

Article XXIII – Suncook Village Infill Development District

03/08/2011; AMENDED MM/DD/2019

Section 2301 Purpose and Intent

The purpose of this District is to provide for mixed uses with efficient land use and cost-effective delivery of services. The provisions of this district recognize the design challenges inherent to developing infill properties, and ensure that new development is consistent in character and scale with existing development. The District also defines the boundaries of “village center” in accordance with RSA chapter 79-E. The intent of this district is to:

- A. Accommodate growth in Allenstown by encouraging and facilitating new development on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of Allenstown residents.
- B. Encourage efficient use of land and public services in the context of existing communities.
- C. Stimulate economic investment and development in established neighborhoods.
- D. Provide developers and property owners flexibility so that they can achieve high quality design and develop infill projects that strengthen existing communities.
- E. Create a high quality community environment that is enhanced by a balanced compact mix of residential, commercial, recreational, open space, employment and institutional uses and building types.
- F. Implement the goals, objectives, and policies of the master plan relating to economic development and the protection of community character.
- G. Provide clear standards for infill development.
- H. Encourage compact development that is pedestrian-scaled.
- I. Retain/preserve the historic village character in Suncook.

Section 2302 Applicability

The Suncook Village Infill Development District shall be an overlay district as depicted on a map entitled Suncook Village Infill Development District as prepared by Central New Hampshire Regional Planning Commission (CNHRPC) and dated August 15, 2019 and filed at the Allenstown Town Clerk’s Office. This Article is adopted as an Innovative Land Use Control in accordance with the provisions of RSA 674:21 and authorizes the Planning Board to administer its provisions via a Conditional Use Permit process. As an overlay district, the underlying uses shall be permitted in addition to the uses authorized in this Article.

Section 2303 General Requirements

The proposed development shall incorporate the following elements to enhance compatibility with the surrounding community:

- A. Sidewalks that connect to the adjacent sidewalk system.
- B. Public streets that connect to the adjacent street pattern and that are designed to discourage speeds and volumes that impede pedestrian activity and safety.
- C. Preservation of architecturally significant structures whenever feasible.
- D. Street furniture, lighting and landscaping that is primarily oriented to pedestrian use.
- E. Setbacks, building envelopes, use, and parking compatible with surrounding community.
- F. All new buildings (except accessory structures) shall have the primary entrance oriented to the street or public walkway, with direct, barrier-free and convenient pedestrian connections.

Section 2304 Permitted Uses

In addition to uses permitted in the underlying zone, the following uses are permitted in the Infill Overlay District:

- A. Home occupations.
- B. Residential units on the upper floors of commercial buildings.
- C. Retail Sales.
- D. Churches.
- E. Convenience/Grocery Stores.
- F. Clubs, private or public.
- G. Banks.
- H. Restaurants (without drive-through service).
- I. Health/personal care stores.
- J. Real estate/leasing offices.
- K. Accounting/bookkeeping/administrative support.
- L. Professional offices and services (including but not limited to attorney, doctor, financial/investment services, computer/IT services, etc).
- M. Pharmacies.
- N. Art studios/Galleries.
- O. Cafés/Wine Bars/Coffee Houses (open no later than 11:00 p.m.).
- P. Bed and Breakfasts.
- Q. Gardens when incidental to primary use.
- R. Outdoor Municipal Recreation.
- S. Government Office Uses.
- T. Mill Redevelopment consisting of multi-family units or a mix of multi-family residential and limited commercial (“limited commercial” meaning those non-residential uses listed in this Section)
- U. Single Family Dwellings.
- V. Duplexes.
- W. Multi-Family Dwellings.
- X. Funeral Homes.
- Y. Personal Service Facilities.
- Z. Veterinary Offices (not hospital).
- AA. Family Child Care (no more than 6 children)

Section 2305 Uses Permitted By Special Exception

The following uses are permitted in the Zone by Special Exception:

- A. [Reserved]

Section 2306 Development Standards

The following development standards apply to applications for a conditional use permit under this Article. An applicant may obtain relief from these development standards as set forth in Section 2308.

