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ARTICLE 3
DEFINITIONS

DESIGNATED OPEN SPACE

Land set aside in a cluster neighborhood or commercial cluster (see Article 6) that shall remain undisturbed, except for activities and improvements previously approved by the Planning Board.

RESIDENTS' COMMON AREA

All land held in common in a CLUSTER NEIGHBORHOOD, excluding DESIGNATED OPEN SPACE.

COMMERCIAL COMMON AREA

All land held in common in a COMMERCIAL CLUSTER, excluding DESIGNATED OPEN SPACE.

15 **ARTICLE 6**

16 **CLUSTER NEIGHBORHOODS**

17 6.1 Authority

18 This article is adopted pursuant to the provisions of RSA 674:21, Innovative Land Use Controls, and shall
19 be administered by the Planning Board through the conditional use permit process described in this
20 Article.

21 6.2 Purpose

22 The purpose of this Article is to allow greater flexibility in the design of residential and commercial
23 projects; discourage development sprawl; provide for a more efficient use of land in harmony with its
24 natural characteristics; preserve larger areas of undisturbed open space, agricultural land, tree cover,
25 recreation areas, and scenic vistas; protect areas of steep slopes; promote the historic and rural
26 character of Canterbury; and to expand residential options.

27 6.3 Goals

28 It is the intent of this Article to authorize the Planning Board, in granting a conditional use permit, to
29 allow cluster neighborhoods in those districts that permit them as a conditional use, and to modify the
30 district requirements for lot size, frontage, and setbacks for cluster neighborhoods. In reviewing such
31 applications, the Planning Board shall ensure that the following criteria are met:

- 32 A. That the purpose and intent of the Zoning Ordinance will be upheld,
- 33 B. That the proposed development will be consistent with the goals, policies, and
34 recommendations of Canterbury’s Plan for Tomorrow,
- 35 C. That the proposed development will not have adverse impacts upon the character of
36 Canterbury,
- 37 D. That the proposed development complies with all provisions of the Canterbury Site Plan Review
38 and Subdivision Regulations.

39 6.4 General Requirements

- 40 A. The permitted uses in a residential cluster neighborhood are residential dwelling units with not
41 more than 6 units in any structure. A limited area of commercial or mixed uses
42 (residential/commercial) may be incorporated into the cluster neighborhood at the Planning
43 Board’s discretion, if the Planning Board determines it complies with the spirit and intent of the
44 ordinance.
- 45 B. Residential cluster neighborhoods are permitted as a conditional use in the Residential (R), Rural
46 (Ru), Center Historic (CHD), and the Shaker Village Museum (SVMPD) Districts.
- 47 C. The density, or maximum number of residential dwelling units permitted in a cluster
48 neighborhood, may not exceed the density allowed under Section 5.2 of the Zoning Ordinance,
49 except when a request for a density incentive is approved by the Planning Board under Section
50 6.6 or Section 6.7.
- 51 D. Unless otherwise specified, cluster neighborhoods shall have a minimum of 10 acres.

