

**TOWN OF SUNAPEE  
PLANNING BOARD MEETING  
WILL BE HELD THURSDAY,  
NOVEMBER 20, 2025, AT 6:30 PM,  
AT THE SUNAPEE TOWN MEETING ROOM ON THE FOLLOWING:**

1. Call to Order/Roll Call
2. Review of Draft Zoning Amendments
  - a. Including, but not limited to, Solar Ordinance, State Required Amendments, Forward Sunapee Committee discussions, ZBA Member recommendations, & Food Truck definitions.
3. Review of Meeting Minutes
4. Other Business:

# 2026 Zoning Amendments

## Proposed Zoning Amendment #1 - Amend Sections 2.10/2.20/2.30/3.10/4.10/5.30:

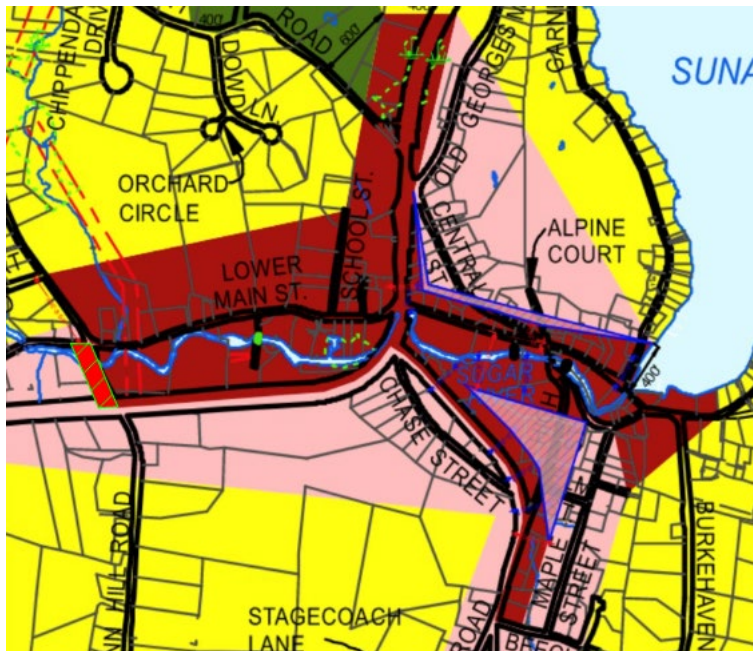
**Purpose:** Create new Riverfront Zoning District from existing Village-Commercial (VC) District in Sunapee Village. Adjust district lines between existing VC and Village Residential (VR) Districts. Revise dimensional controls and uses.

### Suggested Revised Text:

2.10 Zoning Map and Description of Districts

WVC – Waterfront Village Commercial District

### 2.20 Zoning Map



#### Map Key:

**Dark Red:**

Proposed Waterfront District

**Pink w/ Blue Diagonal Lines:**

Current Village Commercial to be re-assigned as Village Residential

**Red w/ Green Diagonal Lines:**

Current Village Residential to be re-assigned as Waterfront District

**Solid Pink:** Existing Village Residential District

**Yellow:** Residential District

### 2.30 District Purpose and Description

**Village-Commercial District** - (The Remainder of the opening paragraph remains the same)

**Waterfront Commercial District** - In Sunapee Village, the *Waterfront* Village Commercial District begins at the intersection of Route 11 and Route 103B and goes southwesterly 125' past the intersection of Route 11 and Winn Hill Road, *thence northwesterly along Old Winn Hill Road and North Road to a point on Lower Main 125' southwesterly of the intersection of North Road and Lower Main thence back easterly to the intersection of North Road and Lower Main thence Northwesterly to the intersection of West Court Road*, thence east-northeasterly to the end of School Street, thence northerly to a point 600' north of the center of Sargent Road and 400' west of the center of Route 11, thence due east to a point 100' easterly of the center of Route 11, thence southerly to the intersection of Old Georges Mills Road, Central Street, and Route 11, thence south-southeasterly to a point 200' east of the center of Route 11, *and 125 ft 200 ft* north of the center of Main Street and *125' east of Route 11*, thence easterly to a point 125 ft from the intersection of Main St and Alpine Court parallel to Alpine Court thence easterly to a point which is 400 ft north of the dam on Lake Sunapee, thence southerly along Lake Sunapee to said dam, thence easterly along Lake Sunapee 600', thence southerly to the intersection of Quarry Road and Lake Avenue, thence southwesterly to the end of Maple Court, thence northwesterly to the intersection of River Road and Maple Street, ~~thence westerly to a point on River Road which is 200' westerly of the intersection of River Road and Maple Street, thence southerly running parallel to Maple Street to a point on Beech Street~~, thence westerly to the intersection of a point 450 ft south of Main St and 200 ft northeast of Route 103B, thence running parallel to Route 103B 200' southeasterly and easterly to the intersection of Beech St, thence westerly along Beech Street to the intersection of Route 103B, thence northwesterly to the point of beginning.

