

TOWN OF ALSTEAD, NEW HAMPSHIRE

SITE PLAN REVIEW REGULATIONS

ADOPTED FOR NONRESIDENTIAL AND MULTIFAMILY USES

Section I - Authority

Pursuant to the authority vested in the Alstead Planning Board by the voters of the Town of Alstead in accordance with the provisions of New Hampshire RSA 674:43, the Alstead Planning Board adopts the following Site Plan Review Regulations. These regulations govern the review and approval or disapproval of site plans for the development or expansion of use of tracts for nonresidential uses and multifamily dwelling units other than one and two family dwellings, whether or not such development includes a subdivision or re-subdivision of the site.

Section II - Purpose

The purpose of the Site Plan Review Regulations is to protect the public health, safety and welfare, to promote balanced growth; to prevent premature and uncoordinated development of land without the adequate provision of public services and facilities; to ensure sound site utilization; to prevent development which may result in negative environmental impacts; and to guide the character of development in such a way as to protect and enhance the quality of life in and around the Town of Alstead.

The Site Plan Review Procedure in no way relieves the developer, his/her agent or other individual from necessary compliance with the Town of Alstead Zoning Ordinance, Subdivision Regulations or any other ordinance pertaining to the proposed development. No site plan shall be approved until the proposed development is determined by the Planning Board to be in compliance in all respects to any and all pertinent ordinances and regulations. Home occupations, as defined in the Alstead Zoning Ordinance, shall be exempt from the Site Plan Review Regulations.

Section III - Definitions

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

Activities Subject to Site Plan Review

The Planning Board shall have the responsibility for making the final decision as to the necessity of Site Plan Review. Where there is any doubt as to whether or not a project requires Site Plan Review, the affected party should request a determination from the Board. In an effort to clarify what constitutes a change of use of sufficient magnitude or impact to trigger Planning Board action, the following guidelines will be observed:

- 1) If the proposal involves new construction of nonresidential or multifamily development.
- 2) If the proposal involves a change of use category, e.g., from residential to commercial, or from single family to multifamily.
- 3) If the proposal involves external modifications or construction, including parking lots (except for single family or duplex housing).
- 4) If the proposal involves expansion of a building or intensification of use that would result in a change in traffic volume or patterns in the area, or noise, parking, lighting, etc.
- 5) If the proposal involves a property that has never received Site Plan Review from the Planning Board for previous nonresidential or multifamily use.

Activities Not Subject to Site Plan Review

The following activities/projects would likely not be subject to Site Plan Review, however, this is a determination that is made by the Planning Board:

- 1) Proposals that involve no change in use or level of activity.
- 2) Internal building modifications to a nonresidential use that do not affect the scale or impact of the existing use.
- 3) A reuse of a premise for which a Site Plan Review has already been conducted, provided the new use is not different in type or impact.

Developments Having Regional Impact

All applications shall be reviewed for potential regional impacts. Upon such a finding, the Board shall furnish the regional planning commission(s) and the affected municipalities with copies of the minutes of the meeting at which the determination was made. The copies shall be sent by certified mail within 72 hours of the meeting. At least 14 days prior to the scheduled public hearing, The Board shall notify by certified mail the regional planning commission(s) and the affected municipalities of the date, time and place of the hearing, and of their right to appear with the status of abutters to offer testimony concerning the proposal.

Section IV- Procedure

Whenever any development of a site governed by these regulations is proposed or whenever any changes are proposed which differ from an existing site plan as approved by the Planning Board; before any construction, land clearing, building development or change is begun; before any permit for the erection of any building or authorization for development on such site shall be granted; and before any site plan may be filed with the Office of the Register of Deeds of

Cheshire County, the developer or authorized agent shall apply for and secure approval of such site development in accordance with the following procedure:

A. Preliminary Meeting with Applicant (Optional)

1) Prior to formal submission of the application, the applicant should meet with the board to discuss the concepts of the proposal. A potential applicant may request an informal review of the site plan by the Board. This preliminary consultation will occur only at public meetings of the Board, will be nonbinding and discussion of the proposal will be in conceptual terms only.

B. Filing and Submission of Completed Application

1) The completed application shall be filed with the recording secretary of the Planning Board no less than twenty-one (21) days prior to a regularly scheduled meeting of the Board. The application shall be made by the owner of the property or his duly authorized agent.

