

Proposed Amendment No. 2

Would add New Section 410 (would become Section 509 with adoption of Amendment No. 1) to read as follows:

Section xxx Lot Size Averaging

xxx.1 Purpose

In any District, the Planning Board may approve reduced lot sizes, frontage requirements, and/or internal setbacks when in the Board’s judgment, flexibility in subdivision design will promote the most appropriate use of land and the protection of productive agricultural or forest land, scenic views, historic sites, shorelines, wetlands, important habitat areas, and other resources of importance to the community, while minimizing the alteration of the natural topography of the land, in accordance with the goals and objectives of the Master Plan.

xxx.2 Density

The total number of lots approved will be determined based on the number that would be otherwise approved under a conventional subdivision plan. The applicant may choose to either:

1. Submit a concept plan showing lots, road rights-of-way, and stormwater management areas, and any other areas which would not be incorporated in individual lots as necessary to meet the usual minimum standards for the district without the need for any lot area or lot dimension variances, and accounting for development limitations such as steep slopes, wetlands, septic suitability, available water supply, adequate driveway access to each lot, and compliance with the Town of Carroll subdivision regulations, or
2. After accounting for areas that must be subtracted from the acreage figure utilized to calculate the developable area pursuant to other sections of this ordinance if any, subtract a percentage of the property in accord with the table below to account for roads, drainage and other utilities prior to dividing by the minimum acreage required per unit for the district.

Zoning District Lot Size	% Deduction for Roads and Utilities
2 acres or more	10%
less than 2 acres	15%

xxx.3 Dimensions and Arrangement of Lots

The minimum lot size, frontage and internal setbacks shall be determined by the planning board based on the character of the land and neighborhood, the adequacy of the soils to support on-site wastewater disposal and wells [unless on public water supply and/or wastewater disposal], safety of access, traffic and pedestrian circulation, impervious surface, and other issues relating to the future use and enjoyment of the property.

The factors considered by the planning board when evaluating the proposed arrangement of lots shall include, but not be limited to, the following:

- Arrangement of roads, stormwater facilities, wastewater and other utilities in conformance with the natural features of the parcel, minimizing changes to the topography.
- Minimization of impervious cover.
- Protection of stream corridors and other important habitat areas.
- Protection of wetlands.
- Feasibility of continued or future agricultural use.
- Feasibility of continued or future forest management.
- Relationship to neighboring property, including conservation easements, or natural, cultural, recreational or scenic features.

The setbacks from abutting properties not part of the application shall not be reduced. Front setbacks may be reduced only when on an internal subdivision road approved by the Planning Board as part of the subdivision application. When frontage requirements are reduced, the Planning Board may require shared driveways.

xxx.4 Permanently Protected Area

The lot size averaging plan will concentrate development away from the most important resource areas and from those areas of the property that are most environmentally sensitive as described in Section xxx.1.

For each lot less than the minimum size normally required for the District, one or more lots larger than the minimum shall be provided in order to maintain an average lot size no smaller than the minimum lot size normally required for the District. Permanent protection from further development shall be provided for an area equal to or exceeding the sum of the areas by which individual lots are reduced below the minimum normally required for the District. Further subdivision of the lot or lots that are larger than the minimum lot size normally required for the District to compensate for other lots that are smaller than the minimum lot size normally required for the District, or use for other than one dwelling unit, noncommercial

outdoor recreation, conservation, agriculture, forestry or other principal use or building as otherwise permitted by the Zoning Ordinance, shall be prohibited. The protected land shall be shown on the final plat and the conservation restriction recorded with the Register of Deeds.

xxx.5. Management of Permanently Protected Area

Pursuant to RSA 674:21-a, Planning Board approval of a final lot size averaging subdivision plan shall result in the creation of a conservation restriction incorporating the conditions of approval, including the maximum number of lots and the location, size and permissible uses of the land area that is to remain undeveloped. If the undeveloped area is to be held in common, all covenants, deed restrictions, organizational provisions for a homeowner's association or equivalent, and any other agreements regarding the method of ownership, management or maintenance of the protected area shall be established prior to Planning Board approval of the subdivision plan. By mutual agreement of the planning board and subdivider, the conservation restriction may take the form of a conservation easement to the town or private conservation group, or other instrument approved by the Planning Board.