

FORWARD SUNAPEE PLANNING & ZONING COMMITTEE PROPOSAL

Revitalizing Sunapee's Village Commercial District

Overview

In response to strong community feedback gathered during the 2024 Sunapee Charrette and Master Plan Survey, the **Forward Sunapee Planning & Zoning Committee (FSPZ)** is exploring strategies to revitalize and re-energize the Village Commercial District.

As part of this effort, the committee proposes rebranding this area as the **Waterfront District**, with a focus on promoting thoughtful business development in Sunapee Harbor, River Road and along lower Main Street. The goal is to foster economic growth while preserving the natural beauty and rural charm that define Sunapee's identity.

Background

The FSPZ Committee is one of seven working groups established under the **Forward Sunapee (FS)** initiative, created in the wake of the 2024 Sunapee Charrette. The Charrette revealed a clear and shared community desire: transform **Sunapee Harbor into a vibrant, year-round commercial hub** that complements the town's lakeside appeal.

A key barrier to this transformation is the current lack of private investment in properties located along the harbor and riverfront. Many stakeholders—including property owners, planning board members, and local officials—agree that zoning regulations in the Village Commercial District have discouraged development and reinvestment.

Why the Waterfront District?

Renaming and redefining the area as the **Waterfront District** represents more than a branding change. It reflects a broader vision for supporting:

- **Economic viability** for existing and new businesses
- **Flexibility in planning and zoning** to enable reinvestment
- **Preservation of community character**, with growth that fits Sunapee's scale and style

*By creating a more supportive regulatory environment, the town can invite **both for-profit and not-for-profit investment** that aligns with community values—without relying solely on municipal funds.*

Looking Ahead

The proposed Waterfront District is a first step in a longer-term strategy to:

- **Attract and retain local businesses**
- **Enhance the walkability and year-round use of the Harbor**
- **Encourage responsible, sustainable growth**

FSPZ will continue to engage the community, property owners, and town officials as the proposal develops, ensuring that future zoning updates reflect the values and priorities of Sunapee residents.

Proposal Highlights

1. Rezoning & Rebranding

- **Zoning Realignment:**
 - Adjust the boundaries of the current *Village Commercial District* to better support development goals and reduce land-use conflicts.
 - Reassign primarily residential areas to the *Village Residential District*.
 - Retain business-focused areas within the newly designated *Waterfront District*.
 - **District Rebranding:**
 - Rename the *Village Commercial District* to the **Waterfront District**, emphasizing its proximity to Lake Sunapee and the Sugar River.
 - Position the area as a scenic, commercially viable destination that supports local enterprise and community life.
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2. Strategic Goals

- **Leverage Natural Assets:**
Promote Lake Sunapee and the Sugar River as key economic, recreational, and cultural assets that draw visitors and support business activity.
 - **Encourage Investment:**
Foster a business-friendly environment that attracts both private and nonprofit investment in commercial and mixed-use development, with a focus on creating **year-round village vibrancy**.
 - **Protect Community Character:**
Maintain the charm of Sunapee's historic commercial core as a **quintessential New England village**, while preserving the residential integrity of surrounding neighborhoods.
 - **Reconnect Main Street:**
Improve connectivity between Upper and Lower Main Street to restore a cohesive village flow, which has been disrupted by Route 11.
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3. Implementation Process

*To ensure transparency, community involvement, and legal compliance, the proposed **Waterfront District zoning changes** will follow a formal process as outlined below:*

Step 1: Planning Board Review

- Zoning changes will be proposed to the **Sunapee Planning Board** for their consideration.
- Planning Board review includes:
 - **Public hearings** to gather feedback from residents, property owners, and local businesses
 - **Revisions or refinements** to the proposal based on input from townspeople and Planning Board members

Step 2: Public Engagement

- Forward Sunapee and the Planning & Zoning Committee will continue to:
 - **Host informational sessions** and public forums
 - **Distribute educational materials** summarizing the proposed changes
 - **Engage residents through surveys** and outreach to ensure broad understanding and support

Step 3: Town Vote (Target: March 2026)

- The final Planning Board recommended zoning changes will be presented for a **Town Meeting vote in March 2026**.
- Approval will require a **majority vote** by Sunapee residents in accordance with state and local zoning law.

