



Town of Goffstown

TOWN OFFICES
16 MAIN STREET • GOFFSTOWN, NH 03045

2010 Zoning Amendments Public Hearing Goffstown Planning Board

The Goffstown Planning Board will hold its first public hearing on its proposed 2010 zoning amendments in the Mildred Stark Room of the Goffstown Town Hall, 16 Main Street, Goffstown, New Hampshire on December 17, 2009 at 7:00 PM. Proposed amendments follow and copies may be obtained from the Planning Department, the Town Clerk's Office, and the Town's website. For ADA assistance please, call 497-8990, Ext. 117.

1. Shall the Town adopt Amendment #1 as proposed by the Planning Board, amending Section 5.9 Mixed Use Development, by adding the following at the end of Section 5.9.1: This maximum percent limitation of residential use in mixed-use buildings or projects may be waived by Conditional Use Permit, with a finding that the proposed plan is reasonable given physical constraints of development sites and/or access limitations.

The purpose of this amendment is to provide the Planning Board greater discretion in considering the amount of residential use in the C and CIFZ districts because of the great variety in existing parcel size, buildable site limitations, access limitations, sequential development or other unforeseen characteristics.

2. Shall the Town adopt Amendment #2 as proposed by the Planning Board, amending Section 15.3.1 Variances, to read as follows: The ZBA may grant a variance only after it specifically finds that the variance criteria of RSA 674:33,I(b), as amended, are met.

The purpose of this proposed amendment is to account for the repeated amendments to these criteria by the NH Legislature, the most recent taking effect January 1, 2010.

3. Shall the Town adopt amendment #3 as proposed by the Planning Board, amending the zoning map to change to Commercial Industrial Flex Zone (CIFZ) zoning from Industrial (I) zoning, on property abutting route 114 at the Goffstown-Bedford town line, identified as Map 3, lots 47-1, 47-2, 47-3, 47-4, 47-5, 47-6, 47-7, 47-8, 47-9 and 47-10.

The purpose of this proposed amendment is to limit the range of industrial uses, while allowing a wider range of commercial uses, that might be developed on this property.



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Development Regulations Amendments Public Hearing

Immediately following the 2010 Zoning Amendment's Public Hearing, the Goffstown Planning Board will hold a public hearing on the proposed amendments to its Development Regulations at the same location of the Goffstown Town Hall, 16 Main Street, Goffstown, New Hampshire on December 17, 2009. Copies of the full text of the proposed amendments may be obtained from the Planning Department, the Town Clerk's Office, and the Town's website. For ADA assistance please call 497-8990, Ext. 117.

AMENDMENT #1

Amend the process description in Section 2.A to read as follows:

A. Application Process Outline

- Meet with Planning Staff. (This 1st step is recommended.)
- Conceptual Review. (This non-binding review is optional.)
- *Application Submission, complete, or with specific waivers being requested and to include engineering review escrow, and an opportunity to waive the 65-day decision clock of RSA 676:4(c)(1).*
- First Planning Board Meeting:
 - Waivers relative to acceptance requirements,
 - Consideration of regional impact, and
 - Board acceptance of application, and then typically continuation to a date uncertain.
- Technical Review Committee (TRC) and Staff Review:
 - Staff comments requested,
 - Meetings held when required,
 - Drawings corrected, and
 - Identification of any items to which staff and applicant cannot agree.
- Re-noticing paid for by the applicant.
- Second Planning Board Meeting:
 - Applicant's presentation,
 - Public hearing, and
 - Board deliberations.
- Additional Planning Board Meetings may be required for deliberations.

Note:

Conditional Use Permits are typically addressed with the plan to which they apply. Conditional Use Permits and Time extensions without a plan or plan amendment are typically addressed at the same meeting as their acceptance.

And amend Section 2.E.3., Review of Accepted Application, to read as follows:

