

FSPZ Attendees in person

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FSPZ Attendees by video

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The FSPZ committee presented to the Sunapee Planning Board preliminary proposals for creating a new Waterfront District including design and dimensional controls. This discussion was during the Planning Board's Workshop which is designed for consultation and initial feedback. No decisions were made during this meeting.

The presentation to the Sunapee Planning Board is shown below. For minutes of the planning board meeting or watch a video of the presentation visit the Town of Sunapee website.

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## **FORWARD SUNAPEE PLANNING & ZONING COMMITTEE PROPOSAL**

### ***Revitalizing Sunapee's Village Commercial District***

#### **Overview:**

In response to community feedback from the 2024 Charrette and the Master Plan Survey, the Forward Sunapee Planning & Zoning Committee (FSPZ) is exploring strategies to reduce barriers to business growth in the Village Commercial District. Based on input from local property owners, planning board members, and town officials, FSPZ is proposing to

rebrand the Village Commercial area as the *Waterfront District*. This new designation aims to promote business development in the Harbor and lower Main Street, while preserving the charm and rural character that define Sunapee.

## **Background:**

The FSPZ Committee is one of seven committees created as part of the Forward Sunapee (FS) initiative, launched in the wake of the 2024 Sunapee Charrette. The Charrette revealed a strong community desire to see Sunapee Harbor evolve into a more vibrant, year-round commercial center.

FSPZ was tasked with identifying planning and zoning obstacles that discourage private investment in the Village Commercial District. A key challenge identified is the underinvestment in harbor and riverfront-area properties—an issue that limits progress toward the community’s shared vision for Sunapee’s future.

Recognizing that the town faces fiscal constraints, Forward Sunapee emphasizes the need to attract private capital—both for-profit and not-for-profit. For this to happen, the zoning and regulatory framework must support economically viable development and offer a pathway for reasonable returns on investment. The proposed Waterfront District is intended to help achieve that goal.

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## **Proposal Highlights:**

### **1. Rezoning & Rebranding:**

- Adjust zoning boundaries of Village Commercial to better align for development interests and reduce residential and commercial conflicts:
  - **Business-focused areas** remain in the Waterfront District.
  - **Residential areas** moved into the Village Residential District.
- Rename the Village Commercial District to the **Waterfront District** to reflect its lakefront and riverfront proximity and attractiveness for commercial activity.

### **2. Strategic Goals:**

- **Highlight natural assets** like **Lake Sunapee** and **Sugar River** as economic and cultural drivers.
  - **Create a business-friendly environment** that attracts private and nonprofit investment for commercial and mixed-use development towards more year-round village activity
  - **Preserve Sunapee’s commercial center as a “quintessential New England village” and the residential character** in neighborhoods adjacent to commercial zones.
  - **Reconnect Upper and Lower Main Street** to improve business and community flow disrupted by Route 11.
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#### **Implementation Process:**

- Proposed zoning changes require:
    - Review by the **Sunapee Planning Board** with **public input**.
    - Approval via **town vote (target: March 2026)**.
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#### **Proposed Waterfront District Scope:**

- The new **Waterfront District** includes most of the current Village Commercial District spanning from **Lake Sunapee Harbor**, along the **Sugar River**, to **Winn Hill Road on the North side of Route 11 and North Road on North side of Lower Main Street**.
  - Two existing residential-like sections are to be reassigned to the **Village Residential District**. These include parts of High and Central Streets.
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#### **More Information:**

Committee meeting minutes and recommendations are publicly available at:

