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# NOVEMBER 1, 2004

# ACKNOWLEDGEMENTS

The Master Plan Steering Committee would like to thank everyone who participated in the development of this report, from all who attended the public meetings to those individuals and Town Committees who submitted thoughts and comments in writing.

This document was prepared by Carol Ogilvie, Community Development Director, Town of Peterborough, on behalf of the Master Plan Steering Committee. This report was submitted to the Planning Board at a public meeting on November 1, 2004.

Respectfully presented,

The Peterborough Master Plan Steering Committee

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November 1, 2004

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## I. INTRODUCTION

The purpose of this study is to determine, to the best of the Committee's ability, the most appropriate land uses for the Evans Flats area. This study was initiated at the request of the Planning Board, following a proposal last year to establish a full service (@65,000 square feet) grocery store in this area. The Selectmen had asked the Planning Board, as well as other Town Boards and Committees, for input on this question. At that time the Planning Board had many concerns about this type of development in that location, in large part because a Master Plan update was in progress and any decisions of this sort seemed premature. The Master Plan was adopted in November of 2003; however a study of the Evans Flats area was not part of the update. Therefore, when the Selectmen reauthorized the Master Plan Steering Committee in April of 2004, the Planning Board made a request to this Committee to examine the issues around development of Evans Flats and provide guidance to the Board for future land use decisions.

## II. STUDY APPROACH

One of the first steps taken by the Master Plan Steering Committee was to define the area of study. Figure #1 shows this area, which is approximately defined by Route 101, Elm Street and Union Street. The approach of the Committee in the development of this report was as follows:

1. A Neighborhood Meeting was held at the bowling alley on Elm Street June 9, 2004. A brief presentation was made by the Committee and staff explaining the purpose of the meeting, and then the floor was opened to the residents to submit any comments they had.
2. The Committee sent a letter to the Conservation Commission, the Economic Development Authority, and the Heritage Commission asking for input.
3. A town-wide public meeting was held at the Town House on August 30, 2004. At this meeting, the attendees were brought up-to-date on the work that had been accomplished and input received to date. Following this presentation, the public was invited to break into groups and use maps and colored pens that were available to draw their own plans for the area.
4. A final meeting was held on September 30, 2004 to present the results of the August 30<sup>th</sup> meeting. Comments were also received at this meeting, after which the report was compiled.

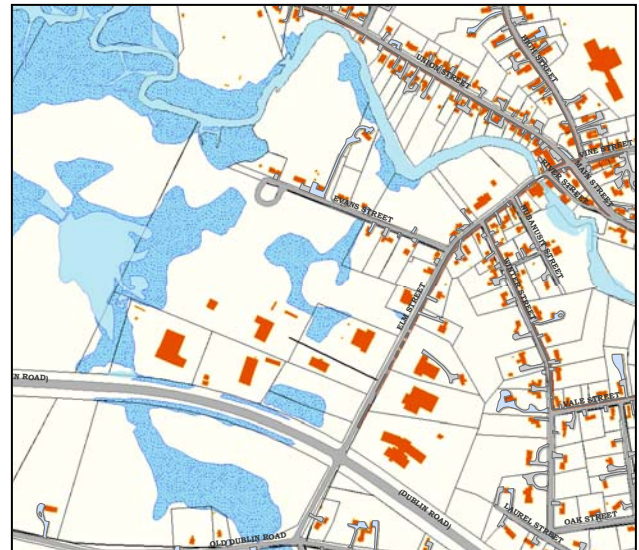


Figure #1: Evans Flats Area

### **III. HISTORY OF THE AREA<sup>1</sup>**

The Evans Flats area is part of what was the “Gridley Lot”; this was one of the original Four Great Farms laid out around 1738. This land came into the ownership of Asa Evans, a wealthy farmer and Selectman in the late 1700s. Early road development skirted this area, presumably because it was partly flooded and wet much of the time. Elm Street was the first road to radiate out from Downtown Peterborough (1760). It was laid out from the grist mill, which was located at the dam on the Nubanusit, and went south toward the Smith and Morison Farms in South Peterborough.

Until Route 101 was built in 1958 there was very little development in this area. Some housing was constructed on Evans Road in the 1950s; the National Guard was built in the 1950s; the Town Barn was built in 1968; and in the 1970s and 1980s the bowling alley, garage, and motel were built. Today, much of the original Gridley Lot south of the Nubanusit remains undeveloped. Conservation efforts by the Town and the Harris Center for Conservation Education have preserved 104 acres.

### **IV. PREVIOUS PLANS FOR THE AREA**

The Evans Flats area is mentioned in most of the land use plans and studies that have been developed for the Town, beginning in 1972 with the Natural Resources Inventory up to the recently-adopted Master Plan update of 2003. Relative excerpts from these plans are included in the Appendix; a brief summary follows:

- The 1972 Natural Resources Plan identified Evans Flats as an important natural area. The Plan recommended that a system of nature trails be established, and that further commercialization be prohibited.
- The 1974 Development Policy and Guide (Peterborough’s first Master Plan) identified individual village areas, as well as areas that would serve as buffers or greenbelt area, Evans Flats being one of these.
- The 1986 Master Plan recognized the large wetlands in the Evans Flats area and noted that they constituted natural restraints to development.
- The 1992 Master Plan reiterated the statements from the 1986 Master Plan, and noted that growth had been limited by the large wetlands at Evans Flats.
- A 2001 Report from the Peterborough Recreation Strategic Planning Committee advised that a wetland scientist should be hired to explore the natural habitat and define the wetlands and any buildable land on the Town-owned property. The Report further noted that this site is a prime location for

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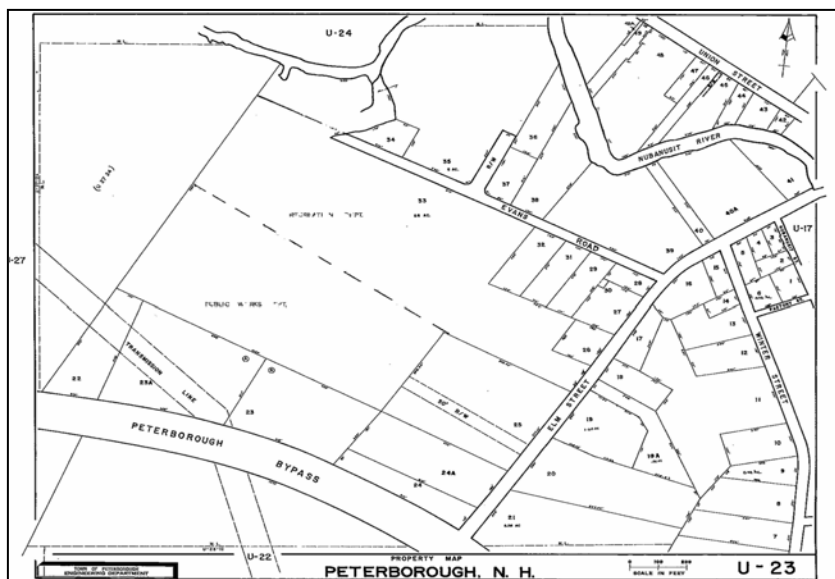
<sup>1</sup> Information for this section was provided by the Peterborough Heritage Commission.

the development of playfields, given its proximity to the existing recreational fields, and this use may be acceptable if the land proves to be in the flood plain. Details of this recreation question are presented below.

## **Recreation Issues**

In addition to the statements contained in various planning documents, there has also been consideration given to the establishment of recreational opportunities in this area – specifically on the Town-owned parcel on which the Highway Garage is located. Following is a brief synopsis of what is known about this parcel and any plans to use it for recreation:

- In 1968 the School District gave three tracts of land to the Town, in total amounting to 26 acres+/-.
- In 1970 the State of New Hampshire granted two easements to the Town to access this parcel over land occupied by the National Guard Armory. The explicit purposes of these easements is to allow access to the Public Works Building that was under construction at that time, and for the placement of utilities.
- In 1976 the voters at Town Meeting approved the “transfer of managerial jurisdiction of a certain parcel of land at Evans Flats from the Public Works Department to the Recreation Department for future ball fields provided the Department of Public Works retain the right to deposit snow on the parcel . . .”
- Although there was subsequent discussion with the Recreation Committee about how this land would be used, no action was ever taken.



The illustration to the left is a copy of an old tax map, with a dotted line to indicate an intention to use the town parcel in this fashion – approximately half of the land (13 acres) for Public Works, and half for the playing fields.

**Figure #2: Tax Map of Evans Flats**

## V. DESCRIPTION OF THE AREA

### A. CURRENT ZONING

The Evans Flats area is comprised of four distinct zoning districts, as well as three overlay zones – wetlands, shoreland conservation, and rural gateway; these are illustrated on Figure #3 below. (See Appendix for description of uses and restrictions.)

The Districts are: Family (yellow), General Residence (green), Commercial (red), and Rural (white). The majority of the land area is zoned for residential purposes; only 45 acres of this area is zoned for commercial use. However, the largest parcel in this area, and one that is zoned commercial, is the Town-owned land behind the National Guard Armory on Elm Street, which is occupied by the Highway Department. Also misleading is the land on the corner of Elm Street and Route 101, which is owned by the Harris Center for Conservation Education, and is permanently protected from development. So, of the 45 acres of commercially-zoned land, 11 acres (or 23%) are actually not available for commercial use.

