



# TOWN OF HUDSON

## Planning Board

George Hall, Chairman

Rick Maddox, Selectmen Liaison



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### **PUBLIC MEETING TOWN OF HUDSON, NH November 18, 2015**

The Town of Hudson Planning Board will hold a regularly scheduled meeting on Wednesday, November 18, 2015 at 7:00 p.m. in the “Buxton Community Development Conference Room” at Town Hall. The following items will be on the agenda:

- I. CALL TO ORDER BY CHAIRPERSON AT 7:00 P.M.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. SEATING OF ALTERNATES
- V. MINUTES OF PREVIOUS MEETING(S)
- VI. CASES REQUESTED FOR DEFERRAL
- VII. CORRESPONDENCE
- VIII. PERFORMANCE SURETIES
- IX. ZBA INPUT ONLY

- A. Breckenridge Estates  
ZI# 01-15

Spear Road  
Map 186/Lot 013

Purpose of Petition: Work within Wetland Buffer Zone, requiring Conservation Commission and Planning Board Input to the Zoning Board of Adjustment (ZBA), relative to the ZBA conducting a public hearing for a Wetland Buffer Impact Special Exception, per Section 334-35 of the most recent Town Zoning Ordinance.

- X. PUBLIC HEARINGS
- XI. OLD BUSINESS/PUBLIC HEARINGS
- XII. DESIGN REVIEW PHASE
- XIII. CONCEPTUAL REVIEW ONLY
- XIV. NEW BUSINESS/PUBLIC HEARINGS
- XV. OTHER BUSINESS

- A. Discussion with Members of the Zoning Board of Adjustment on the Proposed Update of the Town’s Zoning Ordinance.
- B. Review of Proposed Zoning District Amendments along NH Routes 102 & Rte. 111 and Rte. 3A.

XVI. ADJOURNMENT

All plans and applications are available for review in the Planning Office. Comments may be submitted in writing until 10:00 a.m. on the Tuesday prior to the day of the meeting.

The public is invited to attend.

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John M. Cashell  
Town Planner

POSTED: Town Hall, Library, Post Office – 11 - 06 -15

**Breckenridge Estates – 50 Speare Road ZBA**  
**Input Only**  
Staff Report  
18 November 2015

Please note, although scheduled for a hearing Wednesday evening, because the Conservation Commission continued their review of this application, date specific, to their Dec. 14<sup>th</sup> meeting, staff has provided below a DRAFT MOTION to defer the hearing on this application, date specific, to the Jan. 13<sup>th</sup> meeting, which is the next Planning Board meeting date after the Board's Dec. 9<sup>th</sup> meeting. This deferral also takes into consideration the following: §334-39.A.(3) of the Zoning Ordinance (see below), requires the Planning Board to defer review of Wetland Special Exception applications until the Conservation Commission reviews such applications.

§334-39.A.(3) All proposed uses which may have an impact on the Wetland Conservation District shall be reviewed by the Conservation Commission before submission of the plan to the Planning Board.

**DRAFT MOTION:**

I move to defer the ZBA Input Only hearing for 50 Speare Road, Map 186/Lot 013, date specific, to the Planning Board's January 13, 2016 meeting.

Motion: \_\_\_\_\_ Second: \_\_\_\_\_ Carried/Failed: \_\_\_\_\_

**SITE:** Breckenridge Estates - 50 Speare Rd. Map 186/Lot013 CP# 01-15

**ZONING:** General (G) Minimum Lot Size w/out sewer and water 43,560 sf for a duplex and 43,560 sf (1 acre) for a single-family dwelling and 150 ft. of frontage.

**PURPOSE OF PETITION:** to subdivide Map 186/Lot 013 into nine (9) single-family residential lots with individual sanitary sewer disposal and individual well water. **Preliminary Conceptual Review Only.**

**PLANS UNDER REVIEW ENTITLED:** Yield Plan Map 186 Lot 13, Breckenridge Estates Subdivision Speare Road, Hudson, New Hampshire, prepared by Jones & Beach Engineers, Inc. 85 Portsmouth Ave., PO Box 219, Stratham, NH, dated 10 JUL 15 and revised thru 18 AUG 15, consisting of Sheet 1 – 4 (Y1, Y2, C1 & C2) and Notes 1 - 3 (said plans are attached hereto).

# Discussion on Updating the Zoning Ordinance

Staff Report

18 November 2015

As discussed at the conclusion of the Planning Board's October 28<sup>th</sup> meeting, this item is on the agenda, relative to discussing with ZBA members the Zoning Ordinance Update, and requesting that 2 members of the ZBA volunteer to serve on the Zoning Ordinance Review Committee (ZORC), which was established at the Oct. 28<sup>th</sup> meeting. As you will recall, at that meeting, Chairman Hall appointed Planning Board Vice-Chairman, Glenn Della-Monica, to be the ZORC Chairman, with members, Charles Brackett and William Collins, volunteering to serve on this Committee. At the Oct. 28<sup>th</sup> meeting, it was also agreed that Town Planner, John Cashell, will provide administrative support for the Committee, as well as the Zoning Administrator, upon his/her appointment.