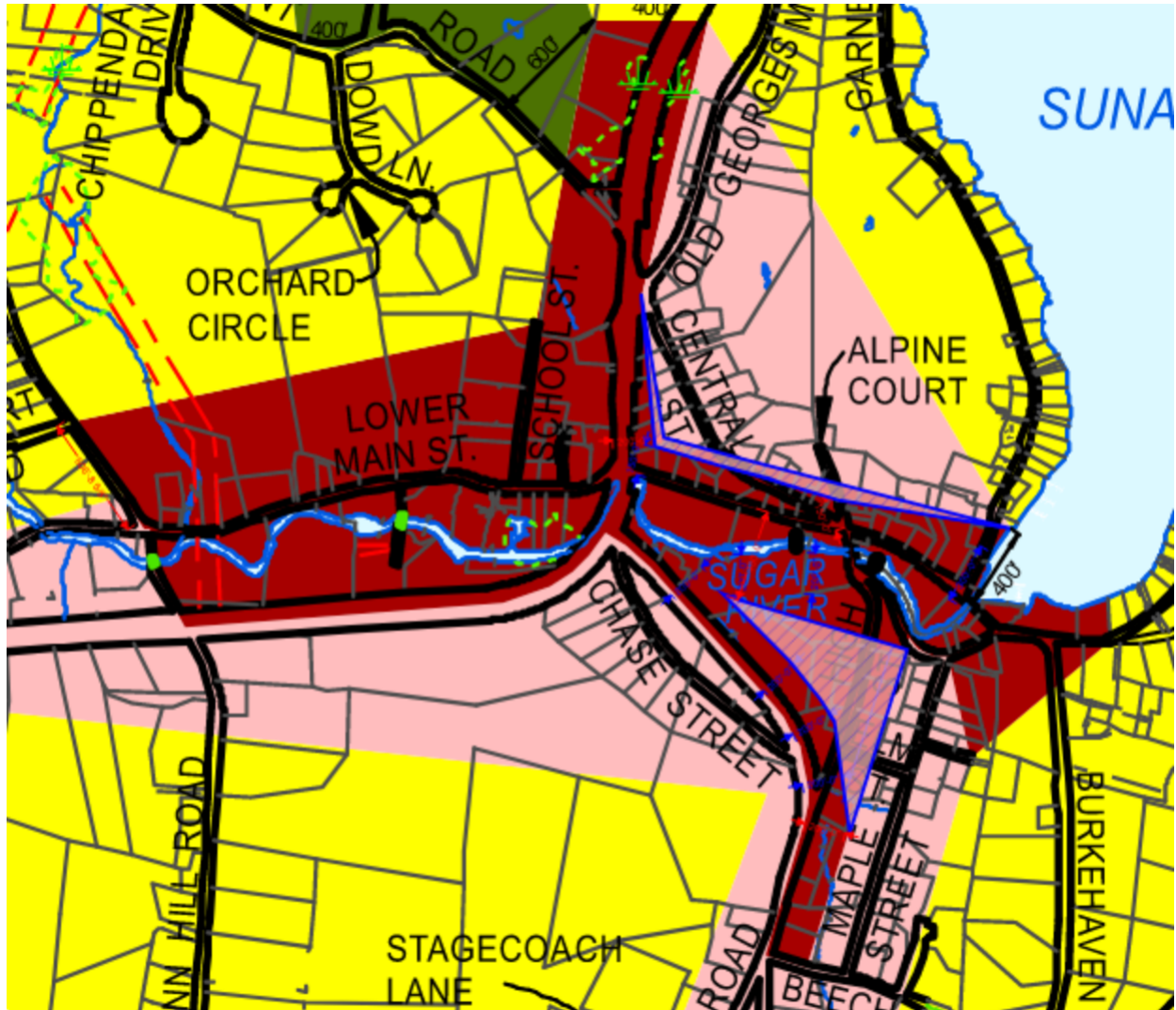
👉 <https://www.forwardsunapee.com/committee-members-minutes/>

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### **Scope – The Waterfront District:**

The proposals from the FSPZ committee are focused on a small portion of the towns' overall area. Sunapee has 9 districts, and our recommendations are limited only to what is currently called "Village Commercial". This district encompasses the harbor, main street to Route 11 and across Route 11 to lower main street to Winn Hill Road on the North Side of Route 11 and North Road on the North side of Lower Main Street. With two small exceptions, the majority of the existing Village Commercial District will be included in the newly proposed Waterfront District.

The map below shows the proposed Waterfront District in dark red, two areas currently in Village Commercial to be moved into Village Residential in pink with blue vertical lines, existing Village Residential in solid pink (no blue lines) and Residential in yellow.