- 52 E. In the interest of flexibility and creative site design, there is no minimum lot size for lots within
53 cluster neighborhoods.
- 54 F. Road frontage. The minimum road frontage for a tract on which a cluster neighborhood is
55 proposed shall be the same as the frontage required for an individual lot in the zone district in
56 which the tract is located. There shall be no minimum frontage requirement for individual lots
57 within a cluster neighborhood. Individual lots or units will not have individual access to existing
58 public roads.
- 59 G. In the interest of flexibility and creative housing designs, there shall be no minimum setback for
60 individual house lots within a cluster development. Building envelopes shall be shown on the
61 plan delineating where structures, dwelling units, wells, and septic systems will be placed on the
62 tract of land. There shall be a minimum setback of 50 feet for all structures along all property
63 lines of the parcel being developed. There shall be a minimum of 25 feet between structures.
- 64 H. Access to individual units shall be provided by private roads or driveways that are designed and
65 engineered to carry the anticipated traffic load. The Planning Board may consult with a
66 professional engineer for peer review of all engineered plans at the applicant's expense. No
67 roadways shall be considered for acceptance by the Town without being constructed to Town
68 Standards as described in the Subdivision Regulations.
- 69 I. Fifty (50%) percent of the total land area of the parcel shall remain undisturbed as Designated
70 Open Space, except for activities and improvements approved by the Planning Board after
71 consultation with the Conservation Commission. The following restrictions shall apply to the
72 Designated Open Space:
- 73 1. There shall be no further subdivision of or development of the Designated Open Space
74 areas, which shall be preserved in perpetuity as undisturbed areas used only for uses
75 approved by the Planning Board.
- 76 2. The Designated Open Space shall be permanently deeded to an owners' association,
77 which shall be responsible for taxes, maintenance, compliance with Article 6.4. I. 1 of
78 this ordinance and the cost of conservation monitoring, as specified by the Town.
- 79 3. Legal instruments which preserve the Designated Open Space in perpetuity, including
80 the language of deed restrictions if applicable, shall be submitted to the Planning Board
81 for approval. The Planning Board may refer these instruments or restrictions to Town
82 Counsel for review.
- 83 4. The Planning Board shall require a program for future monitoring of easements and
84 permit conditions affecting the Designated Open Space.
- 85 J. All Residents' Common Area shall be deeded to an owners' association.
- 86 6.5 Conditional Use (CU) Permit
- 87 A. All cluster neighborhoods shall obtain approval of a CU permit from the Planning Board. The CU
88 permit application shall include a narrative that describes the project and addresses the

89 requirements of this Article, as well as a yield plan that reasonably demonstrates the permitted
90 density on the parcel.

91 B Applications for a CU permits for a cluster neighborhood shall be made in accordance with the
92 procedures set forth in the Canterbury Site Plan Review Regulations.

93 C. When reviewing a CU permit application for a cluster development, the Planning Board shall take
94 into consideration the following:

95 1. The location, character and natural features of the parcel.

96 2. The landscaping, topography and natural drainage.

97 3. Vehicular access, circulation and parking.

98 4. Pedestrian circulation.

99 5. Signs and lighting.

100 6. Proposed architecture.

101 D. A CU permit shall be issued only if a cluster neighborhood complies with all of the requirements
102 of this Article. The Planning Board may set reasonable additional conditions to accomplish the
103 objectives of this Article or of Canterbury's Plan for Tomorrow.

104 E. Standards of Review

105 The following shall govern the Planning Board's consideration of any and all CU permit applications
106 under this Article:

107 1. If, in the opinion of the Planning Board, all of the standards described in this Article have
108 been met, the Board shall issue the CU permit. The CU permit shall also require the approval
109 of any accompanying site plan or subdivision applications. In the event any accompanying
110 site plan or subdivision application is denied by the Board or withdrawn by the Applicant,
111 the CU permit approval shall be deemed null and void. The Planning Board may or may not
112 affix other conditions of approval at their discretion.

113
114 2. If, in the opinion of the Planning Board, all of the standards of Section 6.6 have been met,
115 the Board may grant a density bonus or bonuses as described in that section.

116 6.6 Density Bonus

117 A. For exemplary cluster neighborhood or commercial cluster proposals, the Planning Board, at its
118 discretion, may grant a density bonus of not more than 20%, if one or more of the following
119 criteria are met. A 10% density bonus may be granted by the Planning Board if one criterion is
120 met, 15% for two criteria, and 20% for three or more criteria:

121 1. Preservation of 75% or more of the parcel as Designated Open Space.

122 2. Preservation and maintenance of five or more acres of contiguous, open field.