**Georges Mills Village Commercial District** – In Georges Mills Village, the Georges Mills Village-Commercial District is centered at a point at the intersection of Route 11 and Springfield Road and includes all the lands within a 600' radius of said point.

**This paragraph replaces the existing Village-Residential District boundary definition.**

**Village-Residential District** – The Village-Residential Districts in the Town of Sunapee are areas characterized by mostly single-family and two-family residential with some low-impact commercial uses. In general, the two Village-Residential Districts are adjacent to the two Village-Commercial Districts in Sunapee Village and Georges Mills and are further described as follows:

In Sunapee Village, the Village-Residential District begins at a point at the end of Maple Court, thence southerly to a point 500' due east of the intersection of Route 103B and

Schoolhouse Lane, thence along Schoolhouse Lane to the intersection with Stagecoach Road, thence northerly to a point 200' south of the center of Chase Street and 200' west of the center of Route 103B, thence westerly to the intersection of Lower Main Street and Route 11, thence northwesterly along the discontinued road 500', thence east- northeasterly parallel to West Court Road to the center of North Road, then southeasterly to the intersection of North Road and Lower Main Street, *thence westerly 125' along Lower Main*, thence southeasterly *to a point 125' southwesterly* from the intersection of Winn Hill Road and Route 11, thence easterly along Route 11 to the intersection with Route 103B, thence easterly and southerly along Route 103B to the intersection with Beech Street, thence easterly along Beech Street approximately 200', thence ~~northerly and parallel to Maple Street to the center of River Road~~ *thence northwesterly a distance of 200' off set from Route 103B to a point of intersection offset 450 ft to south of Main St*, thence easterly ~~along River Road~~ *to the intersection of River Road and with* Maple Street, thence southeasterly to the point of beginning. The Village-Residential District also includes an area beginning at a point along the shore of Lake Sunapee 400' north of the dam, *thence westerly to a point 125 ft from the intersection of Main St and Alpine Court parallel to Alpine Court*, thence west-north westerly to a point *125' 200<sup>2</sup>* north of the center of Main Street and *125' 200<sup>2</sup>* east of the center of Route 11, thence northerly to the intersection of Old Georges Mills Road, Central Street and Route 11, thence northerly 1000' to a point which is 100' easterly of the center of Route 11, thence southeasterly to the point of beginning.

---

### 3.10 Table of Dimensional Controls – (Proposed changes to new Waterfront Village Commercial District)

Requirement	V.C Existing	Proposed Waterfront	Reason for Change
Minimum Lot Size	½ acre	1/3 acre	Allow for more affordable development
Minimum Lot Size (Shoreland)	1.0	1/3 <sup>rd</sup> acre	
Maximum Residential Density (Dwelling Unit per sq ft)	10,000	4,840 (see 4.10 permitted uses)	Permits three units per 1/3 acre; addresses shortage of affordable housing
Minimum Road Frontage (feet)	75	75	
Minimum Front Setback (Routes 11, 103, 103B, feet)	75	75	
Minimum Front Setback – All Others (feet)	40'	30'	Supports economic development in village settings with retail stores opening directly onto sidewalks; measured from road center (road 10 ft, sidewalk 7–10 ft)
Side and rear Setback (Lots Meeting/Exceeding Minimum Lot Size or Not Pre-Existing, feet)	10	10	Allow for economic development in village setting where stores are clustered conveniently together. Safety requires at least 10 feet side setback. Note; Driveways and alleys not governed by side setbacks allowing for rear parking and access to rear retail space. Exception for parking spaces not limited by rear setback.
Side and rear Setbacks for Pre-Existing Lots Below Minimum size	10	10	Allows renovation of pre-existing structures using allowed setbacks for new development
Maximum Lot Coverage (%)	80	80	Comparable to other villages in NH (75–80%)
Maximum Structure Height (feet)	40	36-38'	Measured 15 feet from lowest grade around structure

