

### 3. Land Use and Future Land Use

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#### **Seabrook**—Geographically Small Compared to Other Towns in the County

In brief Seabrook has:

- Approximately 6,159 acres or approximately 9.5 square miles. It is one of the smallest communities in Rockingham County—only South Hampton and New Castle are smaller. By contrast Nottingham, one of the largest towns in the county, is 30,900 acres or 48.4 square miles.
- About 2,643 acres are developed, about 43% of the town
- Another 2,003 acres are wetland (33%), predominantly salt marsh

#### **Overall Land Use/Land Cover**—Most of Seabrook’s Developed Land is Residential

**Table 3-1** identifies the generalized current land use/land cover distribution based on interpretation of 2005 aerial photography. The largest category is developed land, approximately 2,504 acres or 41% of Seabrook. Another 2,003 acres is in wetlands. Forested/brush land is approximately 1,114 acres or about 18% of Seabrook.<sup>1</sup> These figures reveal the fact that Seabrook is highly developed and its density is one of the highest in the county. There are 929 persons per square mile based on the 2000 census more than twice the density for Rockingham County at 424 persons per square mile. By comparison Portsmouth is 1307 persons per square mile and Hampton is 1089. **See Figure 3-1, Map 11, Land Use.**

**Table 3-1: Current Land Use**

Land Use	Acres	%
Developed Land	2,504	41%
Agriculture	77	1%
Forested/Brush	1,114	18%
Wetlands	2,003	32%
Other Barren Lands	19	<1%
Surface Water	442	7%
<b>Total</b>	<b>6,159</b>	<b>100%</b>

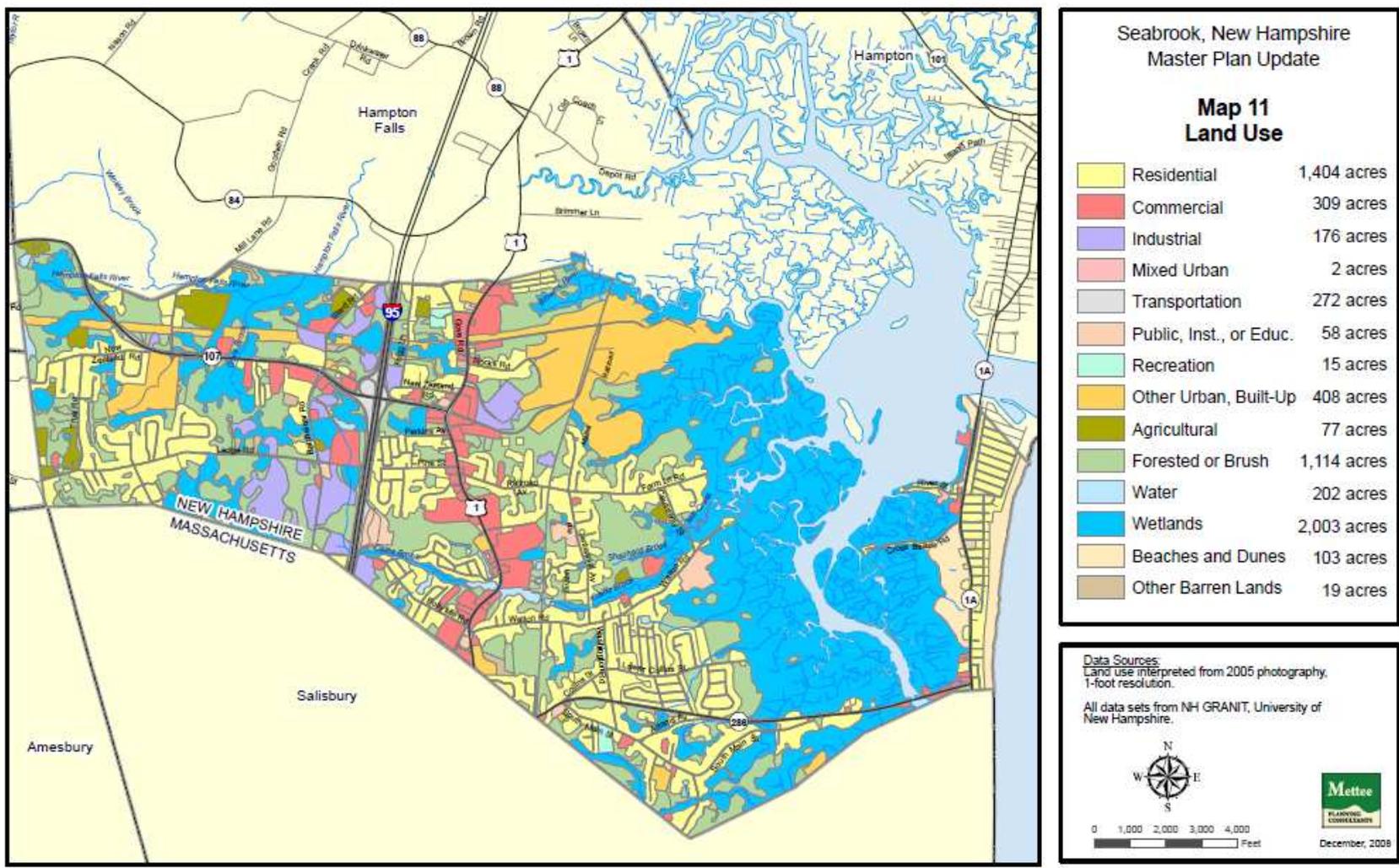
*Source: Land Use interpreted by Rockingham Planning Commission, 2005 photography, adjusted.*

The most intensely developed areas of Seabrook occur in a linear fashion along and adjacent to the US Route 1 Corridor and the roadways that intersect with this corridor. Much of Seabrook’s recent development is related to commercial retail business development along this corridor.

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<sup>1</sup> Land cover calculations are based on interpretation of 30-meter satellite imagery from the 2005 New Hampshire Land Cover Assessment. For residential, industrial and commercial use, only disturbed areas with a structure on approximately one acre are noted. In reality, there are likely to be a larger number of acres devoted to residential activity, but this methodology is not able to capture this activity.

Figure 3-1: Land Use Map



## Developed Lands—Residential use is largest category

In the developed lands category, residential use comprises 1,385 acres or more than 50% of this category as shown in **Table 3-2** below.

**Table 3-2: Developed Lands**

Land Use	Acres
Residential	1,385
Commercial	309
Industrial	176
Mixed Urban	2
Transportation	252
Public and institutional uses	57
Recreation	15
Other Urban, Built Up	308
<b>Total Developed Lands</b>	<b>2,504</b>

*Source: Land Use interpreted by Rockingham Planning Commission, 2005 photography, adjusted.*

*Note: Utilities are incorporated into Other Urban, Built Up Category.*

The next largest categories are Other Urban Built Up (primarily the Seabrook Station property) and Commercial that is found along US Route 1. Much of the industrial land is located off Batchelder Road west of I-95.

## Agricultural and Forest Lands

Agricultural lands comprise only 77 acres in Seabrook and are primarily fields in limited agricultural activity west of I-95. This area is approximately 25% of the amount of land devoted to agriculture in the mid-1960's when there was about 300 acres in agriculture and farmsteads. Although agricultural activity has diminished significantly, the remaining open fields still contribute to the open spaces and character of the community.

Historically, farming was one of the main economic activities in the early settlement of Seabrook, from the 1700's through early 1800's, consuming much of the acreage in town. Over time, many families migrated to large towns and cities where there was more employment, or to the Midwest where soils were more fertile. With this migration, the agricultural fields and livestock pastures reverted to scrub, woodland and forest.

Forested or brush lands comprise 1,114 acres in Seabrook or about 18% of the town. These lands tend to be located in relatively small blocks throughout much of Seabrook although there are some larger tracts near the Kensington border as well as south of Farm Lane and north of Lakeshore Drive. Seabrook does not have any managed forest or Tree Farms under the Tree Farm program of NH Cooperative Extension and NH Forest Society.

## Assessor Land Use Reporting

Land use type is also tracked by the Seabrook's Assessor's office for purposes of tax value for state reporting purposes. The categories differ slightly from the land use categories above and include lands in Current Use. As shown in Table 3-3, the residential category is still the largest category of land use. The areas associated with these categories may differ from the above land use break out, because the assessor's office includes the whole parcel in its calculations, whereas the coverages from the aerial photographic interpretation considers only the specific area for such a use, which may be less than the whole parcel. For example, a residential property may be five acres—the assessor would categorize the whole five acres as residential, whereas the land use map based on aerial photo

interpretation would only include the disturbed land associated with the dwelling itself. The total area will differ from the area derived from the aerial photo interpretation in part because the assessor's data does not capture surface water.