- 123 3. Preservation or construction of 1,000 linear feet or more of connected stone walls. The
 124 connected stone walls shall be visible to the public and breaks for driveways and
 125 walkways are permitted.
- 126 4. Maintenance of existing or new agricultural use(s) on the property.
- 127 5. Provision of planned pedestrian access, such as sidewalks or maintained trails for public
 128 use.
- 129 6. Provision of outdoor amenity which may include access to public space.
- 130 7. Use of community well or septic system serving six or more units
- 131 8. Contiguous connections with permanent conservation land on adjacent parcels
- 132 B. A density bonus yielding a half unit or more may be rounded up.
- 133 6.7 Farmstead Alternative
- 134 A. General Requirements
- 135 1. All underlying zoning requirements shall apply, except for those variations listed in this
 136 section.
- 137 2. The permitted uses are residential or commercial units, depending on the underlying
 138 zoning, that are located within one farmhouse and accessory structures. No more than
 139 six units are permitted in any single "Farmstead Alternative" development.
- 140 3. The minimum tract size for development is 5 acres.
- 141 4. The maximum density of any "Farmstead Alternative" development shall not exceed one
 142 unit per acre subject to any limitation set forth by the New Hampshire Department of
 143 Environmental Services for the siting of wells and septic systems, whichever is more
 144 restrictive.
- 145 5. The minimum setback for new structures from all property lines shall be 50 feet. The
 146 Planning Board may waive this requirement for an existing historic farm with new
 147 construction no closer than the closest existing property setback.
- 148 6. Planning Board approval of a CU permit and site plan are required.
- 149 7. Planning Board approval of a subdivision is required for any division of property,
 150 including condominium units. A homeowner's association shall be required to maintain
 151 all property held in common.
- 152 8. All proposed units shall be located within structures that meet Section 6.8(B), Voluntary
 153 Farmstead Design Standards.
- 154 9. Access to individual units shall be provided by private roads or driveways that are
 155 designed and engineered to carry the anticipated traffic load. The Planning Board may
 156 consult with a professional engineer for peer review of all engineered plans at the
 157 applicant's expense. No roadways shall be considered for acceptance by the Town
 158 without being constructed to Town Standards as described in the Subdivision
 159 Regulations.

160 B. Voluntary Farmstead Design Standards

161 For the first few hundred years of Canterbury's existence as a town, residents were almost exclusively
162 involved in some sort of farming for their livelihood. Many farms and much farmland have been lost
163 over the years due to depopulation, and more recently due to conversion of farmland for residential
164 development, but iconic historic farms that dot the town's landscape still form an integral part of
165 Canterbury's rural character.

166 Connected and semi-connected farms from the 18th and 19th Centuries are in fact a distinctive part of the
167 heritage of northern New England, along with the fields and stone walls that surround them. Today these
168 historic farms with their large barns and outbuildings are sometimes lovingly restored, but sadly some
169 are neglected. Many of these buildings no longer serve the large families and agrarian purposes that
170 they once did. These buildings and their classic forms can be repurposed for the needs of today,
171 however. Demographics are changing in town and the need for more housing options was identified in
172 Canterbury's Plan for Tomorrow. The Farmstead Alternative ordinance and these accompanying design
173 standards are intended to provide a needed option for residential and commercial development in
174 keeping with the character of Canterbury.
175



Route 103, Warner, NH, A 19th Century farm on 2 acres converted to eleven residential units.



640 Maple Street, Contoocook, NH, An 1880 farmhouse on 5.5 acres near Exit 6, 189 that was converted into eight residential units.

179 Standards

180 Any development using the incentives provided in this section, Farmstead Alternative, shall meet the
181 following general standards:

- 182 1. Buildings and grouping of buildings shall be designed to closely resemble traditional building
183 forms of northern New England farms of the 18th and 19th Centuries (building form examples are
184 shown below).
- 185 2. Buildings shall be of a proportional size and similar to existing connected, and semi-connected
186 historic farms of Canterbury.
- 187 3. Building materials shall be brick, stone, or wood, or materials that simulate their appearance.
- 188 4. Rooflines shall be pitched and similar to the building form examples shown below.