✅ *Note: This timeline provides adequate opportunity for community feedback, clarification of details, and preparation of final warrant articles for vote.*

4. Proposed Waterfront District Scope

- The **Waterfront District** will encompass most of the existing *Village Commercial District*, extending:
 - From **Lake Sunapee Harbor**
 - Along the **Sugar River corridor**
 - To **Winn Hill Road** (north side of Route 11) and **North Road** (north side of Lower Main Street including properties at the intersection Lower Main Street and North Road)
- Two primarily residential areas will be **reassigned to the Village Residential District** to reduce land-use conflicts:
 - Portions of **High Street**
 - Portions of **Central Street**

This realignment is designed to clarify the town’s zoning framework, better support business growth in core commercial areas, and protect the character of existing residential neighborhoods.

More Information

For detailed updates, meeting minutes, and committee recommendations, visit:

 [Forward Sunapee Planning & Zoning Committee](#)

Scope – The Waterfront District

The proposed changes by the Forward Sunapee Planning & Zoning (FSPZ) Committee are **limited in geographic scope**, focusing only on a small portion of the town’s total area.

Sunapee currently includes **nine zoning districts**, and the FSPZ recommendations apply **only** to the area presently designated as **Village Commercial**.

District Boundaries

The proposed **Waterfront District** includes:

- **Sunapee Harbor**
- **Main Street**, extending up to **Route 11**
- **Across Route 11 to Lower Main Street**, stretching to:
 - **Winn Hill Road** (north side of Route 11)
 - **North Road** (north side of Lower Main Street)

With **two small exceptions**, nearly all the current Village Commercial District will be retained and rebranded as the **Waterfront District**.

Residential Realignments

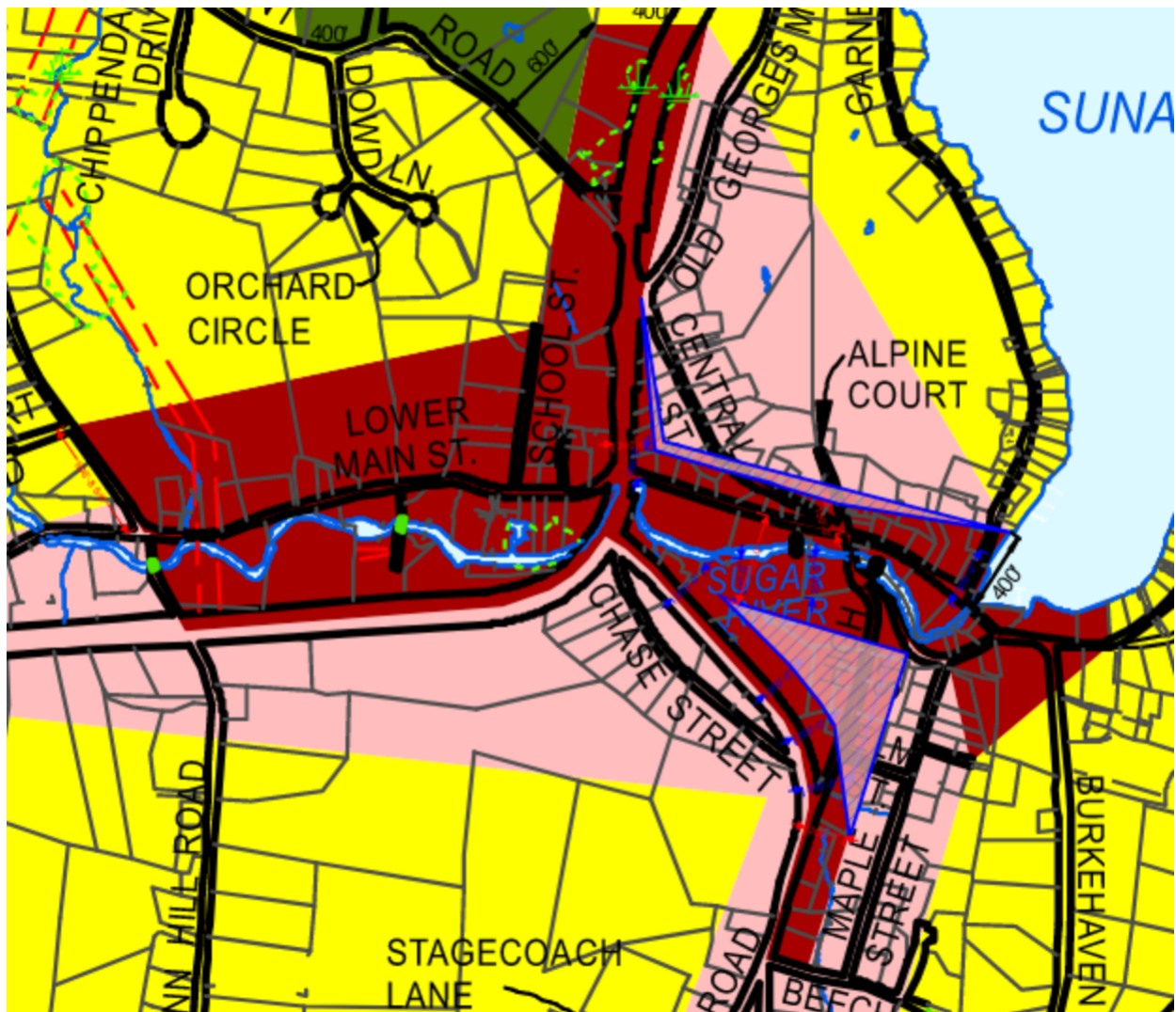
Two primarily residential areas within the current Village Commercial boundaries are recommended to be reassigned to the **Village Residential District**:

