

Sharon Monahan

3.9.20 Planning Board Presentation Citizen Petition Zoning Amendment to Repeal TNOZ1.

1. I request that Ivy Vann and Sarah Heller Steinberg recuse themselves from the PB due to conflict of interest and bias. I would also like to invite any other members of the Board to voluntarily recuse themselves and participate as a citizen if impartiality regarding this zoning amendment is a problem.

2. I am Sharon Monahan of 3 Central Street. Andrew Dunbar and myself initiated this citizen petition and obtained 81 signatures. We could have easily obtained more, but we were competing with primary election canvassers at the time.

3. As you can see, this is a single subject citizen petitioned zoning amendment.

Repeal Section 245-15.3 Traditional Neighborhood Overlay Zone I

in its entirety and delete any references to it appearing throughout the zoning ordinance. This includes the Appendix to §245-15.3 Traditional Neighborhood Overlay Zone I Site and Building Design Guidelines and Article X Zoning District Boundary Description and Zoning Map for Traditional Neighborhood Overlay Zone I.

(Note: Dimensional standards will revert back to the underlying Family and General Residence zoning districts prior to §245-15.3 (2014) enactment so that new uses and dimensional standards may be proposed “By-Right” for 2021 Ballot after more public input.)

The petition included the map of TNOZ1 so it will need to be included in the voting booth at voting time.

4. The primary purpose for repealing TNOZ1 is to clean the slate, and have all Family and General Residence districts have the same zoning prior to 2014. This is so our neighborhoods are included in any discussion concerning residential properties. Repealing TNOZ1 now, would put all family and general residence district neighborhoods on equal footing and at the same starting line as everyone else.

I would like to call your attention to the Map of TNOZ1:

TNOZ1 is the red boundary close to downtown. It excludes the downtown district itself and any rural zoned properties. It only includes the Family District (yellow) and General Residence District (green) properties. Town owned properties such as the elementary school, Adams playground and playing fields, the fire station, the rivers, roads, cemetery etc. are excluded. From Administration’s calculation of TNOZ1 last year, since the protest petition was only against the TNOZ1 portion of Amendment 15, we know that TNOZ1 consists of only 272 acres. This is only 1% of the land area in Peterborough. This means that 99% of the Town is not subject to this “special” zoning. When you reside in that 1%, it’s a little difficult not to feel targeted or picked on. Also, If you are only allowing “housing opportunities” in 1% of Peterborough, how is that really benefitting the other 99%?

This 1% area is the Town’s existing densest area. So far, the only TNOZ1 projects have been in the General Residence district where multifamily is already allowed. Traffic and congestion and lack of parking is already a problem. So to increase and concentrate the housing and population on 1 % of the area close to Downtown through New Urbanism planning, is not creating housing opportunities, it is just

compounding an existing congestion and affordable housing problem. This was the number one reason people signed this petition. To add insult to injury, the densities allowed are greater than any city in New Hampshire – and we are just a Town. The number two reason for people who signed the petition was that this special zoning has not created any affordable housing or increase in rental units. And the Number three complaint about TNOZ1 is that the density, setbacks, and architecture allowed does not fit in with our existing neighborhoods. As one signatory put it, “I can’t believe the Planning Board cares more about porches than they do about parking.” Some other interesting comments were:

“I thought the purpose of zoning was to prevent urban sprawl, not create it.” “How could they possibly think to turn this area into a walkable village when a State highway goes through it?” “Have you noticed that so far every project approved has involved demolishing an existing building to create expensive housing outside the income brackets for the people who live here?”

5. As an environmental person, I am alarmed that TNOZ1 is completely within our Groundwater Protection District (which is our aquifers), Floodplain, and Shoreland Protection. What are the consequences of dense development to the water quality and supply of Peterborough’s drinking water?

Someone might say- Oh who cares? TNOZ1 is only impacting 1% of Peterborough. However, Groundwater and surface water doesn’t stay within zoning district boundaries. This 1% zone impacts the Public Health concerns for ALL of Peterborough.

6. As a technical person, I can’t help it, I care about the details of the zoning language itself. Flaws in rules and regulations are going to become apparent eventually, as are the consequences.

So my secondary purpose for repealing TNOZ1 is to eliminate conflicting deceptive zoning. The most obvious flaw in TNOZ1 is the conflicting zoning. My parcel of land is listed in family district and in the TNOD1 district. Which one is my zoning? You cannot impose two very different dimensional standards and densities on the same land. The only conditional use permit listed for Family and General Residence District properties in the zoning ordinance is a Bed and Breakfast. The conditional use permit (TNOZ1) that allows complex housing projects with different setbacks from the abutting properties is not listed. If I want to put an addition on my house but can’t meet the 25’ setback, I have to get a variance. But if I demolish my house, I can put up two houses with garages that are 10’ from my neighbor? This is not flexible zoning. It is conflicting and deceptive zoning.

Just as the HTF is to receive more public input for the Housing Chapter of the Master Plan, it is my hope that the planning board will solicit more public input and scrutiny of the zoning ordinance itself.

The Master Plan is not a legal document, but the Zoning Ordinance is. It cannot be “tweaked”, nor should it be. The more it is tweaked – the more fragile it becomes. People have the right to know what their zoning is, how it will affect them, and if there is a public benefit to be gained by the zoning.

So repealing TNOZ1 also cleans the slate from these technical flaws.

Peterborough is an educated, compassionate, and inclusive community. Let’s make sure our zoning reflects that. I hope that you will vote to support the repeal of TNOZ1.

Introduce Lorraine Bishop.