None of the committee's zoning recommendations affect any other districts where most residents reside including Village Residential, Residential and Rural Residential.

### **Waterfront District Design Continuity:**

Town surveys have consistently shown Sunapee residents value the rural landscape and small-town aspect of our community. Despite a mixture of architectural styles in the waterfront areas, it retains a New England village "feel" which is important to maintain.

There is a spectrum of approaches to preservation from heavily prescriptive to little or no control. FSPZ favors a 'light touch' approach that is far from the most prescriptive but

provides some review of projects so that they fit in with the goal of maintaining Sunapee commercial areas as “quintessential New England” in overall character. FSPZ believes creating an Historical District is too restrictive and not consistent with the mix of architectural styles in the harbor at present. If any individual building wants to register as an historical building, they are always free to do so.

Attempting to define specific criteria is difficult and is no substitute for human judgement. Therefore, the committee favors establishing a 3-member Waterfront Design Board to review proposed projects in the newly proposed Waterfront District. The Waterfront Design Board (“WDB”) would review proposed development, redevelopment or renovation plans (that impact the exterior look of the building) within the Waterfront District and approve or deny based on meeting the general goal of being consistent with a “quintessential New England town”. Importantly, the WDB’s focus is primarily on ensuring the result is consistent with the overall goals of a quintessential New England town and not prescriptive about the use of older construction techniques or materials. Materials used such as composites and newer building processes such as modular or manufactured construction are permissible so long as the exterior result fits with design continuity goals. Existing buildings are grandfathered but if rebuilt would need to follow the design continuity process.

The Waterfront Design Board members would be voted positions and would be part of the Site Review application process of the Planning Board. The Planning Board would not be opining on the preservation review but would be required to ensure that such a review be completed for it to deem an application for Site Plan Review complete. Once an application is deemed complete, the Planning Board’s focus for Site Plan Review will remain as it always has.

### **Dimensional Controls:**

To inform about a path forward the FSPZ looked at zoning regulations in other New Hampshire towns with characteristics aligned with our goals. In addition, to understand the challenges and friction encountered by owners looking to invest capital to improve Village Commercial infrastructure we met with several of the larger property owners in the current Village Commercial District. A couple of consistent takeaways include the following:

1. The most economical village commercial development is multi-use, typically two story with retail/restaurant on one level and residential apartments on the other.
2. Existing Village Commercial zoning rules relating to sidewalks, lot line setbacks and minimum lot size constrain the economic viability to invest in new infrastructure

3. Parking is an ongoing concern, so zoning rules need to consider the need for parking behind buildings like many other commercial areas of similarly situated towns.
4. Signage rules are restrictive, particularly when there are more than two retail establishments per building. Rules should delineate between signs providing information (such as menus or listing ice cream flavors) and those purely for advertising.
5. Better sidewalks are needed in the village from store to store and across Sugar River within the village proper (Lake Sunapee shoreline)
6. Limits to allowable structures within existing setbacks near Sugar River also create economic hardship for businesses in the Waterfront District area
7. Existing owners generally are supportive and intend to build projects that fit in with the look and feel of a New England village (white clapboard).

To address affordability and capital investment constraints in the Waterfront District, FSPZ focused on Minimum lot size, maximum density, minimum road frontage and front setbacks in setting dimensional controls.

Flexibility with residential apartment size and number of units per property is important both to incentivize economically viable development for a year-round commercial district but also to address housing affordability. A multi-use building provides a more secure business proposition for capital investment. Not only does it provide a more diversified source of income for the property owner but more affordable housing for employees. The existing Fenton Landing building is a good example of this type of dual use with retail on the first floor and two residential apartments above for employees each about 800 sf.

There are no restrictions on commercial density within the existing Village Commercial District or the proposed Waterfront District. Residential density restrictions in Village Commercial have been designed to protect commercial interests but FSPZ argues they should not be so restrictive as to prevent multi-use or multi-unit development beneficial to the community. Higher density in a commercial district either for commercial or residential purposes is consistent with a “quintessential New England” town. Hanover’s recent zoning changes for House-Sale Residential Dwellings also argues that higher density is not inconsistent with the traditional look of New England towns. By allowing up to 2 units per ¼ acre or 3 for 1/3<sup>rd</sup> acre provides better alignment of and commercial viability for multi-unit development in the Waterfront District. It also improves the potential for year-round commercial viability for Waterfront District businesses.