**Table 3-3: Assessor Land Use Categories**

Land Use	Acres
Residential	2,138
Commercial	740
Industrial	518
Utilities	773
Tax Exempt	677
<i>Municipal</i>	512
<i>Other</i>	165
Current Use	176
<b>Total</b>	<b>5,022</b>

Source: Seabrook Assessor's Office, 2011

### Land Use Change—Shift from farm and forest land to residential development

Over the past 50 years there has been a shift in land use from primarily agricultural and forest use to more developed land, primarily residential and commercial. Much of this change was documented in a study conducted in 2002 as part of a regional Seacoast land use project—*Integrating Technologies to Monitor and Predict Patterns of Urban Growth, 2006 (CICEET, UNH)*. This study compared Land Use change between 1962 and 1998. In 1962 there were over 286 acres of agriculture and by 1998 there was only 87 acres—an almost 70% decrease. **See Table 3-4.** Similarly forested land decreased by 40%. By contrast developed land went from 921.6 acres in 1962 to almost 2,280 acres by 1998—an increase of 147.2%. Most of this change came in residential and commercial/industrial development. Residential acreage went from 651.7 to 1,285.4, an almost 100% increase over this time period while Commercial/Industrial grew from a little over 57 acres to almost 694 acres or a 1,109.2 percent increase.

This change in land use is also supported by data developed by the Piscataqua Region Estuaries Project that looked at the change in impervious cover throughout the Piscataqua River Watershed which included Seabrook. Impervious cover due to building doubled from 802 acres in 1990 to 1,539 acres in 2005 or from 14% of the town to approximately 27% of the town. This change has resulted in a loss of woodland, agricultural fields, wetlands and wildlife habitat.

Comparing the land use data from this table with the 2005 current land used in Tables 3-1 and 3-3, there appear to be some discrepancies that may be related to the definitions of land use categories, the quality of the aerial photography or differences in aerial photographic interpretation methodology between the recent interpretation and previous land use interpretations. For example, the amount of area designated as wetland in 1998 the CICEET Study (1231.7 acres) seems quite a bit less than that reported from the 2005 aerial photography (2,003 acres).

The more recent 2005 data comes from 1-ft. resolution color imagery acquired in 2005. The interpretation was done based on criteria established by the Rockingham Planning Commission and UNH GRANIT. Because the quality of the imagery was better, the resolution was higher, and the imagery was full color vs. black & white, much more refined categories could be mapped.

**Table 3-4: Land Use Change, 1962-1998**

Land Use	1962 Acres	% of Town	1998 Acres	% of Town	% Change
Total Developed	921.6	15	2,278.9	37.1	147.2
<i>Residential</i>	651.7	10.6	1,285.4	20.9	97.2
<i>Industrial/Commercial</i>	57.4	0.9	693.6	11.3	1,109.2
<i>Mixed Urban</i>	92.4	1.5	83.5	1.4	-9.7
<i>Transportation</i>	109.7	1.8	193.6	3.1	76.5
<i>Railroads</i>	6.8	0.1	6.8	0.1	0.3
<i>Recreation</i>	3.6	0.1	15.9	0.3	345.0
Agriculture	286.7	4.7	87.1	1.4	-(69.7)
Forested	2,984.3	48.4	1,779.9	28.9	-(40.4)
Water	469.6	7.6	478.0	7.8	1.8
Open Wetlands	1,223.3	19.9	1,231.7	20.0	0.7
Idle/Other Open	274.2	4.5	304.2	4.9	10.9
<b>Total</b>	<b>6,159.7</b>	<b>100.0</b>	<b>6,159.7</b>	<b>100.0</b>	

Source: UNH CICEET Study, *Integrating Technologies to Monitor and Predict Patterns of Urban Growth*, 2006

Note: Utilities are incorporated into Industrial/Commercial and Forested Categories.

Based on the growth in residential activity since 1962, as well as the more recent commercial development along the US Route 1 corridor, it would appear that there continues to be more and more land changing to the developed category. This trend has slowed in recent years because of the national economic downturn, but is likely to pick up again after this period. However, there are still pockets of forest land and a small stabilized amount of land devoted to agriculture.

## Current Zoning

### Seabrook Town

The current zoning reflects the town's desire to manage development by identifying the types of uses and controls that are appropriate in different areas of Seabrook. At present, there are six primary zones in Seabrook as well as three additional zones in the Beach Precinct. The Seabrook Town Zoning ordinance is implemented by the Planning Board and Seabrook Building Department. The beach Precinct Zoning is implemented by the Beach Precinct Commissioners. These zones are identified in **Table 3-5 and on Figure 3-2, Seabrook DRAFT Zoning Map.**

**Table 3-5: Zoning Districts**

<b>Zone #</b>	<b>Zone Name</b>	<b>Description</b>
1	Rural	Primarily a zone for residential uses.
2	Commercial	Primarily a zone for commercial activity, although single family and two-family dwellings also allowed.
2R	Residential	Primarily a zone for single family and two-family dwellings. Professional offices and manufacturing are allowed as incidental to a residential use.
3	Industrial	Primarily a zone for industrial and manufacturing activity.
4	Conservation	A zone with very limited use—non-commercial recreation. No structures are allowed.
5	Harbor Commercial	A small zone that allows for commercial activity related to water uses such as fishing and boating.
B1	Beach Residential	Primarily a zone for single –family residential and professional uses that are incidental to the primary use.
B2	Beach Commercial	A zone for commercial activity and any other uses allowed in Beach Residential.
B3	Beach Conservation	A zone with very limited uses— flood control, wildlife preserves and non-commercial recreation. No structures are allowed.

*Rural District (1)*

Much of western Seabrook is zoned as Rural and it comprises 862 acres. There is also a second area in eastern Seabrook along Cross Beach Road and River Street comprising another 24 acres. This district allows by right single family and two-family residential housing as well as guest houses, agriculture, and offices incidental to residences. Family apartments are allowed, but not mobile home parks or multi-family apartments.

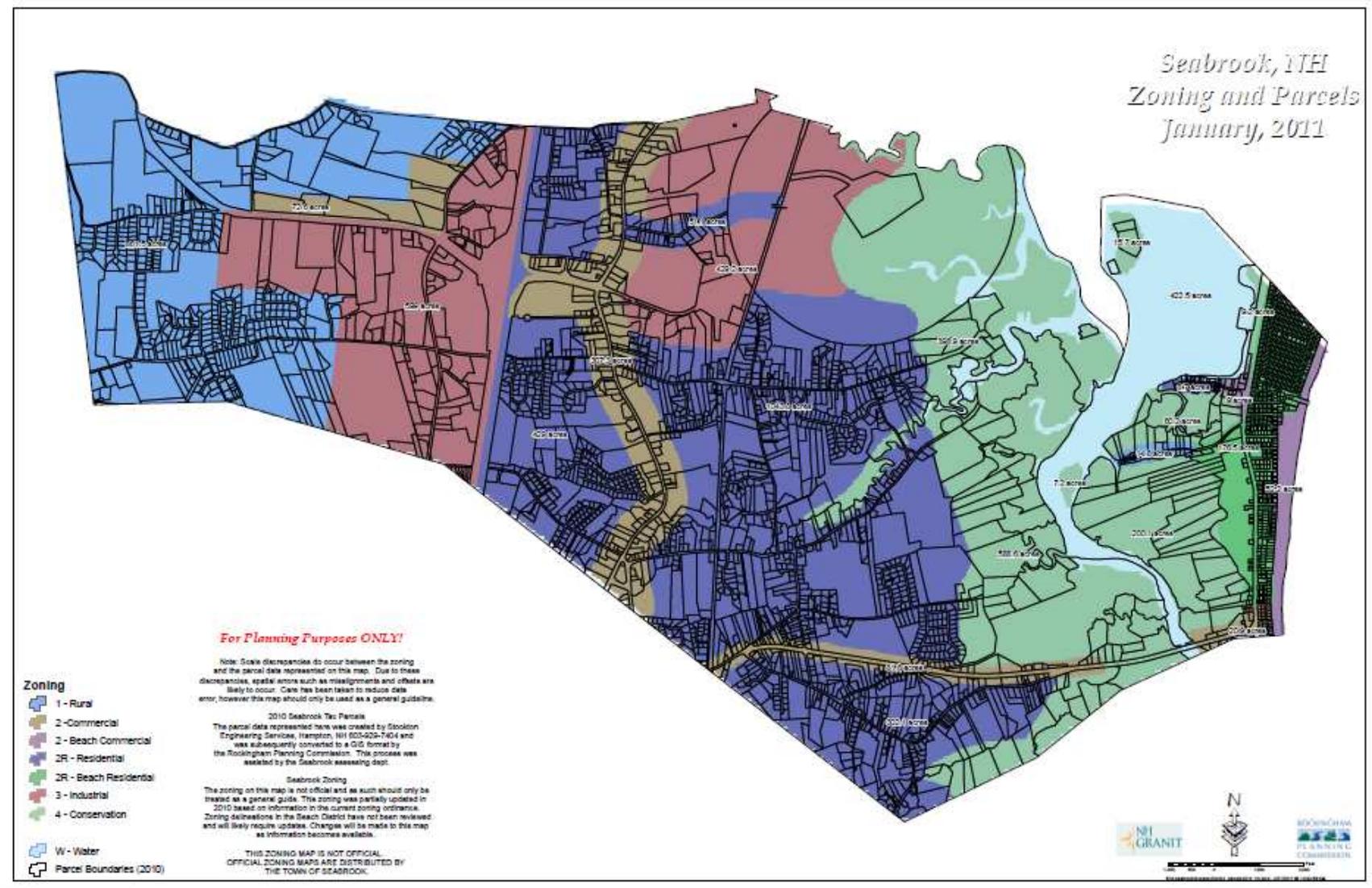
Minimum lot area is 30,000 SF with no municipal sewer and 20,000 SF with sewer. If a two dwelling unit, the minimum is 30,000 SF.