- A portion of **High Street**
- A portion of **Central Street**

These adjustments are intended to better reflect actual land use and preserve the character of residential neighborhoods adjacent to commercial areas.

Map Key (for reference with visual)

- **Dark Red:** Proposed Waterfront District
- **Pink with Blue Vertical Lines:** Areas currently Village Commercial to be reassigned as Village Residential
- **Solid Pink:** Existing Village Residential District
- **Yellow:** Residential District



Waterfront District Design Continuity

A New England Look and Feel

Since its founding in **1781**, Sunapee’s identity has been rooted in the **New England village tradition**—reflected in both its cultural values and zoning policies.

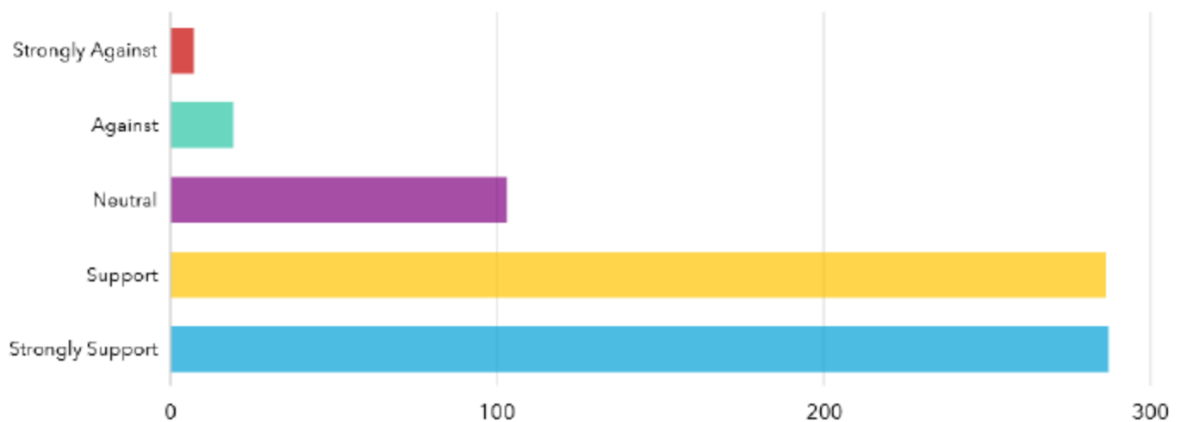
Community Values

Town Master Plan surveys over the years have consistently shown that residents value:

- The **rural landscape**
- A **small-town atmosphere**
- A **cohesive village aesthetic**

From a cultural perspective, Town Master Plan surveys have consistently shown Sunapee residents value the rural landscape and small-town aspect of our community. This year’s Master Plan survey results, shown in the graph below, indicate a strong preference to preserve the towns heritage:

Historic Preservation:



This was reaffirmed most recently during a **May 28, 2025 Forward Sunapee public survey**, where **over 90% of respondents supported maintaining a “quintessential New England village” look** in the proposed Waterfront District.

Despite a variety of architectural styles in the harbor and surrounding areas, the community feels the area retains a recognizable New England village character—and believes preserving this is vital to Sunapee’s long-term appeal.

Zoning Foundations

This approach aligns with long-standing zoning principles. As outlined in **Article II, Section 2.30** of the Sunapee Zoning Ordinance (Adopted March 1987; Last Amended March 2025):

“The Village-Commercial Districts in the Town of Sunapee are patterned after the typical New England Town Centers... characterized by the highest densities of land use and also contain the mix of land uses associated with village centers, including commercial, public, institutional, and both single-family and multi-family land uses.”

A ‘Light Touch’ Approach to Design Guidance

Recognizing the balance between preserving community character and allowing design flexibility, FSPZ is proposing to establish Waterfront Design Guidelines (“WDG”) administered by the Planning Board for projects requiring a site plan review such as commercial development or multifamily projects.