The proposed [30] foot Front Setbacks in the Waterfront District, assumes the following:

1. 10 feet of roadway from the center right of way towards a property line. Most roads are about 20 feet wide.
2. 10 feet for roadside parking
3. 5 feet for a sidewalk
4. 5 feet of leeway for center right of way not in the center of the road

Incorporating this feedback and working in conjunction with Town Officers and Planning Board members, FSPZ is recommending the following zoning ordinance changes for the proposed new Waterfront District:

<b>Dimensional Control</b>	<b>Proposed</b>	<b>Existing</b>	<b>Reason for Change</b>
Minimum Lot Size	¼ acre	½ acre	Allow for more affordable development
Maximum Residential Density (Dwelling Unit per square foot)	[4,840]	10,000	Provides ability to have 2 units per ¼ acre or 3 units per 1/3 <sup>rd</sup> acre. Important to relieve shortage of affordable housing.
Minimum Road Frontage (feet)	[50]	75	Allow for more affordable development
Minimum Front Setback (Rts. 11, 103, 103B (feet)	75	75	
Minimum Front Setback - all others (feet from center of right of way)	[30] with [10] minimum	40	Allow for economic development in village setting where retail stores open onto sidewalks. Measured from middle of the road (road 10 ft, sidewalk 7 -10ft)
Side Setback for Lots Meeting or Exceeding Minimum Lot size or not Pre-Existing (feet)	[10]	10	Allow for economic development in village setting where stores are clustered conveniently together. Safety requires at least 10 feet side setback. Note; Driveways and alleys not governed by side setbacks allowing for rear parking and access to rear retail space
Side Setback for Pre-Existing Lots Below Minimum Lot Size (feet)	[10]	10*	Allow for renovation of pre-existing structures in conformity with allowed setbacks with new development
Rear Setback for Lots Meeting or Exceeding	[10]	10	Exception for parking spaces not limited by rear setback. Allow for



Minimum Lot Size or not Pre-Existing (feet)			parking behind new buildings not visible to street
Rear Setback for Pre-Existing Lots Below Minimum Lot Size (feet)	[10]	10*	Conform to new development criteria with similar exceptions for parking
Maximum Lot Coverage (%)	80	80	Comparable villages in NH generally in the 75-80% range
Maximum Structure Height (feet)	[40]	40	Height restriction important to protect views of the waterfront
Minimum Lot Size:			
1) Shoreline (Acres)	1.0	1.0	[Note to draft – Not a defined term. Should this include Sugar River?
2) Aquifer (Acres)	[2.0]	2.0	
3) Wetlands (Acres)	[1.5]	1.5	
Maximum Lot Coverage:			
1) Shoreline Impermeable (%)		60	
2) Permeable & Impermeable combined (%)		80	
3) Aquifer (%)		20	
4) Wetlands (%)		0	

\*Note – If a structure is allowed a reduced side or rear setback due to inadequate lot size, the portion of the proposed structure in the area of reduced setback shall have a maximum structure height of 25 feet

## Permitted Uses

The proposed Permitted Uses in the Waterfront District are focused on the following:

1. Retail size – encourage smaller local shops and allow for multi-retail sites per lot. Overall building size limited to 10,000 sf (down from 15,000) with per retail site limits of 3,000sf. The 10,000 sf assumes multi-use (retail, residential apartments and or offices) with 5,000 on one floor and 5,000 on the other.
2. Food Trucks/Carts where there is a benefit to the community to add more food choices at affordable prices balanced against what existing food providers with

fixed physical investments view as unfair competition. This balance, it is felt, can be better controlled through review by Special Exception. The other important change regards retail space. The community feedback suggests the town favors smaller, local business rather than larger chain stores. Retail size restrictions are designed to foster this goal.