*Commercial District (2)*

This district tends to be located along arterial roadways such US Route 1, NH Route 286 and NH Route 107 as shown on the Zoning Map. Along US Route 1 it extends 500 feet on each side of the roadway; along Route 286 it extends 300 feet on each side of the roadway and along the north side of Route 107 west of I-95 it extends 500 feet. In total this district comprises 410 acres. It is primarily a district for retail and business services, wholesale businesses, restaurants, auto-related services, hotels, motels, guest houses, offices, banks, and single family and two-family residential housing.

Minimum lot area is 30,000 SF with or without municipal sewer. If two-dwelling units, the minimum is 30,000 SF.

Figure 3-2: DRAFT Zoning Map



### *Residential District (2R)*

The Residential District is generally located in the central portion of Seabrook on either side of US Route 1 south of an east west line slightly north of Route 107 and Provident Lane. It is the largest zoning district and comprises a total of 1826 acres. It permits the following primary uses by right: single and two-family dwellings, agricultural, guest houses, home occupations, manufacturing as a subordinate use, professional offices incidental to a residence, and minor retail & business services.

Minimum lot area is 30,000 SF with no municipal sewer and 15,000 SF with sewer. If a duplex, the minimum is 30,000 SF. Where two buildings are permitted on an individual lot, the lot is a minimum of 45,000 SF.

### *Industrial District (3)*

The Industrial District is broken into two distinct sub-areas. One is west of I-95 south of NH Route 107 to the Massachusetts border and north between Stard Road and I-95 to the Hampton Falls line. The other is located east US Route 1 and west of the salt marsh and north of Route 107 to the Hampton Falls line. These two areas total 1028 acres.

Minimum lot area is 30,000 SF with or without municipal sewer.

### *Conservation District (4)*

The Conservation District is primarily comprised of Seabrook's salt marsh and dunes. It totals approximately 1271 acres or about 1/3 of the Town. The only permitted use is passive recreation.

### *Harbor Commercial (5)*

This District is limited to a 9-acre area just west of US Route 1 A at the intersection with River Street. Permitted uses include marine and waterfront related activities such as boat charter operations and excursions, marine supplies and services, restaurants and single family dwellings.

Minimum lot area is 30,000 SF with no municipal sewer and 30,000 SF with sewer.

## **Beach Precinct Zoning**

In 1978, the Beach Precinct adopted separate zoning that applies only to that district and is administered and enforced by the precinct.

### *Residential District (B1)*

The Beach Residential District is located along the eastern portion of Seabrook between the estuary and the Atlantic Ocean. It comprises approximately 177 acres. It permits the following primary uses by right: single and two-family dwellings (excluding mobile homes and trailers), professional offices incidental to a residence, and institutional uses such as municipal and church.

Minimum lot area is 20,000 SF.

### *Commercial District (B2)*

This comprises a relatively small area near the intersection of NH Route 286 and US Route 1A as shown on the Zoning Map. In total this district comprises 5 acres (approximate—to be confirmed). It is primarily a district for retail and business services, restaurants, hotels, motels, offices, banks, commercial recreation and single family and two-family residential housing.

Minimum lot area is 20,000 SF.

### *Beach Conservation (B3)*

This area includes the beach and dune area between US Route 1A and the Atlantic Ocean and comprises about 52 acres. This area is primarily for conservation (flood control, wildlife preserves) and passive recreational activities. Most of this area is owned by the Town of Seabrook.

## **Overlay Districts**

The Zoning Ordinance has two overlay districts, the Aquifer Protection District and the Flood Hazard Areas under the Floodplain Regulations.

*Flood Hazard Areas*—this overlay district is based on a model ordinance produce by the National Flood Insurance Program. The article establishes standards for siting and construction of structures within the 100-year floodplain.

*Aquifer Protection Overlay District*—the purpose of this district is to protect future ground water sources from potential contaminants and human intervention that might limit recharge. The intent of this Overlay District is to provide for the overall health and safety to the public by preserving and maintaining existing aquifers. The Aquifer Protection Overlay District is a zoning overlay district includes all land within Seabrook west of I-95. It identifies particular prohibited uses such as:

- Handling, disposal, storage, processing or recycling of hazardous or toxic materials;
- Disposal of solid waste;
- Disposal of liquid or leachable wastes without approval from NHDES;
- Storage of road salt or salted sand except in enclosed, covered storage;
- Subsurface storage of petroleum and other refined petroleum products; except as regulated by the NHDES;
- Automotive service and repair shops, filling stations, etc.;
- Mining of land and excavation of sand or gravel; and
- Septage lagoons

## **Seabrook Station Exclusion Zone**

The Seabrook Nuclear Power Station is surrounded by a 3000-foot Exclusion Zone. Within this exclusion zone there are three zoning districts—residential, industrial and conservation. The Exclusion Zone permits certain uses within the zone as long as they are approved by the Nuclear Regulatory Commission (NRC). The NRC dictates that the owner, NextEra Energy Seabrook, LLC, restrict or limit activities no matter local zoning district the activity may be proposed for in an effort to maintain a secure facility.

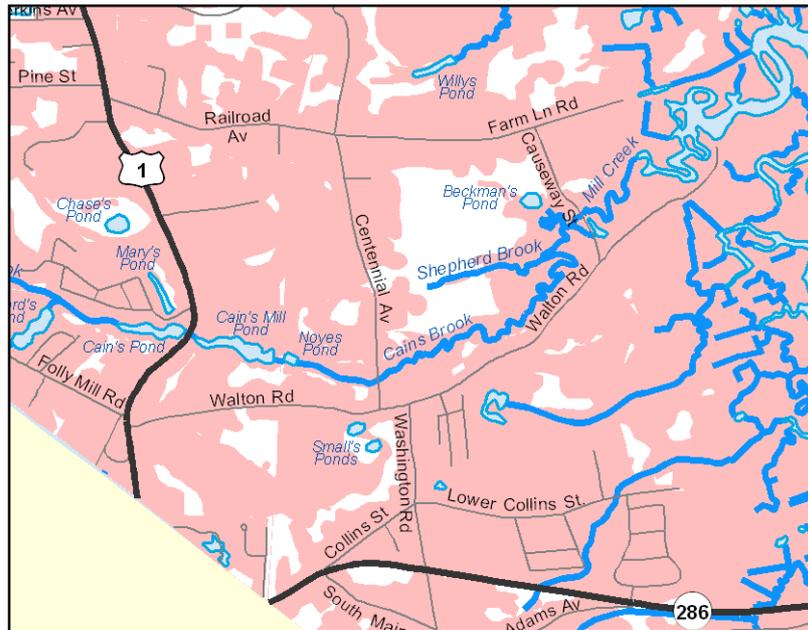
## **Residential Build-out Analysis—A Summary**

As part of the 2010 the Housing and Conservation Planning Program Seabrook prepared a build-out analysis to determine future residential development potential. The objective of the analysis was to estimate the number of parcels of land within the rural, residential, and commercial zoning districts of the town that could accommodate future residential development based on current zoning regulations and environmental/land use constraints. The analysis provides an important tool to the town as it seeks to manage for the impacts of future growth. The full build-out analysis is found in **Appendix B** of this chapter.

## Methodology

The residential build-out analysis comprised two basic steps. First, areas of the town that can not support future residential development were identified. This included areas that are already developed, and areas that are constrained from development due to environmental factors. See **Figure 3-3**.

