

# **NONRESIDENTIAL SITE PLAN REVIEW REGULATIONS**

## **BARNSTEAD, NEW HAMPSHIRE**

In order to ensure that non-residential development is an asset, the Town of Barnstead has empowered the Planning Board to adopt and administer non-residential site plan review regulations. With adequate site plan review regulations and careful review of site plans by the Planning Board, nonresidential development within the community can become a positive addition to the community.

Certain standards are outlined as a guide both to the Planning Board in checking proposed site plans and to the developer as a guide for his design. Most of the plan will be presented in map format of what the applicant is proposing and how he proposes to meet the standards and requirements of the Town as established by the Planning Board.

According to the regulations, the Planning Board will approve or disapprove all site plans for the development of tracts of land for all uses other than one family residential prior to the Issuance of a building permit whether or not such development includes a subdivision or re-subdivision of land. This is to assure that minimum standards will be attained so as to provide for and protect the public health, safety, and general well-being.

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**As Amended 9/4/1994**

### **Section 1: Authority**

Pursuant to the authority vested in the Barnstead Planning Board by the voters of the Town of Barnstead in accordance with the provisions of Chapter 35: Section 19-a New Hampshire Revised Statutes Annotated, 1955, the Barnstead Planning Board adopts the following rules governing the review of nonresidential site plans in the Town of Barnstead, New Hampshire. These rules shall be entitled "Nonresidential Site Plan Review Regulations, Town of Barnstead, New Hampshire.

### **Section 2: Submission Items: Site Development Plan And Supporting Data**

Prior to the submission of the site development plan the owner may submit a preliminary sketch showing any preliminary information he desires to the Planning Board for discussion purposes only. On the formal submission of the site development plan, the owner or his authorized agent shall submit three sets of site plan maps and supporting data to the Planning Board which shall include the following information:

#### **2.1 Existing Data and Information**

A. Location of site, names, and addresses of owners of record and abutting landowners.

B. Name and address of person or firm preparing the map, the scale of the map (1 inch equals 40 feet suggested), north arrow and date. Such map shall be prepared by a registered land surveyor or registered professional engineer. Name and address of persons or firm preparing other data and information if different from the preparer of the map.

C. The boundary lines of the area included in the site, including angles or bearings of the lines, dimensions and the lot area.

D. The existing grades, drainage systems, structures and topographic contours at intervals not exceeding 2 feet with spot elevations where grade is less than 5 percent, otherwise not exceeding 5-foot contour intervals.

E. The shape, size, height, and location of existing structures located on the site and within 200 feet of the site.

F. Natural features such as streams, marshes, lakes, or ponds. Manmade features such as, but not limited to, existing roads and structures. Such map shall indicate which of such features are to be retained and which are to be removed or altered.

G. Use of abutting properties shall be identified with approximate location of the structures thereon including access roads.

H. The size and location of all existing public and private utilities and all existing landscaping. This shall include the location and size of existing public utilities that are located off-site, with which connection is planned, or located within 100 feet of the site.

I. A vicinity sketch (suggested scale 1" equals 500') showing the location of the site in relation to the surrounding public street system. The zoning districts and boundaries for the site and within 1,000 feet of the site shall be shown. One hundred year flood elevation line shall be included where applicable.

## **2.2 Proposed Plan and Information**

A. The proposed grades, drainage systems, structures and topographic contours at intervals not exceeding 2 feet with spot elevations where grade is less than 5 percent, otherwise not exceeding a 5-foot contour interval.

B. The shape, size, height, and location of the proposed structures including expansion of existing buildings.

C. Proposed streets, driveways, off-street parking spaces, sidewalks, with indication of direction of travel for one-way streets and drives and inside radii of all curves. The width of streets, driveways and sidewalks and the total number of parking spaces shall be shown. In addition, loading spaces and facilities associated with the structures on the site shall be shown.

D. The size and location of all proposed public and private utilities.

E. The location, type, and size of all proposed landscaping and screening.

F. Exterior lighting plan and proposed signs to be located on the site.

G. A storm drainage plan including plans for retention and slow release of storm water where necessary.

H. A circulation plan of the interior of the lot showing provisions for both auto and pedestrian circulation. An access plan showing means of access to the site and proposed changes to existing public streets including any traffic control devices necessary in conjunction with the site development plan.

I. Construction drawings, including, but not limited to, pavements, walks, steps, curbing and drainage structures.

J. Review by fire, police and highway department or Road Agent.

### **2.3 Additional Information**

The Planning Board may require such additional other information as it deems necessary in order to apply the regulations contained herein.

### **Section 3: Design and Construction Requirements**

All design and construction standards shall refer to the items shown and presented on the Proposed Plan and Information.

- 3.1 Traffic access to the site from the town streets shall ensure the safety of vehicles and pedestrians.
- 3.2 Improvement to existing streets shall include signal devices if necessary because of increased traffic generated by the development.
- 3.3 Circulation (vehicle and pedestrian) and parking including loading facilities shall be designed to ensure the safety of vehicles and pedestrians on the site.
- 3.4 Landscaping and screening shall be provided with regard to adjacent properties, the public highway and within the site including interior landscaping of large parking areas, (over three double rows).
- 3.5 Storm drainage of the site shall be designed for a 25-year flood and if the existing drainage system to which the site drainage system will be connected is inadequate, provisions shall be made for retention and gradual release of storm water in order to meet the 25-year flood demand.

