

## **CHAPTER III**

### **LAND USE**

The opportunities and constraints provided by both the natural and man-made worlds have determined the existing land use patterns in Newbury and will continue to affect the future use of land in Town. In Newbury, natural environmental factors such as steep slopes, wetlands, lakes, ponds, streams, floodplains, and soil conditions have played an important part in determining the land use patterns which exist today. In addition to the opportunities and constraints imposed by the natural environment, man has developed certain amenities such as railroads, roads, power supply, sewage disposal, and water supply which act as magnets for development. Also the hills, mountains, lakes and forests have been major attractions since the steamship era.

Another factor in affecting the land use of our community, which has been relatively invisible until recently, is land use planning and regulations. The process of consensus building through the preparation of the Master Plan to determine what direction the community wants for its future has been lacking in the past. Historically, development has occurred where it is easiest and least costly to develop and where access, sewage disposal and water supply were least problematic. Most of the relatively flat sites with good soils and access have already been developed. Much of the remaining area which could be developed has environmental limitations which constrain development. How the community chooses to plan for the future use of those more environmentally sensitive areas will, to a large extent, determine the future land use patterns of Newbury.

In this chapter on Land Use, first the existing patterns of land use are presented. This is followed with a summary of the public input received from the Community Surveys relevant to land use topics. Next, the land use goals are presented which reflect a synthesis of the public input and results of the numerous lively discussions among the Planning Board members. Land use issues are then discussed, followed by recommendations addressing those issues. Finally, the chapter concludes with the Future Land Use Map and Plan.

#### **EXISTING LAND USE**

##### **Patterns of Existing Land Use**

The existing land use in Newbury was mapped in 1994 as part of a “Build Out Analysis” prepared for the Town of Newbury by the Regional Planning Commission. Several patterns of land use emerge in examining the Land Use Map (see Map II-2), including:

1. relatively dense residential development around most of the lakes and ponds in Town;
2. high density residential development in Blodgetts Landing;
3. two small villages (Newbury Center and South Newbury) also with smaller lots and a higher density of development;
4. strip commercial development along Route 103 in the vicinity of the Mt. Sunapee State Park;
5. low density, strip residential development along the road network in Town; and
6. rural, undeveloped land, predominantly in forest cover, elsewhere in Town.

The shorelands of the lakes and ponds have historically been the first magnets for development. This has resulted in the creation of a relatively densely developed, residential strip along the shores of the lakes and ponds. Typically, the lots in this shoreland area are small in size and have narrow lake frontage width. In much of the shoreland area of the lakes and ponds, the residential strip is only one lot deep off the lake or pond. Around Lake Sunapee, there are some notable exceptions to this pattern. The area north of Newbury Center between Route 103A and Lake Sunapee, and the Edgemont area are both fairly steep areas with small residential lots served by private roads. What began as a Bible camp at Blodgetts Landing is now the most intensively developed residential area in Town. Concern for the Lake's water quality led to construction of a public sewer collection and treatment system to serve the Blodgetts Landing area in 1961.

Newbury has two villages: Newbury Center and South Newbury. Newbury Center is a mixed use, small New England village. This village functions as the center of retail trade and services, as well as the Town government service center. In addition to the commercial and institutional uses, Newbury Center provides recreational amenities for the neighboring residents of the village, as well as those throughout town.

South Newbury Village, today, is primarily a residential village with a few low-impact home businesses. It is the quintessential image of a small New England village dominated by 19th century architecture. The function of South Newbury, once the Town government center, has shifted to Newbury Center.

Outside of these villages, there are two existing areas along Route 103 which developed, to some extent, with commercial uses. The Mt. Sunapee section of Route 103 from the Newbury town line east to Blake's Refinishing is one such area. The recreational facilities offered by the Mt. Sunapee State Park and Sunapee State Beach provide the attraction for the tourist-related businesses which dominate this area. The other area along Route 103 which is developed with some commercial uses is the section at the other end of Route 103 from the Bradford town line to

the Andrew Brook Lodge. This area has been developed with a combination of commercial services and tourist accommodations.