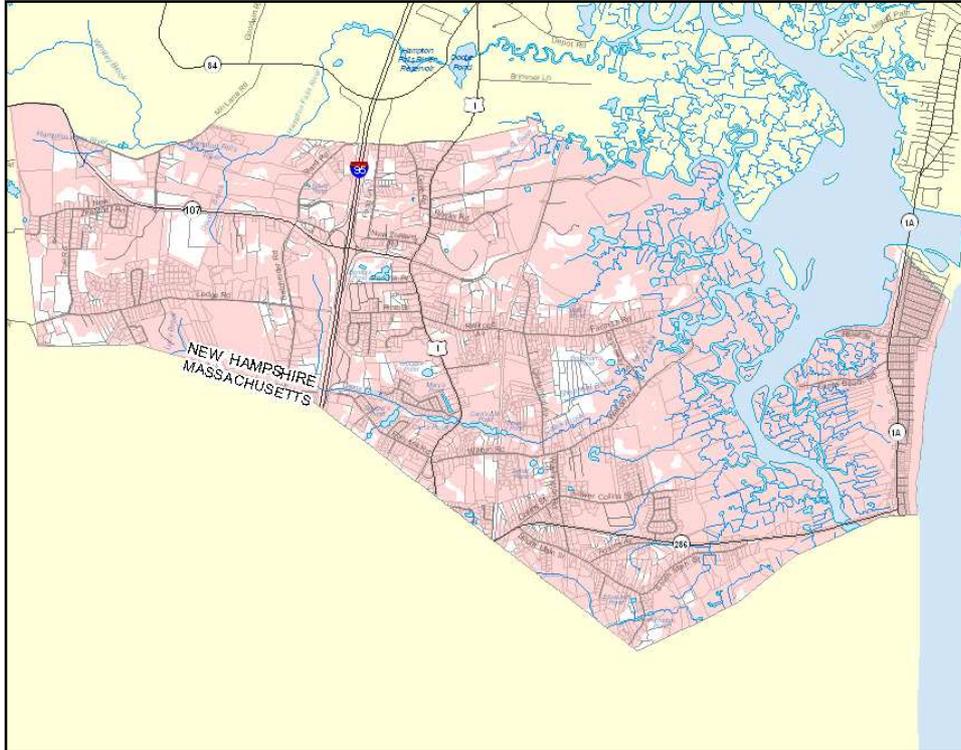
**Figure 3-3: Development constraints (in pink) for Seabrook.**



Second, for each remaining area, the number of residential lots that could be supported was estimated based on the Seabrook Zoning Ordinance. See **Figure 3-4**. The determination was made by applying the minimum lot size and frontage requirements from the Ordinance to each eligible area.

Finally, for each unconstrained parcel area, the number of lots was calculated to determine the number of potential building lots.

**Figure 3-4: Overlay of parcel data with development constraint composite for Town of Seabrook.**



**Results—Total Constrained Area is 89% of Seabrook, 453 New Lots Possible**

The town of Seabrook covers approximately 6,160 acres. Of this total, 5,475 acres (89%) were considered ineligible for future development due to one or of the more development constraints. **See Table 3-6.**

**Table 3-6. Acreage with Development Constraints**

<b>Constraint Description</b>	<b>Acreage</b>
Conservation Lands	451
Hydric Soils	2,512
NWI Wetlands	2,132
Floodplains	2,076
Surface Water	500
Existing Developed Lands	2,643
<b>TOTAL (1)</b>	<b>5,475</b>

*UNH GRANIT, 2005 aerial photography.*

*Note: The total area is not the sum of the individual acreage values, as many of the constraint types overlap. For example, there are areas of hydric soils in floodplain areas.*

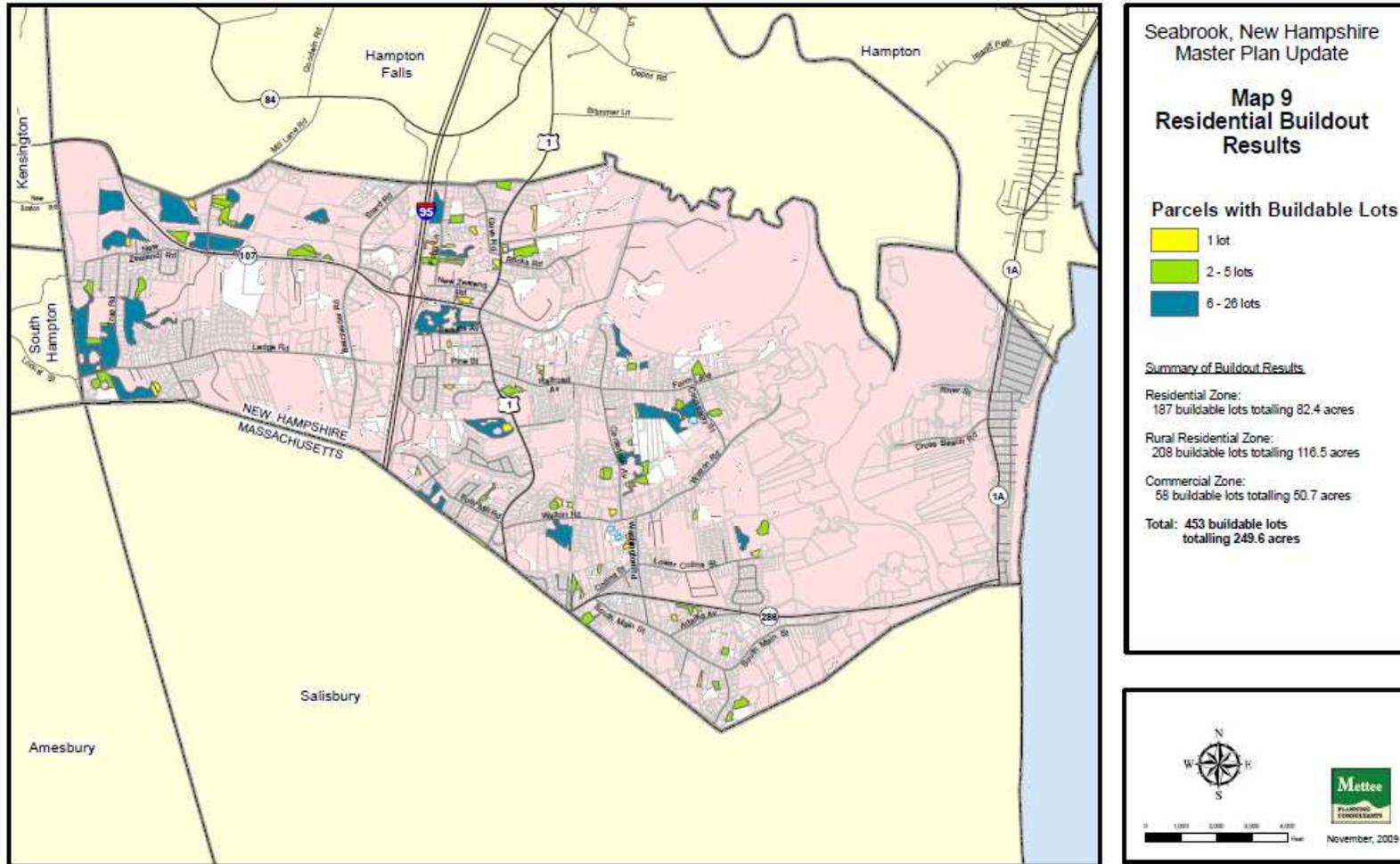
**Table 3-7** presents the results of the residential buildout analysis by zoning district for the remaining eligible area of 693 acres. The “Number of Buildable Parcel Segments” reports the number of individual parcel segments that were considered buildable, with each segment potentially supporting one or more lots.

**Table 3-7. Number of Buildable Residential Lots Resulting from Buildout Analysis.**

<b>Zone</b>	<b># of Buildable Parcel Segments</b>	<b>Acreage of Buildable Parcel Segments</b>	<b># of Lots</b>
Rural	28	116.5	208
Residential	54	82.4	187
Commercial	16	50.7	58
<b>Total</b>	<b>98</b>	<b>249.6</b>	<b>453</b>

The data, summarized by number of buildable lots, are presented in map format in **Figure 3-5, Map 9, Residential Build Out Results** on the page following. Areas in white are buildable, but do not meet the minimum acreage and/or frontage requirements in the Zoning Ordinance. It would appear that the most number of potential buildable lots are west of US Route 1.