2) A complete application shall consist of a completed copy of the application form provided by the Planning Board and compliance with all of the requirements and specifications contained in the Site Plan Regulations, including: The presentation of all required drawings, layouts, reports or other technical data, and the payment of all fees, as required by the Board in accordance with its fee schedule; and the names and addresses of abutters as indicated in town records. Any application deemed incomplete by the Board because of failure to meet one or more of the requirements of these regulations will not be accepted. The cost of any required publications be borne by the applicant prior to the hearing.

3) Notice to the applicant, holders of conservation, preservation, or agricultural preservation restrictions, abutters, and the public shall be given as follows: The Planning Board shall notify the abutters, the applicant, holders of conservation, preservation, or agricultural preservation restrictions, and every engineer, architect, land surveyor, or soil scientist whose professional seal appears on any plat submitted to the Board by certified mail of the date upon which the application will be formally submitted to the Board. Notice shall be mailed at least (10) ten days prior to submission. Notice to the general public shall also be given at the same time by posting or publication as required by the subdivision regulations. The notice shall include a general description of the proposal which is the subject of the application and shall identify the applicant and the location of the proposal. For any public hearing on the application, the same notice as required for notice of submission of the application shall be given. If notice of public hearing has been included in the notice of submission or any prior notice, additional notice of the hearing is not required nor shall additional notice be required of an adjourned session of a hearing with proper notice of the date, time, and place of the adjourned session was made known at the prior hearing. All costs of notice, whether mailed, posted, or published, shall be paid in advance by the applicant. Failure to pay such costs shall constitute valid grounds for the Planning Board

to terminate further consideration and to disapprove the plat without a public hearing, as per RSA 676:4,d. Public notice of such hearing shall also be published in the Keene Sentinel and posted at the Alstead Town Office and the Alstead Post Office, not less than ten (10) days prior to said hearing. The notice shall include a general description of the proposal and shall identify the applicant and the location of the proposal.

C. Board Action on Completed Application

1) The board shall consider the completed application within thirty (30) days of its acceptance and shall act to approve or disapprove within sixty-five (65) days thereafter, subject to extension or waiver as provided in RSA 676:4,1(f). Approval of the plan shall be certified by written endorsement on the Site Plan signed by the Planning Board Chairman or Secretary. In case of disapproval, the grounds of such disapproval shall be stated in the minutes of the board and the applicant shall be notified of the decision in writing not more than ten (10) days after the date of such action.

Section V - Submission requirements

The Board may, by applicant request and by majority vote, waive any part or parts of these submission requirements.

A. Existing Data and Information

1) Location of site, names and addresses of owner(s) of record, of the applicant, of persons or firm preparing the map, abutting land owners, and the names of all adjoining streets.

2) The scale of the map (to be no greater than 1 inch = 100 feet), north arrow and date. Such map shall be stamped by a licensed land surveyor or licensed professional engineer. Name and address of person or firm preparing other data and information if different from the preparer of the map. The maximum size of each drawing to be submitted 24 x 36 inches. It is recommended that the applicant file a copy of the approved plan with the Cheshire County Registry of Deeds.

3) A vicinity sketch using an appropriate scale, 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 together with wetlands.

4) The surveyed boundary lines of the area included in the site, including angles or bearings of the lines, dimensions, street frontage, and the lot area. Similar data for internal lots, if any, in the site are required. Location and width of all easements shall be shown.

5) The existing grades, drainage systems, structures and topographic contours at intervals not exceeding five feet with spot elevations where grade is less than two percent. Also all low points, high points, and other areas needing spot elevations shall be shown using dashed lines. The source of such data shall be shown.

6) The shape, size, height and location of existing structures located on the site and within 200 feet of the site, also the location of wells and of sewage disposal systems within 200 feet of the site.

7) Natural features including watercourses and water bodies, various types of vegetation, topographical features, man-made features such as, but not limited to, existing roads and structures. The map(s) shall indicate which features are to be retained and which are to be removed or altered.

8) Use of abutting properties shall be identified with approximate location of the structure thereon including access roads.

9) The size and location of all existing public facilities and all existing landscaping. This shall include the location and size of existing utilities within 100 feet of site, and any off site utilities with which a connection is planned.

