

## CHAPTER 2: LAND USE



## 2.1 LAND USE INTRODUCTION

Understanding and managing land use and development are among the most important functions of community planning. The critical nature of the Land Use Chapter is based on the premise that understanding how the land is currently used will better ensure that future development occurs in a way that supports the town's vision, goals, and objectives.

Center Harbor's location between the shores of Squam Lake and Lake Winnepesaukee has attracted residents and visitors through time. This chapter will explore significant land use changes that have occurred since the 1990 Master Plan Update and how these changes may impact the community. Results from the Community Opinion Survey will guide the determination of goals, objectives, and recommendations for future land use.

### 2.1.1 Survey Results

A Community Opinion Survey was distributed by the Center Harbor planning board in 2007 and again in 2008 to better inform this master plan update. The survey asked a number of questions pertinent to current and future land use decisions. There were a total of 110 survey respondents; however, not all respondents answered each question. Therefore the number of respondents per question varies. Thus the following percentiles related to the survey are based on the number of respondents for a particular question.

The results indicate that of the 84 percent of year-round respondents, 76 percent have lived in Center Harbor more than ten years. Of the year-round residents responding, 33 percent have lived in Center Harbor for longer than 25 years. Over 95 percent of the respondents own a single-family home. Responses indicated that land ownership is comprised of 53 percent owning less than 5 acres, 37 percent owning 5 to 20 acres and 10 percent own over 20 acres.

The majority of respondents believe the current land use zones are appropriate (see Table 2-1) and that unique, sensitive, or historic land features should continue to be identified and preserved, including wetlands, agricultural lands, historic sites, and steep slopes (see Table 2-2).

**Table 2-1: Satisfaction with Current Land Use Zones**

<b>Zone</b>	<b>Satisfied</b>	<b>Not Satisfied</b>	<b>No Opinion</b>
Commercial and Light Industry	62%	20%	18%
Commercial – Village Area	67%	14%	19%
Residential	57%	12%	31%
Agricultural/Rural	72.5%	7%	20.5%
Wetland and Conservation	59%	19%	22%

**Table 2-2: Desire to Identify and Protect Unique Natural and Historic Features**

Feature	Yes	No
Additional prime wetlands (original designation 2006)	41%	59%
Agricultural land		
Keep existing land in production	95%	5%
Encourage new land into production	81%	19%
Steep slopes		
Same density as other areas	19%	11%
Lesser density than other areas	38%	6%
No development allowed	11%	15%
	68%	32%
Historic/architectural structures	92%	8%
Large, undeveloped tracts of land	77%	23%

The population of Center Harbor has grown by 93 people (8.5%) from 996 in 2000, to 1,089 in 2008. According to US Census data, the population remained the same (996) between 1990 and 2000. The majority (77%) of survey respondents want population growth rates to remain the same or to grow slightly (under 100 persons) in the next ten years. Regarding business growth and development, a substantial majority of respondents (92%) believed “state and town roads should be protected against commercial strip development”. Respondents were more favorable to the development of small retail shops, home-based business, craft industries, and professional offices (Table 2-3):

**Table 2-3: Future Development Preferences**

Type of Business	Yes	No
Small, home-based business	81%	19%
Small craft industries	79%	21%
Small retail shops	72%	28%
Professional offices	61%	39%
Motels	55%	45%
Restaurants	37%	63%
Shopping centers	11%	89%
Manufacturing industry	5%	95%

### 2.1.2 Land Use Objectives

The following land use objectives were derived from the 1990 Master Plan and are further supported by the 2008 Citizen Survey:

1. Continue developing the village center in a similar manner to which it currently exists;
2. Support development of small retail shops, home-based business, craft industries, and restaurants in the current commercial zones;
3. Encourage higher density housing in and around the village center and lower density housing in the outlying areas of town;
4. Conserve and protect undeveloped and/or unique landscapes, steep slopes, and ridgelines for open space, agricultural, and recreational purposes;
5. Preserve the rural character of town by encouraging preservation and use of agricultural lands.

### 2.1.3 Recent Trends

Development along Center Harbor's shorelines and hillsides is comprised of both seasonal and year-round housing. Between 1980 and 1990, the development of year-round housing decreased 0.4 percent, while the development of seasonal housing increased nearly 63 percent.<sup>1</sup> In comparison, between 1990 and 2000, the production of year-round housing increased nearly 8 percent, while the number of seasonal units decreased nearly 15 percent. This may be attributed to the conversion of seasonal to year-round residences. In 2000 there were 653 housing units in Center Harbor, an increase of 0.6 percent from 649 housing units in 1990. As a percentage of total housing, seasonal housing declined from 37 percent in 1990 to 32 percent of the total housing units in 2000. Since 2000, there have been 83 building permits for new construction (Table 2-4), yielding a total of 736 total housing units.<sup>2</sup> This represents the fewest number of permits issued by any community in Belknap County and is well below the countywide town average of 384 new building permits between 2000 and 2007.