Outside of these compact villages and the more densely developed shorelines, the predominant rural development pattern is one of strip residential development along the existing road network, backing onto undeveloped land predominantly covered with forests.

### **Mix of Existing Land Uses**

The 1994 land use mapping revealed a mix of uses in Town. Undeveloped land uses predominate, with the mix of forest, outdoor, agricultural and surface waters representing just under 92% of the area of Newbury. As illustrated in Figure III-1, by far the single predominant land use was forested land, covering almost 84% of the area of Town. Surface waters, representing a little over 6% of the total area of Town, were the second most prevalent land use. Agricultural lands represented 1% of the total area of Town, closely followed by outdoor recreational uses, accounting for a little less than 1% of the Town's area.

The most significantly developed use in Newbury was residential, representing about 5.5% of the area of Town. Transportation and utilities accounted for about 2.5%. The commercial/industrial/institutional development accounted for about 0.3% of the area of Newbury. Together, all the developed land uses accounted for only just over 8% of the total area of Town in 1994. The existing mix of land uses combines to form the image of Newbury as a very rural community still dominated by the undeveloped mountains and lakes.

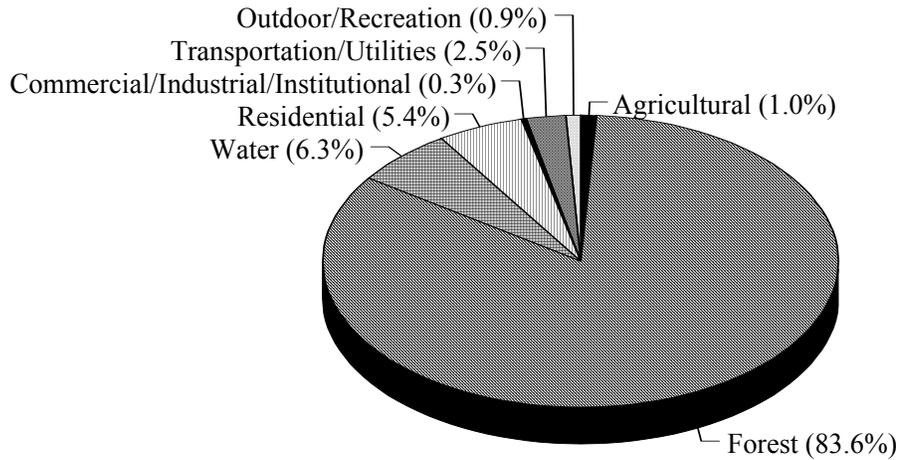
### **COMMUNITY SURVEY RESULTS**

The Community Surveys conducted by the Planning Board in 1990 and 1994 provide considerable input on the existing and future land uses in Newbury.

Respondents to the 1994 Community Survey provided the following feedback when asked, "Why do you feel Newbury is a desirable place to live?"

- 83% Small town atmosphere;
- 82% Uncrowded & quiet living conditions;
- 81% Scenic & unpolluted natural environment;
- 75% Lakes;
- 63% Outdoor recreation opportunities; and
- 58% Mt. Sunapee State Park Beach & Ski Area.

**FIGURE III-1:  
Existing Land Use in Newbury  
1994**



Survey respondents indicated the following when asked, “Over the next ten years, would you like to see Newbury?”

- 78% Be primarily a rural residential community
- 48% Encourage outdoor recreation-related business
- 40% Encourage tourist related business
- 37% Encourage home occupation/cottage industry
- 33% Encourage non-polluting, light industry
- 25% Encourage development of seasonal residences
- 25% Not encourage any business or industry
- 13% Encourage commercial/information age/service industry
- 8% Encourage factory outlet business

The 1994 Community Survey inquired, “Which of the following types of residential development would you like to see develop in Newbury in the future?” The type of residential development receiving the most support by respondents was single-family residences, with only 4% not supporting this use anywhere in Town. Sixty-seven percent of those responding to the survey indicated support for cluster housing of single-family homes and 65% supported two-family residences. Of those responding to the survey, conversion of large homes to apartments was supported by 59% and multi-family residences were supported by 51%. But, in all instances, there was not a consensus as to where in town these uses should develop. Survey

respondents did not support development of individual manufactured housing/mobile homes on individual lots anywhere in Town (54%) or in parks anywhere in Town (56%).

