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Town of Chichester

Site Review Regulations



CHECKLIST - SITE PLAN REVIEW

In cases where not all items are applicable, draw a line through the items which are not applicable.

<u>APPLICABLE</u> <u>(Y/N)</u>	<u>INCLUDED</u> <u>(Y/N)</u>	<u>INITIALS</u>	
_____	_____	_____	1. Three copies of the completed application and checklist
_____	_____	_____	2. Site plan: 22" by 34" sheet size maximum, scale not less than 1" =100', match lines where needed, boundaries, water courses & bodies of water, trees and other vegetation, topography at 2' intervals to USGS datum, existing and proposed contours and finished grade elevations and other pertinent features, date, title, graphic scale, north arrow, location map, name & address of developer/applicant, designer/engineer, owner of record. On mylar sufficient to record.
_____	_____	_____	3. List of names and addresses of abutters and owners of land within 200' of any property line. (YOU MAY NOT ABUT YOURSELF)
_____	_____	_____	4. The appropriate fee
_____	_____	_____	5. Plan of all buildings depicting their type, size, and location (setbacks)
_____	_____	_____	6. An elevation view or photo of all buildings
_____	_____	_____	7. Layout of off-street parking and loading
_____	_____	_____	8. Ingress-egress of site and depiction of streets both within and adjacent to site
_____	_____	_____	9. Solid waste disposal facilities
_____	_____	_____	10. Location, size, and design of signs and advertising or instructional devices
_____	_____	_____	11. Location, type, direction, and illuminated area of outside lighting
_____	_____	_____	12. Other required exhibits or data, any permits specific to site.
_____	_____	_____	13. Permanent first floor elevation of proposed buildings

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CHECKLIST - SITE PLAN REVIEW – CONTINUED

- _____ 14. Existing water supply and sewage disposal facilities on the site and within 200' of the site, proposed water and sewage facilities, and provisions for expansion of water and sewage facilities
- _____ 15. Location, elevation, and layout of surface drainage facilities
- _____ 16. Existing and proposed landscaping and open space areas and treatment
- _____ 17. Gas, electric, telephone, CATV utility lines
- _____ 18. Boundary survey shown
- _____ 19. Description or depiction of proposed grading, filling, or other site preparation
- _____ 20. Existing and proposed buffers
- _____ 21. Existing and proposed screening
- _____ 22. Sidewalks, access, loading & parking
- _____ 23. Erosion and sedimentation control plan
- _____ 24. Flood plain areas
- _____ 25. Town Engineer authorization
- _____ 26. Wetlands Setbacks.

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SITE PLAN REVIEW REGULATIONS

AUTHORITY

Pursuant to the authority vested in the Town of Chichester Planning Board voted on at the March 14, 1989, Town Meeting in accordance with the provisions of RSA 674:4 as from time to time amended, the Town of Chichester Planning Board adopts the following regulations governing the review and approval or disapproval of site plans for the development or change or expansion of use of tracts for non-residential uses or for multi-family dwelling units, which are defined as structures containing more than two (2) dwelling units, whether or not such development includes a subdivision or re-subdivision of the site. These regulations shall be entitled "Site Plan Review Regulations, Town of Chichester, New Hampshire."

EFFECTIVE DATE

ADOPTED ON April 4, 1989

REVISED ON 11/5/1992; 11/5/1998; 01/08/2004; 03/09/2004; 01/05/2011; 12/6/2012;
3/16/17

1) PURPOSE

The purpose of the Site Plan Review Regulations and the site review procedure is to provide for the safe and attractive development of the site and guard against such conditions as would involve danger or injury to health, safety, or prosperity by reason of inadequate drainage or conditions conducive to flooding of the property or that of another, inadequate protection for the quality of groundwater, undesirable and preventable elements of pollution such as noise, smoke, soot, particulates, or any other discharge into the environment which might prove harmful to persons, structures, or adjacent properties, and inadequate provision for fire safety, prevention and control; provide for the harmonious and aesthetically pleasing development of the municipality and its environs; provide for open spaces and green spaces of adequate proportions; require the proper arrangement and coordination of streets within the site in relation to other existing or planned streets or with features of the official map of the municipality; require suitably located streets of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air, and access of fire fighting apparatus and equipment to buildings, and be coordinated so as to compose a convenient system; require, in proper cases, that plats showing new streets or narrowing or widening of such streets be submitted to the Planning Board for approval; require that the land indicated on plats submitted to the Planning Board shall be of such character that it can be used for building purposes without danger to health; and include such provisions as will tend to create conditions favorable for health, safety, convenience, and prosperity. ~~The Planning Board requires reproducible mylars to be recorded with the Merrimack County Registry of Deeds.~~