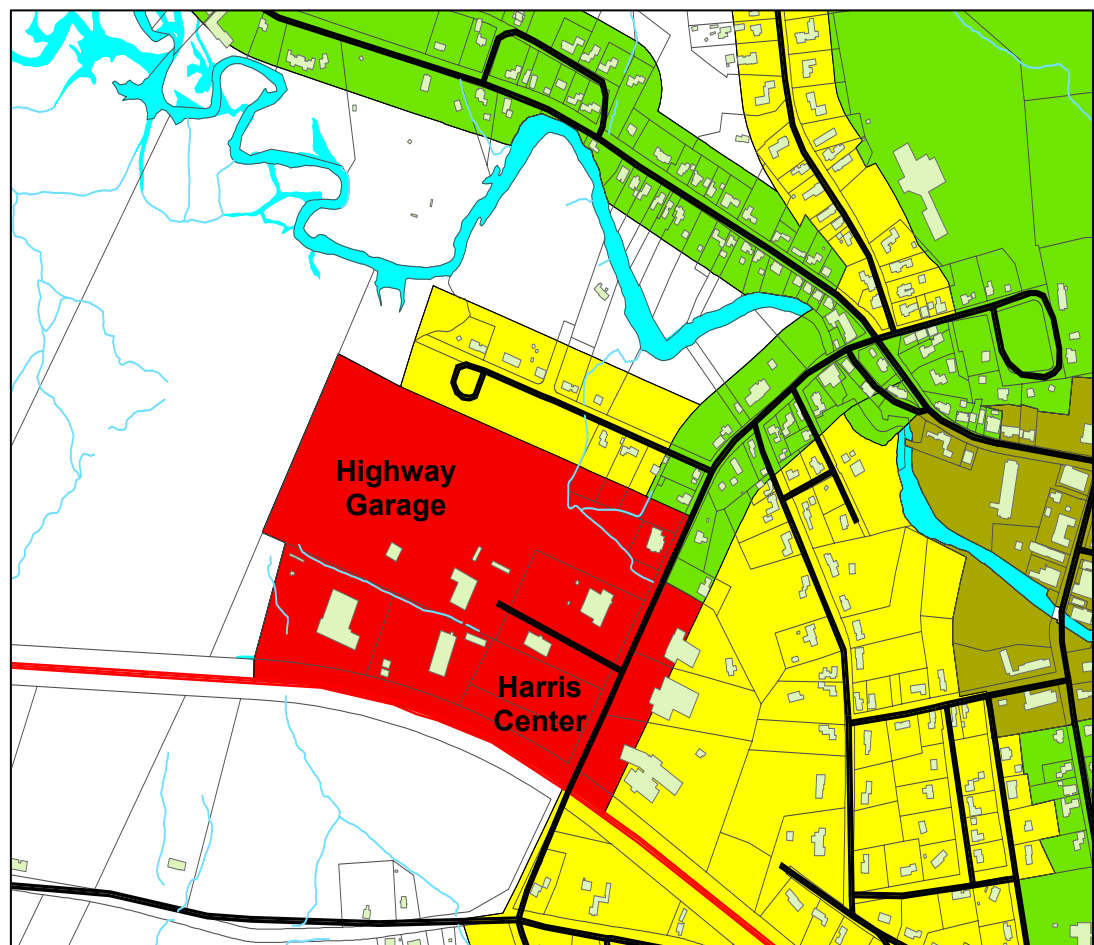


Figure #3: Zoning Districts at Evans Flats



## B. LAND USES

Land uses in Evans Flats are primarily residential. Figure #4 illustrates the existing land uses as of October of 2004. The uses depicted on this map are as follows:

- Single family residential (yellow)
- Two-family residential (orange)
- Multi-family residential (brown)
- Commercial (red)
- Public/Semi-public (dark blue)
- Recreation (light green)
- Protected (dark green)

As this map shows, most of the land that is zoned for commercial use is not used for commercial purposes. In addition to the Town-owned parcel and the Harris Center parcel mentioned, other commercially-zoned properties also not being used for commercial purposes are:

- (1) The old telephone building is vacant.
- (2) The former car dealership that has recently been used as a water-bottling operation is also vacant.

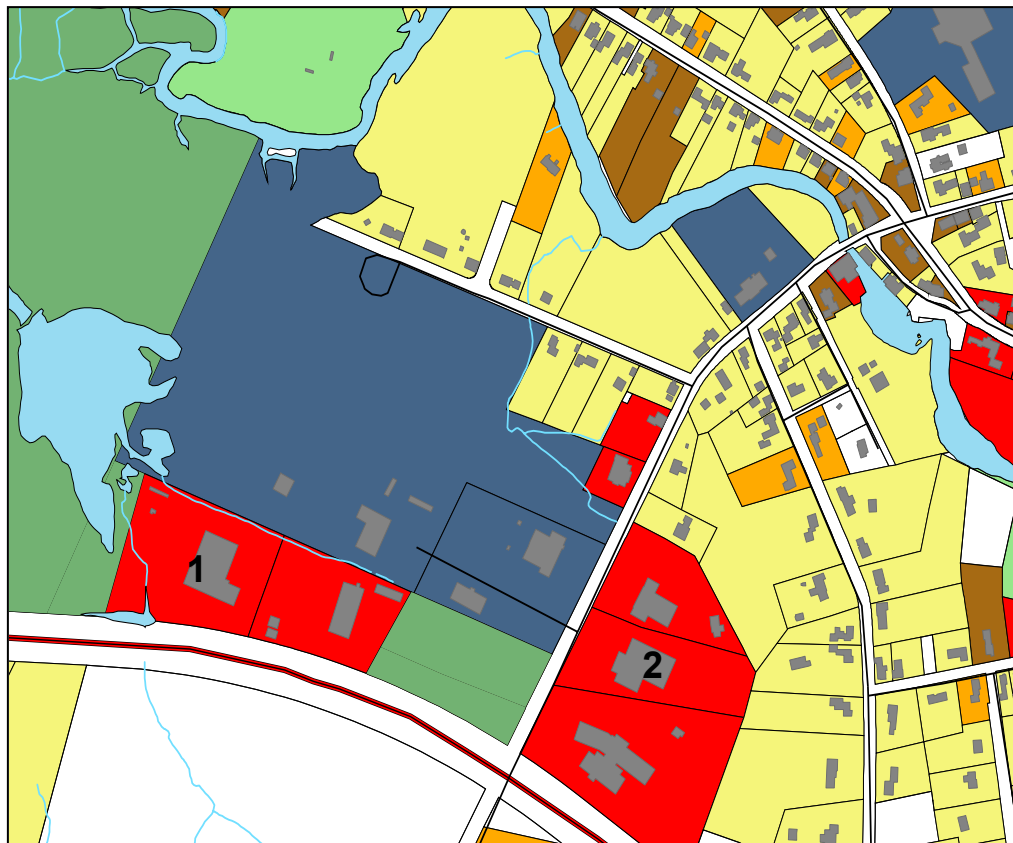


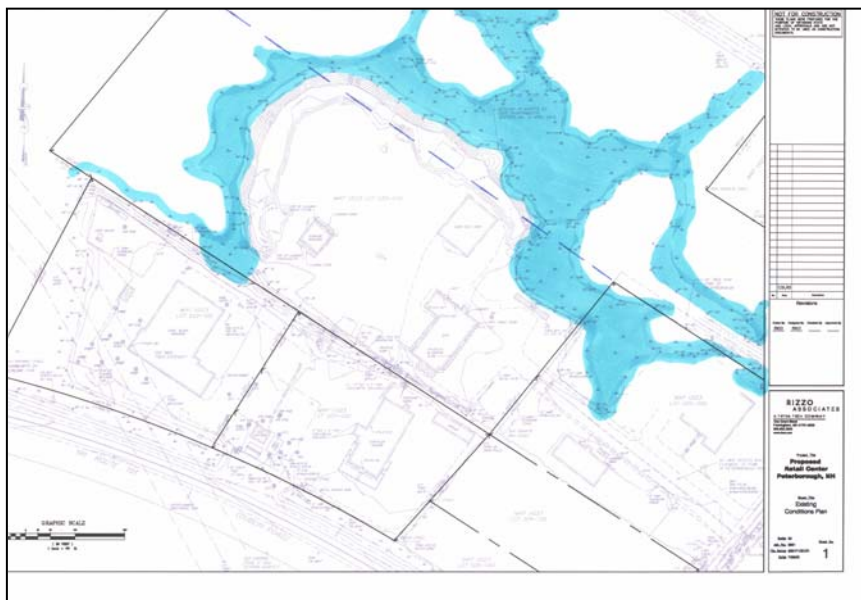
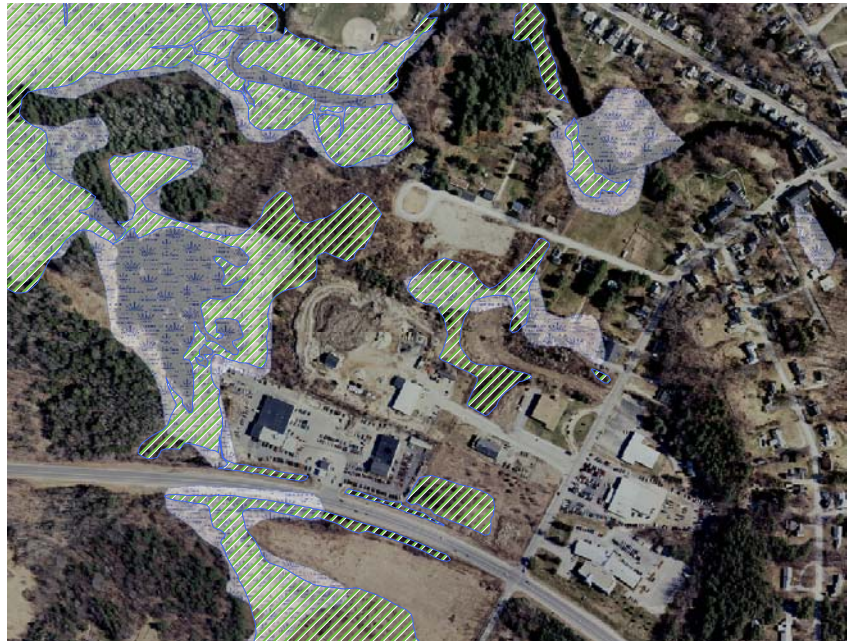
Figure #4: Land Uses at Evans Flats



### C. NATURAL CONSTRAINTS

Natural constraints in this area consist primarily of wetlands and some floodplain along the Nubanusit. The maps following illustrate what is known at this time regarding these natural features. Figure #5 shows wetlands that were delineated from USGS (United State Geological Survey) data and from wetlands mapping conducted for the Town by a consultant. Figure #6 provides somewhat more detail on wetlands, since it was generated by site specific wetlands mapping conducted by a wetlands scientist as part of the proposal for a grocery store in this location. Both of these maps indicate the cause for concern over wetland issues that have repeatedly been expressed in every planning document that includes discussion of Evans Flats.

**Figure #5:  
Wetlands at Evans Flats**



**Figure #6:  
Site Plan for Grocery Store**

An independent analysis<sup>2</sup> of the wetlands in this area offers some indication of the value of these wetlands. The methodology used for this evaluation was the “New Hampshire Method,” which rates wetlands on 14 functional values. The result is a score that measures “noteworthiness” of the wetland area.

Figure #7 below illustrates the identification that was completed for the wetland system around Evans Flats. The site indicated on the map as HE1-2 scored the highest of the seven sites that were evaluated. Most of the points were based on the following:

- **Ecological Integrity.** Evaluates the overall health and function of the wetland ecosystem.
- **Groundwater Use Potential.** Evaluates the potential use of the underlying aquifer as a drinking water supply.
- **Nutrient Attenuation.** Evaluates the potential of the wetland to reduce the impacts of excess nutrients in runoff water on downstream lakes and streams.
- **Water-based Recreation.** Evaluates the visual and aesthetic quality of the wetland.