NOTE: as requested by the board, staff invited ZBA members to this meeting. Staff sent an email to ZBA Acting Chairman, Normand Martin, citing in the invitation that this meeting is not a formal Joint Meeting between the two boards, but rather, an informal meeting, relative to discussing ZORC's task to update the Zoning Ordinance. Staff also cited in the invitation that there was no need for ZBA members to bring to the meeting proposed zoning amendments or zoning issues of concern. Rather, staff emphasized that the invitation is primarily for the purpose of discussing the update task, i.e., discussing the extent of the update and scheduling monthly meetings. In regard to the update, staff would like to provide the following outline for Wednesday's meeting:

- 1) Extend greetings to the ZBA members in attendance, followed by a brief history/explanation as to why it is important to undertake the task of updating the Zoning Ordinance:
  - a) That is, it's been over 10 years since the Zoning Ordinance was reviewed in a comprehensive manner, and with the recent update of the Planning Board's Land Use Regulations, it's important to correct any inconsistencies between the Regulations and the Zoning Ordinance, e.g., defined terms within both documents should correspond with one another.
  - b) There are many economic and residential development changes that have occurred over the past 10 years, which should be addressed in the Zoning Ordinance. For example, many communities in New Hampshire have adopted "Form Based" zoning, which basically allows for various uses within existing structures that would not otherwise be allowed by existing zoning use provisions within a particular zoning district. This relatively new "Form Based" methodology of zoning helps protect the scale and character of existing structures and their surroundings, while at the same time, allowing such structures to transform into more valuable real estate assets. In turn, this not only benefits the property owner, but also the town, i.e., increased property values equate into increased property tax revenue. Note: "Form Based" zoning has the potential to both, increase the number of available housing units and expand the town's economic base.
  - c) In regard to the Table of Minimum Dimensional Requirements, and as a subject for possible discussion Wednesday evening, members present may want the ZORC to study the possibility of increasing the height allowance in certain zoning districts, e.g., taking

advantage of Sagamore Industrial Park's superb strategic location, increasing the height (# of stories) of buildings could help to attract headquarter-type office buildings to be built within this park. Thus, again, increasing property tax revenue for the town, while at the same time creating good paying for the town's and region's residents.

- d) Article XIX – Growth Management – certainly needs to be studied, relative to analyzing revised population projections for southern New Hampshire. This is not to say that such projections are ever “spot on” accurate. Rather, one thing is for certain: over the past decade and a half the rate of population growth in the southern New Hampshire region has slowed dramatically, i.e., relative to the population boom decades of the 60's - 90's, which caused the implementation of the subject Article.
  - e) As staff pointed-out to Planning Board members at the beginning of 2015, upon completion of the Land Use Regulations Update, updating the Town's Zoning Ordinance should be the next major task for the Planning Board, et al, to accomplish, followed by the need to update the Town's Master Plan. Thinking out loud for a moment, here, the ZORC will most likely complete its Zoning Ordinance Update, via the Town ultimately adopting the newly updated Zoning Ordinance at the 2017 March Town Meeting. As such, later in the spring of 2017 should prove to be a reasonable timeline to consider commencing with the effort to update the Town's Master Plan. This latter assumption takes into consideration that municipalities typically update their respective Master Plans every 10 years, and for Hudson 2017 marks the beginning of the 11<sup>th</sup> year since the Town completed updating its most recently adopted Master Plan in 2006.
  - f) In preparation for Wednesday night's meeting, please feel free to add to the foregoing list of reasons for undertaking the task of updating the Zoning Ordinance.
- 2) ZORC Meeting schedule, staff would like to suggest holding meetings on the 1<sup>st</sup> Wednesday of each month, starting at 7:00 P.M. Note: in advance of this meeting date, staff reserved the Buxton Meeting Rm. through next year for said Wednesdays and time.

# Proposed Rezoning & Zoning Ordinance Amendments

## Staff Report

18 November 2015

In accordance with board action taken at the Oct. 28, 2015 meeting, staff prepared the following DRAFT COPY public hearing notices to amend:

- 1) The B/I Zoning District line along Elm Ave., between the intersections of Derry St. & Elm Ave. and Webster St & Elm Ave.
- 2) The B/TR Zoning District line along Webster St., between the intersections of Federal St. & Webster St. and Daw St. & Webster St.
- 3) The proposed inclusion of the zoning designation "TR" in §334-18. Districts, Subsections F. & G.

NOTE: the above proposed zoning map & ordinance amendments are scheduled for public hearing notice publication for the December 9<sup>th</sup> meeting. For Wednesday night's meeting the below-cited notices are provided for informational purposes only. At Wednesday night's meeting, staff would like to further discuss the proposed B/R-2 Zoning District line changes along Ferry St., i.e., relative to determining if the board wants to move forward with conducting a hearing on this matter at the 1<sup>st</sup> meeting in January.