The following responses were received when asked, “What pattern of commercial development would you prefer to see in Newbury?”

- 44% Focused within or adjacent to village centers
- 29% No further commercial development
- 20% Concentrated in commercial center(s) outside village centers
- 23% Strip commercial development along Rte. 103 and Route 103B
- 15% Scattered throughout Town
- 7% Reestablishment of commercial development along Route 103A

Respondents to the survey provided the following feedback when asked, “What pattern of non-polluting, light industrial development would you like to see in Newbury in the future?”

- 38% No further light industrial development
- 33% Concentrated in light industrial park(s) outside village centers
- 21% Focused within or adjacent to village centers
- 21% Strip light industrial development along Rte. 103 and Rte. 103B
- 15% Scattered throughout Town
- 4% Strip light industrial development along Rte. 103A

The following responses were received when asked, “Which of the following commercial uses would you like to see in Newbury in the future?”

- 79% Farms
- 76% Professional Offices
- 70% Restaurants
- 68% Cottage Industry/Home Occupations
- 66% Personal Services
- 60% Motels/Inns/Beds & Breakfasts
- 56% Ski Area Expansion
- 55% Retail Sales
- 45% Light Industry
- 44% Auto Service & Repair
- 39% Gas Stations
- 37% High Tech Industry
- 17% Shopping Centers
- 2% Heavy Industry

Those responding to the Community Survey indicated the following responses when asked, “Are there areas of Town which you think should be served by sewer collection and treatment systems?”

- 35% All Shores of Lake Sunapee
- 29% Do not Know
- 21% Newbury Center
- 19% Shore of Chalk Pond
- 19% No Areas
- 18% Shore of Lake Todd
- 14% Bay Point Road
- 10% South Newbury

Sixty-three percent of those responding to the Survey expressed support for the Town establishing an Architectural Design Review Process to review and approve construction and/or renovation for compatibility with existing historic structures in order to maintain the rural, small town image, but there was not a consensus as to where in Town this should occur.

The majority (55%) of those responding to the Survey preferred to see the minimum residential lot size remain unchanged. Of those surveyed, 29% supported an increase in the minimum lot size on steep slopes from 5 to 10 acres and 24% supported a decrease to 1 acre or less for village areas or more densely developed areas such as Blodgetts Landing. Virtually the same responses were received to the same question about the minimum lot size for businesses.

When asked about the protection of lakes and streams in Newbury, 54% thought the current regulations were adequate, while 9% thought they were over regulated and over protected, and 18% thought they were in need of additional protection.

Respondents to the 1990 Community Survey provided the following responses when asked, “What resources/assets should Newbury preserve or protect?”

- 86% Wildlife Habitat
- 81% Wetlands
- 76% Scenic Views
- 69% Steep Slopes
- 68% Prime Agricultural Land
- 67% Ridge Tops
- 66% Historic Buildings and Landmarks

Seventy-five percent of those responding to the 1990 Survey indicated support for precluding construction/development within wetlands and 79% supported decreasing the density of development when wetlands are involved.

Similarly, 59% of those surveyed in 1990 supported regulations which would preclude

construction/development within steep slope areas and 70% supported regulations which would decrease density in those areas.

## **INTERLINKING LAND USE WITH OTHER CHAPTERS OF THE MASTER PLAN**

The extent which one element of the Master plan is interwoven with other elements of the plan is particularly evident in working on the Land Use Chapter. Issues and recommendations found in the Natural & Cultural Resources Chapter, the Housing Chapter, the Transportation Chapter, and the Community Facilities & Services Chapter are all interlinked with the Land Use Chapter. Please note that in writing this Land Use Chapter there was a conscious effort not to repeat issues and recommendations addressed elsewhere in the plan. This is particularly true of the Natural & Cultural Resources which play such an important role in Newbury today, as well as the future. It is important to note that the balance of this chapter on Land Use addresses issues and recommendations pertaining to developed land uses or the built environment, as opposed to the natural and cultural resources covered in that chapter.