10) Soils data.

B. Proposed Development.

1) The proposed grades, drainage systems, structures, and topographic contours at intervals not exceeding five (5) feet with spot elevations where grade is less than two percent.

2) The shape, size, height and location of the proposed structures including expansion of existing structures, with typical elevations and floor plans.

3) Proposed streets, driveways, 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.

4) The design and location of all proposed utilities including but not limited to water supply, fuel storage systems, waste disposal facilities, septic tanks and leach field systems, or methods of waste water disposal, and provision for future expansion of sewage and water facilities.

5) The location, type and size of all proposed landscaping and screening including fences and walls.

- 6) Exterior lighting plan to include:
 - a. Location, height, intensity, direction, and type.
 - b. All proposed signs or instructional devices to be located on the site. All proposed signs shall conform to the Alstead Sign Ordinance.
- 7) Plans for snow removal and storage.
- 8) 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 proposed site development plan.
- 9) Construction drawings, including, but not limited to, walks, steps, curbing and drainage structures.
- 10) Provisions for control of erosion and sedimentation both permanent and temporary (during construction).
- 11) Location of any common lands and/or dedication of land for public or common ownership.
- 12) The phasing of project construction, if staged.
- 13) Provisions for fire safety, prevention and control.
- 14) Stormwater drainage plan showing:
 - a. Existing and proposed methods of handling stormwater run-off.
 - b. Direction of flow of the run-off through the use of arrows.
 - c. Location, elevation and size of all catch basins, dry wells, drainage ditches, swales, retention basins and storm sewers.
 - d. Engineering calculations used to determine drainage and piping requirements all the way to the receiving body of water. These calculations shall be based upon a ten (10) year storm frequency if the project will significantly alter the existing drainage pattern due to such factors as the amount of the new impervious surfaces being proposed.
- 15) The location of all existing and proposed deed restrictions, covenants, etc.
- 16) The location of all building setbacks required by the Zoning Ordinance.

*17) The applicant may be required to conduct a community facilities impact analysis which takes into consideration the following information to the extent the Planning Board deems applicable:

- A. Community Facilities Impact - The applicant shall conduct analysis of the following:
- 1) Estimated impact on the traffic system, including the impact of projected trips on flow characteristics and the impact of traffic on the immediate existing road structures.
 - 2) Estimated impact on the school system.
 - 3) Estimated impact on public safety providers including police, fire, and ambulance.
 - 4) Estimated impact on solid waste disposal system.
 - 5) Estimated impact on existing stormwater management systems, including flow and water quality.
 - 6) Estimated impact on the recreation resources and the provision of methods to meet proposed needs.
 - 7) Any other study deemed appropriate by the Planning Board.

*18) The applicant may be required to submit a soil erosion and sediment control plan. (Refer to subdivision regulations).

*19) The applicant may be required to submit maps and information and otherwise comply with the provisions of the Site Specific Soil Maps for New Hampshire and Vermont SSSNNE Special Publication No. 3, June, 1997.

* (Should the Planning Board determine some or all of the information described in section V.B (17-19), above, is to be required, the applicant shall be notified in writing within ten (10) days after the public hearing described in Section IV.(3), above, of the necessity to submit that information deemed a requirement by the Planning Board).

Section VI - Performance Bonds

There shall be a bond filed by the developer any time there are provisions in the plat for the construction of improvements. This bond shall be filed when the installation of facilities, (including, but not limited to streets, water, sewer or utility mains, pipes or connections), may be subject to those provisions in the Site Plan Review regulations governing the manner of installation or construction.

The Planning Board may make final approval of a plat otherwise found to be in conformance with these regulations contingent upon the applicant filing security for the performance of such work.

The applicant shall provide a bond or other security in an amount and with surety and conditions satisfactory to the Planning Board and Selectman and reviewed by Town Counsel; providing for securing to the Town of Alstead the actual construction and installation of such improvements and utilities within a period of time specified by the Planning Board and expressed in the bond or other security; and further, the Town of Alstead shall have the power to enforce such bonds and other securities by all appropriate legal and equitable remedies.