### PUBLIC HEARING

**Please take notice**, in accordance with NH RSA 675:4, the Town of Hudson, New Hampshire, Planning Board will hold a public hearing on Wednesday, December 9, 2015, at 7:00 P.M. in the Buxton Meeting Room (lower level) of Town Hall at 12 School Street, Hudson to consider amending the Official Zoning Map of the Town of Hudson to re-zone from Industrial (I) to Business (B) that portion of Tax Map 156, Lot 063, 1 Elmwood Drive, zoned Industrial (I) to Business (B), thereby rezoning Lot 063 in its entirety to the B zoning district. Note: Tax Map 156, Lot 063, 1 Elmwood Drive, is located south of Elm Avenue, and fronts along Elmwood Drive (a private street) and is generally near the intersection of Elm Avenue and Derry Street; thus, amending the subject I/B zones to run along the centerline of Elm Ave., leaving the **I** district exclusive to the industrially developed north side of Elm Ave. and the B district shall be located south of said Elm Avenue centerline.

A copy of the above-described rezoning amendment to the Official Zoning Map of the Town of Hudson can be reviewed/obtained prior to the hearing at the Community Development Department Office, 12 School St., Town Hall.

## PUBLIC HEARING

**Please take notice**, in accordance with NH RSA 675:4, the Town of Hudson, New Hampshire, Planning Board will hold a public hearing on Wednesday, December 9, 2015, at 7:00 P.M. in the Buxton Meeting Room (lower level) of Town Hall at 12 School Street, Hudson to consider amending the Official Zoning Map of the Town of Hudson to re-zone from Business (B) to Town Residential (TR) those parcels of land known as:

**Tax Map 165, Lot 040, 108 Webster St.,  
Tax Map 165, Lot 041, 2 Merrimack St.,  
Tax Map 165, Lot 042, 6 Merrimack St.,  
Tax Map 165, Lot 039, 100 Webster St.,  
Tax Map 165, Lot 038, 1 Kenyon St.,  
Tax Map 165, Lot 037, 3 Kenyon St.,  
Tax Map 165, Lot 006, 4 Kenyon St. ,  
Tax Map 165, Lot 005, 94 Webster St. ,  
Tax Map 165, Lot 004, Gambia St. ,  
Tax Map 165, Lot 003, Gambia St. ,  
Tax Map 165, Lot 002, 88 Webster St. ,  
Tax Map 165, Lot 001, 78 Webster St.  
Tax Map 173, Lot 024, 70 Webster St.  
Tax Map 173, Lot 010, 64 Webster St.  
Tax Map 173, Lot 009, 60 Webster St.  
Tax Map 173, Lot 008-002, 58 Webster St.  
Tax Map 173, Lot 008-001, 56 Webster St.  
Tax Map 173, Lot 008, 52 Webster St.  
Tax Map 173, Lot 007, 50 Webster St.**

**These parcels are generally located along the west border of Webster St., between the intersection of Federal St. and Webster St. and Daw St. and Webster St.**

A copy of the above-described rezoning amendment to the Official Zoning Map of the Town of Hudson can be reviewed/obtained prior to the hearing at the Community Development Department Office, 12 School St., Town Hall.

## PUBLIC HEARING

**Please take notice**, in accordance with NH RSA 675:4, the Town of Hudson, New Hampshire, Planning Board will hold a public hearing on Wednesday, December 9, 2015, at 7:00 P.M. in the Buxton Meeting Room (lower level) of Town Hall at 12 School Street, Hudson to consider the following amendments to the Town's Zoning Ordinance, i.e.,

**Amend** §334-18. Districts., Sub-sections F. & G., by adding to line 2 of each of these sections the zoning designation "**TR**" (meaning Town Residential) after the zoning designation "**R-2**" and before the zoning designation "**B**". Thus, both Sub-Sections F. & G. of §334-18. Districts (added language shown in **bold** print) shall read in their entireties as follows:

F. General (G). The G District includes all areas not specifically designated as being within an R-1, R-2, **TR**, B or I District. The district is designed to permit a wide diversity of land uses. Most uses permitted in the other five districts are permitted in the G District. The G District is intended to allow natural constraints, such as infrastructure development and market forces to determine the most appropriate use of land. It is also intended that the G District will eventually be absorbed by the expansion of other existing districts or replaced by newly created districts. The Planning Board will be responsible for maintaining sound planning concepts in this district and shall ensure that conflicting land uses do not abut each other without appropriate buffers.

G. General-One (G-1). The G-1 District includes all areas not specifically zoned as being within an R-1, R-2, **TR**, B, or I District located outside the right-of-way of the Circumferential Highway as depicted on the Town Zoning Map. The District is designed to permit a wide diversity of land uses at a density appropriate to the rural nature of the area, the natural constraints of the land and the lack of infrastructure. Uses permitted in this District are the same as those permitted in the G District.

[Added 3-13-2001 by Amdt. No. 3]

A copy of the above-described amendment to the Town's Zoning Ordinance can be reviewed/obtained prior to the hearing at the Community Development Department Office, 12 School St., Town Hall.