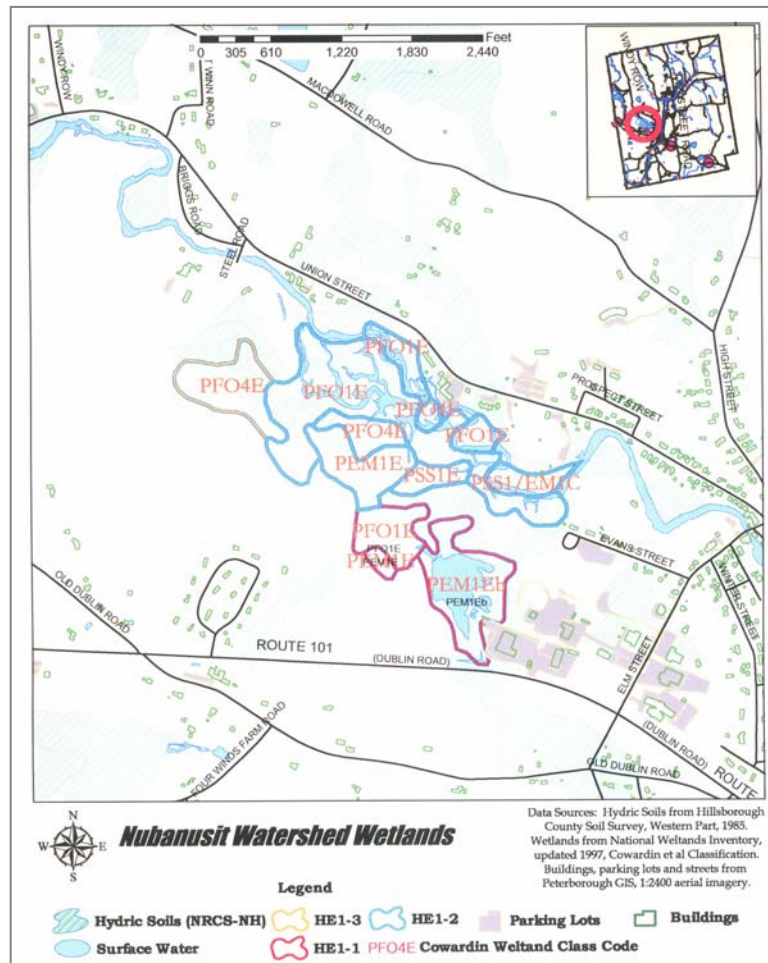


Figure #7: NH Method Evaluation of Nubanusit Brook Watershed

<sup>2</sup> “Evaluation of Wetlands in the Nubanusit Brook and Otterbrook Watersheds, Contoocook River Basin;” Fash Farashahi, RMA Special Project, Antioch New England Graduate School; September 2003.

## VI. RESULTS OF REQUESTS FOR INPUT

At the beginning of this study, the Master Plan Steering Committee made clear that it would be soliciting comment from all interested parties regarding the future development potential of Evans Flats, above all the residents of the area. Further, the Committee specifically sought comment from the Economic Development Authority, the Heritage Commission, and the Conservation Commission. Following are those comments; some are edited for length, but the originals of all submissions are included in the Appendix.

### A. JUNE 9, 2004 NEIGHBORHOOD MEETING

Residents from the Evans Flats area were invited to attend a meeting at the bowling alley on Elm Street. The purpose of this meeting was to describe the study, and to provide an opportunity for the people who live in this area to express their opinions as to potential future development. Comments were taken at that meeting; in addition, several written submissions were provided to the Committee in the days and weeks following the meeting. Several of the residents submitted the sketch shown below to illustrate their views on development in the area. A synopsis of the opinions expressed is as follows:

#### Potential Uses:

1. Public Works & Safety Facility
2. Community College/Technical Institute
3. Housing
4. Parks, Open Space/Conservation Land
5. Commercial
6. Recreation, Soccer Fields
7. Elderly Housing
8. Small Stores on 101
9. Small Gas Station
10. Mixed Use Housing/Retail

#### Parameters:

1. Low impact – lights, noise, traffic.
2. Protection of Wetlands & Wildlife
3. Preservation of Open Space
4. Sensitivity to Historic Character of Elm Street
5. Continuum of development from Evans Road to Route 101, meaning that less intensive uses are appropriate for Elm Street, and uses that would generate more than residential-type traffic is more appropriate out on Route 101.

**Figure #8: Neighborhood Vision for Evans Flats**



## **B. COMMENTS FROM ECONOMIC DEVELOPMENT AUTHORITY**

“The EDA believes that the best use of Evans Flat would be something that enhances the gateway into Peterborough and is developed in an aesthetically pleasing way while also maximizing the tax benefit and value for the town’s economy. Also, we hope that any proposals for the area will include consideration of whether the town garage makes sense for a valuable possible commercial location to be used as a town garage.”

## **C. COMMENTS FROM HERITAGE COMMISSION**

- Evans Flats is of enormous importance to the town, historically, visually, setting the character of the town, as well as flood plain water storage, wetlands, wildlife.
- This was also the most valuable farm area as well as water power.
- The undeveloped portions should be bought or conserved, and that development should be restricted to the areas already developed.
- Any future development must respect the important residential neighborhoods on both sides of Route 101 and Elm Street that are close to the downtown.
- Adding new residences and continuing the town use would compliment these neighborhoods and encourage the integration of neighborhoods with a livable and walkable village.
- Caution is voiced for changing the zoning without further study and improvement in the Village Commercial District that was enacted last year.

## **D. COMMENTS FROM CONSERVATION COMMISSION**

The Conservation Commission favors the creative redevelopment of this area, provided that the following guidelines are followed:

- That only previously filled areas be considered for development.
- That existing wetlands incur no loss of function.
- That a 50 foot wetlands buffer be maintained throughout the area.
- Any development that will create impervious surfaces totaling more than 25% of the area of the parcel should be required to prepare a workable plan for management and treatment of stormwater runoff.

The 1972 Natural Resources Inventory identified the wetlands in Evans Flats as among the most valuable in Town. This is especially true from the standpoint of wildlife habitat and flood storage capacity. It is believed that these wetlands do not contribute to any known aquifers.



#### **E. COMMENTS FROM POPULATION & HOUSING SUBCOMMITTEE OF THE MASTER PLAN**

The Chairman of the Population & Housing Subcommittee brought to the attention of the Steering Committee the various housing goals and objectives of the Master Plan that related to the Evans Flats area, as follows:

- Goal 2 – Encourage the building and retention of affordable housing for both rental and ownership markets so that people who earn between \$20–60,000 annually can afford a “starter” home.
  - Purchase land close to town for more dense housing as in traditional neighborhoods.
- Goal 3 - Encourage a new model of close-to-town traditional neighborhoods rather than disconnected suburban models.
- Goal 5 – Encourage new small businesses in defined “village” districts.
  - Define “village districts” to include ... Elm St/101...

#### **F. SUBMITTAL FROM URBAN DESIGN OBSERVATIONS**

In May of 2004 David Evans, a planner with connections to Peterborough, spent two days with staff in the Office of Community Development. Mr. Evans was interested in planning issues in Peterborough, and offered to visit Evans Flats and provide the Town with his impressions. The concept plan on the following page summarizes Mr. Evans’ thoughts about development in this area.

#### **G. AUGUST 30, 2004 PUBLIC MEETING**

At the meeting on August 30<sup>th</sup> the public was presented with an update on the status of the study: comments that had been received to date, and data that had been compiled on the area. This meeting differed from the June 9<sup>th</sup> meeting in that – rather than just solicit comment from the audience, the Steering Committee wanted to give people an opportunity to develop their own concept plans for Evans Flats. Large maps and colored pens were provided, and the audience divided into four groups. The sketches that were developed at that meeting are illustrated on the following pages. Note that the Master Plan Steering Committee neither endorses nor recommends any of the concepts presented; these are entirely the ideas of residents of Peterborough.