2) THRESHOLDS FOR SITE PLAN REVIEW

Site Plan Review is required for:

1. The initial development of a multi-family site (3 units or more).
2. A change of use (see definition in these Regulations).
3. The initial development of a commercial site on previously undeveloped land.
4. The expansion of any of the aforementioned categories beyond 1,000 square feet (including impervious surfaces).

A. Categories of Site Plan Review:

For the purposes of efficiency of regulation, the following categories of land development are hereby established. Procedural requirements for approval of land developments vary among categories.

- i) Major Site Development: All site developments requiring site plan review which involve one or more of the following circumstances shall be processed as a Major Site Plan:
 - a. Any development activity or combination of activities that, within any four (4) year period results in the construction of any of the following:
 - i. 5,000 square feet or more of new gross floor area including accessory structures; or
 - ii. 10,000 square feet or more of new impervious surface or parking area;
 - b. Construction of a multifamily development containing six (6) or more dwelling units.
 - c. Changes of use that affect 10,000 square feet or more of gross floor, impervious surface, or parking area.
 - d. Any use resulting in the construction of a drive-through window.
 - e. Any development with the potential for regional impact.
- ii) Minor Site Development: All site developments requiring site plan review which involve the following, but not those criteria outlined in Major Site Development above, shall be processed as a Minor Site Plan:
 - a. Any development activity or combination of activities that, within any four (4) year period results in the construction of any of the following:
 - i. Less than 5,000 square feet of new gross floor area including accessory structures; or
 - ii. Less than 10,000 square feet of new impervious surface or parking area.
 - b. Construction of a multifamily development containing between three (3) and five (5) dwelling units.
 - c. Changes of use that affects less than 10,000 square feet of gross floor, impervious surface or parking area.
 - d. Construction of accessory buildings or accessory structures between 1,000 and 4,999 square feet of gross floor area.

In all cases, the Building Inspector / Code Officer shall not issue a building permit for the construction of any structure on said properties subject to these regulations, until final approval is granted by the Board, and no certificate of occupancy shall be granted until all site

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improvements required by plat approval by the Board have been installed to the specifications of the Board, or its designee. In the case of the latter, the Building Inspector / Code Officer may issue a certificate of occupancy provided that there is a performance guarantee in place that is adequate to ensure the completion of all required improvements

B. Exempt Site Developments:

- i) Those proposals, including accessory structures, which do not meet the thresholds for either Major or Minor Site Development and are not changes of use or the initial development of a multi-family or commercial enterprise, shall be exempt from site plan review. NOTE: although site plan review may not be required for a given project, this does not eliminate the need for a building permit when such a permit is required.
- ii) The construction of accessory structures or buildings on currently developed sites totaling less than 1,000 feet in size do not require site plan review.
- iii) Single family homes and duplexes do not require site plan review. NOTE: although site plan review may not be required for a given project, this does not eliminate the need for a building permit when such a permit is required.
- iv) When it is unclear if a project requires site plan review, an applicant may request a waiver from the Planning Board, in writing, from the site plan review process. The Planning Board may or may not grant the waiver based upon the merits of the waiver request.

In all cases, the Building Inspector / Code Officer will only issue a building permit after a determination that identified improvement will not have a negative impact on pedestrian or vehicular traffic circulation on said property in question or on abutting properties. If the Building Inspector / Code Officer makes a determination that said proposed improvement will have a negative impact, the applicant will have to comply with the requirements of these regulations.

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23) PROCEDURES

A. Site Plan Review shall be conducted in accordance with the procedural requirements contained in Subdivision Regulations, including the provisions of the Technical Review Committee (TRC) process, for review of final plats including the notice to abutters and a public hearing and in accordance with RSA 676:4 as from time to time amended.