Section VII - Inspection, Approval and Acceptance of Improvements, Installations or Facilities

Site Plan Review approvals are granted subject to a certification of compliance upon completion of construction and prior to any use of the approved project. The certificate of compliance shall be issued by the Selectmen or their designated agent after final inspection affirms the project, as completed, to be in conformity with all permits thereto fore issued by the Town and other governmental agencies and all plans and information on which the permits were issued. All construction procedures under Site Plan Review Regulations shall be observed, inspected, and certified to the Selectmen or their designated agent by a registered professional engineer paid for by the applicant. Minor necessary changes may be required by the Selectmen or their designated agent. An inspection shall be completed within seven (7) working days of the request. A performance bond or other acceptable security for the completion of the project at that time, and thereupon a certificate of compliance may be issued.

Section VIII - General Standards and Requirements

A. The following general standards and requirements shall govern the Site Plan Review

- 1) The proposed use, building design and layout shall meet the provisions of the Town Zoning Ordinance, Subdivision Regulations and intent of the Master Plan.

2) The proposed use and design layout will be of such a location and in such size and character that it will be in harmony with the appropriate and orderly development of the surrounding area.

3) The proposed use and design layout will be of such nature that it will make vehicular or pedestrian traffic no more hazardous than is normal for the area involved. Factors for the Planning Board to consider in making this determination are the turning movements in relation to traffic flow, proximity to and relationship to intersections, adequacy of sight distances, location of and access to off street parking, street width, emergency vehicle access, and provisions for pedestrian traffic. To satisfy these requirements the applicant may be required to improve existing connecting roads at no expense to the Town.

4. The proposed use, building design and layout shall be located and shall be of such a size, intensity and layout so that all possible nuisances emanating therefrom are eliminated.

5. The proposed location and height of buildings or structures, location, nature and height of wall and fences, parking, loading and landscaping shall be such that it will not interfere, discourage or prevent the appropriate development in the use of land adjacent to the proposed site or unreasonably affect its value since these factors should be a positive influence on surrounding properties.

6. Signs shall be in accordance with the regulations of the Alstead Sign Ordinance and in addition shall be so designed and located as not to present a hazard, glare or unattractive appearance to either adjacent properties, motorists or pedestrians.

7. The land indicated on the plan shall be of such a character that it can be used for development purposes without danger to public health or the general welfare.

8. The proposed use shall provide for open spaces and green spaces of adequate proportions.

9. The proposed use shall provide for the adequate protection of the quality of ground water.

10. The Site Plan shall provide adequate safeguards against undesirable and preventable elements of pollution such as noise, smoke, soot, particulates, odor, electrical disturbance or any other discharge into the environment which might be harmful or a nuisance to persons, structures or adjacent properties.

11. The landscape shall be preserved in its natural state insofar as is practical by minimizing tree and soil removal. Any grade changes shall be in keeping with the general appearance of neighboring developed areas.

12. The proposed development shall be related harmoniously to the existing terrain, and the use, scale and proportions of existing and proposed buildings in the vicinity that have functional or visual relationship to the proposed development.

13. All open space shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing the site or overlooking it from nearby properties.

14. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Storm water shall be removed from all roofs, canopies, and paved areas, and carried away in a properly designed drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create unnecessary ponding in the paved area.

15. Exposed storage areas, exposed machinery installations, service areas, truck loading areas and similar accessory uses and structures shall be subject to such setbacks, screen planting or other screening and buffering methods as shall reasonably be required to prevent these areas from being incongruous with the existing or contemplated environment and surrounding properties.

16. Appropriate screening, as deemed necessary by the Planning Board, shall be required in cases to shield adjacent properties from incompatible land uses.

17. Water supply and sewage disposal systems must be adequately sized to meet the needs of the proposed use under the regulations of the New Hampshire Water Supply and Pollution Control Division and the Town of Alstead Subdivision Regulations. All applicable town, state and federal permits must be obtained before site plan approval can be given.

18. Site Plans will be reviewed to determine whether such proposals will be reasonably safe from flooding. If a proposal is determined to be in a flood prone area, such proposals will be reviewed to assure that:

- a. All such proposals are consistent with the need to minimize flood damage within the flood prone area.
- b. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage.
- c. Septic systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into flood waters.
- d. The lowest floor (including the basement) is elevated or made floodproof to or above the base flood level.

