

Keep Pleasant Street Pleasant



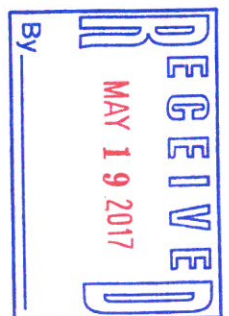
Dear Honorable Mayor James Bouley and Members of City Council:

Enclosed please find a formal *Zoning Protest Petition* pursuant to NH RSA 675:5 submitted by and on behalf of the property owners within and abutting the area affected by the proposed zoning change outlined in Richard Y. Uchida's "Zoning Amendment Proposal" submitted on January 30th, 2017 on behalf of GJC Associates. This petition respectfully exercises the rights afforded us by said statute requiring that a 2/3 majority of the council must find in favor of said proposal in order for it to be adopted. Furthermore, let this petition also stand as a clear statement of our strong and steadfast opposition to the proposed zoning change as well as the planned development at 297 Pleasant Street. We petitioners are adamant that this re-zoning and the ensuing development, is contrary to the city's master plan and detrimental to the character and current nature of the existing residential neighborhood. We also challenge the argument that other locations do not exist for the proposed development to occur and implore that the Mayor and Council recognize the inappropriate, unnecessary, and irresponsible re-zoning that Richard Uchida proposes. In addition to setting a dangerous precedent, this re-zoning request, should it pass, emboldens any entity to solicit the city to request a zoning change under the guise of "economic development" or "convenience" when it behooves them, but counters the historic character of the area and defies the master plan.

We thank you for your time and consideration.

Respectfully Submitted,

The Residents and Property Owners of West Pleasant Street



Zoning Protest Petition Pursuant to RSA 675:5


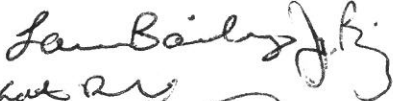
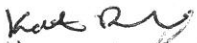
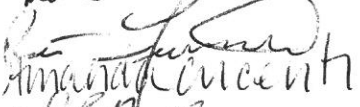



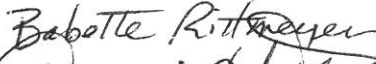

Concord, New Hampshire

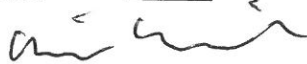




We, the undersigned landowners in the municipality, in order to promote stability and continuity of zoning legislation, do hereby object to the zoning amendment described below and respectfully petition that a two-thirds vote of the legislative body be required to enact the proposed amendment. The proposed amendment to the zoning ordinance was submitted by Richard Y. Uchida on behalf of GJC Associates on the 30th day of January, 2017 and is a proposal to:

Change the zoning of the portion of Pleasant Street that lies between Langley Parkway and St. Paul's School from its current Residential Medium (RM) zoning to Institutional (IS) zoning. In said application Richard Uchida proposes to;

"Re-establish the Institutional Zoning District (IS) along Pleasant Street between St. Paul's School and the area around Langley Parkway."

Said petitioners and their properties are identified as follows:

<u>Name</u>	<u>Address</u>	<u>Lot #</u>	<u>Acreage</u>	<u>Signed</u>	<u># of</u>
Carleton B. + Megan Ryder	307 Pleasant St.	94/1/21	1.64		1
James + Laura Bailey	295 Pleasant St.	94/1/3	7.00		1
Jeremy + Katherine Baldwin	291 Pleasant St.	94/1/2	0.16		1
Robert Fishwick + Amanda Cricenti	289 Pleasant St.	94/1/1	3.00		1
Lucinda Niles	283 Pleasant St.	95/2/9	0.24		1
Steve + Carol Cummings	285 Pleasant St.	94/1/6	2.60		1
Mathew+ Trieste Philbrook	281 Pleasant St.	95/2/8	4.55		1
Babette Rittmeyer	292 Pleasant St.	96/1/3	6.8		1
David S. Parker	2 Fisk RD.	97/3/12	1.48		1
Carmelite Monastery	275 Pleasant St.	95/2/6	39.25		

<u>Name</u>	<u>Address</u>	<u>Lot #</u>	<u>Acreage</u>	<u>Signed</u>
St. Paul's School	310 Pleasant St.	97/3/13	1.0	
St. Paul's School	325 Pleasant St.	94/1/8	18.5	
St. Paul's School	325 Pleasant St.	94/1/16	21.7	
St. Paul's School	38 Fisk Rd.	97/3/3	49.13	
Elizabeth Christenson	294 Pleasant St.	96/1/2	0.53	*see attached
Elizabeth Christenson	296 Pleasant St.	96/1/1	1.06	*see attached
Gregory d'Hennecourt	18 Fisk Rd.	97/3/5	1.13	
Matthew Dennehy	14 Fisk Rd.	97/3/6	1.08	
Adam Stockman	12 Fisk Rd.	97/3/7	0.83	

- Please see the attached map which identifies the area affected by proposed amendment as well as the property owners within and adjacent to said affected area.

TITLE LXIV PLANNING AND ZONING

CHAPTER 675 ENACTMENT AND ADOPTION PROCEDURES

Zoning Ordinance, Historic District Ordinance and Building Code Enactment Procedures

Section 675:5

675:5 Zoning Ordinance Protest Petition. –

I. Zoning regulations, restrictions and boundaries may from time to time be amended or repealed.

I-a. A favorable vote of 2/3 of all the members of the legislative body present and voting shall be required to act upon any amendment or repeal in the case of a protest against such zoning change signed by either:

(a) The owners of 20 percent of the area of the lots included in such proposed change; or

(b) The owners of 20 percent of the area within 100 feet immediately adjacent to the area affected by the change or across a street from such area.

I-b. Paragraph I-a shall apply only to amendments which alter the boundary locations separating previously defined zoning districts, or to amendments which alter the regulations or restrictions of an area not larger than 1/3 of the land area within the municipality.

I-c. The area of streets, commons, or land owned by a governmental entity shall not be included in any calculation under this section.

II. In order to have any protest considered pursuant to paragraph I-a:

(a) The owners signing the petition shall identify themselves on the petition by name and address, and by address of the property involved, or by lot and map number, or by whatever other means is used within the town or village district to identify the land in question, so that the selectmen or commissioners may identify such owners as interested and affected parties; and

(b) The signed protest petition shall be submitted to the selectmen or village district commissioners at least 7 days prior to the town or village district meeting; provided, however, that each protest petition shall apply to only one article on the warrant. A notice of receipt of the protest petition shall be posted at the polling place, and the moderator shall announce at the opening of the town meeting that a protest petition has been received.

Source. 1983, 447:1. 1985, 103:24. 1989, 44:1-3, eff. June 11, 1989.