

PROPOSED ZONING AMENDMENTS FOR 2007 TOWN MEETING

Proposed language *italicized*.

Language to be removed ~~striketrough~~.

Article 2: Amend Article III General Provisions, Section 307-13 Computing Minimum Lot Sizes to increase minimum lot size requirements for residential duplex lots from 35,000 square feet of non-wetland soils to 55,000 square feet and to not allow slopes greater than 20% or areas where ledge is not covered by at least 4 feet of non-wetland soil to be counted in those minimum areas. The proposed changes would also require the area of proposed lots be doubled if more than 25% of the lot has slopes of 20% or if more than 25% of the lot has less than 2 feet of non-wetland soils depth to ledge. The changes would also require lots to be accessible to first responders without first leaving the Town limits.

PROPOSED CHANGES:

307-13 ~~Computing Minimum Lot Sizes~~ *Additional Lot Size and Street Access Requirements*

The intent is to provide for an area that ~~adequately~~ accommodates the building site including ~~and all required utilities such as~~ all utilities, water supply, sewage disposal for on-site septic tanks and leach fields, drainage retention, slope stabilization and safe lot access. This area shall include both a primary and an alternate leach field location.

~~A.~~ *Lot Size requirements*

*In addition to meeting the minimum lot size Area Requirements of Section 307-12 of the Pelham Zoning Ordinance, every new single-family lot approved by the Planning Board, **after the effective date of this amendment**, shall contain a 35,000 contiguous square feet non-wetland area. Every new two-family lot approved by the Planning Board, **after the effective date of this amendment**, shall contain 55,000 contiguous square feet of non-wetland area. WCD set back areas may be counted in the computation of the 35,000 and 55,000 square feet requirements. The following land **shall not** be counted in ~~computing minimum lot size~~ the computation of the required minimum 35,000 and 55,000 contiguous square feet non-wetland area requirements:*

- 1. Land areas ~~having~~ containing ~~wetland~~ poorly or very poorly drained soils as defined by the Site Specific Soils Mapping Standards for New Hampshire and Vermont or such subsequent version as adopted by the Planning Board. ~~soil symbols and classifications, using the High Intensity Soil Survey soil classification system as determined by a High Intensity Soils Survey.~~*
- 2. Land areas ~~that would be flooded by a one hundred year flood, the scope of said one year flood to be determined by the United States Department of~~*

~~Housing and Urban Development and the Federal Insurance Administration, having a pre-existing naturally occurring slope in excess of twenty percent (20%).~~

3. Land areas ~~in the~~ located within Recreation, Conservation and Agricultural Districts. ~~and Conservation District cannot be used in computing minimum lot sizes.~~
4. ~~Slopes 25% or greater.~~ Land areas located outside the geographic boundaries of the Town of Pelham.
5. Land areas that would be flooded by the 100 year flood as defined by Flood Insurance Maps prepared by the Federal Flood Insurance Administration.
6. Land areas located within any high-tension electricity or high-pressure gas utility line ~~transmission easements and land areas located within any gas transmission pipe easements. If the easement bifurcates the parcel it shall not be considered continuous.~~ (areas located on opposite sides of any high-tension electrical easement shall not be considered contiguous for the purposes of this section)
7. Land areas wherein ledge and bedrock are not covered with a minimum of at least two feet of pre-existing naturally occurring non-wetland soils (soils not classified as poorly drained or very poorly drained soils as defined by Site Specific Soils Mapping Standards for New Hampshire and Vermont) ~~by soils as indicated by high intensity soils mapping~~ unless contradicting evidence is provided by the engineer. This 2 foot requirement is intended to minimize erosion and land slides by absorbing and slowing runoff.

~~B. Steep Slope and Ledge Lot Area Requirements:~~

~~The minimum lot size requirements for One and Two Family Lots set forth in Section 307-12 of this Zoning Ordinance shall be doubled whenever:~~

1. ~~More than 25% of the area of a proposed one or two family lot has a naturally occurring pre-existing slope of 20%.~~
2. ~~More than 25% of the area of a proposed one or two family lot has less than two feet of naturally occurring pre-existing non-wetland soil covering bedrock or ledge.~~

~~€~~ B. Street Access Requirements:

1. All one and two family lots approved by the Pelham Planning Board, **after the effective date of this amendment**, must have 200 continuous feet of

frontage on either a State of New Hampshire maintained highway or a Town of Pelham Class V or higher street(s) that was in existence on March 14, 2007, or on a new street(s) approved by the Planning Board and accepted by the Town of Pelham after March 13, 2007, but only if the new street(s) is directly accessible to police, fire, medical emergency and school transportation vehicles, without those vehicles first having to leave the corporate limits of the Town of Pelham.

2. *The Planning Board shall not approve any new subdivision street or any senior or elderly housing complex driveway, if the new street or driveway would not be directly accessible to police, fire, medical emergency or school transportation vehicles without those vehicles first having to leave the corporate limits of the Town of Pelham.*

D.C. Application: The changes to the Pelham Zoning Ordinance approved by the 2007 Annual Town Meeting Hall only apply to new lots approved by the Planning Board after the statutory effective date of the changes.

~~Land area within a WCD setback may be counted toward the minimum lot area.~~

~~When computing minimum lot sizes, of the total required land area for lot sizing, a minimum of 35,000 square feet of naturally occurring usable land area must be contiguous. [Amended 3-8-05 ATM]~~

~~No lots which received final Planning Board subdivision approval prior to January 1, 1975, shall be deemed undersized non-conforming lots solely by reason of enactment of this Subsection.~~