19. Site Plans will be reviewed and written confirmation shall be provided by the Alstead Fire Chief.

B. Telecommunication Facilities

1. The proposed facility (meaning any tower, antenna, and all associated structures related to their use) will be screened by natural or planted vegetation or suitably camouflaged as much as is deemed necessary and reasonable, based on location and view from other vantage points.
2. Towers shall be situated on the property in such a way as to maximize the distance between property lines and the base of the tower.
3. The applicant must provide a bond or other security acceptable to the Board of Selectmen that will be posted for the lifetime of the project, and will be for the purpose of paying for demolition and removal of the facility at the end of its useful life and/or when it ceases to be used for its original permitted use.
4. Where possible, the proposed facility will be arranged contiguous to or below the average canopy height of the abutting tree line.

Section IX - Enforcement

The Board of Selectmen is charged with the responsibility to enforce the provisions of these regulations.

Section X - Validity

The invalidity of any provision, sentence, paragraph, etc. of this regulation shall not affect the validity of any other provision.

Section XI - Revocation of Planning Board Approval

An approved site plan may be revoked by the Board in whole or in part, under the following circumstances:

1. At the request of or by agreement with the applicant.
2. When any requirement or condition of approval has been violated.
3. When the applicant has failed to perform any condition of approval within the time specified or within four years.

4. When four years have elapsed without any vesting of rights and the plan no longer conforms to applicable regulations.
5. When the applicant has failed to provide for the continuation of adequate security.

Section XII - Administration and Enforcement

A. These regulations shall be administered by the Planning Board. The enforcement of these regulations is vested with the Selectmen. The Selectmen shall not issue any building permit for construction which requires site plan approval until or unless such planned construction has received site plan approval by the Board.

B. Waivers:

Any portion of these regulations may be waived or modified when, in the opinion of the Board, strict conformity would pose an unnecessary hardship to the applicant and such waiver would not be contrary to the spirit and intent of these regulations.

C. Penalties and Fines:

Any violation of these regulations shall be subject to a civil fine as provided in RSA 676:16 and 676:17, as amended.

D. Appeals:

Any person aggrieved by a decision of the Planning Board may appeal said decision to the Superior Court pursuant to RSA 677:15, except when a disapproval by the Board is based upon noncompliance with the zoning ordinance.

Section XIII - Amendments

These regulations may be amended by a majority vote of the Planning Board after at least one public hearing following the notification procedure outlined in RSA:676:4,d.

Section XIV - Effective Date

These regulations and any amendments thereto shall take effect upon their adoption by the Planning Board, and all other site plan review regulations or part thereof made inconsistent are hereby repealed.

Section XV - Certification

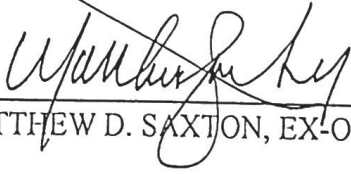
The undersigned, being a majority of the members of the Town of Alstead Planning Board, hereby certify that, on March 26, 2001, they approved the Site Plan Review Regulations, as contained in this document, after notice and public hearing as required by RSA 675:6.

DONALD E. BASCOM, MEMBER

JULIANA STEVENS, SECRETARY

DONALD E. BASCOM, MEMBER

JULIANA STEVENS, SECRETARY



MATTHEW D. SAXTON, EX-OFFICIO



RANDALL F. RHOADES, MEMBER



ROSE-MARIE CAFFREY, MEMBER



GLORIA SEDDON, MEMBER



PETER RHOADES, CHAIRMAN

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APPROVED AMENDMENTS TO
THE TOWN OF ALSTEAD SITE PLAN REVIEW REGULATIONS
DECEMBER 19, 2005

In the Site Plan Review Regulations Town of Alstead, N.H. handbook (Adopted 3/26/01,
Amended 12/19/05)

Section II - Purpose

The Site Plan Review Procedure in no way relieves the developer, his/her agent or other individual from necessary compliance with the Town of Alstead Zoning Ordinance, the Floodplain Management Ordinance, Subdivision Regulations or any other ordinance pertaining to the proposed development.....

Section VIII – General Standards and Requirements

A 1) The proposed use, building design and layout shall meet the provisions of the Town Zoning Ordinance, the Floodplain Management Ordinance, Subdivision Regulations and intent of the Master Plan.