

CITY COUNCIL  
CITY OF SOMERSWORTH  
SEPTEMBER 16, 2013

PUBLIC HEARING ON THE FOLLOWING:

6:45 P.M.-

ORDINANCE NO. 5-14 AMEND CHAPTER 19, ZONING ORDINANCE, BY  
ADDING NEW SECTION 7-CONSERVATION SUBDIVISION ORDINANCE,

The Mayor opened the Public hearing at 6:45 pm and Councilors Pepin, Soldati, Hebert, Donohue, Tapscott, Witham and Jarvis were in attendance.

Director of Planning and Development Services, Dave Sharples, said that this is nothing new to Somersworth. Somersworth had a conservation subdivision ordinance up until 2007 which was adopted in the 90's. The Planning Board had recommended that it be deleted in its entirety because of a couple of projects that they didn't feel were ideal for the neighborhood and land use. Then they decided to revisit it because they felt that it wasn't the ordinance itself or the idea, it was the writing and the application. The previous one had a formula that allowed a lot of increased density and the open space that was to be protected was mostly wetlands.

It was probably a model ordinance at the time but as you go along you improve things, he said. This one hopefully improves on that and the intent is

1. to allow building lots to be smaller than conventional zoning,
2. it requires that a portion of the buildable area is a permanently protected open space,
3. it only allows the same number of units that is allowed in the underlying zoning,
4. it reduces roadway lengths, as well as all associated infrastructure which translates to lower maintenance costs, long term.

Director Sharples showed an actual example from Greenland of a conventional versus a conservation subdivision on the same land. It allows for smaller lot sizes and more open space.

This is consistent with the Somersworth Master Plan.

ORDINANCE NO. 6-14 AMEND CHAPTER 20, BUILDING CODE.

Director Sharples said that this proposal is pretty straightforward. The first part is to update our codes to reflect what has been adopted by the State of New Hampshire. Our current ordinance references the 1999 BOCA code or other codes that no longer exist or

are no longer enforced. The City currently enforces the 2009 building codes that are proposed tonight because that is what is mandated by the State.

The second part of the proposal is to update the permit fees. The City last updated their fees in the late 90's. They have compared their fees to all of the surrounding communities, almost a dozen of them, and noticed that they are very low. They have proposed fee increase and did a May comparison. For instance, last May they collected \$5260 in building permit fees. With this new proposal, they would have collected \$9020, which is a substantial increase. Even with this increase, they are competitive with the surrounding communities. He noted one mechanical permit from May for which Somersworth charged \$1,600. With the proposed increase it would have been \$3,200, which is still lower than the \$6,000 charged by Dover or the \$3,600 charged by Rochester for the same permit. This just brings us up to date and in line with our surrounding communities.

Councilor McCallion arrived during this public hearing.

City Manager Belmore asked if he had a new copy of the Building Code Ordinance because there were some slight changes, nothing of substance, but something in the introduction.

Director Sharples said that when they sent it to legal, they adopt several codes that are in the body (of the Ordinance) but not referenced in the front statement. The Attorney brought that to his attention, all codes that are in there but are now referenced in the first paragraph. It did not need a new public hearing because it did not change the law at all.

There were no comments.

The Public Hearing closed at 6:50 pm.

Respectfully submitted,

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Elise B. Brellis, Deputy City Clerk