PLANNING AND ECONOMIC DEVELOPMENT

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3. Review of Accepted Application:
 - a. Time of Consideration: The Board shall have sixty-five (65) days, beginning at the formal acceptance date, to consider and to act on the application, or such additional time as provided in RSA 676:4(c)(1). The Board, with concurrence of the applicant, may have additional time for consideration.
 - b. Special Studies or Reviews: If, during the Board's consideration of the application, the Board determines that certain additional information is necessary for a fully informed decision, it may request the Applicant to provide the information, or the Board may obtain a professional consultant to provide the information, the expenses of such shall be paid by the Applicant in accordance with Section 2-A.4.
 - c. Staff: Town staff shall review all applications and submit their comments to the Planning Department, and at the Board's request, in writing to the Board. The applicant shall be expected to address the comments of Town staff and to incorporate the staff's comments in its application prior to application submission, and/or, after Board acceptance. Planning staff shall report to the Board those items for which there is not town staff agreement with the applicant.
 - d. Public Hearing: The Board shall hold a public hearing on an accepted application with notice as required by Section 2.B.1. If the 65-day time consideration has not been waived, then notice of the public hearing will typically be 45 days after acceptance, and may be included in the notice for the meeting to consider Formal Acceptance. If the 65-day time consideration has been waived, public hearing will be noticed by the applicant expense, after plans have been reviewed and corrected. A public hearing may be continued from meeting to meeting or to a date certain as needed.

And amend Section 2.E.4., Board Action, by adding a new paragraph b, between paragraph a and b, to read as follows:

- b. A proposal for which the applicant has not responded to staff comment maybe grounds for denial by the Board as being not in conformance with its Development Regulations.

In summary, these amendments will mean that the applicant submits those items that he believes are relevant in making a complete application. Currently these are a signed application with checklist, application fee, abutter list, plans, applicable documents, application fee and review fee/escrow. The Board would then accept the application for review without consideration as to its quality, meeting the requirement of RSA 676:4,I,(c),(1) for an initial acceptance action at its next meeting, or within 30 days, of receiving the application.. The 65-day decision time waiver under RSA 676:4,I,(f) gives time for a full engineering check, at the applicant's expense, as well as for revised drawings. Only at this point is the proposal re-noticed for Board consideration, i.e. presentation, hearing and deliberation. The 65-day decision time waiver under RSA 676:4,I,(f) is for that time which is "as may be mutually agreeable", meaning that the applicant may seek immediate Board consideration at any time, as well as the other



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allowed recourses. Likewise, if the 65 day decision time waiver is refused at time of application, the Board may act on the application, within the time allowed as it determines.

AMENDMENT #2

Amend Section 2.E.4.a to read:

- a. Any portion of these regulations may be waived where the Planning Board finds that either (1) strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of these regulations, or (2) specific circumstances relative to the site plan or subdivision, or conditions of the land in such site plan or subdivision indicate that the waiver will properly carry out the spirit and intent of these regulations.

This amendment is required for language conformance with RSA 674:36,II(n) and RSA 674:44,III(e).

AMENDMENT #3

Amend Section 6 by inserting a new paragraph D, renumbering the remaining paragraphs, with paragraph D reading as follows:

D. Multi-Family Development

1. It is generally desirable to cluster multifamily dwelling units on a site in order to lessen impervious surface, to increase contiguous common open space, and lessen wetland impact.
2. Notwithstanding the total zoning ordinance allowed number of dwelling units for a parcel, calculated from all buildable areas, while clustering dwelling units, the allowed dwelling unit density of development on any specific building site shall be further limited. A building site is that contiguous upland area in which the dwelling units, vehicular circulation and parking, private outdoor open space and play grounds are located, but does not include any access corridors in which there is no housing or Wetland and Surface Water Conservation District, setbacks or other areas in which buildings are prohibited. Density within the building site is further limited as follows:
 - a. Not more than 8 dwelling units per acre on a building site where the Zoning Ordinance allows an overall density of 6 dwelling units/acre;
 - b. Not more than 10 dwelling units per acre on a building site where the Zoning Ordinance allows an overall density of 8 dwelling units/acre.
 - c. Not more than 18 dwelling units per acre on a building site where the Zoning Ordinance allows an overall density of 15 dwelling units/acre.
3. The allowed dwelling unit density of development on an individual building site is also affected by, and may be limited by, the specifically proposed housing type and the ability to



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provide its associated “private” open space in accordance with Appendix G, Design Review Guidelines, for that building type, e.g. patio home, town house or apartment.

This amendment limits the dwelling unit density which might be constructed at any specific building site, not withstanding otherwise allowed density from the property’s total upland area.

AMENDMENT #4

Amend Appendix G, Section 2, G Signs, so that the table of legible letter sizes reads as follows:

Legible Letter Size by Viewing Distance

Viewing Distance	50'	100'	150'	200'	250'	300'
Minimum Height	2"	4"	6"	8"	10"	12"
Recommended Height	5"	8"	12"	16"	20"	24"

This amendment brings recommended letter sizes into conformance with data found in Pennsylvania Highway Department study.