#### 4.10 Permitted Uses

<b>Waterfront Village Commercial District – Permitted by Right</b>		
	Funeral Homes	Post Office
Accessory Uses	Home Business	Professional Offices and Clinics
Assembly Halls	Home occupations	Restaurants up to 3,200 sf with up to 800 sf of deck (excluding drive in and drive thru restaurants)
Banks	Multi-Family (3-6 Units per building)	Tasting Room per state definition
Bed & Breakfast	Municipal Buildings and Facilities	Retail (up to 10,000 SF building. Up to 3,000 per retail shop space),
Inns	Museums and Galleries	Schools Public and Private
Churches	Nursing and Convalescent Homes	Short-Term Rentals Owner-in-Residence (STR-OIR)
Day Care	Playhouse/Performing Arts Theater	Single-Family Dwellings (up to 4 per lot)
		Two-Family Dwellings

<b>Permitted Uses by Special Exception</b>		
Auto, Boat & Engine Repair Shops	Marinas	Parking lot as primary use of up to 15 spaces)
Food Vendor Cart	Veterinarians	
Motels and Hotels	Yards, (Lumber, etc.)	

#### 4.60(B) General Requirements

**(4) Permissible Zoning Districts** – A Planned Unit Development is permitted in the *Waterfront Village Commercial*, *Georges Mills Village Commercial*, Mixed-Use, and Rural –Residential zoning districts.

**(8)(a) Open Space Requirements** – The total area of the open space shall equal at least one-quarter (in *Waterfront Village Commercial*, *Georges Mills Village Commercial* and Mixed-Use districts) and one-half in the Rural-Residential District) o the total land area of the Planned Unit Development. Open space shall be considered areas exclusive of any road or utility right-of-way, parking areas and any amenity to the development (i.e. swimming pools, tennis courts, garages, barns, storage, etc...).

#### 5.3 General Requirements

**5.31 Size.** Signs in the Residential, Rural-Residential, Rural Lands, and Mixed-Use Districts shall not exceed 48 Square feet per side and total signage on any given lot may not exceed 96 square feet. Signs in the ~~Village-Commercial~~, *Georges Mills Village-Commercial* and *Village-Residential* Districts shall not exceed 24 square feet per side and total signage on any given lot may not exceed 48 square feet. *Signs in the Waterfront Village Commercial District may not exceed 24 square feet per side of the building facing the street and 30 square feet per side of the building not facing the street. If a building has multiple stores with entrances on the side of the building not facing the street, each store site signage is limited to 10 square feet.* Any structure or device used as a sign base or carrier will be considered in the square footage calculation (*excluding those only displaying restaurant menus or ice cream flavors*). *Signs in the Waterfront District may be made of wood, engineered or composite materials so long as they mimic in appearance those of a traditional New England Center*

#### Proposed Zoning Amendment #2 – Amend Section 3.40(e) – Additional Requirements

Purpose: Reduce parking requirements to meet new state mandate of 1 space per unit. This is required by **SB 284 state mandate**.

Suggested Revised Text:

**Section 3.40(e)** Parking for one- and two-family residential dwellings shall be as follows:

*One space per residential dwelling unit (in addition to any garage or carport spaces)*

~~One family dwelling (up to four bedrooms) = 2 spaces plus ½ space /bedroom for each additional bedroom over four~~

~~Two family dwelling (up to eight bedrooms) = 4 spaces plus ½ space/bedroom for each additional bedroom over eight~~

~~Total required spaces must be rounded up to nearest whole space~~

~~Garage spaces may be counted as parking spaces for residential uses~~

Three or more dwelling units and commercial uses must meet the parking guidelines in the Site Plan Review Regulations

**Proposed Zoning Amendment #3 – Amend Section 3.50(I) - Special Exceptions**

Purpose: Consider all setbacks as an allowable reduction parameter

Suggested Revised Text:

**Section 3.50(I)**

- (1) The proposed structure’s non-conformity to one or more ~~property boundaries~~ *required setbacks*, or the water body is reduced; and
- (2) The proposed structure’s non-conformity shall not be increased as determined by its location closer to one or more ~~property boundaries~~ *required setbacks* or the water body reference line, from which the dimensional setback the structure is non-conforming to is established; and

(The remainder of this special exception shall remain unchanged)

**Proposed Amendment #4 – Amend Section 4.33(B)(8)(b)(viii) – Shoreline Overlay District – Specific Provisions & Article XI - Definitions**

Review the requirements for a pervious path. Determine if DES allowances for certain surfaces is consistent with Sunapee’s goals. Create definition as needed.