**Table 2-4: Building Permit Activity 2001-2007**

Year	Building Permits Issued
2000	5
2001	7
2002	7
2003	15
2004	21
2005	12
2006	10
2007	6
<b>Total</b>	<b>83</b>

Source: *Development Activity in the Lakes Region, 2009*

## 2.2 EXISTING LAND USE AND ZONING

The vast majority of land in Center Harbor is either forested, wetlands, or covered by surface waters (87.7%), as shown in Table 2-5. Forest lands account for 61.9 percent of the total area in Center Harbor, while surface waters (wetlands, lakes, ponds, and rivers) account for 25.8 percent. Approximately 7.8 percent is currently in residential, commercial, or mixed use.

**Table 2-5: Current Land Use 2010**

Land Use and Land Cover	Number of Acres	Percent of Total Land Area
Residential	459.2	4.4
Commercial, Services, and Institutional	17.6	0.3
Transportation, Communication, Utilities	157.8	1.5
Mixed Uses	3.1	Less than .01
Outdoor and Other Urban and Built-Up Land	114.6	1.0
Agricultural	411.0	3.7
Transitional	48.8	1.2
Forest Land	6,989.1	61.9
Water	1,955.0	18.9
Wetlands	192.4	6.9
Vacant/Barren Land	68.2	0.1
<b>Total</b>	<b>10,396.2</b>	<b>100%</b>

Source: Land use data based on LRPC's interpretation of 2009 aerial photography with local review.

<sup>1</sup> *Lakes Region Demographic Profile*, LRPC, 2003

<sup>2</sup> *Development Activity in the Lakes Region*, LRPC, 2009

Land uses and land cover 2010 are depicted in Map 2-1 (located at end of chapter) with existing zoning as described in greater detail below.

### **2.2.1 Agricultural and Rural (AR)**

The agricultural and rural zone is the largest zoning district in Center Harbor, representing 75.7 percent of the total land area. The zone is characterized by low-density development and open space with limited agriculture, forestry, residential, and other non-intensive land uses. The minimum lot size is 5 acres with 125 feet of road frontage required for one house with off-site water and sewer. The road frontage increases to 150 feet for lots with on-site water and sewer.

### **2.2.2 Residential (RES)**

The residential zone comprises 2.2 percent of the total land area in Center Harbor. The zone provides both seasonal and year-round housing and is primarily serviced by the Bay Sewer District System. The residential zone is located in the southeastern part of town surrounding the village area along NH Routes 25 and 25B. Permitted uses include single family homes, home occupations, essential services, accessory uses, lodging houses, and churches. The minimum lot size is 10,000 square feet with 100 feet of road frontage for lots with off-site sewer and water. Minimum lot size and frontage requirements increase for lots with on-site septic and water. Lots with shore frontage require a minimum of 150 or 200 feet of contiguous water frontage, dependent on the waterbody.

### **2.2.3 Commercial and Light Industry (CI)**

The commercial and light industry zone covers 3.5 percent of town adjacent to the Meredith town border on portions of US Route 3 and Waukegan Road. The zone permits additional commercial development while maintaining the character of the area. The minimum lot size ranges from 10,000 to 40,000 square feet; dependent on soil conditions, type of use, and whether sewer and water are located on or off-site. The minimum road frontage is 100 feet for lots with off-site water and sewer, and 150 feet for on-site water and septic.

### **2.2.4 Commercial – Village Area (CV)**

The commercial – village area incorporates the existing village center at the intersections of NH Routes 25, 25B, Coe Hill Road, and Bean Road. The village is bordered on two sides by Lake Winnepesaukee and the Moultonborough town line. Business development that maintains Center Harbor's historic character, aesthetic qualities, and scenic views is encouraged. A minimum of 10,000 square feet and road frontage of 100 feet is required, which increases dependent on whether water and septic are provided on site. The majority of the commercial – village area is serviced by off-site water and sewer. Lots with shore frontage require a minimum of 150 feet of contiguous water frontage. The commercial – village area zone accounts for 0.2 percent of the land in Center Harbor.

### **2.2.5 Wetlands Conservation Overlay District**

The Wetlands Conservation Overlay District is an environmental overlay district superimposed over the zoning districts, and is defined as “those areas that are inundated or saturated by surface or

ground waters at a frequency and duration sufficient to support a prevalence of vegetation adapted for life in saturated soil conditions.” The Wetlands Conservation Overlay District includes swamps, marshes, bogs, and very poorly and poorly drained soils which support vegetation adapted for life in saturated soil conditions. Permitted uses are those which will not require the erection or construction of any structures or buildings, will not alter the natural surface configuration by the addition of fill or by dredging, and uses that are otherwise permitted.

