

PLANNING BOARD-CONSERVATION COMMISSION
JOINT MEETING

December 3, 1990

Members in attendance: Richard Smith, Sr., Chairman, Planning Board; Larry Smith, Chairman, Conservation Commission; Dennis Quintal, Vito Kasinskis, Mel Keddy and Joseph Conti

Others in attendance: Sarah Campbell, Rockingham Planning Commission

The meeting was called to order at 7:45pm by Mr. Larry Smith.

Mr. Larry Smith explained that the two groups were meeting to discuss the Cluster Ordinance which is being contested by the Planning Board at the present time.

Larry Smith stated that the density calculations are the biggest concern of the Conservation Commission.

Larry Smith first discussed Article F. regarding maximum allowable density. He stated it needs revision to align with the standard subdivision requirements. He noted he has checked with three towns, Newmarket, Durham and Lee. He took highlights from each of these towns and submitted his overview of their ordinances for the joint review.

Ms. Campbell noted the intent is to allow density to be the same as conventional subdivisions with relevance to the amount of wetlands.

Larry Smith stated problems encountered here are the same as those experienced by Strafford County. He reviewed the submitted overview.

Mr. Conti said that the Town cannot cut down on the number of lots/units per lot size by legal means.

Larry Smith stated if the land can support the numbers proposed, the Town is obliged to allow these numbers.

The Boards discussed the Newmarket regulations in depth.

Ms. Campbell stated she did not agree with "no less than 25% gross area in open space, exclusive of roads and walkways". She would include wetlands and steep slopes in gross area calculations.

Larry Smith explained that his overview was not all inclusive and that further definition was present in the actual ordinance.

There was further discussion about Durham and Lee.

It was pointed out that in Lee cluster was prohibited in strip format. They are encouraged through the setbacks to be arranged in a looping pattern with a service/connector road with homes arranged on the loop in a clustering pattern.

Larry Smith asked for input from other members present.

Ms. Campbell questioned Lee's requirement of no more than 25% wetlands and steep slopes (15%). She feels that this needs to address wetland calculations versus dry land.

Mr. Quintal expressed concerns with relating density to regular subdivisions. He would like to keep density at the regular subdivision allowance for the number of lots.

There was discussion about lot sizes.

Mr. Richard Smith said the State wants towns to go with lot size by soil types, East Kingston currently states two acres minimum, which is more stringent.

Mr. Conti expressed concerns that "cluster" seems to get the town a "park".

Larry Smith reminded the Boards that "cluster" in Lee is regulated by a clause which expresses "no strip", thus it is forced into a circular pattern.

Mr. Quintal stated that the Brandy Wine Lane cluster does not leave the developer much flexibility with the land configuration.

Mr. Conti feels that the lots should be owned by the individual and not by the person who wants to lease them. This would help alleviate the "park" image. He feels that the land should be sold.

Mr. Quintal noted that in some cases the setback requirements would be hard to meet considering the space requirements for community wells and septic areas. He further noted that in today's economy everyone is looking for smaller homes and smaller lots.

Ms. Campbell stated that it is also possible for larger units to be clustered.

Richard Smith stated they are allowing the same type of manufactured housing all over the Town as exists (or will exist) on the FMR project.

Mr. Andrew Berridge arrived at 8:15 as a guest.

Larry Smith stated the impact that the two smaller dry "islands" have in the Mill's proposal. This brings up the allowable number of units.

Larry Smith suggested that two conceptual plans be required; one for layout of a standard subdivision and one for clustering using the same number of units allowed.

Mr. Quintal suggested to have the cluster density follow if changes in the standard subdivision is changed...one follows the other.

Mr. Quintal questioned the impact density has on the area.

Ms. Campbell stated the impact of density would not solve the public perceived problem with the FMR cluster. She further noted that the layout should be approved by the Planning Board for the most desirable configuration for the individual cluster.

Mr. Kasinskas noted another view would be consideration of what should be preserved. The developer would be interested in the net number of units, he would want to maximize the profit. The Town has provided a scheme to maximize property and now we need to define what is the Town's priority.

Mr. Quintal asked if there is any other way except at the discretion of the Planning Board.

Mr. Conti asked if the Town can tell the contractor what types or styles of houses would be preferred.

Mr. Quintal suggested to request to see a rendering of what the aesthetics would look like.

Mr. Conti stated that people are upset with the visual aspects of the FMR project.

Mr. Berridge suggested the Town make the project conform with the area. This would give discretionary argument.

Ms. Campbell stated the law gives the guidance.

Mr. Kasinskis stated the Town should consider protection of the wildlife and forget the architectural design.

Mr. Conti stated there would be less discontent if the layout was conceived more like the Shaker Village.

Mr. Quintal suggested wording to the effect: "number of units if greater than x% of a standard subdivision or do not allow greater than x(number) of standard subdivision. He again expressed his concerns with land which has lots of "islands" of dry land which allow more density.

