as a minor site plan include, but are not limited to, the following:

1. The purpose of the plan is for a change of use or expansion of present use, based upon the standards outlined in Section V.B.6 and 7 below.
2. The site plan will have a minimum traffic impact on the surrounding road network.
3. There is no alteration of access to public streets.
4. Minimum lot grading.
5. Minor drainage improvements are required to accommodate any increased drainage due to improvements.

2. Outdoor lighting is restricted to that which is necessary for advertising and security of the property.
3. Outdoor lighting shall be installed according to standards set forth in Section L of the New Hampton Zoning Ordinance.

C. **Pedestrian Safety:** Sidewalks shall be provided for pedestrian traffic to provide connection between the main entrances of business, housing or industrial establishments and parking areas. In the event that pedestrian shoppers or employees are reasonably anticipated, provision shall be made for sidewalks running from the street line to the establishments. All such sidewalks shall be at least six (6) inches above grade and protected by curbing.

D. **Off-street Parking and Loading Requirements:**

1. Sufficient off-street loading and/or unloading space must be provided, including off-street areas for maneuvering of anticipated trucks or other vehicles. Maneuvers for parking and/or loading or unloading must not take place from a public street.
2. Access, parking and loading areas are to be constructed so as to minimize dust, erosion, and runoff conditions that would have a detrimental effect on abutting or neighboring properties.
3. Permeable pavement may be used which might reduce the need for installation of drainage facilities to accommodate runoff; however, the Board may require that access, parking and loading areas be conventionally paved, if deemed appropriate.
4. In site plans of more than one (1) use, the aggregate number of parking spaces shall be apportioned based on the various uses, with respective areas designated on the plan.

E. **Screening and Buffer Strips:** Appropriate screening/buffers are to be maintained or installed to provide privacy and noise reduction to residential areas abutting nonresidential sites:

1. Buffer strips between nonresidential and residential uses shall be at least 50 feet wide and shall contain vegetation that will screen nonresidential uses from sight of the residential uses during winter months.
2. Storage areas must be fenced or screened from on-site or adjoining parking and neighboring properties.
3. Litter (garbage) collection areas must be screened.
4. The use of either fencing or hedges is permitted.
5. Naturally vegetated buffer strips of a least 75 feet shall be provided adjacent to all surface waters, and adjacent to wetlands greater than one acre in size. A buffer strip of at least 25 feet shall be provided adjacent to wetlands less than one acre but larger than  $\frac{1}{4}$  acre.



6. Buffer strips shall be clearly marked with construction fence, or similar material, prior to start of construction to assure that they are not disturbed during site development.
7. Where appropriate, existing growth shall be incorporated into the buffer strips and landscaping design. A landscaping plan shall be submitted showing the types and locations of vegetation to be retained or established.
8. At least 50% of the site shall remain as vegetated green space. Buffers, wetlands, and other unbuildable areas may be included as part of the green space.

**F. Street Access/Traffic Pattern:**

1. Access to public streets will meet the requirements of the NH Department of Transportation and/or the Town of New Hampton. Frontage roads along Route 104 are desired by the Town. Any new road construction shall conform to the road standards as specified in the New Hampton Subdivision Regulations. The internal traffic pattern will accommodate the proposed use, as well as providing easy, unimpeded access for emergency vehicles.

2. Maximum number of driveways per lot

Lots which have frontage on one highway only shall be allowed a single driveway, except that two, one-way driveways may be substituted for a single driveway, provided that the minimum required distance between driveways can be met.

3. Interconnecting Driveways

The Planning Board may require the use of cross access drives, and other access management techniques to reduce the number of access points on to public roadways. A system of joint use driveways shall be established wherever feasible, along all state roads, and roads with minor collector classification or higher. The location, width, and pavement treatment of all driveways and access points within 200 feet of the site shall be shown on the site plan. The applicant is encouraged to discuss with the Planning Board their plans to minimize access points and provide for joint use driveways and cross easements prior to submitting a formal site plan application.