(VIII) The existing grade within the 50’ shoreline setback must remain unaltered unless, as part of a construction project, retaining walls must be installed to stabilize a steep slope area. Any level areas created by these walls must be re-vegetated with native species. Patios and grassed areas may only be created in the 10’; exempted area around the structure as noted in subsection VII. Dock construction and beach replenishment projects that are approved by the State of New Hampshire DES are exempt from this requirement. A 4’ wide pervious path is exempt from this requirement *provided that the path does not exceed 100’ in length for the first 50’ of shorefront and an additional 25’ in length for each additional 100’ of shorefront*. Land disturbance for planting of trees, shrubs or other native plant species is allowed provided that it is done by non-mechanical means. Removing a structure, any size retaining wall or patio, may be done by mechanical means if the disturbance is limited to 10’ around the perimeter of the structure, retaining wall or patio.

## **Proposed Amendment #5 – Add Section 4.75 – Solar Energy Systems**

Create a new section outlining the definition of various size solar farms/arrays.  
Add requirements for siting, buffering, and allowable locations.

### **Article IV – Use Regulations**

#### **Section 4.75 – Solar Energy Systems**

##### **A. Purpose**

The purpose of this section is to promote the safe, effective, and efficient use of solar energy systems, while protecting the public health, safety, and welfare and preserving the character of the Town of Sunapee.

##### **B. Applicability**

This section applies to all solar energy systems installed, constructed, or modified after the effective date of this ordinance. Routine maintenance and repair of existing systems shall be exempt. All municipal solar energy systems are exempt pursuant to RSA 674:54.

##### **C. Definitions**

1. Residential Solar Energy System: A solar energy system designed primarily to serve the on-site energy needs of a residence or accessory structure.
  - a. Roof-Mounted System: A solar photovoltaic system mounted on the roof of an existing or proposed structure.
  - b. Ground-Mounted System: A solar photovoltaic system mounted on a rack or pole, fixed tilt, or single/dual axis tracker, installed on the ground with a facility area of less than 0.5 acre.
2. Commercial Solar Energy System: A solar energy system with a facility area equal to or greater than 0.5 acre, designed to generate electricity for sale or off-site use.
3. Facility Area: The cumulative area occupied by the solar panels, inverters, mounting equipment, access drives, and associated infrastructure.
4. Decommissioning: The removal of all solar energy system components after the system has ceased operation for a period of 12 months.

##### **D. Residential Solar Energy Systems**

1. **Permitted Use:** Residential solar energy systems shall be permitted as accessory uses in all zoning districts.
2. **Roof-Mounted Systems:**
  - a. May be installed on existing or proposed structures.
  - b. Shall not increase the height of a pre-existing, nonconforming structure beyond its existing maximum height.
  - c. Shall comply with applicable building and electrical codes.

3. **Ground-Mounted Systems:**

- a. Shall meet the dimensional controls for structures within the zoning district, including setbacks and lot coverage.
- b. Shall be considered accessory to the principal residential use of the lot.
- c. Shall be limited to systems occupying less than 0.5 acre of facility area.

**E. Commercial Solar Energy Systems**

- 1. Permitted Use: Commercial solar energy systems shall be permitted as an accessory use to an existing, previously approved commercial property, subject to Site Plan Review and approval by the Planning Board. **Commercial Solar Energy Systems shall be accessory to, and primarily serve, the energy needs of the existing principal commercial use on the lot. Export of energy to the grid shall be incidental.**
- 2. Standards:
  - a. Systems shall comply with all applicable sections of this Ordinance, including setbacks, lot coverage, shoreline, wetlands, aquifer protection, and steep slopes.
  - b. Commercial solar energy systems shall not be permitted as a principal use on undeveloped land or on properties without an approved commercial use.
  - c. Systems shall include appropriate screening or buffering from abutting residential properties and public ways, as determined by the Planning Board during Site Plan Review.
  - d. Decommissioning requirements, including financial surety, shall be addressed in accordance with the Town's Site Plan Review Regulations.
- 3. Facility Area: Systems with a facility area of 0.5 acre or greater shall be considered commercial.