Figure #9: Concept Sketch from *Urban Design Observations*

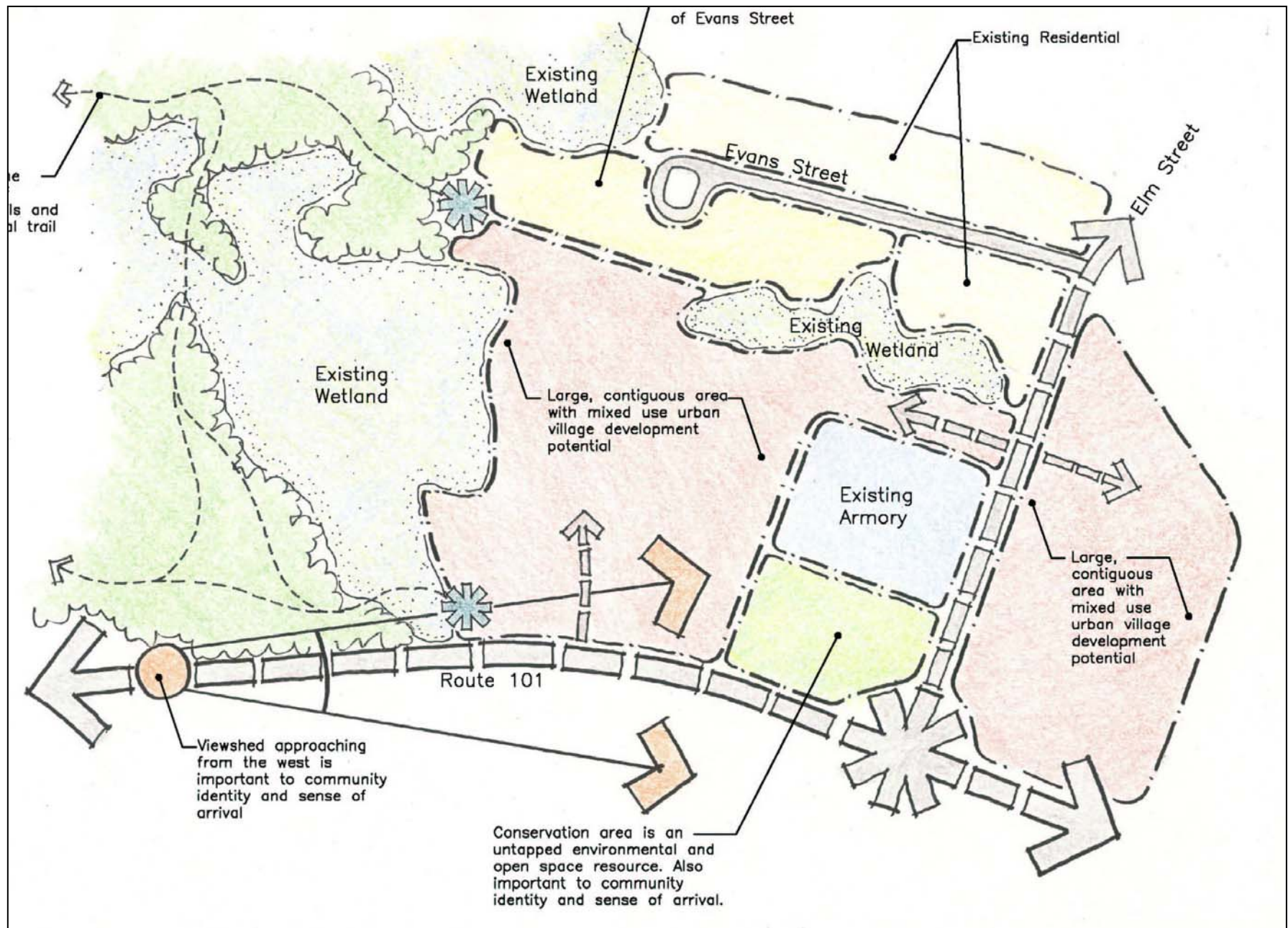




Figure #10:  
Concept 1 for Evans Flats

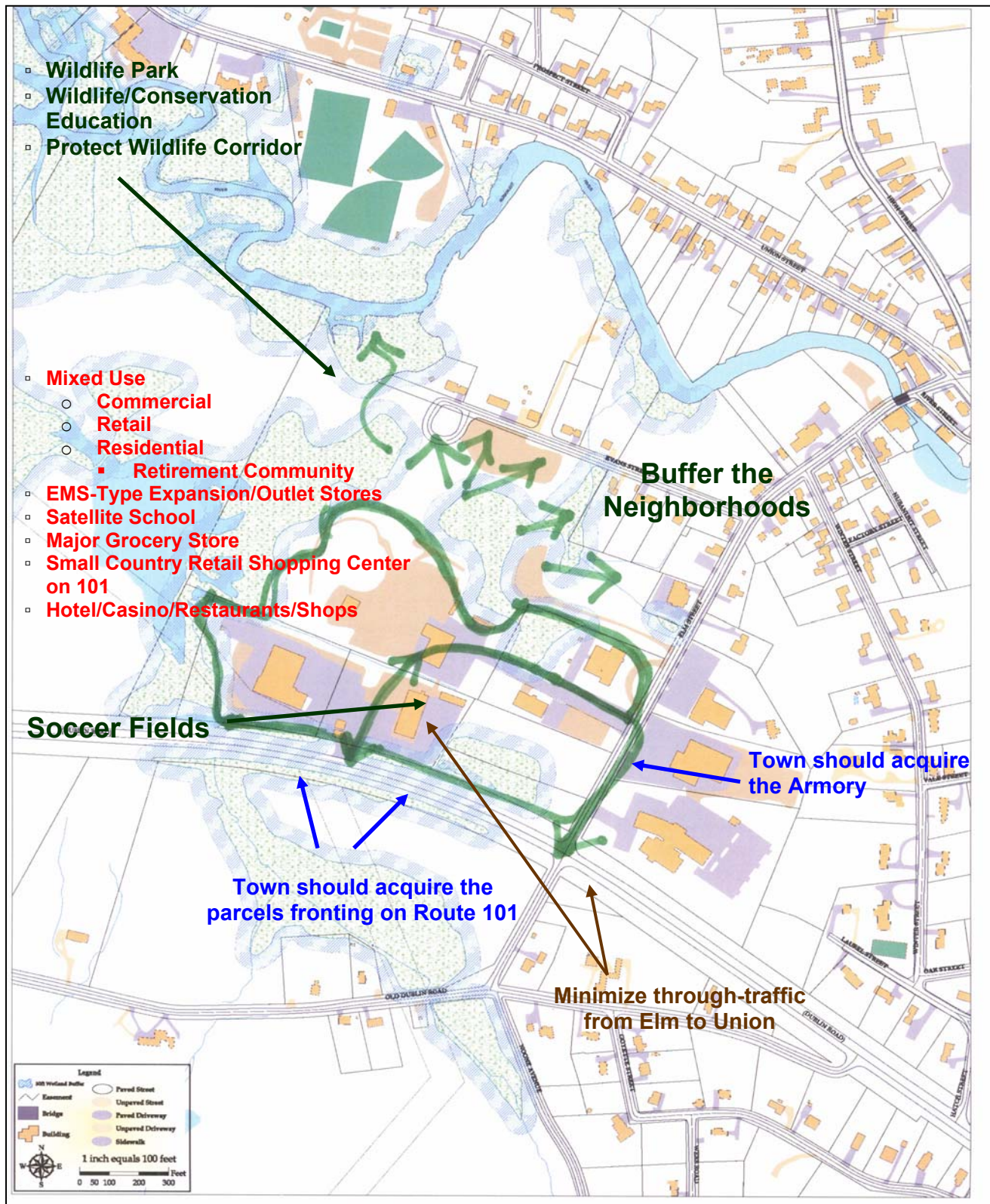




Figure #11:  
Concept 2 for Evans Flats

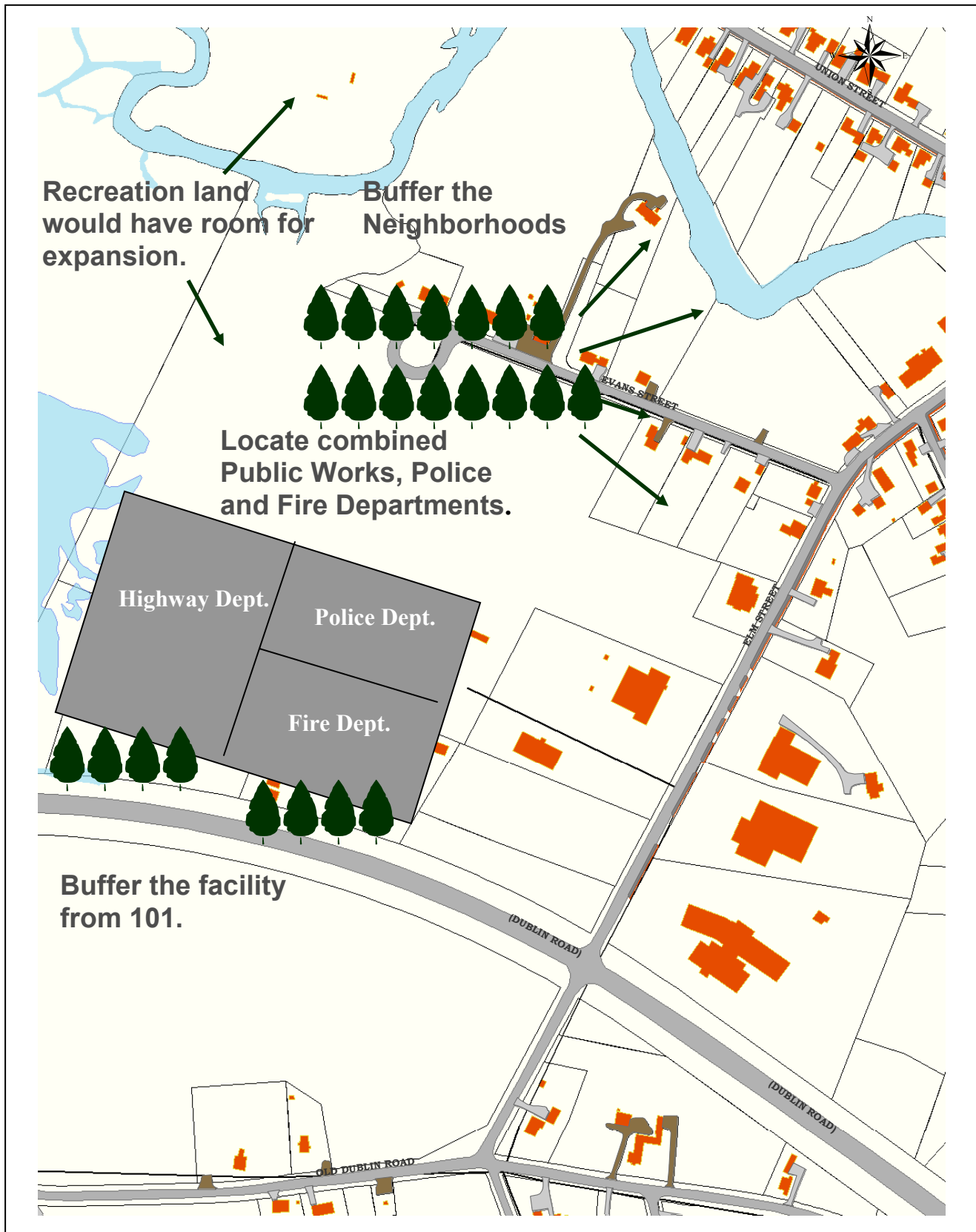


Figure #12:  