## **ISSUES: LAND USE**

1. Strip Commercial Zoning and Development along Route 103: Newbury's Residential/Business Zoning District extends three hundred feet on each side of the centerline of Route 103 its entire length through Town and along a short section of Route 103B to the Sunapee town line (see Map III-11). This type of zoning promotes a pattern of strip commercial development which results in:
  - adverse aesthetic impacts on the "front door" image of the community;
  - negative impact on the safety of the road system with multiple access points; and
  - an adverse impact on the carrying capacity of the highway by impeding traffic flow with multiple access points.
  
2. Future for Newbury Center: Newbury Center is a mixed use, small New England village. This village functions as the Town's center for government services and retail trade and services. Commercial uses dominate the frontage of Route 103 through the village, with residences extending beyond where permitted by the topography and natural features. In addition to the commercial and institutional uses, Newbury Center provides recreational amenities for the neighboring residents of the village, as well as those throughout town. Issues related to the future use and development of Newbury Center include:

**MAP III-11**  
**Zoning Districts**

- A. Future Land Use: With the current mix of land uses along Route 103 through the village, Newbury Center is the Town’s center for services, including retail trade, retail services, government services and recreational services. Extending short distances up the hillsides away from Route 103 in the village area are small lot, residential developments which border the commercial developments along Route 103. The mix of future land uses which develop in the village area along Route 103 need to be sensitive to aesthetic concerns for the “front door image” while being sensitive to compatibility issues with adjoining residential areas.
- B. Additional Use of the Veterans’ Hall: The Town-owned Veterans’ Hall is currently used for storage and other limited uses. Possible reuse as a Recreation Center has been discussed. Structural soundness and lack of sewage disposal are concerns which need to be addressed in any proposal for reuse or adding uses.
- C. Sewer Service for Newbury Center: Newbury Center was developed with the small lots long before adoption of the current two-acre-minimum lot size in today’s zoning ordinance and long before the State’s permitting and regulatory system for on-site wastewater disposal systems. Inadequate area for expansion of on-site waste disposal systems is a constraint on reuse and further development in the village area.

The Town needs to study the feasibility of providing sewer collection and treatment service for Newbury Center. Providing a centralized wastewater collection and treatment system for Newbury Center would provide for the following:

- 1) new and expanded opportunities for commercial uses to develop in Newbury Center;
  - 2) additional opportunities for small lot, residential development in areas bordering the village; and
  - 3) the opportunity to improve the lake water quality by replacing existing on-site wastewater systems with a centralized treatment system for existing uses.
3. Future for South Newbury Village: South Newbury Village, today, is dominated by single-family homes of 19th century architecture interspersed with a few low-impact home businesses. Industrial uses, such as the Town and State highway garages and the gravel pits, are located on the fringe of the village. The role of South Newbury Village has changed in recent years with the shifting of the Town’s governmental functions to Newbury Center and leaving some unused Town buildings in South Newbury Village. Issues relative to the future of South Newbury Village include the following:

- A. Preserving Historical Character: This compact village of predominantly colonial style residences creates the image of the quintessential historic New England village. Preservation of this historic character is very important in determining the acceptability of development proposals in the vicinity of the village.
  - B. Future Land Use: As noted above, South Newbury has evolved into primarily a residential village bordered with some industrial uses. The character of the village can be affected by the type of future land use permitted to develop in the village. Commercial-type uses generating impacts on neighboring residences such as traffic, parking, lighting, signs, building size and architectural style, and noise can adversely affect the character of the village and the enjoyment of the quality of life in the village.
  - C. Promote Reuse of Town Buildings: As outlined in the Community Facilities Chapter, the old Town Hall and the Hearse House, both of which are vacant, are located in South Newbury. The Town needs to promote reuse of the old Town Hall, while being sensitive to the compatibility of any reuse proposal with the character of the residential village.
- 4. Future for Blodgetts Landing: Blodgetts Landing started as a Bible Camp. What has evolved over time is a residential area which is unique around Lake Sunapee in terms of high density, small lot sizes and minimal setbacks. The imposition of a suburban residential, two-acre zone district over this densely developed neighborhood has led to confusion and a number of variance requests.
  - 5. Privatization of the Mt. Sunapee Ski Area: A decision by the State of New Hampshire relative to privatizing the operation of the Mt. Sunapee Ski Area could have substantial impacts on the Town of Newbury.