**F. Compliance**

All solar energy systems shall comply with state and local building, electrical, fire safety, and environmental codes and regulations.

**Proposed Amendment #6 – Amend Section 4.90 – Accessory Dwelling Units**

Eliminate the special exception requirement for adding an ADU and allow for a potential second ADU by special exception.

**4.90 – Accessory Dwelling Units**

**A. Authority.** This article is adopted pursuant to RSA 674:71 – 674:73 and is intended as an Accessory Dwelling Unit (ADU) provision

**B. Purpose.** The purpose of the ADU is to provide societal benefits for aging homeowners and caregivers along with increase access to affordable housing or long-term renters.

### C. General Requirements

- 1) ~~An~~ *The first ADU on a lot will be permitted in all districts by special exception right. The second ADU on a lot will be permitted in all districts by special exception. The requirements for the first ADU and the special exception the second will be based on items 2-911 in this section and not on the requirements found in Section 4.15.*
- 2) ~~Only one (1) ADU is allowed per single family dwelling unit~~ *No more than the two ADUs described above will be allowed on any lot.*
- 3) Owner occupancy is required in the main unit or *either of the ADUs.*
- 4) ~~The~~ *An ADU cannot have more than 1,000 square feet of living space.*
- 5) Setback dimensions for ~~the~~ *an ADU must meet the same guidelines as the single-family unit.*
- 6) ~~The~~ *An ADU must comply with existing lot coverage standards as specified elsewhere in this Ordinance.*
- 7) There shall not be more than 2 bedrooms in ~~the~~ *an ADU.*
- 8) Septic designs and sewer hook ups shall accommodate the number of bedrooms as required by Article VII of this ordinance.
- 9) Proper off-street parking must be provided per section 3.40(e) of this Ordinance.
- 10) If an ADU is used as a short-term rental, the owner must be in residence during the time of the rental. *Only one ADU per lot may be used as a short-term rental.*
- 11) *Only one ADU may be detached from the main dwelling.*

### Proposed Amendment #7 - Amend Section 10.20 – Appeals to Zoning Board of Adjustment

Change “reasonable time” to 30 days for an appeal to be filed for any action of an administrative officer. **Required by HB296 state mandate.**

Suggested Revised Text:

#### **Section 10.20**

Any person aggrieved or any Officer, Department, Board, or Bureau of the Town affected by any decision of the administrative officer or Board may appeal to the *Zoning Board of Adjustment*. Such appeal must occur within ~~a reasonable time as provided by the Rules of the Board, or as provided elsewhere in this Ordinance~~ *30 days* by filing with the Administrative Officer from whom the appeal is taken and with the Zoning Board of Adjustment a notice of appeal specifying the grounds thereof.

(The remainder of this section will be unchanged)

### **Proposed Amendment #8 – Amend Section 4.10 – Uses & Article XI - Definitions**

Add Food Trucks to following districts:      Mixed-Use 1, Georges Mills Village  
Commercial

Definition:

**Food Trucks** – A motorized vehicle or trailer equipped to cook, prepare, serve, and/or sell food. Food trucks commercially operating in permitted districts for extended periods require Site Plan Review with the Planning Board. A food truck may be used at any location in town without Site Plan Review if it is for a private special event or has an operating permit from the Selectboard.

### **Proposed Amendment #9 - Article XI – Definitions – Maximum Structure Height**

How do we deal with railings/fences around rooftop decks.

Suggested Revised Text:

**Maximum Structure Height** – The vertical distance measured from the lowest finished grade 15’ away from the structure to the highest level of the roof, *parapet or top of railing around a roof top deck* (excluding cupolas, weathervanes, chimneys, antennae, etc.)

#### Schedule

~~September 11, 2025 – Initial Discussion~~

~~September 18, 2025 – Additional Discussions as allowed by time~~

~~October 9/16, 2025 – Review text of amendments~~

~~November 13, 2025 – Continue review of text of amendments~~

**November 20, 2025 – Final review of text of Amendments/Prepare for Public Notice**

December 18, 2025 – First Public Hearing on Amendments

January 8, 2026 - Second Public Hearing on Amendments (if necessary)

March 10, 2026 – Town Meeting vote