Figure 3-5: Residential Buildout Analysis Results



## ***Future Land Use***—A graphic representation of the Seabrook’s future physical growth

The Future Land Use Plan builds upon a variety of factors that have been identified and discussed during the Master Plan Update process. This plan establishes a blueprint for the geographic distribution of future activities in Seabrook. Some of the key factors that have been taken into consideration in determining the town’s future land use include:

- The inherent natural environment that is unique to Seabrook,
- The existing land use,
- The vision and goals expressed earlier in this chapter,
- The projected growth in population and future needs for business and industry,
- The community forum where citizens expressed their preferences for the town’s future,
- The results of the Community Attitude Survey, and
- Current zoning.

### **Current Land Use/Land Cover**

At present there are three major land use/land cover activities. These include:

- Residential—both rural and medium density, which accounts for about 21% of the town
- Forest areas—areas that may not be used as forests, but where there is a forest or woodland cover. Includes low density residential and accounts for approximately 30% of Seabrook
- Wetlands/conservation—these areas comprise about 25% of Seabrook

Industrial activity accounts for another 12 % of the town.

### **Current Zoning**

Seabrook is generally zoned into four categories—residential, commercial, industrial and conservation. The largest zone is Residential—46% of Seabrook; Conservation is approximately 24%; Industrial is 19% and Commercial is approximately 9%. Based on these data, it would appear that Seabrook wishes to be primarily residential with significant areas of conservation and industry.

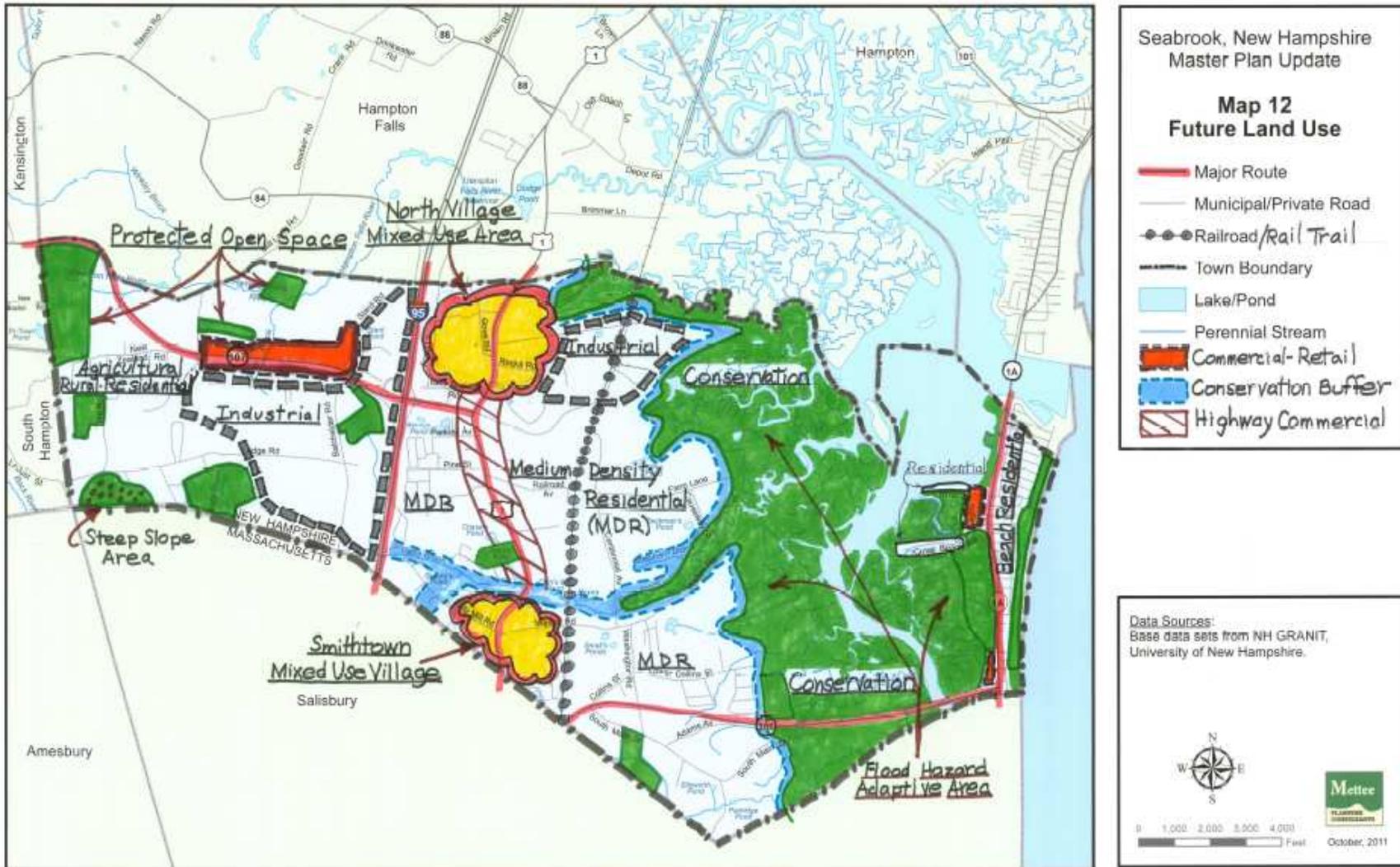
### **Future Land Use Plan—*Vision of Future Land Use Activities***

The Future Land Use Plan is intended to be the basis for new or revised town policies for public investments and changes/modifications to the existing zoning ordinance. The Future Land Use section and accompanying map is not intended to be a new zoning plan or map. The Future Land Use Plan recommends two new planning areas, as well as the potential expansion of existing zoning districts. New areas include:

- Two mixed use village areas in northern Seabrook (North Village) and southern Seabrook (Smithtown mixed use village)

The future land use plan is described below and shown on **Figure 3-6, Map 12, Future Land Use**. For each use area, a purpose is identified and typical activities proposed.

Figure 3-6: Future Land Use Map



## *Conservation Areas*

These areas would include much of the Seabrook tidal marsh, as well as the beach and dune area in the eastern portion of the town. It would also incorporate the existing protected lands in the town, many of which are located west of I-95.

**Purpose:** To promote the wise use and protection of Seabrook's valuable and often fragile natural resources and to provide passive recreational opportunities for Seabrook's citizens. This area would have very limited, low impact use. Permanent structures would be discouraged.

### **Typical Activities:**

- Conservation activities
- Walking trails
- Wildlife habitat development and management
- Low impact recreation, such as bird watching
- Low-impact park areas

## *Conservation Buffer*

The Conservation Buffer would be a setback area surrounding the Conservation Area associated with the Seabrook tidal marsh Conservation Area.

**Purpose:** To provide a transition area from the relatively intensively developed Residential Area to the Conservation Area associated with the Seabrook salt marshes. This area would have limited activity and would act to filter runoff and sediment to the Conservation Area. Permanent structures would be discouraged, although uses associated with residential activity such as lawns and landscaped areas would be appropriate.

### **Typical Activities:**

- Conservation activities
- Walking trails
- Wildlife habitat development and management
- Recreation/park areas
- Limited, low density building associated with residential activity
- Public access facilities, such as boat launches or viewing areas

## *Agricultural-Rural Residential Area*

This area would cover much of the west side of Seabrook and corresponds to an area that is currently zoned Rural. I would also include small areas along River Road and Cross Beach Road.

**Purpose:** To promote agriculture and low density single family residential, thereby preserving the town's remaining rural character and natural features of western Seabrook. Open Space Development should be encouraged to protect the town's open spaces and encourage attractive living environments. In appropriate circumstances low impact non-residential uses may be permitted where there is good access to community roads and services.

### **Typical Activities:**

- Agriculture
- Forestry
- Single family dwellings
- Manufactured housing parks
- Accessory dwelling units

- Home occupation
- Outdoor recreation facilities
- Tourist homes (B&B)
- Small businesses such as a neighborhood grocery store, day care facility or kennel
- Veterinary offices

### *Medium Density Residential Areas*

This area would be located in the central part of Seabrook on either side of US Route 1 (Lafayette Road) and outside the proposed areas for the mixed use villages.

**Purpose:** To provide for medium density single-family residential and two-family residential in appropriate circumstances. Traditional neighborhood development would be encouraged to create a compact development pattern and encourage attractive living environments. Low impact non-residential uses, such as small scale commercial businesses, professional offices and manufacturing incidental to a residential use. Generally, where there is good access to community roads and services.

#### **Typical Activities:**

- Single family dwellings
- Accessory dwelling units
- Two-family dwellings
- Home occupations, including professional offices and small scale manufacturing incidental to the residential use
- Tourist homes (B&B)
- Small businesses, such as a neighborhood grocery store or day care facility
- Civic uses
- Professional offices in residence

### *Beach Residential*

This area would be located in the Beach Precinct and include the existing Beach Residential area.