Part of the issue here is defining what privatizing would mean in terms of potential changes for the ski area. Privatization presumably includes modernizing the skiing facilities and improving maintenance. Federal grants providing funding to the State to initially develop the ski area may impose limitations on what privatization may include in terms of potential activities or uses on the State-owned property other than development for recreational use. For example, could residential condominiums or commercial uses, such as restaurants and ski shops, be built on the State-owned land? Since development on State-owned land requires only an advisory Site Plan Review by the Planning Board, the Town has little control over what takes place there.

If privatization means none of this residential or commercial development will occur on the State owned land, then pressure to develop these types of uses will lead to

development of private lands in the vicinity of the mountain, with the Town of Newbury right in the middle of things.

Possible Town benefits to be gained from privatization include:

- A. provide the Town with additional tax revenue;
- B. possibility of lower taxes if additional revenues are not spent by the Town;
- C. more business opportunities if ski area operator looks outside the State government for services and products;
- D. create more ski-related jobs; and
- E. increased promotion of the ski area would result in more winter visitors who could support tourist-related businesses in Town.

Concerns related to possible privatization of the ski area include:

- A. having the ski area dominate the Town the way it has in places such as Lincoln, N.H. or Ludlow, VT. Having the ski area dominate the Town in this manner would be a major conflict with the prevailing sentiment of the Town as expressed in the Community Survey, which says, “We want our Town in ten years to remain primarily a rural residential community with a small-town atmosphere, uncrowded and quiet living conditions, and a scenic and unpolluted natural environment”;
- B. would the pay scale for the ski area and related retail and service industry jobs be able to support home values that would not be a drain on the property tax base? If the full picture was evaluated, would the Town increase or decrease Town property tax revenues as a result of privatization?; and
- C. could lead to overdevelopment of the State Park (e.g. factory outlet stores, hotels, water slides, etc.), creating a carnival-like atmosphere.

## **GOALS: LAND USE**

The Planning Board spent considerable effort soliciting public input on the Master Plan update in order to develop a plan which reflects the community’s collective vision for the future of Newbury. In preparing the Community Survey, the Planning Board conducted several public work sessions to define the issues facing the Town over the next ten years. With that input, the Planning Board developed and administered two Community Surveys which provided the Board with guidance throughout the process of updating the Master Plan.

The Planning Board developed the following land use goals based on input received from public meetings on updating the Master Plan, feedback compiled from results of the Community Surveys, and considerable discussion among the Board members. The first goal directly expresses the prevailing sentiment from the results of the Community Surveys about the community's collective vision for the future of Newbury:

1. to remain, over the next ten years, primarily a rural residential community with a small town atmosphere, uncrowded and quiet living conditions, and a scenic and unpolluted natural environment;
2. to preserve, protect, improve and enhance the natural, scenic, recreational, cultural, and historic resources and the desirable characteristics of the traditional Northern New England land use settlement pattern;
3. to maintain and to improve the accessibility to and the economic viability of existing villages;
4. to ensure that the density, intensity, and siting of future development is consistent with the capacities of access, utilities and natural resource constraints to support such land use development;
5. to protect the character of rural areas and their natural resources through continued wise use and enjoyment of natural resources, and by avoiding scattered development and incompatible land uses; and
6. encourage protection measures and preserve sufficient healthy habitats to ensure the continuation of the community's wildlife and rare plant species resources.

## **RECOMMENDATIONS: LAND USE**

Guided by these land use goals, the Planning Board makes the following recommendations on the land use issues articulated above.

1. Strip Commercial Zoning and Development Along Route 103: The Regional Planning Commission prepared a map of the Town identifying the location of the following parameters relative to the existing boundaries of the Residential/Business District: steep slopes, wetlands, aquifers, shore land overlay district, State-owned property, and conserved lands. After taking these factors into account, along with the input received from the Community Survey, as well as extensive Planning Board discussion on the issue, the Planning Board recommends the Town consider studying Residential/Business District zoning for the following areas:
  - A. the Mt. Sunapee traffic circle area, including the area along Route 103B and

along Route 103 from the Sunapee town line to Lakewood Manor Road;

- B. the area in and around Newbury Center;
- C. in South Newbury village; and
- D. the Lake Todd area from Andrew Brook Lodge to the Bradford town line.