Concept 3 for Evans Flats

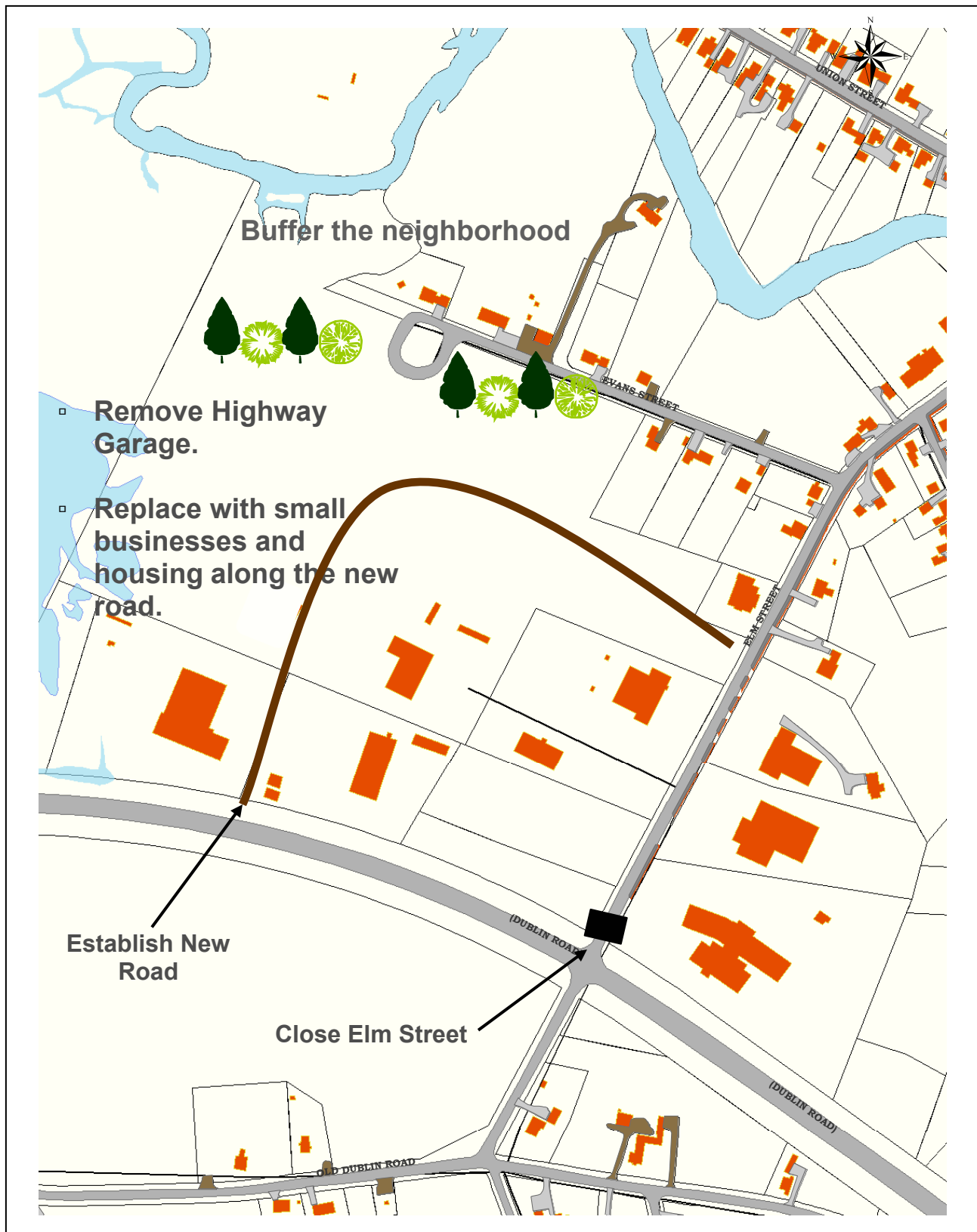


Figure #13:  
Concept 4 for Evans Flats

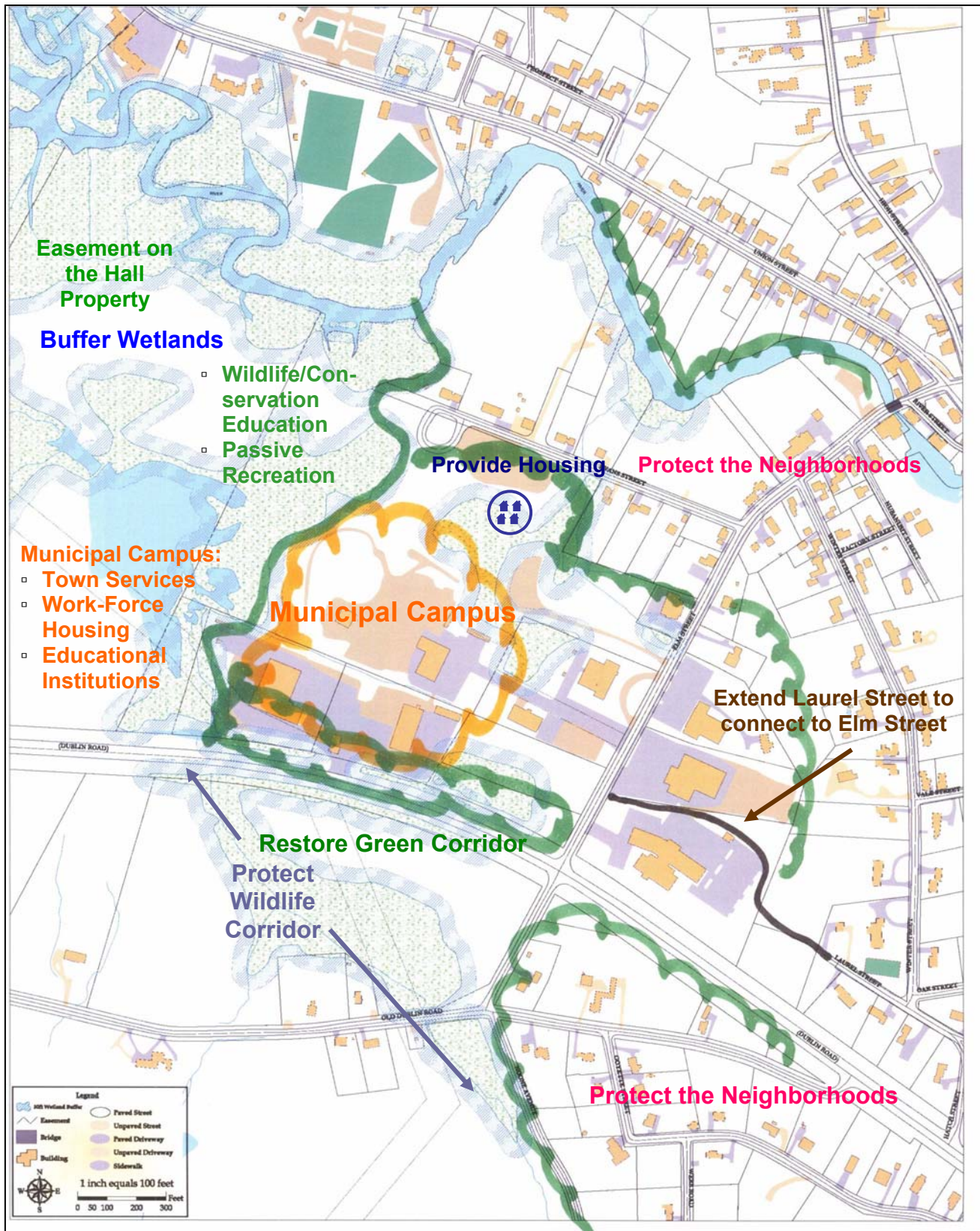




Figure #14:  
Submittal A by Susan Shute

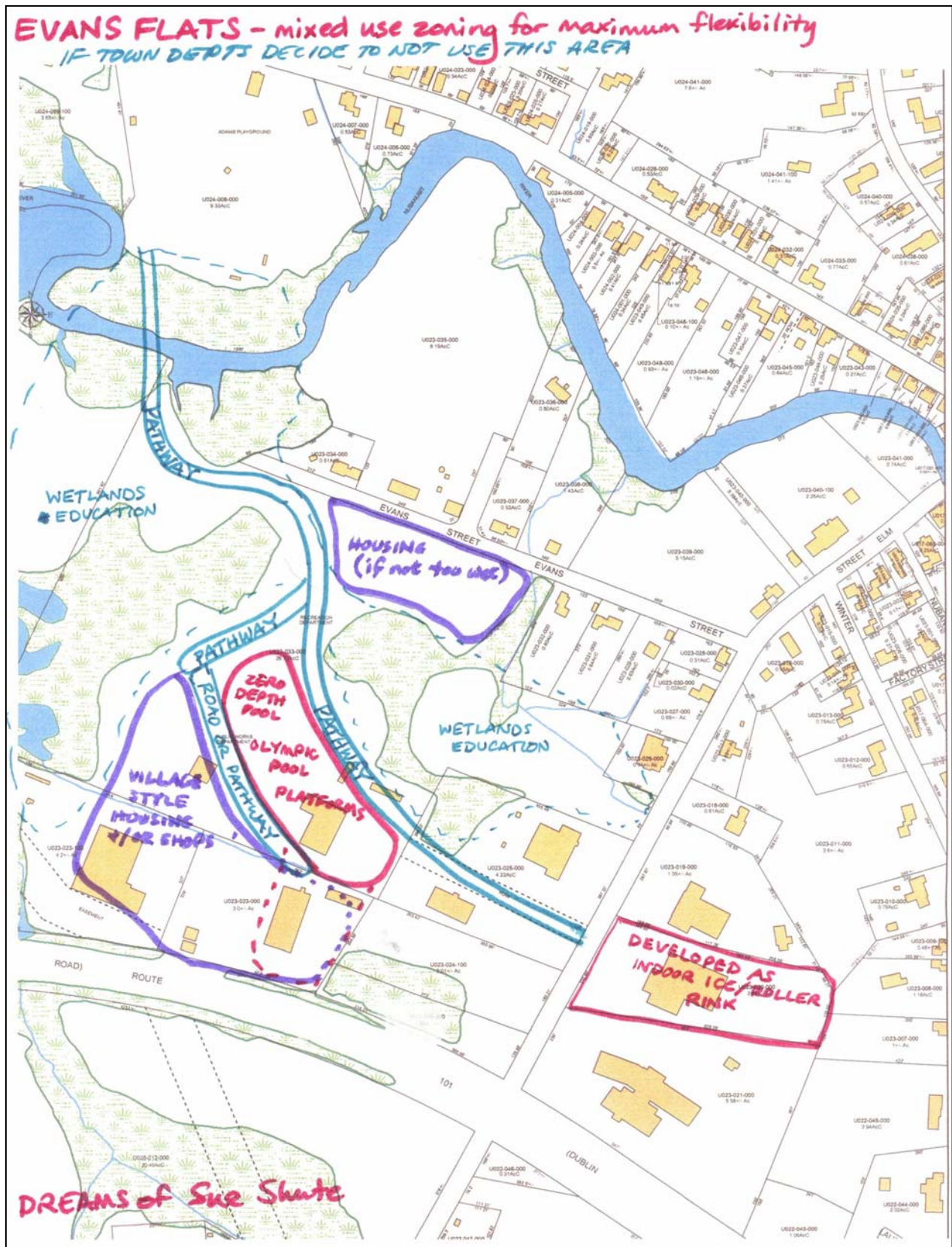
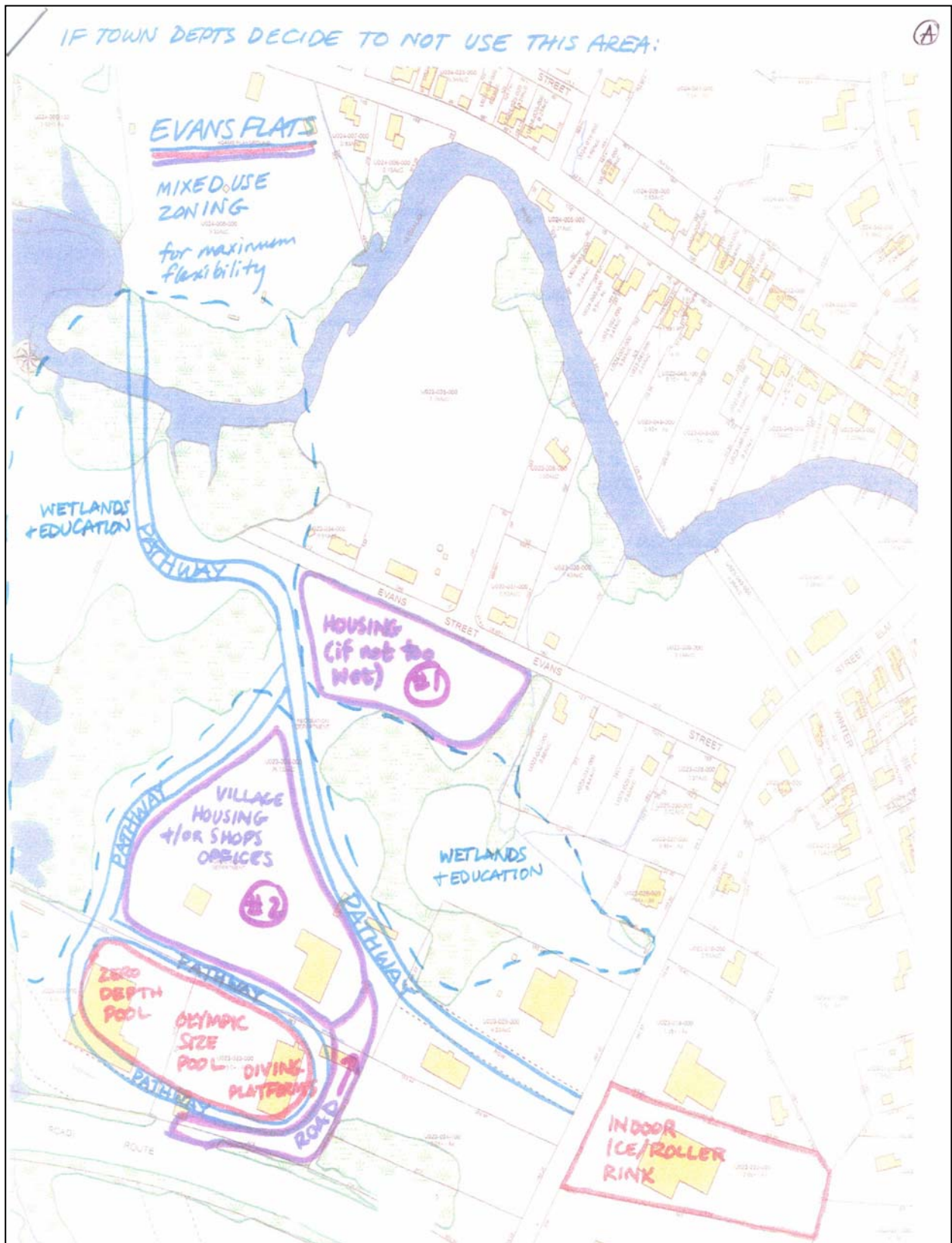