Along the spectrum from highly restrictive (such as an Historic District) to absent any restrictions, FSPZ believes its proposal is towards the **non-restrictive end and supported by community-based guidance**.

Why Not a Historic District?

- The variety of existing styles in the Harbor area makes a formal Historic District too rigid and incompatible.
- Property owners who wish to pursue individual historic designation remain free to do so.

Important Considerations about the Design Guidelines

- **Goal:** The primary goal is to encourage, in new development or exterior renovations, building styles consistent with the overall community goal of maintaining a New England village character.
- **Application:** New builds or existing buildings modified sufficiently to trigger a site plan review will be subject to Planning Board review including Waterfront Design Guidelines.

- **Weighting:** Waterfront Design Guidelines carry weight with the Planning Board but are not prescriptive or mandatory.
- **Usefulness:** The guidelines are an educational tool for landowners providing a pathway to ensure efficient completion of their site plan review process.
- **Protection:** Adherence to the guidelines can protect property investments by ensuring compatibility of properties in the surrounding area.
- **Flexibility:** Modern construction methods and materials whose appearance aligns with a traditional New England village look are permissible.
- **Exceptions:** Existing buildings are grandfathered

Appendix A – Waterfront Design Guidelines

Waterfront Design Guidelines – Purpose & Goal

The **Waterfront Design Guidelines** are established to give the Planning Board guidelines to discuss with property owners during the **site plan review** for new developments or major exterior renovations in the **Waterfront District**.

The design guideline goals are to:

- Encourage **design that aligns with the quintessential New England village character** of Sunapee Harbor and the Sugar River area.
 - Promote architectural compatibility and streetscape continuity, while allowing flexibility for modern, cost-effective construction.
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Design Guidelines

These **community-driven, non-prescriptive guidelines** outline recommended design principles for applicants and the Planning Board to consider when evaluating projects. They are intended to provide a **clear path for successful project approval** while respecting Sunapee's distinct village character.

1. Rooflines

Recommended:

- Pitched roofs (with dormers preferred) proportionate to building scale.
- Roof pitch between **4:12 and 12:12** on primary roof areas.
- Flat roofs acceptable only with appropriate detailing and **minimum 30” parapets**.
- Roof vents and skylights placed away from street-facing roof planes.
- Rooftop mechanicals screened from street view.
- Roofs should direct rain/snow **away from pedestrian areas**.

Not Recommended:

- Flat roofs on 1- or 2-story buildings.
 - False roof fronts.
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2. Exterior Materials

Recommended:

- **Wood clapboard or shiplap**, including natural, engineered, or composite materials (e.g., vinyl) that mimic traditional appearance.
- **Brick, stone, board and batten, or shingle siding.**
- Vertical siding (tongue and groove or board and batten) consistent with New England style.

Not Recommended:

- Exposed **concrete masonry units (CMU)** or **EIFS/Dryvit** surfaces.
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3. Windows

Recommended:

- **Muntins** typical of New England architecture.
- **Transom windows** over doors.

Not Recommended:

- Casement windows without muntins.
Note: Exceptions may be appropriate where maximizing views (e.g., restaurants).
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4. Colors

Recommended:

- Traditional **New England village tones**: white, earth tones, historic reds, yellows, etc.
 - **Trim colors** that contrast but complement the base color.
 - **Roof colors** that harmonize with the building palette.
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5. Entryways

Recommended:

- Primary entrance **facing the street** to promote pedestrian activity.
 - Secondary entrances on sides acceptable.
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6. Sidewalks

Recommended:

- Walkways connecting buildings to create a **continuous pedestrian corridor**.
 - Use of **red brick** to match existing sidewalks (e.g., in front of Harbor Trading House).
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7. Parking

Recommended:

- Locate parking **behind buildings** to reduce visual clutter and support walkability.
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8. Scale

Recommended:

- Building scale and proportions should enhance a **cohesive streetscape**.
 - Pedestrian-friendly elements near the front of properties.
 - Building height:
 - **Max 2½ stories at street level**
 - **Max overall height: 36 feet**
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9. Landscaping

Recommended:

- Appropriately scaled landscaping for **shade and visual interest**, in keeping with building size and surroundings.
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10. Lighting

Recommended:

- Scale lighting to match building size and architectural style.
 - **Warm color temperature** (2700–3000K).
 - **Dark Sky-compliant** fixtures to minimize light pollution.
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11. Signage

Recommended:

- Sign scale appropriate to **building and pedestrian context**.
- Traditional materials: **wood, metal**.
- **Externally lit** with warm, shielded fixtures.
- Colors and styles that **complement the building and setting**.
- Awnings with signage should fit the architectural style and use compatible colors.
- **Freestanding signs** should be:
 - Low-profile
 - Integrated into the landscape with **plantings or stonework**

Not Recommended:

- Internally illuminated signs.
 - Signs that **obstruct architectural features**.
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12. Garages

Recommended:

- Garages placed **behind or to the side** of the main building.
 - If to the side, set back from the **front building line**.
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13. Accessory Buildings

Recommended:

- [To be completed—recommendations might include: scale and style compatibility, location behind primary structures, use of similar materials.]