Development standards D, E, F, G, and H apply to all applications for a conditional use permit under this section. The Planning Board may waive application of one or more of these development standards as set forth in Section 2308(C)(a). Development standards I, J, K, L, and M apply to all applications for conditional use permits that are not subject to site plan review. The Planning Board may waive application of one or more of these development standards as set forth in Section 2308(C)(a). For applications that require site review, Development Standards I, J, K, L and M shall be

addressed through the site plan review approval process.

- A. Development standards A, B, and C apply to all applications for a conditional use permit under this Article. As set forth in Section 2308(C)(b), the Planning Board cannot waive application of these development standards. An applicant may obtain relief from these development standards from the Zoning Board of Adjustment.
- B. **Lot size:** Minimum lot sizes shall be as follows:
 - a. 7,500 square feet for solely commercial activities
 - b. 5,000 square feet for solely residential activities
 - c. 10,000 square feet for first floor commercial and 2nd/3rd floor residential
 - d. 9,000 square feet first floor commercial and 2nd/3rd floor residential when all residential units are restricted to owners and/or employees of the first floor commercial enterprise taking place in the building.
- C. **Setbacks:** Front and rear setbacks shall be at least 10 feet. There shall be at least 20 feet between buildings on abutting lots.
- D. **Density:** Density shall be controlled by, i) the allowable building height (not to exceed 35', excluding existing mills for which the allowable height shall be 65'), and ii) the required setbacks in C above, building code requirements, and the availability of water and sewer service. Density for mills redeveloped into multi-family developments shall also contain a minimum total of 550 square feet per residential unit and 500 square feet for each limited commercial unit. When a redeveloped mill contains both residential and non-residential units, each category of unit must comply with the density requirements.
- E. **Bulk and Scale:** Building size, scale, and architecture shall be consistent with the neighborhood.
- F. **Building Orientation:** Primary facades and entries shall face the adjacent street with a connecting walkway that does not require pedestrians to walk through parking lots or across driveways.
- G. **Privacy:** Optimize privacy of residents and minimize infringement on the privacy of adjoining land uses through the placement of windows and door entrances. Create opportunities for interactions among neighbors in common pedestrian circulation areas of the project.
- H. **Parking-Required Number of Spaces:** Allenstown Zoning Ordinance Section 1112 shall not apply to proposals in the Suncook Infill Development District. Off-street parking shall instead be controlled by the following:
 - a. The number of parking spaces shall be as specified in Allenstown Zoning Ordinance Article XI Section 1112, however, if that is not possible, they may be reduced or adjusted if the applicant can demonstrate, to the satisfaction of the Planning Board, that there is adequate parking off-site at a nearby location.
 - b. The Planning Board may require a parking study or traffic analysis, paid for by the applicant, to ascertain the number of required parking spaces.
- I. **Architecture, Facades and Rooflines:** Shall blend with the historic architecture, stiles, roof pitch and façade of the neighborhood.
- J. **Parking-Location:** Parking shall be provided in the rear of buildings, or if no rear parking is available, on the side of the property. In no case is parking on sidewalks or pedestrian ways permitted. The standards for this requirement are set forth in the Allenstown Site Plan Regulations at Article VII, Section 705.
- K. **Pedestrian Access and Circulation:** For those proposals which require both a conditional use permit and site review approval, then continuous sidewalks shall be provided between primary entrances to buildings, parking areas, pedestrian facilities on adjacent properties, and

existing public sidewalks along perimeter streets. The standards for this requirement are set forth in the Allenstown Site Plan Regulations at Article VII, Section 705(b)(5) as it may be amended from time to time.

- L. Lighting Standards:** External lighting shall be down-cast and not intrusive to neighbors. Lighting shall illuminate parking and common areas. Energy efficient lighting shall be encouraged whenever possible. The standards for this requirement are set forth in the Allenstown Site Plan Regulations at Article VII, Section 707 as may be amended from time to time.
- M. Landscaping:** All proposals shall include landscaping oriented to the street-side lot line of the property as well as along the “side” lot lines (i.e. those lot lines intersecting the street-side lot line). Large paved parking areas shall contain landscaping that serves to “break up” the impervious coverage created by the parking lot. Roof-top landscaping and gardens are encouraged when and where practical. The standards for this requirement are set forth in the Allenstown Site Plan Regulations at Article VII, Section 702 as it may be amended from time to time.