The following is a table of Permitted Uses recommended by the FSPZ:

<b>Permitted Use by Right</b>		
<b>Proposed</b>	<b>Existing</b>	<b>Comments</b>
Accessory Uses	Accessory Uses	
Assembly Halls	Assembly Halls	
Banks/ATMs	Banks	
Bed & Breakfast	Bed & Breakfast	
Inns	Inns	
Places of Worship	Churches	
Day Care	Day Care	
	Food Vendor Cart	Moved to Special Exception. Existing vendors claim Food Trucks unfairly compete given lower fixed costs
Funeral Homes	Funeral Homes	
Home Business	Home Business	
Home Occupation Services	Home Occupation Services	
	Laundromat & Dry Cleaners	
	Motels & Hotels	Moved to Special Exception
Multi-Family Dwellings (3 to 5 units)	Multi-Family Dwellings (3 to 5 Units)	
Municipal Buildings & Facilities	Municipal Buildings & Facilities	
Museums & Galleries	Museums & Galleries	
Nursing & Convalescent Homes	Nursing & Convalescent Homes	
Playhouse/Performing Arts/Theatre	Playhouse/Performing Arts/Theatre	
Post Office	Post Office	
Medical Professional and Clinics	Professional Offices & Clinics	
Restaurants (excluding Drive-ins or throughs)	Restaurants (excluding Drive-in restaurants)	

Pubs and Bars		Added for clarity and aligned with harbor development goals
Retail (up to [10,000] sf [per building])	Retail (up to 15,000 SF), Schools (Public & Private)	10,000 sf allows two floors with 5,000 sf per floor
	Shopping Centers (up to 15,000 SF)	
Multi-Use (Retail up to [3,000 sf] per store and [3] stores per building on one story and apartments on another story (minimum 800 SF in size)		Replace Shopping Centers to align with preservation of village character goals
Short-Term Rentals Owner-in-Residence (STR-OIR)	Short-Term Rentals Owner-in-Residence (STR-OIR)	
TBD	Short-Term Rentals Owner-Not-in-Residence (STR-ONIR)	
Single-Family Dwellings	Single-Family Dwellings	
Two-Family Dwellings	Two-Family Dwellings	

Permitted Uses by Special Exception		
Proposed	Existing	Comments
	Accessory use/wind generation systems	
Auto/Board Repair	Auto, Boat & Engine Repair Shops	
Marinas	Marinas	
	Veterinarians	
	Yards, (Lumber, etc)	
Food Truck/Cart		
Underground Parking		

**Additional Requirements:**

<b>Ordinance Requirement</b>	<b>Proposed</b>	<b>Existing</b>
Minimum Setback structures or parking areas and water bodies (feet)		50
Lot to width ratio (or width to depth) shall not exceed:	[XX]	4 to 1
Parking for one and two family as follows:		
-One Family (up to 4 bedrooms)		2 spaces plus ½ space/bedroom for each additional bedroom over 4
-Two Family (up to 8 bedrooms)		4 spaces plus ½ space/bedroom over 8
-Total required spaces		Rounded up to nearest whole space
-Garages	Counted as parking space	Counted as parking space
Dormers, gables, skylights and other roof changes on non-conforming structures		Allowed provided additions are no higher than the existing predominant roof lines and do not extend beyond the horizontal footprint
Maximum Height of any windowsill or roof eave		Shall not exceed 30 feet above the grade directly below it (those located in roof appendages such as cupolas or skylights excluded)
Retaining walls		Over 42 feet must meet all setback requirements. Multi-tiered must have a terrace whose depth equals or exceeds the adjacent height of any wall
Pre-existing structure contains living space projecting over non-conforming open area		Open may be enclosed provided Certificate of Zoning Compliance has been approved.

Steep Slopes		No construction on slopes >25%
Travel Trailers		Allowed up to 2 per property, temporary sleeping quarters for up to 90 days, must comply with building setbacks, if more than 3 trailers on an individual lot requires Site Plan Review, cannot be rented out.
Erosion Control		Plan required for new construction exceeding 1000 SF of land disturbance on slopes >15%. Professional Engineer report required for land cleared exceeding 100,000 SF

### **Special Exceptions:**

In Special Exceptions, FSPZ recommendations provide:

1. Scope for lesser front setbacks on new development (in addition to pre-existing and non-conforming due to lot size) so long as it fits with the existing streetscape and other criteria existing for Village Commercial.
2. Freezer issue at Fenton's Landing property (Fenton's and Quack Shack) to be resolved where normal operation of those businesses is a benefit to the community.