- 3.6 Provision shall be made for snow storage during winter months.
- 3.7 Provision shall be made for the site to be serviced by necessary utilities which may include water for fire and domestic use, sanitary sewer, electrical, and gas.
- 3.8 Provision shall be made for protection of natural features.
- 3.9 All developments shall meet the standards and requirements included in the town zoning ordinance and subdivision regulations including, but not limited to, parking, off-street loading, landscaping, signs, location of driveways, erosion, screened service area and exterior lighting.
- 3.10 Construction requirements shall be in accordance with Standard Specifications for Road and Bridge Construction as published by the State of New Hampshire Department of Public Works and Highways provided that alternative provisions may be considered by the Planning Board if submitted by the developer.
- 3.11 Provision shall be made for water supply, wastewater disposal, and solid waste disposal.
- 3.12 Environmental factors.
- 3.13 Provision shall be made to assure that the proposal is consistent with the need to minimize flood damage, that all public utilities and facilities, such as sewer, gas, electrical, and water systems are constructed and that adequate drainage is provided to reduce exposure to flood hazards. Design provisions shall also be made to minimize or eliminate infiltration of floodwaters into new or replacement water supply systems and/or sanitary sewage systems and discharges from these systems into floodwaters. On-site waste disposal systems shall be located to avoid impairment of them or contamination from them during flooding.

#### **Section 4 Occupancy and Bonding**

The Planning Board may require a performance bond before any work commences on a development for that portion of the development that, if not properly completed, will have an adverse effect on adjoining property or has a potential for erosion. The steps for issuing and releasing a performance bond shall be the same as required in the subdivision regulations including, but not limited to, determining the amount, the sufficiency, term, and form of the bond.

No development may be occupied or used unless a certificate of occupancy has been issued by the Building Inspector. The Building Inspector shall not issue such

certificate of occupancy until these regulations have been complied with and the improvements made or a performance bond provided to the town for unfinished improvements.

## **Section 5 Definitions**

### **5.1 Development**

A development means the construction of improvements on a tract or tracts of land for nonresidential use.

### **5.2 Zoning and Subdivision Regulations**

The definitions contained in the Barnstead Zoning Ordinance and the Barnstead Subdivision Regulations shall, where applicable, apply to the Nonresidential Site Plan Review Regulations.

## **Section 6 Procedure for Planning Board Review**

- 6.1 A completed application shall fulfill all requirements of Sections 2 and 3 of these regulations. Provided an application is received at least five days before a Planning Board meeting, determination, as to its completeness shall be made at that meeting. A receipt for the application shall be provided by the Planning Board. Within 30 days after it has been determined that the application for site plan review meets the requirements of these regulations, the Planning Board shall place consideration of such proposed site plan on its agenda and shall act to approve or disapprove it within 90 days of accepting the completed application, provided that the Planning Board may apply to the Selectmen for an extension not to exceed an additional 90 days before acting to approve or disapprove. Otherwise, such proposed site plan shall be deemed to have been approved and the certificate of the town as to the date of submission of the site plan for approval and the failure to take action thereon within such time shall be issued on demand and shall be sufficient in lieu of the written endorsement or other evidence of approval herein required; provided however that the applicant for the Board's approval may waive this requirement and consent to an extension of such period. When necessary, the Building Inspector for the Town shall issue on behalf of the town the certificate of failure on the part of the Planning Board to take action as provided herein.
- 6.2 Planning Board may approve or disapprove the plan. In case of disapproval of any proposed site plan submitted, the grounds for such disapproval shall be adequately stated on the records of the Planning Board and the applicant notified by certified mail.

### **6.3 Public Hearing and Notice**

Before taking action on a nonresidential site plan, the Planning Board shall hold a public hearing thereon. The applicant and abutters shall be notified of the public hearing and the time and place of such hearing by certified or registered mail, return receipt requested, not less than 10 days before the date fixed for the hearing. In addition, notice of the public hearing shall be by advertisement in a newspaper of general circulation in the Town of Barnstead stating the time and place of such hearing and a brief description of the location of the proposed site plan. The publication of such notice shall be not less than 10 days before the date fixed for the hearing. The costs of any such required publication or posting of notice and the cost of mailing notice of the hearing shall be paid by the applicant prior to the hearing.

### **Section 7 Concurrent and Joint Hearings**

The Planning Board may hold a hearing on site plan review in conjunction with a subdivision hearing if both are required for a project. A hearing for site plan review by the Planning Board may be held at the same time and place that a hearing for a special exception is held for the project by the Board of Adjustment.

### **Section 8 Waiver Procedure**

When a proposed site plan is submitted for approval with regard to an expansion of an existing use or to a new use on a lot containing less than 60,000 square feet in area, the owner may submit a proposed site plan and request the Planning Board to waive specific requirements for the plan and supporting data. The Planning Board may agree to such requests provided that the Board has determined that such waiver of any requirements will not affect the purpose and intent of these regulations. This shall not apply to design and construction standards.

### **Section 9 Amendments**

Amendments to these site plan review regulations shall be made in the same manner in which amendments to subdivision regulations are made.

### **Section 10 Separability**

If any provisions herein shall be held to be invalid for any reason by a Court, such holding shall not invalidate in any manner any other provision contained herein.