Appendix B – Dimensional Controls

Purpose & Process

To guide recommendations for the **proposed Waterfront District**, the Forward Sunapee Planning & Zoning Committee (FSPZ) studied **zoning practices from comparable New Hampshire towns** and engaged in discussions with **property owners** in Sunapee’s existing Village Commercial District.

The intent is to modernize Sunapee’s zoning regulations to:

- Support **economically viable development**
 - Encourage **mixed-use structures**
 - Maintain the **traditional New England village aesthetic**
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Key Findings from Stakeholder Engagement

1. Mixed-Use Development is Critical

The most cost-effective village-scale development combines **ground-floor commercial** use (retail/restaurant) with **upper-floor residential apartments**. This format supports business sustainability and offers workforce housing.

2. Current Zoning Creates Friction

Existing rules—especially those regarding **sidewalks, lot line setbacks, and minimum lot sizes**—often discourage investment and limit creative redevelopment.

3. Parking Must Be Rethought

Adequate **rear-lot parking** should be incentivized to preserve the pedestrian-friendly streetscape.

4. Signage Rules Are Overly Restrictive

Owners cited the need for more **flexibility in signage**, particularly when hosting **multiple retail tenants**. There should be a distinction between **informational signage** (e.g., menus, flavor lists) and **advertising signage**.

5. Sidewalk Connectivity is Essential

Improved pedestrian access is needed within the village, especially **along the Sugar River and between storefronts**.

6. Setback Constraints Near Sugar River Are Problematic

Some properties near the Sugar River face setback restrictions that limit their ability to improve or expand.

7. Strong Local Support for Traditional Design

Most property owners expressed support for **New England–style architecture** and emphasized a shared interest in building projects that enhance the village look (e.g., white clapboard buildings).

Focus Areas for Dimensional Controls

FSPZ’s proposed zoning adjustments prioritize:

- **Minimum lot size**
- **Residential density**
- **Road frontage**
- **Front setbacks**

These controls are designed to **promote affordability, business viability, and housing opportunity** in a way that aligns with community goals.

Mixed-Use and Multi-Unit Residential Viability

- **Flexibility in residential apartment unit size and count** is critical for:
 - Encouraging investment in mixed-use buildings
 - Supporting workforce housing and business sustainability
 - Enhancing year-round activity in the Harbor
 - For example, **Fenton Landing** provides retail on the ground floor and two **800 sq. ft. apartments** above for employees—demonstrating the kind of practical, community-supported development envisioned for the Waterfront District.
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Density and Lot Size

- **No change is proposed** to current allowances for commercial density.
- Existing residential density limits were originally designed to **protect commercial viability**—however, overly tight limits **inhibit viable mixed-use development**.
- FSPZ recommends allowing **up to 2 residential units per ¼ acre or 3 units per ⅓ acre**, bringing the district closer in line with other towns and increasing flexibility for multi-family housing within the commercial zone.

Note: These proposed changes maintain alignment with Sunapee’s long stated desire for a historic **New England village model**, and follow regional precedents, such as recent reforms in **Hanover, NH**.

Proposed 30-Foot Front Setback – Rationale

To balance pedestrian space, parking needs, and street function, FSPZ recommends a **30-foot front setback**, accounting for:

1. **10 ft** – from road centerline to approximate right-of-way
2. **10 ft** – roadside parking
3. **5 ft** – sidewalk width
4. **5 ft** – margin for road misalignment or right-of-way variability

This setback supports walkability, business visibility, and public safety while maintaining architectural continuity and allowing flexibility for small-lot redevelopment.