<b><u>Ordinance</u></b>	<b><u>Proposed</u></b>	<b><u>Existing</u></b>
<b><u>Boat House water setback</u></b>	<b><u>No change</u></b>	<b><u>Exemption if:</u></b> <ol style="list-style-type: none"> <li>1. <u>Approval of Conservation Commission</u></li> <li>2. <u>Restoration or replacement of existing boathouse</u></li> <li>3. <u>Used solely for boating</u></li> </ol>

		4. <u>Height limited to 1 story, sufficient to elevate boat for winter storage</u>
<b><u>Lesser Front Setbacks</u></b>	<p><u>Allow provided:</u></p> <ol style="list-style-type: none"> <li>1. <u>Pre-existing lot and non-conforming due to lot size or located in Waterfront District</u></li> <li>2. <u>Same</u></li> <li>3. <u>Same</u></li> <li>4. <u>Same</u></li> <li>5. <u>Portion of structure encroaching on front setback no higher than 25' unless located in Waterfront District where no higher than 40'</u></li> </ol>	<p><u>Allowed provided:</u></p> <ol style="list-style-type: none"> <li>1. <u>Pre-existing lot and non-conforming due to lot size</u></li> <li>2. <u>Majority of lots on same side of road within 500' of both sides have structures of equal or greater type not meeting front setbacks</u></li> <li>3. <u>Proposed structure is average distance from centerline of right of way of all structures in #2</u></li> <li>4. <u>Proposed structure no closer than 10' to right-of-way line of road</u></li> <li>5. <u>Portion of structure encroaching on front setback no higher than 25'</u></li> </ol>
<b><u>Additions in non-conforming inadequate front setback</u></b>		<p><u>Allowed provided:</u></p> <ol style="list-style-type: none"> <li>1. <u>Does not decrease front setback</u></li> <li>2. <u>At least 10' from right of way at all points</u></li> <li>3. <u>No higher than predominant ridge line of existing building</u></li> </ol>
<b><u>Fence setbacks</u></b>		<u>&gt;=5 ' can be within 2' from property line if not adverse to adjoining properties</u>
<b><u>Fence height</u></b>		<u>&gt;5 ' in height allowed on boundary line if:</u>

		<ol style="list-style-type: none"> <li>1. <u>Landowners of property for which fence is providing boundary co-apply</u></li> <li>2. <u>Property line surveyed by licensed surveyor</u></li> <li>3. <u>In ZBA judgment will not adversely affect neighboring properties</u></li> <li>4. <u>Agreement between subject owners filed with Registry of Deeds that acceptable to all parties</u></li> </ol>
<b><u>Non-conforming Structure Vertical Expansion</u></b>		<p><u>Allowed provided:</u></p> <ol style="list-style-type: none"> <li>1. <u>Existing structure is house, garage or commercial building</u></li> <li>2. <u>Existing structure is &lt; 25' in height</u></li> <li>3. <u>Vertical expansion no greater than 10' higher than existing</u></li> <li>4. <u>Roof changes within height requirements</u></li> <li>5. <u>No abutter adversely affected in ZBA judgment (includes loss of view)</u></li> <li>6. <u>All state and local permits related to compliance to Article VII(septic flow and water utilization)</u></li> <li>7. <u>Enlargement consistent with intent of Ordinance</u></li> </ol>
<b><u>Handicap Access</u></b>		<p><u>Ramps, walkways, elevators otherwise in non-conformance allowed in judgment of ZBA:</u></p> <ol style="list-style-type: none"> <li>1. <u>Fairly utilize the lot</u></li> <li>2. <u>Consistent with intent of Ordinance</u></li> </ol>