**Purpose:** Similar to Medium Density Residential District, this district would provide for medium density single-family residential uses. Would allow for small civic uses as well as low impact non-residential uses, such as professional offices incidental to a residential use.

#### **Typical Activities:**

- Single family dwellings
- Accessory dwelling units
- Home occupations including professional offices
- Tourist homes (B&B)
- Civic use

### *Mixed Use Village Districts*

These areas would be located in north and south Seabrook generally on the same locations as the former Smithtown and Seabrook Village areas, respectively.

**Purpose:** To provide for commercial retail, civic and financial institutions, moderate density multi-family residential in established neighborhoods in proposed village areas. A compact development pattern is encouraged that would foster a mix of uses, buildings oriented to the street, parallel street parking, community gathering spaces and parks and an emphasis on the pedestrian environment (sidewalks,

greenways, granite curbing, and street trees). Architectural and landscape designs should be suited to a traditional New England appearance.

**Typical Uses:**

- Moderate density multi-family dwellings
- Commercial retail
- Professional offices
- Hospitality businesses—small hotels, restaurants
- Places of worship
- Civic uses
- Public gathering spaces
- Educational institutions
- Banks

**Commercial Retail**

These areas would correspond to small areas of commercial activity typically in the beach area of Seabrook.

**Purpose:** To provide locations for small scale commercial activity, typically retail uses which require a small land area and access to the area highway system. Activities would include small retail businesses, banks and restaurants.

**Typical Uses:**

- Small scale commercial retail
- Restaurant
- Hotel/Motel
- Banks
- Professional offices
- Convenience stores

**Highway Commercial Retail Business**

This area would generally correspond to an area west of I-95 and along NH Route 107 as well as the Route 1 area east of I-95.

**Purpose:** To provide locations for commercial retail uses which require a large land area and access to the area highway system. Activities would include shopping centers, drive-through facilities and auto sales/services, as well as high density multi-family residential.

**Typical Uses:**

- Large commercial retail
- Restaurant
- Warehouse
- Hotel/Motel
- Drive through services
- Vehicle sales and services
- Auto service station
- Multi-family residential
- Fuel storage
- Convenience stores
- Banks

## *Industrial*

This area would generally correspond to the existing Industrial Zones west of I-95 and the area of north Seabrook east of US Route 1 including the Seabrook Power Station.

**Purpose:** To provide locations for “heavier” business and industry activity that may require manufacturing and/or storage of large equipment as well as good highway access.

### **Typical Uses:**

- Manufacturing
- Warehousing
- Wholesale Business
- Telecommunication Facilities
- Public Utilities
- Truck terminals
- Fuel storage

## **Summary and Observations**

Much of Seabrook, except for the extensive salt marsh system, is developed—almost 45% and more than half of that is residential development. Most of the commercial development has taken place in the US Route 1 Corridor, formerly the location village areas, such as Smithtown and Seabrook Village. Most of the industrial land is located west of I-95. **Consequently, it is important for the town to manage and protect the remaining undeveloped or open space lands. Encouraging environmentally and aesthetically sound land use regulation is critical to maintaining these resources.**

For the most part, the Town of Seabrook has developed a set of zoning and land use regulations that are aimed at managing the type of growth, but until recently not the quality of growth. There are six zones within the Town’s jurisdiction:

- Rural
- Residential
- Commercial
- Industrial
- Harbor Commercial
- Conservation

There are another three in the Beach Precinct:

- Beach Residential
- Beach Commercial
- Beach Conservation

In November of 2008, there was a public forum held to identify Seabrook’s strengths and challenges as part of the Housing and Conservation Planning Program. Two primary themes emerged from this forum related to land use:

- Ensuring protection for natural resources and open space.
- Ensuring that the remaining developable land and current vacant stores be properly utilized and managed.

These public sentiments are also echoed in the Vision for Seabrook that envisions Seabrook:

*“as a livable community that...; properly manages its natural resources; encourages a balance of land uses that enhance small town values...”*

Based upon this public input and the Vision for Seabrook there are several challenges for Seabrook to address with respect to its future use of land.

These include:

## **Land Use Management**

### **A. Map System**

- While the tax map system is computerized, it is not directly linked to the assessor data. There is a need for better spatial digital data, particularly with respect to tax maps and individual map parcels. In addition to the parcel data, it is critical to have both computer hardware and software that will allow for improved managing and monitoring of land use activity, including both the quantity and quality of development in Seabrook.
- The map set that is part of this Master Plan Update should provide the spatial resource data to establish long-term land use policies. The missing piece is the digitized tax maps that can help identify key parcels that might be affected by future land use change or that might be suitable for development, redevelopment or conservation.

### **B. Zoning and Permitted Uses**

- The selection and location of zones within the current Zoning ordinances (including the Beach Precinct) appear to be appropriate for Seabrook’s current situation.
- Consideration might be given to the size of the industrial zone which is over 1000 acres and might preclude other more suitable uses. In addition, there is much less demand for large industrial or manufacturing buildings, a situation that is likely to carry forward into the future.
- Given the current and potential changes to the US Route 1 Commercial Corridor, there may be a need to consider futures uses and mix of uses as well as dimensional standards.
- Based on the state requirement for Workforce Housing, the town will need to provide an area for multi-family housing.
- The current Zoning Ordinance should be reviewed to ensure that currently permitted uses are appropriate based on the Vision Statement.

## **Natural Resource and Open Space Protection**

The Action Plan in the Natural Resources Chapter addresses a number of issues with respect land use and natural resource management and protection.

- In particular, the Town should consider the value of an Open Space Development Regulation to protect open space and minimize sprawl. Consideration might be given to making it mandatory for projects over a certain acreage size with an exception for a subdivision with a small number of lots or large single lots, such as 5 acres.
- Shoreland Regulation—While the state Comprehensive Shoreland Protection Act (CSPA) includes Great Ponds and 4<sup>th</sup> and 5<sup>th</sup> order streams, it does not regulate lower order streams (1, 2, and 3). The town should consider adopting a local shoreland buffer ordinance for streams, rivers and ponds.

## **Future Land Use**

The future use of the land in Seabrook is expected to follow a pattern similar to the current pattern. The primary difference is expected to be the implementation a mixed use village-type activity in two locations:

- one in north Seabrook adjacent to US Route 1 and
- a similar mixed use village in the former Smithtown section of Seabrook near the Massachusetts border.

# Action Plan

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## Vision Goal for Land Use

***Properly manage growth that is consistent with the town's vision and character and provides for a balance of residential, business, industrial and institutional activities***

**Objective LU: 1: Implement a digital information system that will link both spatial and community information into an integrated data base.**

### Actions

- LU 1.1: Create a digital graphic tax map system that can be linked to the assessor's property data base.
- LU 1.2: Consider implementing a Geographic Information System that will incorporate and coordinate all community land related data, both numerical and spatial, into a common system.

Note: For the long-term the Town should acquire a single Geographic Information System (GIS) for use by Town Boards and Departments that will satisfy the needs of the Planning & Zoning Boards, Conservation Commission, Assessor, etc. Such a system will be able to integrate both mapped data with town record data and will allow the town to update its information data base. It will also allow the town to undertake analysis of mapped information for better decision-making.

**Objective LU: 2: Implement Land Use Regulations that enable growth to be managed in a manner that will maintain Seabrook's small town character.**

### Actions

- LU 2.1: Amend the Town Zoning Ordinance to include new mixed use, village-like districts in the vicinity of the former village areas, Smithtown and Seabrook Village.
- LU 2.2: Amend the provisions of the Town Commercial District to allow for more flexible mixed use (Section 5—Permitted Land Uses) and dimensional standards (Section 6—Dimensional Standards) that would allow for redevelopment of current commercial retail malls into more pedestrian-friendly, small town commercial retail and mixed use developments.
- LU 2.3: Review the permitted uses within each district of both the Town (Section 5—Permitted Land Uses) and Beach Precinct Zoning (Section III: Use Regulations) Ordinances to ensure that they are consistent with the particular zone and with Seabrook's Vision
- LU 2.4: Review both the Town and Beach Precinct Zoning Ordinances for the use of terms that may require a definition on the Definition Sections (Section 2—Definitions of the Town Ordinance and Section X: Definitions of the Precinct Ordinance). For example, the term Non-commercial passive recreation is used to define one type of recreation use. A fuller explanation of passive recreation might provide clearer guidance about this type of use. Also, Mixed Use is currently defined to allow industrial uses. If mixed uses are to be encouraged in the proposed mixed use village areas, industrial uses may not be consistent.
- LU 2.5: Consider updating the Floodplain Regulations in both the Town (Section 22) and Beach (Section IX) Precinct Ordinances to make it an overlay district that states

a purpose and establishes permitted and non-permitted uses, similar to the Aquifer Overlay District.