2. Future for Newbury Center: Recommendations relative to the future of Newbury Center include:

- A. Future Land Use: Newbury Center should continue to serve as the commercial and service center for the community, supporting a mix of commercial and institutional land uses along Route 103 in the village and bordered by residential uses beyond. To realize its full development and reuse potential and to maintain lake water quality, Newbury Center should be served by a centralized wastewater collection and treatment system.
- B. Additional Use of the Veterans' Hall: The Town needs to find additional uses for this Town building. Structural soundness and lack of on-site wastewater disposal system need to be addressed in any reuse proposal.
- C. Sewer Service for Newbury Center: Providing sewer service to Newbury Center would facilitate the following:
  - 1) afford new and expanded opportunities for commercial uses to develop in Newbury Center;
  - 2) offer additional opportunities for small lot, residential development in areas bordering the village;
  - 3) make reuse opportunities easier to accomplish such as reuse of the Veterans' Hall; and
  - 4) improve the lake water quality by replacing existing on-site wastewater systems with a centralized treatment system for existing uses.

For these reasons, the Town should carefully study the feasibility of providing centralized sewage collection and treatment for Newbury Center.

3. Future for South Newbury Village: Recommendations relative to the future of South Newbury Village include the following:

- A. Preserving Historical Character: The Town, through its Historical Society and Conservation Commission, should consider developing a Historic District for South Newbury Village. In the meantime or in the alternative, the Planning Board should amend its Site Plan Review Regulations to incorporate a standard relative to minimizing the impacts of a proposed project on historic structures and sites.
  
  - B. Future Land Use: Future land uses in and around the village should be primarily residential uses with a mix of low-impact home occupations and restricted commercial uses which generate minimal impacts on neighboring residential uses, the historic character of the village and the environment, particularly the aquifer underlying this area. Efforts should be made to relocate the industrial uses out of this area as opportunities arise. Commercial use proposals in the South Newbury Village need to be sensitive to:
    - 1) aesthetic issues related to building size, scale and architectural style appropriate to preserving the historic character of the existing village;
    - 2) the size and intensity of commercial uses. A small restaurant with eight seats and a general store with 500 square feet may be appropriate intensity of uses, whereas a forty-seat restaurant and a 3,000 square-foot retail store may not fit in with the village.
  
  - C. Promote Reuse of Town Buildings: The Town needs to promote reuse of the old Town hall, while being sensitive to the compatibility of any reuse proposal with the character of the residential village.
4. Blodgetts Landing Recommendations: The Planning Board should create and propose a separate zoning district with appropriate lot sizes, density, and setbacks for the Blodgetts Landing area which preserves and enhances the charming residential character of this area.
5. Privatization of the Mt. Sunapee Ski Area: Before all the Town Boards take a position on the issue of privatization of the Mt. Sunapee Ski Area, the State of New Hampshire should first define what a privatization proposal might include on State-owned land, in addition to ski area facility improvements. The Planning Board should monitor, study and provide input as the State progresses with any plans for privatization.

## **FUTURE LAND USE MAP**

The Future Land Use Map (see Map III-12) provides some broadly defined geographic boundaries to the written recommendations discussed in the section above. The Master Plan outlines these areas in conceptual form only. These areas will need to be refined in the process of developing any rezoning proposal(s). In particular, the Future Land Use Map highlights:

1. elimination of the potential for continuous strip commercial development along Route 103 through the consolidation of the Residential/Business District Zone to the four recommended areas; and
2. focusing the more intensive development in or around the villages.

Outside the village areas and the areas along Route 103 to remain in the Residential/Business District zone, the vision for the remaining area of Town is to permit low-density residential development, while protecting the natural, scenic, recreational, cultural, and historic resources of the community.

**MAP III-12**  
**Future Land Use**