Where cross access arrangements are proposed or requested by the Planning Board, the site plan design shall incorporate the following:

- a. A least one (1) cross-easement or right-of-way to each abutting parcel, whether developed or not. Said easement or right-of-way shall be recorded with the deed of each parcel allowing for shared or cross access to and from other properties by the joint use driveways and/or access drives;



- vi. Structures(temporary or permanent) accessory to Special Exceptions permitted in 6-c above shall be regulated as follows:
  - a. Structures shall not be designed for human habitation.
  - b. Structures shall have a low flood damage potential.
  - c. The structures, if permitted, shall be constructed and placed on the building site so as to offer the minimum obstruction to the flow of floodwaters and that will minimize flood damage.
    - 1) Whenever possible, structures shall be constructed with the longitudinal axis parallel to the direction of flood flow; and
    - 2) So far as practicable, structures shall be placed approximately on the same flood flow lines as those of adjoining structures.
  - d. Structures shall be firmly anchored to prevent floatation, collapse or lateral movement of the structure.
  - e. Use construction materials and utility equipment that are resistant to flood damage.
  - f. Service facilities such as electrical and heating equipment shall ordinarily be constructed at or above the regulatory flood protection elevation for the particular area (if one exists).

#### H. Pemigewasset Overlay District (PO)

The purpose of this district is to provide protection for the environmentally sensitive corridor along the Pemigewasset River.

##### 1. Permitted Uses

Residential uses except as listed below in IV-H-2.

##### 2. Prohibited Uses

- i. Mobile home parks
- ii. Junkyards
- iii. Earth Excavation when a permit issued under RSA 155-a is required.
- iv. Diversion of the river.

### 3. Dimensional Requirements

- i. Minimum Lot Size: See Article V, Section N for all uses except as specified below; no construction is permitted on slopes in excess of 15%.
- ii. Frontage: Each lot must have minimum frontage of 200 feet along the Pemigewasset River, and a minimum frontage of 150 feet along the road.
- iii. Building Height: a maximum of 35 feet height above grade shall be permitted.
- iv. Funnel Development: Each lot must have minimum frontage of 200 feet along the Pemigewasset River for the first dwelling unit and an additional 20 feet of frontage along the River for each additional dwelling unit.
- v. Structure setback: Structures, except septic systems, shall be set back a minimum of 200 feet horizontal distance from the normal high water mark of the Pemigewasset River.
- vi. Front Setback: 35 feet from public and private road right-of-ways.
- vii. Side and Rear Setbacks: 20 feet from the property line, with the exception of the river setback as stated above in subparagraph e.
- viii. Septic system setback: Septic systems shall be set back a minimum of 125 feet horizontal distance from the normal high water mark of the Pemigewasset River.
- ix. Lot size and buffer for campgrounds: A minimum area of 5 acres is required. A landscaped buffer is also required along the Pemigewasset River with a minimum width of 75 feet.
- x. Industrial Park setback: A 500-foot setback from river is required.

### 4. Other Standards

- i. Sign Restrictions: Signs shall meet the Standards of Article V, Section E except where the following standards are more restrictive.
  - a. No off-site signs are permitted.
  - b. Signs shall not exceed 10 feet in height above grade and 8 square feet in size.
  - c. Only indirect light shall be permitted and animated signs are prohibited.



- ii. Manufactured Homes must be placed on a foundation according to the standards set forth in Article IV-A-3, note (1).
- iii. No construction shall be permitted within the riverfront setback area.
- iv. Special Exception criteria in this district are set forth in Article IV, Section A-5.

## I. Lake Waukewan Watershed Overlay District

### 1. Purpose and Intent

- i. To promote the health, safety and general welfare of the community and specifically of those consumers that depend on Lake Waukewan as the source of public drinking water.
- ii. To prevent the degradation of water quality to Lake Waukewan and throughout the Lake Waukewan Watershed.
- iii. To protect sensitive natural resources that contributes to water quality conservation.
- iv. To guide the nature, intensity and location of development within the watershed to protect water quality.

### 2. Applicability

The provisions specified herein shall apply to those properties, or portions of properties located within the watershed of Lake Waukewan.

The limits of the Lake Waukewan Watershed are identified on the Map entitled Lake Waukewan Watershed Overlay District which is hereby adopted as part of this ordinance.

In instances where the limits of the watershed, as indicated on the map may be different than the boundary on the ground, the Board of Selectmen shall make the determination as to whether or not the ordinance is applicable.

No lot or portion thereof located within the Lake Waukewan Watershed shall be subject to the provisions of this overlay district if it is established to the reasonable satisfaction of the Planning Board that storm water runoff from such lot or portion of such lot does not drain into Lake Waukewan.