- 189 5. Distinguishing architectural features found in historic farms, such as trim, porches, and windows
- 190 with panes (or simulated) should be incorporated into the design.
- 191 6. Use of colors commonly found in historic New England villages and farms is encouraged.

192 Building Form Examples



Gilmanton, New Hampshire



Canterbury, New Hampshire



Newfield, Maine



Union, Maine



Greenfield, Massachusetts



Lebanon, Maine

193

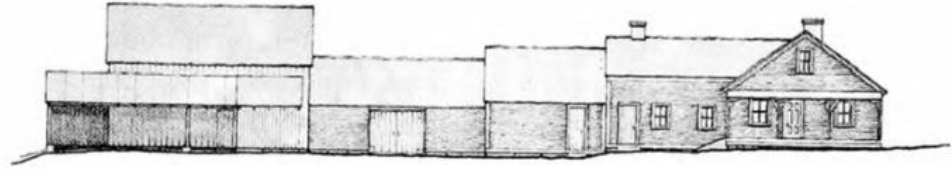


Illustration from: Hubka, Thomas C.. "Maine's Connected Farm Buildings." *Maine History* 18, 3 (1979): 139-170. <https://digitalcommons.library.umaine.edu/mainehistoryjournal/vol18/iss3/3>

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197 6.8 Submission Requirements

198 The following material shall be included in a formal application:

- 199 1. Complete Site Plan application, per the Canterbury Site Plan Review regulations
- 200 2. CUP narrative describing the project and addressing the requirements of this article.
- 201 3. Complete Subdivision application for all divisions of property, per the Canterbury
- 202 Subdivision Regulations.

203 6.9 Commercial Cluster Development

204 A. PURPOSE. The purpose of commercial cluster development is to encourage the preservation
205 of open space while allowing Commercial and Industrial zoned land to be flexibly developed so
206 that individual lot size and frontage requirements might be varied to suit individual needs while
207 complying with overall density and open space requirements.

208 B. GENERAL STANDARDS/PROCEDURE. Commercial cluster development under this section may
209 be used only for permitted uses in the Commercial and Industrial Zones upon approval of the
210 subdivision and site plan by the Planning Board. A commercial cluster development shall have a
211 minimum tract size of five (5) acres. The total number of lots in the commercial cluster
212 development shall not exceed the number of lots that would be allowed if the entire tract were
213 developed consistent with dimensional requirements otherwise applicable to the property,
214 except when a density bonus is granted by the Planning Board, as permitted in Sections 6.6 &
215 6.7. In acting upon an application for commercial cluster development, the Planning Board shall
216 follow the procedural requirements under its Subdivision Regulations and Site Plan Review
217 Regulations.

218 C. REQUIREMENTS FOR APPROVAL.

- 219 1. The Planning Board may approve the proposed commercial cluster development
- 220 if it finds that the Plan furthers the purposes of this section and the Canterbury
- 221 Zoning Ordinance and Master Plan and if the plan otherwise serves the public
- 222 interest.
- 223 2. The Planning Board may approve a commercial cluster development which does
- 224 not conform to the otherwise applicable minimum lot size and frontage
- 225 requirements where the Board finds that the proposed development will
- 226 increase protected open space, reduce public expenditures for construction and

227 maintenance of infrastructure, and where such development would otherwise
228 further objectives of proper land use planning.

229 3. The minimum Designated Open Space requirement for a commercial cluster
230 development shall be 50%.

231 4. All Commercial Common Area shall be deeded to an owners' association.

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233 D. INDIVIDUAL LOT DESIGN. The design of individual lots within a commercial cluster
234 development shall conform to the same minimum standards as set forth for Cluster
235 Neighborhoods under this Article and the Planning Board may grant a density bonus, as
236 permitted in Section 6.6 and 6.7.