LU 2.6: Consider updating the Town and Beach Precinct Zoning Ordinances to include a brief description and purpose for each zoning district.

LU 2.7: Consider adding Small Wind Energy Systems to the Table of Uses of the Town Zoning Ordinance.

LU 2.8: Review Subdivision and Site Plan Review Regulations to be sure that they reflect Seabrook's Vision to encourage small town values that minimizes environmental impact. Consider appropriate standards for:

- Public roads and driveways,
- Stormwater management, and
- Building and site design standards.

LU 2.9: Continue to encourage use of Current Use tax program as well as other methods for protection of wetlands and agricultural land.

# **APPENDIX 3-A**

***FINAL***

## **Residential Build-out Analysis**

**Seabrook, New Hampshire**

**November 16, 2009**

**Submitted To:**

Master Plan Update Steering Committee  
Seabrook, New Hampshire

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**RESIDENTIAL BUILDOUT ANALYSIS  
TOWN OF SEABROOK, NH  
August, 2009**

**PURPOSE—To estimate future residential growth under current zoning.**

One of the requirements for the Town of Seabrook's contract with the NH Office of Energy and Planning under the Housing and Conservation Planning Program is the preparation of a residential build-out analysis. A rural/residential build-out analysis for Seabrook was conducted as a means of evaluating future development potential.

The objective of the analysis was to estimate the number of parcels of land within the rural, residential, and commercial zoning districts of the town that could accommodate future residential development based on current zoning regulations and environmental/land use constraints. The analysis provides an important tool to the town as it seeks to manage for the impacts of future growth.

**METHODOLOGY—Requires existing assessor data, current zoning and existing constrained areas in Seabrook—areas already developed and critical natural resources.**

**Data Sources—Employed numerous data sets from local, state and federal sources**

The build-out analysis employed the following data sources:

- Parcel boundaries – provided by the town of Seabrook in October, 2008.
- Assessing records/tax cards – spreadsheet provided by the town of Seabrook in October, 2008. Included zoning district for each parcel.
- Zoning district boundaries – provided by the Rockingham Planning Commission in September, 2008. Used for reference only.
- Soil units – Rockingham County Soil Survey, retrieved from the NRCS Soil Data Mart, December, 2008. Soils were coded to designate hydric units (e.g. poorly drained/very poorly drained soils).
- National Wetlands Inventory (NWI) wetland delineations – US Fish & Wildlife Service mapping, retrieved from the NH GRANIT archive.
- Floodplain boundaries – Rockingham County Digital Flood Insurance Rate Maps (DFIRMs), effective 2005, retrieved from the NH GRANIT archive.
- Land use – interpreted from 2005 imagery, retrieved from the NH GRANIT archive.

- Conservation lands – from NH Conservation and Public Lands data layer, updated in 2008, retrieved from the NH GRANIT archive.
- Surface water – lakes/ponds from the NH National Hydrography Data Set, retrieved from the NH GRANIT archive. The data layer was augmented by several small ponds mapped by the town and identified in the 2000 Master Plan.

Each of the above data sets was acquired, managed, and processed using ArcGIS software. This software environment allowed the analyst to overlay maps of the individual data sets, and to explore patterns of coincidence within the overlays. Further, it provided the necessary tools to execute the build-out model as described below.

### **Data Preprocessing—Required linking town parcel data with assessor data**

Several data processing tasks were required to prepare the parcel data for the buildout analysis. The first task was to link the parcel data and the assessors records based on the Parcel ID. Initial attempts to accomplish this uncovered a number of inconsistencies between the two data sets. The parcel data included 3,120 records. Of these, 20 were coded as features other than parcels (e.g. rights of way, river, etc.) Of the remaining 3,100 parcel records, 82 could not be successfully linked to the assessing data. These preliminary findings were discussed with town officials, with the following results:

- 47 problem records – successfully resolved based on information provided by town assessor
- 14 records – unable to link to assessing record, but visual inspection of aerial imagery indicated the lots were built out
- 20 records – unable to link to assessing record and no further information was available
- 1 record – no such map/lot per assessor

With the link between the parcels and the assessing records established, the next step involved mapping the zoning districts based on the zoning code in the assessing records. Visual inspection of these results in comparison with available townwide zoning map revealed a small number of additional discrepancies. Consultation with town officials provided resolution to these remaining data preparation issues.

Finally, the maximum contiguous road frontage for each parcel was calculated, and an attribute was added to the parcel layer and populated accordingly.

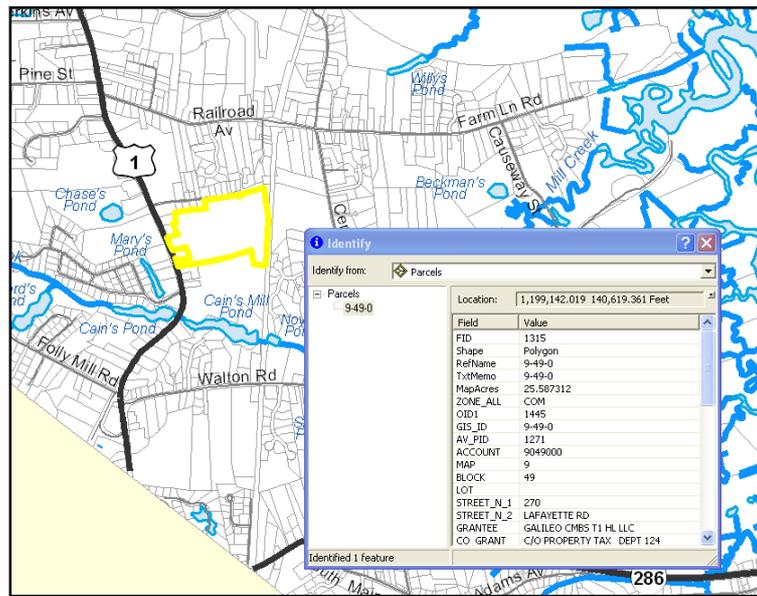
### **Buildout Model—Involves two steps—identify constrained areas and determine number of residential lots from remaining unconstrained area**

The residential buildout analysis comprised two basic steps. First, areas of the town that can not support future residential development were identified. This included areas that are already developed, and areas that are constrained from development due to environmental factors. Second, for each remaining area, the number of residential lots that could be supported was estimated based on the Seabrook Zoning Ordinance. The determination was made by applying the minimum lot size and frontage requirements from the Ordinance to each eligible area.

The specific steps of the buildout analysis included:

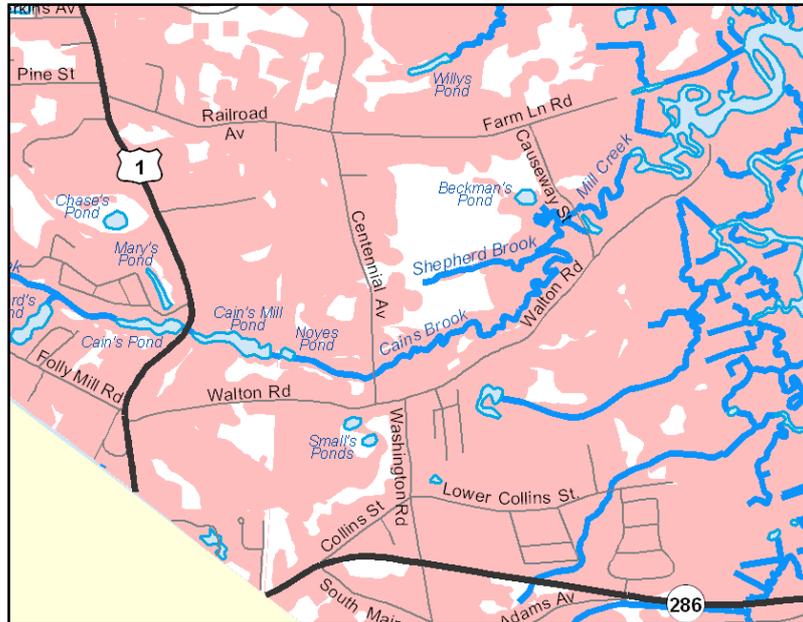
1. Map parcels linked to assessing records (including their associated zoning district designations). Figure 1 illustrates a sample parcel in yellow with its associated assessor record indicating it is approximately 25 acres and is in a Commercial District.