### **2.3 IMPACTS OF MAJOR DEVELOPMENT**

Center Harbor is characterized by an abundance of steep slopes and ridgelines, shorelines, and valleys. Since most significant shoreline development has already occurred, potential large developments are located on the slopes and ridgelines. Approximately 18 percent of the land in Center Harbor has slopes of 15-25 percent, while 5 percent has a slope greater than 25 percent. Development in these areas can present problems related to storm water run-off, soil erosion and sewage disposal. Slope and ridgeline development also alters the viewshed and rural character of town, which survey respondents are in favor of protecting.

Another area of potential importance is the sub-division of large land tracts that are currently forested or used agricultural. Subdivision of large parcels could represent a significant change to Center Harbor given that over 71 percent of town is forested or in agriculture, and less than 5 percent is developed. Significant changes in land use patterns could impact infrastructure or services, in addition to viewsheds, rural characteristics, and natural resource quality.

### **2.4 FUTURE LAND USE**

Because a local zoning ordinance is the primary tool for regulating development, it has a significant impact on future land use. Satisfaction with the existing zoning ordinance was expressed by Center Harbor residents through the community survey and by the Planning Board when explored in the context of master plan development. Future land use analysis is displayed in Map 2.2 located at the end of this chapter. The analysis describes the land acres by zone that are unconstrained by existing development, conservation lands, slopes greater than 25 percent, and wetlands or surface water.

While the zones and permitted uses established in the existing town zoning ordinance are compatible with the community vision; there are several tools identified that would enhance zoning in guiding future development. The purpose of these tools is to help ensure that, over time, improved standards will preserve the character and natural beauty of the community, making it an even more attractive and prosperous place.

### **2.5 RECOMMENDATIONS**

#### **2.5.1 Cluster Subdivision**

The Demographics and Housing Chapter includes a recommendation for Center Harbor to consider creating a cluster subdivision ordinance. Using this form of subdivision to increase residential density by creating smaller lots has the potential reduce land costs and the over-all cost of housing

development. Additional benefits of cluster subdivision related to land use include natural features preservation and decreased land consumption. A challenge associated with cluster subdivision when provided as an option between conventional zoning and a cluster development, often conventional zoning prevails. In part, this is due to a commonly held perception that larger lots are in greatest demand and are more profitable. Some communities have made conservation subdivision mandatory, thus eliminating the choice between conventional and conservation subdivisions.

Key elements of cluster subdivision related to the community vision for Center Harbor are: 1) reduced land fragmentation, 2) ability to evaluate and preserve natural and cultural resources, 3) opportunity to develop a varied housing stock, 4) conservation of scenic views, and 5) opportunity to reduce length of roads, utilities, and impervious surfaces required for residential development. Additionally, a cluster ordinance may impact community character through inclusion of design guidelines for features such as: street widths, stormwater management, trails/sidewalks, and landscaping.<sup>3</sup> Cluster subdivision is identified in RSA 674:21 (f) as a permissible innovative land use control.

In all future development proposals, Center Harbor's special resources shall be protected through the subdivision process, in which applicants shall prepare detailed site inventory maps (existing resources and site analysis maps) that pinpoint the exact locations of environmental, cultural, historic, and scenic features on their properties.

### **2.5.2 Scenic Resources Preservation**

Preservation of scenic resources requires an inventory and prioritization of viewpoints and viewsheds. A viewshed is the environment visible from one of more vantage points. The inventory can be developed and documented by community volunteers using existing methodologies. The use of citizen volunteers is ideal because the process requires strong local knowledge. The purpose of a scenic resources inventory is to identify high priority scenic areas. The inventory then provides the supporting guidance for a Planning Board to consider and implement land use guidelines that preserve priority views. A common application for viewshed analysis is the siting of cellular towers, where inappropriate locations are those that would adversely impact a priority view. While this is an example of a practical application, the value of scenic resources preservation lies in community character maintenance which in part is dependent on visual appearance.

### **2.5.3 Design Guidelines**

Design guidelines vary greatly in the type and breadth of topics covered. Common elements include: landscaping, parking, signs, and the appearance of buildings – façade, scale, height, roof style, etc. The purpose of design guidelines is to convey the type of commercial and multi-family development a community desires which is consistent with the characteristics that make the community an attractive place. While subjectivity and judgment are invariably part of making decisions about aesthetics, there are universal principles of good design. Once established, design guidelines can reduce time and cost of design changes when incorporated early in the planning process and are intended to work towards a common vision for the town.

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<sup>3</sup> Source for additional information: *Cluster Subdivision Design Guide: A Practical Guide to Cluster Subdivision Design*, Chester County Planning Commission.

Well crafted design guidelines can promote building design that is functional, economical, attractive, and harmonious. This balances the benefits to all residents with the individual rights of a property owner to do what they wish with their land. Consistent with master plan survey responses, the Planning Board considers design guidelines to be an important and useful tool for the town of Center Harbor. The goal in the creation and use of this planning tool is a direct link between the guideline contents and the community vision articulated in this master plan. The Planning Board recommends the development of Center Harbor design guidelines that contain elements on building scale, landscaping, lighting, utilities, and stormwater treatment.