Draft Dimensional Control Table *(example values – to be confirmed with Planning Board)*

| Dimensional Control | Proposed Standard (Waterfront District) |
|-------------------------|---|
| Minimum Lot Size | 10,890 sq. ft. (¼ acre) |
| Max Residential Density | 2 units per ¼ acre / 3 units per ⅓ acre |
| Minimum Road Frontage | 50 feet |
| Front Setback | 30 feet |
| Side Setback (interior) | 10 feet |
| Rear Setback | 15 feet |
| Max Building Height | 36 feet / 2½ stories |
| Parking Requirement | Encourage rear-lot parking |

| Dimensional Control | Proposed | Existing | Reason for Change |
|--|------------------------|----------|---|
| 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 rd 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 Minimum Lot Size or not Pre-Existing (feet) | [10] | 10 | Exception for parking spaces not limited by rear setback. Allow for 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*

Appendix C – Permitted Uses

Overview

The proposed list of permitted uses in the **Waterfront District** is designed to support a **vibrant, walkable, year-round village center** that prioritizes **local business, mixed-use development, and community-scale amenities**. These uses reflect community input from the Master Plan Survey, the 2024 Charrette, and the May 2025 public forum.

The proposed framework intentionally discourages large-scale or formulaic commercial developments in favor of **smaller, independent enterprises** that contribute to the charm and character of Sunapee Harbor and Main Street.

1. Retail Size and Use Limits

Goals:

- Promote **small, locally owned businesses**
- Discourage **large chain stores** or oversized single-use structures
- Support **multi-tenant, mixed-use development** combining retail, office, and residential units

Proposed Use Restrictions:

- **Maximum total building size: 10,000 square feet** (down from current 15,000 sq. ft.)
 - This supports two-story mixed-use buildings (e.g., 5,000 sq. ft. per floor).
- **Maximum retail space per business: 3,000 square feet**
 - This limit encourages **multi-tenant buildings** and diverse storefronts on a single parcel.

Note: These thresholds reflect community input favoring **human-scale development** and retail that complements the existing fabric of Sunapee Harbor.

2. Food Trucks & Mobile Food Vendors

Community Need:

There is strong support for expanding **affordable dining options**—especially during events, shoulder seasons, or busy summer weekends.

Proposal:

- **Allow food trucks/carts** in designated areas **by Special Exception**, rather than as a blanket permitted use.

Rationale:

- A **Special Exception process** allows the Zoning Board of Adjustment to:
 - Evaluate **location suitability**, access, noise, and waste management
 - Consider **fairness to existing brick-and-mortar food businesses** that have made long-term investments
 - Ensure food vendors **enhance**, rather than compete with, the year-round commercial base

*This balanced approach **preserves flexibility** for event-based or seasonal use while respecting the economic interests of established local restaurants and cafes.*

3. Retail Focus & Community Character

The proposed changes prioritize:

- **Locally owned businesses**
- **Artisan retail and services**
- **Village-scale professional offices**
- **Mixed-use buildings with residential and/or office space above retail**

*This supports a more **resilient year-round economy** and aligns with the community's desire for a **quintessential New England village center**.*

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

| Permitted Use by Right | | |
|--------------------------|---------------------------|---|
| Proposed | Existing | Comments |
| 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 | | |

Appendix D – Additional Requirements

| Ordinance Requirement | Proposed | Existing |
|---|--------------------------|--|
| 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 |

Appendix E – Special Exceptions

Purpose of Special Exceptions

Special Exceptions provide a **controlled and transparent pathway** for allowing certain land uses or modifications that don't fit cleanly within the permitted use framework but may still align with the **intent of the district** and **benefit the community**.

The Forward Sunapee Planning & Zoning Committee (FSPZ) recommends limited but strategic use of Special Exceptions in the **Waterfront District** to address specific development challenges and promote flexibility where appropriate.

FSPZ Special Exception Recommendations

1. Front Setback Flexibility for New Development

Current Issue:

- The proposed 30-foot front setback is intended to create continuity along sidewalks, allow for street parking, and preserve a walkable village look.
- However, due to **historic lot patterns** and **irregular parcel shapes**, strict setbacks may not always be feasible or desirable.

Recommendation:

- Allow **reduced front setbacks** by Special Exception **for new construction**, provided:
 - The design is **compatible with surrounding streetscape**
 - It supports pedestrian activity and visual continuity
 - It meets criteria for Special Exceptions already in place for Village Commercial Districts

This approach enables the **Planning Board and Zoning Board of Adjustment (ZBA)** to preserve design integrity while accommodating **site-specific constraints**.

2. Freezer and Utility Setback Issue – Fenton’s Landing / Quack Shack

Current Issue:

- Businesses like **Fenton’s Landing and the Quack Shack** operate seasonally and year-round in a small commercial footprint near the Sugar River.
- Placement of **freezers and utility equipment** needed for business operations currently encroaches into setback areas or is non-conforming.
- Strict enforcement of setbacks in these cases may **jeopardize essential services** or create hardship for well-supported community businesses.