**Figure 1. Parcels linked to assessing records for subset of Seabrook.**



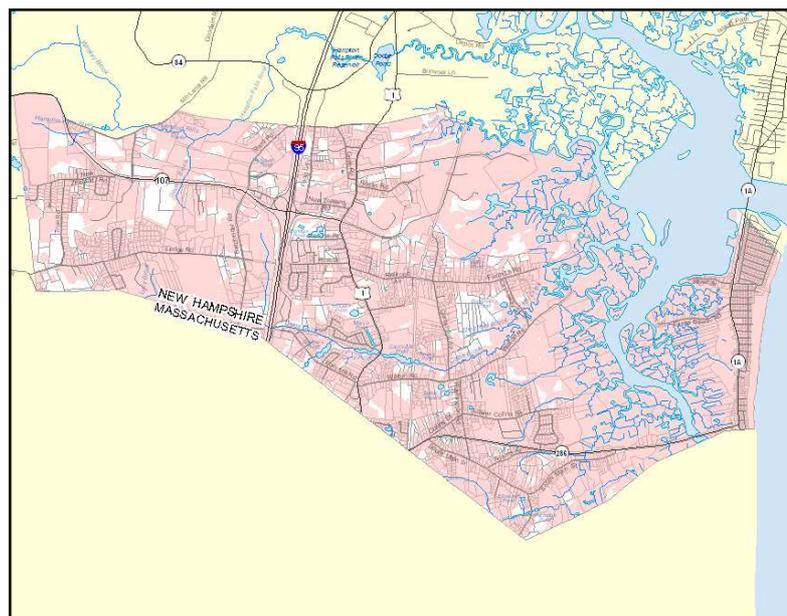
2. Create a composite of all development constraints used in the analysis (Figure 2). Development constraints included:
  - o Conservation lands
  - o Wetlands (hydic soils and NWI wetlands)
  - o Floodplains
  - o Surface water
  - o Existing developed lands

**Figure 2. Development constraints (shaded in pink) for subset of Seabrook.**



3. The next step is to overlay the parcel data with the development constraint composite from Figure 2 in order produce a map of unconstrained land area (white areas) within each parcel (Figure 3).

**Figure 3. Overlay of parcel data with development constraint composite for Town of Seabrook.**



4. For each **unconstrained** land area within each rural, residential, and commercial zone, determine if the area is associated with a parcel having the required minimum road frontage. For example, the minimum road frontage for a legal parcel in the Residential District is 125 feet. It was also necessary to apply a factor for roads, utilities, etc. to account for land that might be part of a subdivision requiring such features that could not be counted toward a residential lot.

For the subset of features with the required frontage, the analyst apply the following buildout calculation:

$$\text{Number of new lots} = \frac{(\text{Total lot size} * .88)}{\text{Minimum lot size for that zone}}$$

Note that 88% of each vacant parcel was considered eligible for development. The analysis assumed that the remaining 12% of the land area would be required for driveways and/or rights-of-way associated with development.

The number resulting from this calculation was truncated, so that only full lots were retained.

### **Buildout Example—Uses Sewered Lot in Rural Zone**

An example of the buildout methodology is presented below. The parcel selected for the example is within the Rural Zone, where the minimum lot size for sewered lots is 20,000 sq. ft., and the minimum continuous road frontage requirement is 125 ft. (per Seabrook zoning ordinance).

1. Select Example Parcel and Determine Initial Parcel Data

- Parcel ID: 2-39-0
- Total parcel size: 462,539 sq. ft.
- Longest continuous road frontage: 1,991 ft.
- Zone: Rural

2. Apply Development Constraints

- Area within one or more development constraints: 177,921 sq. ft.
- Remaining area eligible for development: 284,618 sq. ft.

The development constraints composite bisects the original parcel, resulting in two disconnected segments of 174,342 sq. ft. and 110,276 sq. ft. respectively.

3. Calculation of Buildable Lots for Segment 1

- Remaining area for development: 174,342 sq. ft.

- Remaining area factored by 88%: 153,420 sq. ft.
- Required continuous road frontage?: Yes
- Number of lots supported by segment: 7

**RESULTS—Total Constrained Area is 89% of Seabrook, 453 New Lots Possible**

The town of Seabrook covers 6,168 acres. Of this total, 5,475 acres (89%) were considered ineligible for future development due to one or of the more development constraints (see Table 1).

**Table 1. Acreage with Development Constraints**

Constraint Description	Acreage
Conservation Lands	451
Hydric Soils	2,512
NWI Wetlands	2,132
Floodplains	2,076
Surface Water	500
Existing Developed Lands	2,643
<b>TOTAL (1)</b>	<b>5,475</b>

*Note: The total area is not the sum of the individual acreage values, as many of the constraint types overlap. For example, there are areas of hydric soils in floodplain areas.*

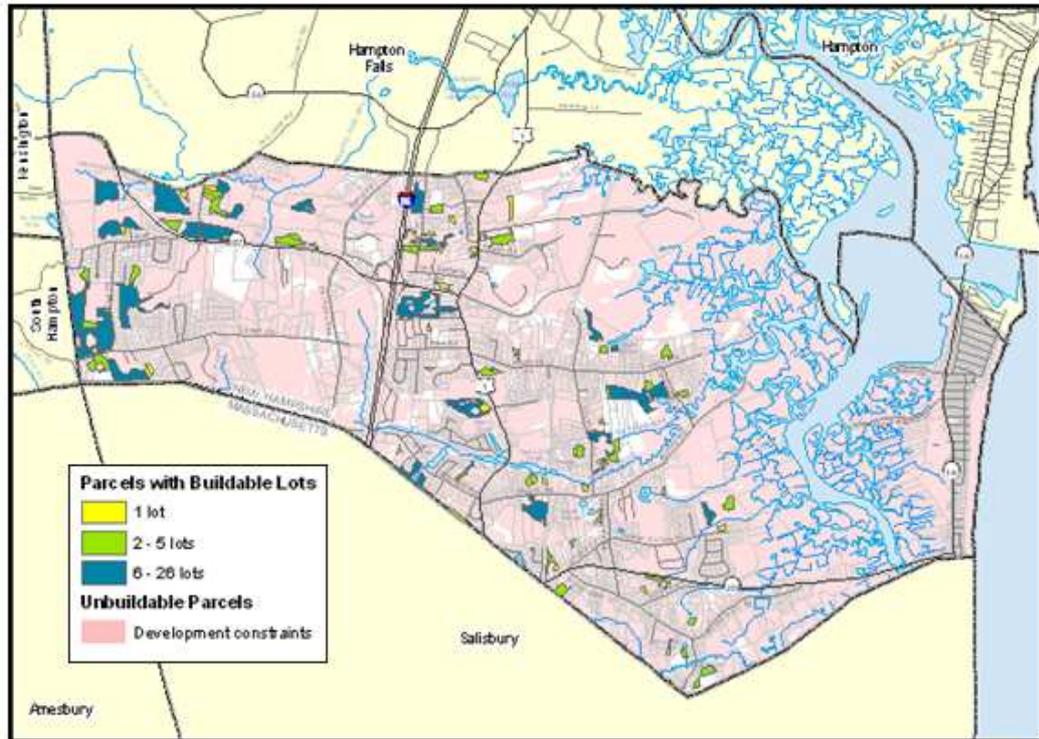
Table 2 presents the results of the residential buildout analysis by zoning district for the remaining eligible area of 693 acres. The “# of Buildable Parcel Segments” reports the number of individual parcel segments that were considered buildable, with each segment potentially supporting one or more lots.

**Table 2. Number of Buildable Lots Resulting from Buildout Analysis.**

Zone	# of Buildable Parcel Segments	Acreage of Buildable Parcel Segments	# of Lots
Rural	28	116.5	208
Residential	54	82.4	187
Commercial	16	50.7	58
<b>Total</b>	<b>98</b>	<b>249.6</b>	<b>453</b>

The data, summarized by number of buildable lots, are presented in map format in Figure 4. Areas in white are buildable, but do not meet the minimum acreage and/or frontage requirements in the Zoning Ordinance. It would appear that the most number of potential buildable lots are west of Route 1.

**Figure 4. Buildout Analysis Results**



### **LIMITATIONS OF ANALYSIS**

There are several limitations associated with the buildout analysis that should be recognized. They include:

- Efforts to link the parcel data and the assessing records were problematic for a small subset of records.
- Only the minimum lot size requirements and frontage requirements from the zoning ordinance were applied during the analysis. Lot depth/width characteristics were not taken into account. Subdivision and site plan regulations were not taken into account.
- A liberal estimate of wetlands was incorporated in the analysis, based on both poorly drained soils and the National Wetlands Inventory delineations. Since the wetland data was used to eliminate land from eligibility for subdivision, this likely produced conservative estimates of development potential.
- Land use data was interpreted and mapped from April 2005 aerial photography, and thus does not incorporate any development that occurred after that date.
- Does not apply to individual lots that may have constraints that would need to be field verified.