Larry Smith suggested they attempt to plug new numbers into a formula.

Mr. Quintal stated that he likes the Newmarket formula.

Larry Smith suggest they eliminate steep slopes and "islands" which would be two acres or less in area.

The following changes were recommended to the Newmarket formula:

TOTAL AREA

- Grp 5,6, Wetlands (open water), slopes over 25% and isolated islands of upland soils up to two acres.
- Areas used for roads, right of ways and utilities.
- + Group 5 soils = 25% of total area. Group 1-4 soils XXXX.

Allowable acres per unit divided by two acres.

No more units than allowable in a standard cluster.

Mel Keddy arrived at this time.

Larry Smith again suggested to include: the developer to provide two conceptual plans; one for standard subdivision to determine the number of units and one for layout of cluster showing where the units will be located.

Richard Smith stated that his concept is that cluster would be to allow more units than ordinarily allowed on a standard subdivision. He felt that cluster was for allowing more units.

Mr. Quintal suggested the layout of units be at the discretion of the Planning Board. Cluster layout to be approved by the Planing Board.

Ms. Campbell suggested adding the Planning Board shall have the authority to approve the efficiency of design as well as layout.

Mr. Quintal wants the layout to be at the discretion of the Planning Board.

Mr. Kasinskas added..according to specific guidelines.

Mr. Keddy stated the Town does not allow Mobile Home Parks, and asked if they can say "no" to plans which are similar to Mobile Home Parks.

Mr. Quintal asked if the Town can keep separate buffers between clusters with a minimum number of units per cluster area.

Ms. Campbell stated that she has a problem with specifying acres between clusters. She cautioned about restrictions on designs.

Mr. Keddy noted that one idea for supporting cluster was the reduced cost for roads.

Mr. Kasinskas stated they should go for simplicity. He liked the suggestion from Larry Smith about the two conceptual plans.

Larry Smith then stated that this is basically what he presented in his memo to the Planning Board at their November meeting.

Ms. Campbell asked if there would be no requirements for interior lots.

Mr. Quintal thinks they should have interior lot lines, then after reconsideration he thought maybe it gives some flexibility and they should leave it as present.

Ms. Campbell then read drafted amendments for service and collector roads.

Larry Smith stated he hoped the Planning Board will accept the Conservation Commission's suggested per the memo he submitted.

Ms. Campbell suggested the Conservation Commission actually have specific language drafted for expedition purposes.

Mr. Quintal asked what the consequences would be to have two articles, one to change the Cluster Ordinance and one to eliminate it.

Larry Smith conceded that this would create havoc.

Mr. Conti reminded that Boards that New Hampshire is seeking low cost homes.

Larry Smith stated this is now the law.

The meeting was adjourned at 9:30pm.

Respectfully submitted,

Nancy J. Marden, Secretary

Typed: December 7, 1990

Cluster Zoning Ordinances - Density Req.

1) Newmarket:

$$\begin{aligned}
 & \text{Total Area} \\
 & - \text{Grp 5, 6, + Wet lands (open w at or)} \\
 & \quad \times \times \times \\
 & - \text{15\% remaining area for roads + utilities} \\
 & \quad \times \times \quad \times \times \\
 & + \text{Group 5 soils} = 25\% \text{ of total area Group 1-4 soils} \\
 & \quad \times \times \times \\
 & \div \text{Allowable acres per unit} \\
 & = \text{\# Units allowed in cluster}
 \end{aligned}$$

Add'l. Requirements:

- 1) Front Yard setbacks reduced no more than 50%
- 2) 1 primary structure / lot; no more than 2 units per lot
- 3) Frontage requirements reduced no more than 75%
- 4) Tract of land at least 20 acres; maximum of 100 acres
(Proposed to reduce to 10 acres)

Proposed Subdv. Req's:

- 1) 75' buffer in rural resid.; 50' in residential 1+2
- 2) No less than 25% of gross area in open space, exclusive of roads + walkways

2) Durham: "Planned Unit Development" (Replaced '74 Cluster)

- a) 20 Acre minimum area
- b) 30% open space; 50% shall exclude slopes > 25% + wetlands
- c) Density varies w/ zone; basically 1:1
- d) Landscaping required; no specific buffer width
- e) Utilities underground, unless site conditions don't allow it
- f) Architectural design compatible with surrounding buildings in development

3) L-ee:

- a) Area not less than 20 acres.
- b) No more than 25% wetlands and steep slopes (15%)
- c) Common area at least 25% of total area.
- d) Density - no more than 1 dwelling unit per 85,000 sq ft
- e) Lot size - 1) single family detached - min. 21,250 sq ft (.49 Ac.)
 2) duplex - 55,250 sq ft (1.27 Ac.)
- f) Frontage - 260' per cluster
- g) Buffer - 100' between structure and perimeter.
- h) Lot frontage - 100' for single; 150' for duplex
- i) Loop road with single access to main road.
- j) No "strip" development - lots cluster