Recommendation:

- Allow for **freezers or similar utility structures** by Special Exception when:
 - They are **associated with food service or retail businesses** serving the community
 - Their placement is **discreet**, not hazardous, and **aesthetically screened** when possible
 - Their presence supports **continued operation of valued small businesses**

*This recommendation reflects community input that these businesses are a **benefit to Sunapee Harbor** and should be supported with **reasonable flexibility**.*

Conclusion

Special Exceptions offer an important tool to balance:

- **Zoning consistency**
- **Village-scale development**
- **Ongoing community and business needs**

These limited, targeted exceptions enable responsible growth in the Waterfront District without undermining the core goals of the proposed zoning reforms.

| Ordinance | Proposed | Existing |
|--|--|--|
| <u>Boat House water setback</u> | No change | Exemption if: <ol style="list-style-type: none"> 1. <u>Approval of Conservation Commission</u> 2. <u>Restoration or replacement of existing boathouse</u> 3. <u>Used solely for boating</u> 4. <u>Height limited to 1 story, sufficient to elevate boat for winter storage</u> |
| <u>Lesser Front Setbacks</u> | Allow provided: <ol style="list-style-type: none"> 1. <u>Pre-existing lot and non-conforming due to lot size or located in Waterfront District</u> 2. <u>Same</u> 3. <u>Same</u> 4. <u>Same</u> 5. <u>Portion of structure encroaching on front setback no higher than 25' unless located in Waterfront District where no higher than 40'</u> | Allowed provided: <ol style="list-style-type: none"> 1. <u>Pre-existing lot and non-conforming due to lot size</u> 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> 3. <u>Proposed structure is average distance from centerline of right of way of all structures in #2</u> 4. <u>Proposed structure no closer than 10' to right-of-way line of road</u> 5. <u>Portion of structure encroaching on front setback no higher than 25'</u> |
| <u>Additions in non-conforming inadequate front setback</u> | | Allowed provided: <ol style="list-style-type: none"> 1. <u>Does not decrease front setback</u> 2. <u>At least 10' from right of way at all points</u> 3. <u>No higher than predominant ridge line of existing building</u> |
| <u>Fence setbacks</u> | | <u>>=5 ' can be within 2' from property line if not adverse to adjoining properties</u> |
| <u>Fence height</u> | | <u>>5 ' in height allowed on boundary line if:</u> |

| | | |
|---|---|--|
| | | <p><u>1. Landowners of property for which fence is providing boundary co-apply</u></p> <p><u>2. Property line surveyed by licensed surveyor</u></p> <p><u>3. In ZBA judgment will not adversely affect neighboring properties</u></p> <p><u>4. Agreement between subject owners filed with Registry of Deeds that acceptable to all parties</u></p> |
| <u>Non-conforming Structure Vertical Expansion</u> | | <p>Allowed provided:</p> <ol style="list-style-type: none"> <u>1. Existing structure is house, garage or commercial building</u> <u>2. Existing structure is < 25' in height</u> <u>3. Vertical expansion no greater than 10' higher than existing</u> <u>4. Roof changes within height requirements</u> <u>5. No abutter adversely affected in ZBA judgment (includes loss of view)</u> <u>6. All state and local permits related to compliance to Article VII(septic flow and water utilization)</u> <u>7. Enlargement consistent with intent of Ordinance</u> |
| <u>Handicap Access</u> | | <p><u>Ramps, walkways, elevators otherwise in non-conformance allowed in judgment of ZBA:</u></p> <ol style="list-style-type: none"> <u>1. Fairly utilize the lot</u> <u>2. Consistent with intent of Ordinance</u> <u>3. Structure is temporary and not permanent footprint</u> |
| <u>Pre-Existing House within 50' waterbody setback</u> | <p><u>Additions allowed if:</u></p> <ol style="list-style-type: none"> <u>1. Same</u> <u>2. Same</u> <u>3. Same</u> <p><u>Equipment (such as freezers) additions allowed if:</u></p> | <p><u>Additions allowed if:</u></p> <ol style="list-style-type: none"> <u>1. House at least 40' from waterbody at all points of addition</u> <u>2. Addition only on the side of house away from</u> |