Figure #15:  
Submittal B by Susan Shute





## **H. SEPTEMBER 30, 2004 PUBLIC MEETING**

The Master Plan Steering Committee held the final public meeting on Evans Flats at the Town House on the evening of September 30, 2004. At this meeting all of the input received to date – written and visual, were presented to the audience. There was general agreement that the presentation accurately reflected the opinions that had been expressed regarding this area.

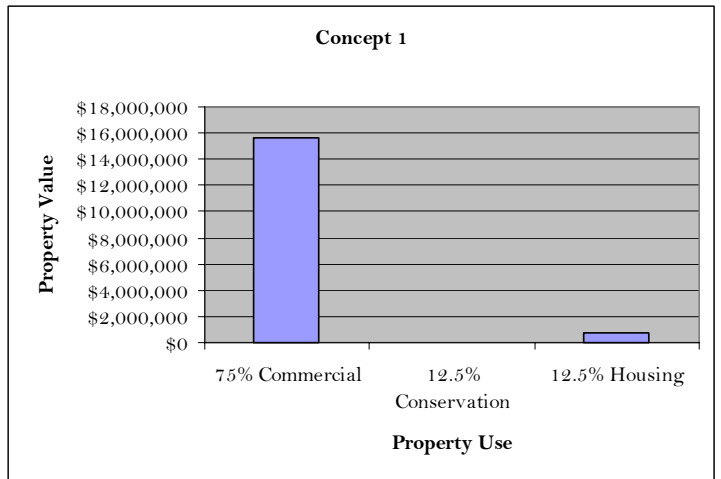
One issue of concern had been only touched upon in the previous meetings, and that was the question of the Town-owned land where the Highway Department is located. The Selectmen have recently asked the Department Heads to evaluate their space needs. This evaluation has lead to an internal discussion as to: (1) Should there be a joint municipal facility combining Public Works, Fire, and Police; and (2) If so, where should it be located? These questions are very much in play at this time; in fact, the Department Heads are requesting a small appropriation at Town Meeting to hire a consultant to help them and the Selectmen answer these questions.

## **VII. ECONOMIC CONSIDERATIONS**

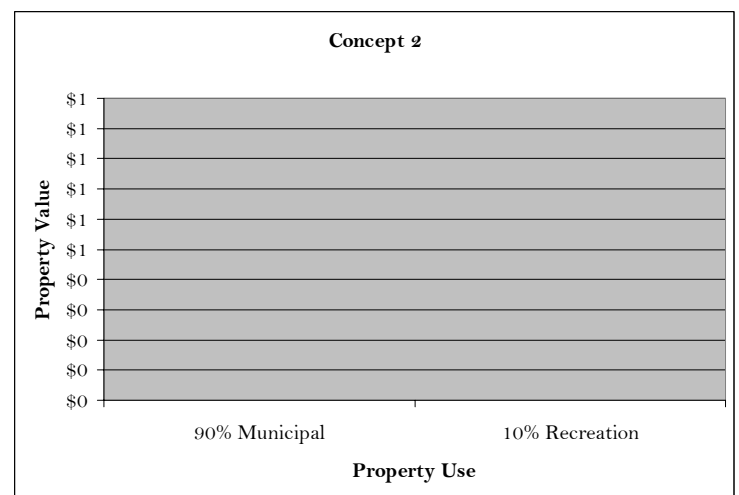
Any future plans for the Evans Flats area should consider the fiscal impacts on the Town for the various scenarios presented. At the September 30<sup>th</sup> meeting information was presented that began to explore the tax implications of the various scenarios. The methodology described below was used for this presentation, which is illustrated in the following tables and graphs.

- The total acreage involved in the scenario was determined, then an assessment was made as to how much of the land area was allocated to each kind of use – commercial, housing, conservation, were the larger categories that were incorporated into each of the submittals.
- Based on the total valuation for commercial and residential properties and the acreages utilized by each, an average value per acre was calculated for commercial and residential land use (\$627,505 per acre for commercial/industrial land and \$172,676 per acre for residential land).
- Average values per acre for each combination of uses in the scenario were then added, giving a total value of the suggested development scenario. Using a preliminary estimated tax rate of \$22.50, the tax revenue was then calculated for each of the scenarios. Note that Conservation has no value for the purposes of tax revenue, since the assumption is made that any land devoted to this purpose would be tax exempt.

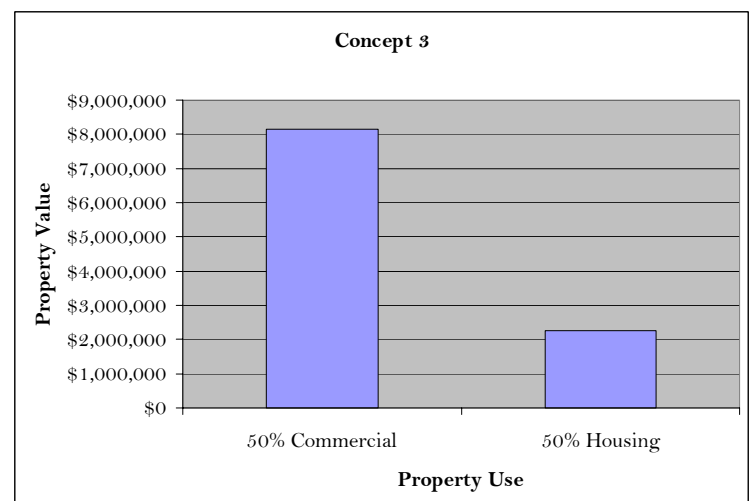
<b>Concept 1 (Uses 33 acres)</b>	<b>Acres</b>	<b>Value</b>
75% Commercial	25	\$15,687,620
12.5% Conservation	4	\$0
12.5% Housing	4	\$690,704
Total Value		\$16,378,324
Tax Revenue		<b>\$368,512.29</b>



<b>Concept 2 (Uses 33 acres)</b>	<b>Acres</b>	<b>Value</b>
90% Municipal	28	\$0
10% Recreation	5	\$0
Total Value		\$0
Tax Revenue		\$0.00

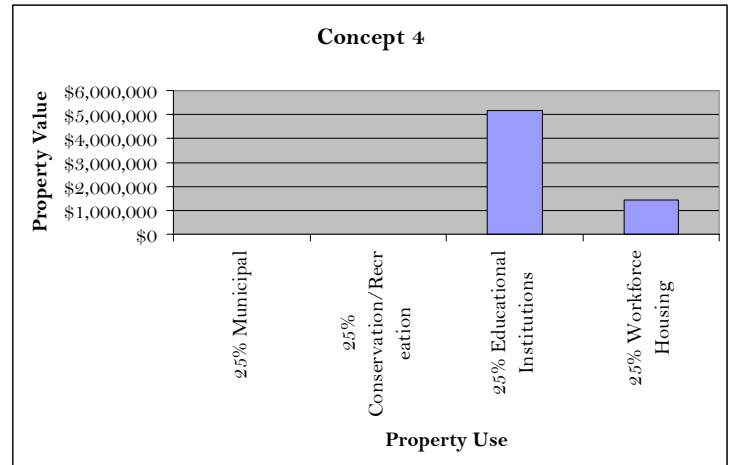


<b>Concept 3 (Uses 26 acres)</b>	<b>Acres</b>	<b>Value</b>
50% Commercial	13	\$8,157,563
50% Housing	13	\$2,244,787
Total Value		\$10,402,350
Tax Revenue		<b>\$234,052.87</b>

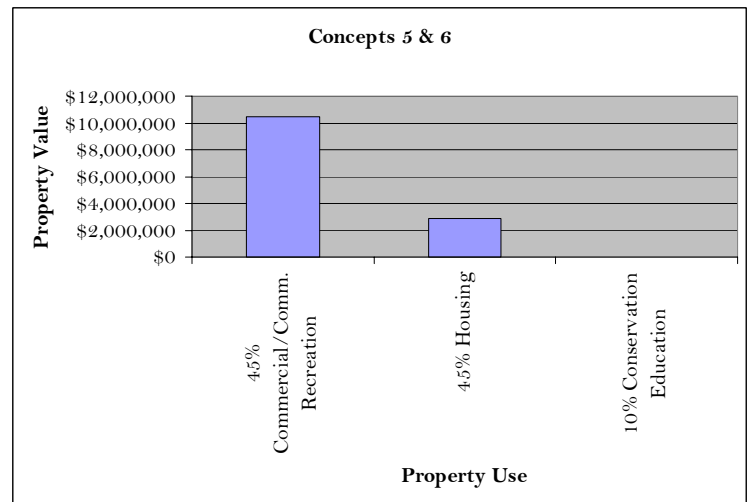




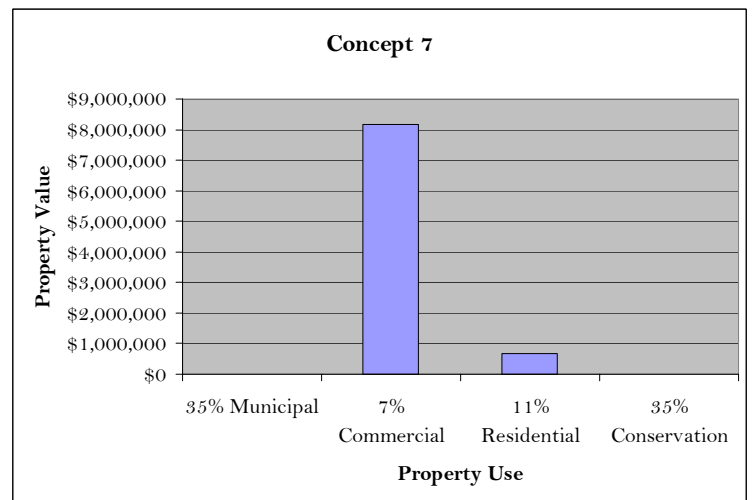
<b>Concept 4 (Uses 33 acres)</b>	<b>Acres</b>	<b>Value</b>
25% Municipal	8.25	\$0
25% Conservation/ Recreation	8.25	\$0
25% Educational Institutions	8.25	\$5,176,915
25% Workforce Housing	8.25	\$1,424,577
Total Value		\$6,601,491
Tax Revenue		<b>\$148,533.55</b>