Section 2307 Mills Redevelopment Requirements

The following shall be required for mills redeveloped into multi-family dwellings or a mix of multi-family residential units and limited commercial units in addition to the general development standards outlined in Section 2306.

- A.** Mill redevelopments shall comply with all aspects of the Suncook Infill Zone unless where expressly controlled by Section 2307.
- B.** In proposals which contain any residential units, common spaces shall be provided to create opportunities for residents to gather. Subject to the discretion of the Planning Board, common spaces can include, but are not limited to gardens, parks, indoor community rooms, gazebos, gyms, day rooms/game rooms, cafes serving residents, and swimming pools. Proposals which contain solely limited commercial units that predominantly serve non-resident patrons shall not be required to provide common spaces.
- C.** A mix of residential units and limited commercial units is permitted. In such an instance, limited commercial units shall be on the first floor and residential units shall be on the second floor or higher. Pay services solely serving the residents of the development are excluded from this requirement.

Section 2308 Conditional Use Permit Application Process

All development proposals falling within the provisions and authority of this Article shall require a Conditional Use Permit issued by the Planning Board. For proposals requiring both a Conditional Use Permit and a Site Plan approval the Planning Board may process the applications concurrently or sequentially.

- A. Application Materials:** All Conditional Use Permit applications made under the provisions of this Article shall be done in one of the following manners:
 - a. All applications made for a Conditional Use Permit under the provisions of this Article shall be done on a form as provided by the Planning Board.
 - b. Proposals seeking both a Conditional Use Permit and Site Plan approval shall be made using both Conditional Use Permit applications and Site Plan applications as provided by the Planning Board.
 - c. Any studies as may be required by the Planning Board.
 - d. A narrative describing how each element set forth below are met by this proposal.

B. Standards of Review: All applications must demonstrate the following to the satisfaction of the Planning Board:

- a. That the proposed use is permitted by this Article or as may be authorized by the Zoning Board of Adjustment;
- b. That the proposed lot-size, setbacks, and density meet the standards of this Article or as may be authorized by the Zoning Board of Adjustment;
- c. The proposal will not materially endanger the public health or safety;
- d. The proposal will be compatible with the neighborhood and with adjoining or abutting uses in the area where it is to be located;
- e. The proposal will not have a substantial adverse impact on highway or pedestrian safety;
- f. The proposal will not have a substantial adverse impact on the public facilities, ground water, surface water, or wetlands of the Town of Allenstown; and,
- g. The proposal meets all applicable requirements of Section 2306 as described above, or as may be authorized by the Planning Board in Section 2308(C), below.
- h. Mill redevelopments only, shall also demonstrate compliance with Section 2307 above.

C. Relief from Certain Provisions of this Article:

a. The Planning Board may waive application of any provisions of Section 2306 and 2307 of this Article, except for Sections 2306 (A), (B), and (C). The Planning Board may grant a waiver if the Board finds, by majority vote, that the applicant has demonstrated that the following conditions have been met:

- i. The applicant has met all of the provisions of Section 2308 (B), with the exception of the area(s) of relief that are being sought;
- ii. The waiver is consistent with the purpose of the provisions of this Article; and,
- iii. Either the waiver will result in a closer compliance with the standards above, or there exists a physical constraint specific to the property that warrants granting such relief.

b. The Planning Board may not waive application of Sections 2306 (A), (B), and (C). An applicant can seek relief from any of those provisions from the Zoning Board of Adjustment.

c. The Planning Board may not waive application of any other Sections of this Article. Notwithstanding the provisions of paragraph (C)(a) above, the Planning Board may not waive application of Section 2306 (A)(B)(C). Further, if the application requires site review, then the Planning Board may not waive application of Section 2306 (I)(J)(K)(L)(M) as part of the conditional use application but rather will address such standards under the site review process.

D. Appeals: Any persons aggrieved by a decision of the Planning Board concerning a Conditional Use Permit described under his Article may do so under the provisions of RSA 677:15.