		3. <u>Structure is temporary and not permanent footprint</u>
<b><u>Pre-Existing House within 50' waterbody setback</u></b>	<p>Additions allowed if:</p> <ol style="list-style-type: none"> <li>1. <u>Same</u></li> <li>2. <u>Same</u></li> <li>3. <u>Same</u></li> </ol> <p><u>Equipment (such as freezers) additions allowed if:</u></p> <ol style="list-style-type: none"> <li>1. <u>Placed on existing structure such as a deck or patio</u></li> <li>2. <u>No closer than [25]' from waterbody</u></li> <li>3. <u>Representation letter from operator and property owner will not release any chemicals and any waste effluent captured into sewer system</u></li> </ol>	<p>Additions allowed if:</p> <ol style="list-style-type: none"> <li>1. <u>House at least 40' from waterbody at all points of addition</u></li> <li>2. <u>Addition only on the side of house away from waterbody and behind existing structure</u></li> <li>3. <u>No higher than 25' from finished grade at highest point</u></li> </ol>
<b><u>Relocation of any structure including pre-existing, non-conforming</u></b>		<p>Allowed provided:</p> <ol style="list-style-type: none"> <li>1. <u>Has same purpose</u></li> <li>2. <u>Structure's non-conformity to one or more property boundary's is reduced</u></li> <li>3. <u>No higher than the greater of 25' from finished grade at highest point within any setback or max structure height applicable to existing structure approved by ZBA</u></li> <li>4. <u>Horizontal square footage of proposed structure less than horizontal square</u></li> </ol>



		<p><u>footage of existing structure</u></p> <p>5. <u>Relocated square footage cannot be applied to Pre-Existing structure within 50' waterbody setback</u></p> <p>6. <u>If non-conforming to water body setback must be at least 25' from water body at all points.</u></p> <p>7. <u>If in Shoreline Overlay District, drainage and erosion control plan by licensed professional and Shoreland Water Quality Protection Act permit obtained</u></p> <p>8. <u>Compliance with Article VII (septic and water flow)</u></p>
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## **Workforce Housing Development**

Add in Waterfront District

## **Sign Regulations**

Feedback from existing owners in Village Commercial is that signage is a major frustration, particularly when there is more than one commercial business on a property and when menus are included in the sign limitation. Proposed signage requirements are designed to conform to higher commercial density allowed per lot in the Waterfront District allowing businesses to advertise their presence. It also distinguishes between useful customer information (food choices include ice cream flavors) and advertising.

<b><u>General Requirements</u></b>	<b><u>Proposed</u></b>	<b><u>Existing</u></b>
<b><u>Size - Village Commercial/Waterfront District (square feet)</u></b>	<u>Not to exceed [24] sf on front side or [30] sf on sides for each business on a lot (includes all signs on exterior of building but excludes restaurant menus or lists of ice cream flavors)</u>	<u>Not to exceed 24 sf per side and 48 sf per lot (includes all signs on exterior of building)</u>
<b><u>Location</u></b>	<u>No change</u>	<u>Cannot be placed to endanger, confuse or create hazardous condition</u>
<b><u>Illumination</u></b>	<u>No change</u>	<u>Only with continuous indirect white light sources that do not create a hazard</u>
<b><u>Off-Premise</u></b>	<u>No change</u>	<u>Directional purposes only and not to exceed 8sf</u>

## **Appendix**

### **Calculations for density proposals**

One acre = 43,560 sf

One-third = 14,520 sf or 3 units at 4,840 sf or 14,840 sf in total

Half acre = 21,780 sf allows 4 units at 4,840 sf or 19,360sf in total

Quarter acre = 10,890 allows 2 units at 4,840 sf or 9,680 sf in total

One acre = 208x208 less setbacks/80% coverage 186 x186 = 36,596 sf max size b4 parking.

Parking space = 8 x12 or 100 sq feet. Need at least 10 parking spots for commercial so need 1,000 sf for parking and another 1,000 for access. Likely need about 3,500 sf for parking and access leaving 30,000 sf for building envelope

Multi-Use One acre = 15,0000 sf residential apts. or 15 at 1,000 sf each on one floor

15,0000 sf commercial on another floor