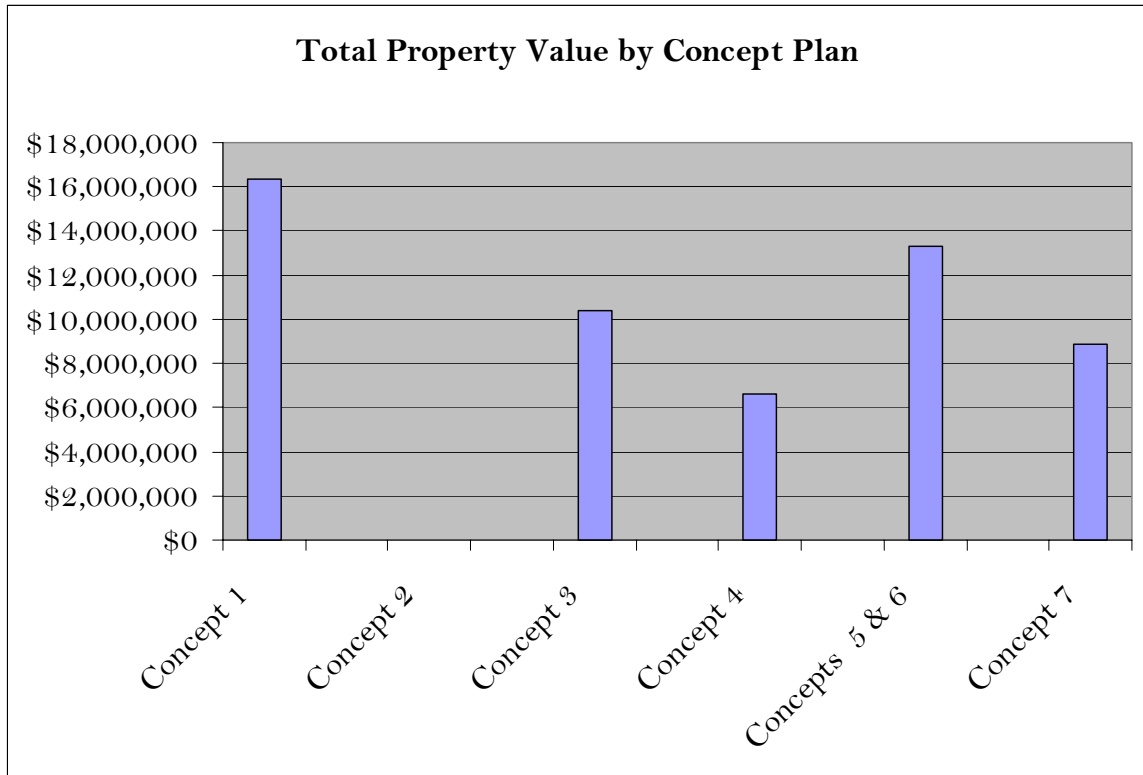


<b>Concepts 5 &amp; 6 (Uses 37 acres)</b>	<b>Acres</b>	<b>Value</b>
45% Commercial/Comm. Recreation	16.65	\$10,447,955
45% Housing	16.65	\$2,875,055
10% Conservation Education	3.3	\$0
Total Value		\$13,323,010
Tax Revenue		<b>\$299,767.71</b>



<b>Concept 7 (Uses 37 acres)</b>	<b>Acres</b>	<b>Value</b>
35% Municipal	13	\$0
7% Commercial	7	\$8,157,563
11% Residential	4	\$690,704
35% Conservation	13	\$0
Total Value		\$8,848,266
Tax Revenue		<b>\$199,085.99</b>





Using the assumptions described above, Concept #1 would generate the highest value for the land. The concepts that include conservation lands have the least (dollar) value because they would not be taxed. Obviously this limited analysis has not taken into consideration other values associated with any of the scenarios, nor has it attempted to calculate the costs of community services; those assessments are beyond the scope of this report.

Another variable that would be considered is the value of the town-owned land, if it were sold and the Highway Department were relocated. The Town is currently exploring the issue of space needs for the Highway, Police, Fire, and Recreation Departments. It is anticipated a consultant could be hired and a report submitted by early next year. This would help tremendously in making decisions about the future of Evans Flats.

In fact, if the Municipal Space Needs Assessment should recommend that a joint facility be established, and located elsewhere, the three properties currently housing the Highway, Police and Fire Departments would be sold and the money used to put toward the purchase of land and/or building for a new facility. In addition, two of those properties, which now bring in no tax revenue, would have a commercial value that would be taxable; the Police Station on Grove Street is located in the General Residence District, and therefore not automatically considered for commercial use.

Following is information on the assessed valuations of the three properties, and an estimate of what these properties could generate for taxable revenue assuming that they were used for taxable purposes. Note that the assessed values for the Highway Garage and the Fire Station are for land only; the assumption here is that if the properties were purchased, in these two cases the buildings would probably be demolished. The Police Station building, on the other hand, might still be convertible to another use.

**TABLE #1:  
VALUE OF SELECTED TOWN PROPERTY**

<b>Town Facility</b>	<b>Assessed Valuation</b>	<b>Acres</b>	<b>Average Value per Acre</b>	<b>Potential Value of Land</b>	<b>Potential Tax Revenue</b>
Highway Garage (Land Only)	\$306,100	26.72	\$627,505	\$16,766,928	\$377,256
Police Station (Land & Building)	\$104,400	3.15	\$172,676	\$543,929	\$12,238
Fire Station (Land Only)	\$96,000	10.54	\$627,505	\$6,613,901	\$148,813
<b>Total</b>	<b>\$506,500</b>	<b>40.41</b>		<b>\$23,924,758</b>	<b>\$538,307</b>

This table uses the same assumptions as those used in calculating potential tax revenue from the various citizen-created scenarios. (Note that the average value for commercial land is, as of this writing, still preliminary; furthermore, the calculations for exempt properties have not yet been completed. This information will be updated as soon as the final figures are released.)

Thus, using the assumed average value per acre of land, the tax revenue that could be generated from that acre can be estimated. The three parcels of town-owned land total about 40 acres; 37 of these acres are in a commercial district, and 3+ are in a residential district. Combined, these three parcels have a potential value of nearly \$24,000,000 (two parcels taxed for commercial value, and one for residential), which translates into over \$500,000 in tax revenue at an assumed tax rate of \$22.50.

## VIII. PUBLIC INPUT AND MPSC RECOMMENDATIONS

### A. ISSUES IDENTIFIED BY THE PROCESS

Following the final public meeting in September, the Master Plan Steering Committee met to review all of the information collected to date: input from the three public meetings, as well as the written and graphic submissions from the residents of the Evans Flats area, the general public, and Town committees. This information lends itself to be categorized into three areas: those of common agreement, those of no consensus or needing more information, and issues that would need to be addressed regardless of the type of development that might occur in the area. The Committee wishes to emphasize that the lists represent a summation of many different concepts brought forth, and not an endorsement by the MPSC of any or all of them.

#### ☐ AREAS OF COMMONALITY

Over the course of the months spent on this project, several themes evolved. At every meeting there was universal agreement on what would not be desirable for the area. And, while it was more difficult to agree on what would be desirable, several items did emerge as being appropriate types of development.

#### ☐ NO CONSENSUS

At the conclusion of the public process there remained divided and/or as-yet uninformed opinions on several issues. The question of the municipal facility, for example, was a variable that had not been anticipated at the start of this process. Thoughts about the Town acquiring property that fronts on Route 101, or the creation of a new road through the Town-owned parcel were new concepts that need further consideration. Also, opinions vary on whether or not previously undeveloped areas should be developed, and if so, how intense should the uses be.

##### Desirable:

- Workforce Housing
- Small scale commercial and/or light industrial
- Educational Institution
- Conservation Education
- Passive Recreation
- Commercial Recreation

##### Undesirable

- High Impact Uses (traffic, noise, light)
- Degradation of wetlands
- Degradation of Route 101/Elm Street intersection

##### ▫ Municipal Facility

- Remain as is?
- Expand?
- Sell land and relocate Highway Department?
- Acquisition of Route 101 Property by the Town
- Intensity of Commercial/ Industrial Uses
- Create frontage opportunity by laying out new road
- No further development versus maximizing commercial opportunities

## ❑ PARAMETERS FOR ANY DEVELOPMENT

Consistent with the universally-agreed upon undesirable features of development, there was also universal agreement on what issues should be taken into consideration in any type of development or redevelopment of Evans Flats. Protecting the

existing residential neighborhoods is considered very important, as well as the protection and preservation of natural and historic features. Finally, the importance of this area and Route 101 as a gateway to Peterborough must be considered in any development scenario.

- Buffer the neighborhoods
- Protect Wetlands
- Preserve Open Space
- Consider Historic Features of the Area
- Recognize importance of this area as Gateway to Peterborough

## B. RECOMMENDATIONS

The task of the Master Plan Steering Committee is to evaluate the various opinions and positions on land use at Evans Flats, and make recommendations that offer the highest benefit to the public welfare. At the beginning of the process, the Committee believed it would be able, by the conclusion of the process, to make recommendations to the Planning Board regarding potential amendments to the zoning ordinance, based on reasonable development scenarios.

As it turned out, the unanticipated variable of the question of a joint municipal facility, or the expansion of the Highway Department, on the largest parcel in the area, caused the Committee to reevaluate its conclusions. The Committee is of the opinion that the municipal facility question is of such substance and importance that to attempt to propose zoning amendments at this time is simply not practical or useful at this time.

That being said, the Committee nevertheless felt that some discussion about potential zoning amendments was in order. It is still possible to explore a few “if this, then . . .” possibilities; these are included in the Appendix. The recommendations that follow are derived from the Committee’s analysis of the various proposals and comments submitted throughout this process, and it’s evaluation of issues that are important, despite the unknown factor regarding a municipal facility.

1. ASK THE MPSC FOR A SECOND REPORT. The Committee feels that there is not enough information available at this time to make specific recommendations about possible zoning changes for Evans Flats. We would be happy to revisit the question once there is more input, such as Municipal Needs and/or Traffic studies.