| | | |
|--|--|---|
| | <ol style="list-style-type: none"> 1. <u>Placed on existing structure such as a deck or patio</u> 2. <u>No closer than [25]' from waterbody</u> 3. <u>Representation letter from operator and property owner will not release any chemicals and any waste effluent captured into sewer system</u> | <u>waterbody and behind existing structure</u> <ol style="list-style-type: none"> 3. <u>No higher than 25' from finished grade at highest point</u> |
| <u>Relocation of any structure including pre-existing, non-conforming</u> | | <p><u>Allowed provided:</u></p> <ol style="list-style-type: none"> 1. <u>Has same purpose</u> 2. <u>Structure's non-conformity to one or more property boundary's is reduced</u> 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> 4. <u>Horizontal square footage of proposed structure less than horizontal square footage of existing structure</u> 5. <u>Relocated square footage cannot be applied to Pre-Existing structure within 50' waterbody setback</u> 6. <u>If non-conforming to water body setback must be at least 25' from water body at all points.</u> 7. <u>If in Shoreline Overlay District, drainage and erosion control plan by licensed professional and Shoreland Water Quality Protection Act permit obtained</u> 8. <u>Compliance with Article VII (septic and water flow)</u> |

Appendix F – Workforce Housing & Signage

Workforce Housing in the Waterfront District

Proposal:

Permit **Workforce Housing** as an allowable use in the **Waterfront District**, either as:

- **Standalone multi-family residential developments**, or
- **Second-story residential units** above ground-floor commercial uses (mixed-use buildings)

Rationale:

- Supports year-round village activity
 - Addresses local housing affordability needs
 - Provides on-site housing for local employees (e.g., as seen at Fenton’s Landing)
 - Aligns with Master Plan objectives to support housing diversity in village centers
-

Signage Regulations – Proposed Revisions

Background:

Existing business owners in the Village Commercial District (soon to be Waterfront District) report that **current signage regulations are overly restrictive**, particularly for:

- Properties with **multiple businesses**
- Uses requiring **informational signage** (e.g., menus, flavor listings)

FSPZ Recommendations:

Update signage regulations to:

- Reflect **greater business density per lot** in the Waterfront District
 - Allow for **clear, customer-friendly communications** without clutter
 - Distinguish between **advertising signage** and **informational signage**
-

Signage Comparison Table

| Category | Proposed (Waterfront District) | Current (Village Commercial) |
|--------------------------|--|--|
| Size Limit | Max 24 sq. ft. per business on the front face; 30 sq. ft. on side facades <i>(Does not include menus or flavor boards)</i> | Max 24 sq. ft. per side and 48 sq. ft. total per lot <i>(Includes all exterior signage)</i> |
| Location | No change | Must not endanger, confuse, or create hazardous conditions |
| Illumination | No change | Only continuous indirect white light ; must not create a hazard |
| Off-Premise Signs | No change: Allowed only for directional purposes , not to exceed 8 sq. ft. | Same |

Key Distinction:

Menus, flavor lists, and other customer-facing **informational signage** would be **exempt from square footage limits**, provided they are tastefully designed and appropriately placed.

Appendix G – Definitions & Density Calculations

Residential Density Calculations

FSPZ proposes allowing:

- **2 dwelling units per ¼ acre**, or
- **3 units per ⅓ acre**
in the **Waterfront District**

This supports **mixed-use** and **multi-unit development** critical for workforce housing and village revitalization.

Key Area Conversions

| Lot Size | Sq. Ft. | Units Allowed | Sq. Ft. per Unit | Total Living Space |
|----------|---------|-----------------|------------------|--------------------|
| ¼ Acre | 10,890 | 2 | ~4,840 | 9,680 |
| ⅓ Acre | 14,520 | 3 | ~4,840 | 14,520 |
| ½ Acre | 21,780 | 4 | ~4,840 | 19,360 |
| 1 Acre | 43,560 | 8 (theoretical) | ~4,840 | 38,720 |

Lot Layout Considerations (1 Acre Example)

- **Raw dimensions:** 208 ft x 208 ft
- **Post-setback buildable area** (approx. 80%): ~186 ft x 186 ft = **~36,600 sq. ft.**
- **Parking needs:**
 - 10 commercial parking spaces @ 153 sq. ft. each (8.5'X18') = 1,530 sq. ft.
 - Circulation/driveways = ~2,500 sq. ft.
 - **Total parking footprint** = ~4,000 sq. ft.
- **Remaining buildable footprint:** ~30,000–32,000 sq. ft.

Multi-Use Development Potential (1 Acre Lot)

| Use Type | Area | Example Configuration |
|----------------|-----------------|---|
| Residential | 15,000 sq. ft. | 15 units @ 1,000 sq. ft. (upper floors) |
| Commercial | 15,000 sq. ft. | Retail, office, or service (ground floor) |
| Total Building | ~30,000 sq. ft. | 2–3 stories possible within height limits |