2. PROTECT THE CURRENT RESIDENTIAL NATURE OF EVANS ROAD. The residential nature of the area should be protected at the present time. This is not to say that there will never be a change in the residential nature of this area. But at this time the Committee sees no reason to put the homes on Evans Road and Elm Street in competition with other types of land uses.
3. EXPLORE POSSIBILITIES FOR WETLAND MITIGATION. The wetlands at Evans Flats have been the focus of much discussion over many years. That being said, there has never been a formal scientific analysis of these wetlands. To this day we still do not know the actual functional values of these wetlands. If there are wetlands of a lower functional value that could be mitigated (i. e., replaced off-site), this would help to maximize the usable land area.
4. RECOGNIZE THE VALUE OF THIS AREA AS ONE OF PETERBOROUGH'S SCENIC GATEWAYS INTO THE TOWN. There is currently a Route 101 Rural Gateway Overlay District in effect through the zoning ordinance. This should be revisited to ensure that it provides the necessary protection and opportunities for enhancement of this feature, which includes, among other values, its function as a wildlife corridor.
5. RECOGNIZE THAT THE AREA HAS A HIGH VALUE AS COMMERCIAL LAND. The Committee feels that the importance of the potential commercial value of this area cannot be overstated. Appropriately zoned land in Town for commercial purposes is already limited; taking another 26 acres out of the Commercial District would limit opportunities to promote economic vitality in Town. For this reason, the Committee feels that:
  - a. Any use for residential purposes should be predominantly vertical in nature — that is, above commercial development — so as not to detract from the commercial footprint area.
  - b. A traffic study should be undertaken before any serious development of the area occurs.
  - c. If any of this area is used for noncommercial purposes, there should be offsetting commercial land created somewhere else in Town so as not to detract from the total commercial tax base.
6. SUPPORT THE TOWN DEPARTMENTS' REQUEST FOR A MUNICIPAL NEEDS STUDY. Once the question arose as to future needs of certain Town Departments, the Committee realized that whatever the conclusions are will have a important consequences for the future of Evans Flats.

## IX. CONCLUSIONS

1. All things — such as short-term and long-term cost, efficiency, safety, and so forth — being equal in a choice between locating a municipal site at Evans Flats and locating it elsewhere, we would recommend against using Evans Flats for such a purpose because doing so would take a prime piece of commercial real estate off the tax rolls.
2. More information is needed before final recommendations are developed.

# APPENDIX

## ZONING REGULATIONS FOR THE EVANS FLATS AREA

### **§ 245-6. Family District**

A. In the Family District, land may be used and buildings may be erected, altered, or used for:

- (1) Single-family and two-family dwellings and uses accessory thereto.
- (2) Recreational buildings and grounds for games and sports not carried on primarily for financial gain.
- (3) Gardens.

B. One (1) dwelling may be erected on each lot, as follows:

- (1) For new construction: forty thousand (40,000) square feet for one family; fifty thousand (50,000) square feet for two-families.
- (2) Setbacks: front, thirty (30) feet; side and rear, twenty-five (25) feet.
- (3) Frontage on nearest ROW: one hundred fifty (150) feet.
- (4) For cluster developments on parcels that include land within the Family district and another district in which cluster development is permitted, two (2) dwelling units or lots may be transferred to a permitted district for every 50,000 square feet of land within the Family District for any cluster development, or in cases when less than 50,000 square feet but at least 40,000 square feet are in the Family district, 1 unit or lot may be transferred to a permitted district.

### **§ 245-7. General Residence District**

A. In the General Residence District, land may be used and buildings may be erected, altered, or used for:

- (1) Any use permitted in the Family District.
- (2) Multifamily residences.
- (3) Accessory uses thereto.

B. The following uses may be permitted by special exception of the Board of Adjustment, provided that the building conforms in general value to other structures in the neighborhood and the uses do not radically reduce the value of existing property in the neighborhood:

- (1) Hospitals.
- (2) Convalescent homes.
- (3) Educational and cultural facilities.
- (4) Funeral parlors.
- (5) Boardinghouses.
- (6) Beauty parlors.
- (7) Churches.
- (8) Day Care Facilities.
- (9) Kindergartens.
- (10) Other uses consistent with the above.

C. Minimum requirements shall be as follows:

- (1) Lot size for single-family detached or duplex homes: twenty thousand (20,000) square feet.
- (2) Lot size for multifamily buildings or developments: ten thousand (10,000) square feet per unit.
- (3) Setbacks: front, thirty (30) feet; side and rear, twenty-five (25) feet.
- (4) Frontage on nearest ROW: one hundred (100) feet.
- (5) Development with a net density in excess of two (2) dwelling units per net acre, after deducting driveways and access roads, shall be served by town sewer.
- (6) Any alterations to existing property shall provide for off-street parking as required by §245-32.
- (7) Minimum area of any dwelling unit: six hundred (600) square feet, except efficiency or one-bedroom units, four hundred (400) square feet.



- (8) Dwellings and accessory buildings may cover no more than twenty-five percent (25%) of a lot.
- (9) These requirements shall not apply to any project previously approved by the Planning Board.

#### **§ 245-8. Rural District**

A. In the Rural District, land may be used and buildings may be erected, altered, or used for:

- (1) Any use allowed in the Family District.
- (2) General purpose farm and/or forestry, agriculture, garden or nursery and the selling of products therefrom with the exception of land on Hunt Road further described as parcel number U011-011-000 in the Rural Zone, wherein chickens and pigs shall not be permitted.
- (3) Public utility uses.
- (4) Educational and cultural facilities.

B. The following uses may be permitted by special exception of the Board of Adjustment, after a review of plans showing locations, layout and utilities and if, in its judgment, the Board finds that the use will not create traffic congestion or fire hazards nor be offensive to surrounding property owners because of lights, noise, and odors nor tend to reduce the value of surrounding property, has adequate sewage and water facilities and sufficient off-street parking and will preserve the attractiveness of the town:

- (1) Recreational, but excluding drive-in movie theaters.
- (2) The removal of fill, gravel, stone, sand, or loam for commercial purposes, after site plan review and approval by the Planning Board. In considering this special exception, the Board of Adjustment shall take into consideration the following items and may impose such conditions as necessary to safeguard the health, safety, and welfare of the community:
  - (a) Fencing, landscaped buffer strips, and public safety.
  - (b) Advertising, signs, and lighting.
  - (c) Parking space and loading and unloading areas.

- (d) Entrances and exits.
- (e) Time period for it and hours of operation.
- (f) Methods of operation.
- (g) Weights and loading limits of trucks.
- (h) Ecological and other natural considerations, including excessive erosion and sedimentation.
- (i) Coverage of loads and prevention of sand and gravel spillage upon public streets.
- (j) Rehabilitation proposals.

- (3) Manufactured Housing Parks, as defined in §224-1, provided they meet the requirements of the Subdivision Regulations (Ch. 237) and the Manufactured Housing Parks ordinance (Ch. 224), and provided they are connected to town water and town sewer.
- (4) Churches, provided that plans showing accessory uses and land and parking areas receive site plan approval from the Planning Board.
- (5) Day care facilities and kindergartens.

C. The removal of two thousand (2,000) cubic yards of fill, gravel, stone, sand, or loam for commercial purposes shall comply with the Excavation Regulations provided for in Chapter §238 of the Land Use Regulations, and must obtain a Special Permit as well as Site Plan Review approval by the Planning Board.

D. Minimum requirements shall be as follows:

- (1) Lot size: three (3) acres.
- (2) Setbacks: Front, fifty (50) feet; side and rear, thirty (30) feet.
- (3) Frontage on nearest ROW: two hundred (200) feet.

### § 245-9. Commercial District

A. In the Commercial District, land may be used and buildings may be erected, altered, or used for:

- (1) Any use permitted in a General Residence District and subject to the provisions for the district.
- (2) Stores and shops for the conduct of any retail business or personal service, offices, restaurants, banks, indoor theaters, public recreation uses, community services, and accessory uses, but excluding drive-in movie theaters.
- (3) Light industry or research and development, so long as the use occupies no more than 5,000 square feet of the gross floor area and is entirely enclosed within buildings.
- (4) Any alterations to convert existing residential property to commercial property shall provide for off-street parking as required by §245-32.

B. The following uses may be permitted by special exception of the Board of Adjustment, after a review of plans showing locations, layout, and utilities and if, in its judgment, the Board finds that the use will not create traffic congestion or fire hazards nor be offensive to surrounding property owners because of lights, noise, and odors nor tend to reduce the value of surrounding property, has adequate sewage and water facilities, sufficient off-street parking and will preserve the attractiveness of the town:

- (1) Filling stations, parking lots, the storage of autos, lumberyards, new and used car sales, trailers, mobile home and boat sales, junkyards, fuel yards, car washes, manufacturing and

industrial uses, fast-food service, motor vehicle repair garages and motor vehicle restoration businesses, convenience stores (food, beverages, etc.) associated with the sale of gasoline, and drive-in banks.

(2) All such uses shall meet the following requirements:

- (a) Lot size: one (1) acre.
- (b) Frontage: one hundred (100) feet on any ROW.
- (c) Entrances: twenty-five (25) feet in width and separated from other entrances by at least fifty (50) feet.
- (d) Buildings: setbacks of thirty (30) feet from any ROW and fifteen (15) feet from any lot line.

(3) All filling stations (gasoline service stations) shall meet the following requirements:

- (a) Pump islands: setbacks of thirty (30) feet from any ROW and fifty (50) feet from any lot line.

(4) Drive-through windows at fast food facilities for the purpose of service to customers in automobiles are expressly prohibited.

C. Setbacks. No building shall be erected closer to any ROW than the setback established by custom or otherwise on the ROW. In the absence of an established setback, no building shall be erected closer than thirty (30) feet to any ROW. No building shall be placed nearer than fifteen (15) feet to any lot line.

# POTENTIAL ZONING AMENDMENTS FOR THE EVANS FLATS AREA

## **1. Municipal Facility**

- a. If the Highway Garage were to stay at Evans Flats:

The zoning could be changed to allow the types of uses that are more compatible with municipal facilities. It is unlikely that small retail would co-exist on a site with heavy municipal use, and it is more unlikely that there would be any availability of land left on the Highway Department site. There would still be opportunity on Route 101 and on Elm Street for other commercial uses.

- b. If a joint municipal facility were to be located at Evans Flats:

This facility would more than likely use the entire Highway Department site, and may even need more than the 26+ acres, given the limitations of the parcel due to the presence of wetlands.

Since this alternative would use up much of the available land at Evans Flats, and would limit the potential for other small-scale commercial uses, the zoning could be changed to permit municipal facilities, so that the Town would not be in violation of its own ordinances.

## **2. Mixed Use**

To accommodate any of the scenarios that were presented, the current zoning would need to be amended. A mixed-use alternative could use the Village Commercial District ordinance as a model, although the permitted uses would not be exactly the same, nor would the lot and yard standards. In addition, any change that would allow residential use should address the need for residential development to be vertical in nature so as to maximize the limited commercial land area.