- i) The list of all abutters and property owners within 200' should be checked with records at the Merrimack County Registry of Deeds and not obtained from the local tax rolls, as ownership may have changed since town records were last updated.
- ii) The applicant shall bear a the cost of review, including the cost of notifying abutters, the Board's administrative expenses, the cost of special investigations, the review of documents, advertising, and other costs required by particular applications. (see RSA 676:4 D)
- iii) If the site plan meets the evaluation criteria and is approved by the Planning Board, then the applicant may apply for a building permit. No building permit will be issued until approval of the site plan by the Planning Board is granted, The applicant will be notified by mail of approval or disapproval of site plans.
 - (1) Applicants may address the Board concerning a potential application. The Board, or its designee, may join the applicant in non-binding discussions beyond the conceptual level or general level involving more specific design and engineering details.
 - (2) During DISCUSSION and DESIGN REVIEW sessions, the Board shall not approve or disapprove the proposal or take any other action on the application, except to give general guidance to the applicant.
 - (3) Statements made by Board members shall not be the basis for disqualifying said members or invalidating any action eventually taken on an application.
- iv) The Board's approval of a Final Application shall lapse if all conditions of the Final Approval have not been met within ninety (90) days of the date the Final Approval was granted. If additional time is needed, the applicant shall appear before the Board by the deadline to explain the request for more time. The Board shall then vote on whether to grant an extension.

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~~3)4~~ SUBMISSION REQUIREMENTS

- a) Completed Application for Site Plan Review
- b) Site Plan:
 - i) Sheet size: 22" X 34" maximum, ~~recordable mylar~~
 - ii) Scale: not less than 1" =100'
 - iii) Match lines when needed
 - iv) Three (3) prints of each plan sheet (blue or black line)
 - v) Date, title, graphic scale, north arrow, location map and signature block
 - vi) Name and address of developer, designer/engineer, and owner of record
 - vii) Show all easements
- c) List of current names and addresses of all abutters, including self.
- d) Fees as set by the Board of Selectmen.
- e) Topographical plan with contour lines at two (2) foot vertical intervals. Benchmark from USGS datum.

~~4)5~~ REQUIRED EXHIBITS AND DATA

- a) ~~Reproducible mylar Plat~~ showing boundaries, existing natural features including water courses water bodies and wetlands, trees and other vegetation, topographical features, all buildings with their type, size and location, (setbacks) , location, width, curbing and type of access ways and egress ways (driveways), plus streets within and around the site, lines of all existing adjoining streets, and any other features which should be considered in the site design process;
- b) An elevation view or photograph of all buildings indicating their height, bulk and surface treatment, existing and proposed contours and finished grade elevations; all contours shall be a minimum of 2-foot intervals, type, extent and location of existing and proposed landscaping and open space areas indicating what existing landscaping and open space areas will be retained;
- c) Surveyed property lines showing their deflection angles, distances, radius, lengths of arcs, control angles, along property lines and monument locations and names of all abutters;
- d) Location of off-street parking and loading spaces with a layout of the parking indicated and compliance with American Disabilities Act (ADA) requirements;
 - i) Vehicle usage of area: state the number estimated per day and average;

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- e) Size and proposed location of water supply and sewage disposal facilities and provision for future expansion of such facilities, all distances from existing water and sewage facilities on the site and on abutting properties to a distance of 200 feet;
- f) Location, elevation and layout of catch basins and other surface drainage features;
- g) The location, size and design of proposed signs and other advertising or instructional devices;
- h) Size and location of all public service connections - gas, power, telephone, fire alarm, overhead or underground, location and type of lighting for all outdoor facilities, including direction and area of illumination, type and location of solid waste disposal facilities;
- i) Underground storage tanks for petroleum products, and all State Registration Numbers are to be shown on the plan, as well as all pertinent state and federal approvals;
- j) Indicate Building and Parking compliance with American Disabilities Act (ADA) requirements;
- k) Storage locations within the site for any flammable or hazardous type liquid gases, solid materials or other hazardous materials;

~~Any other exhibits or data that the Planning Board may require in order to adequately evaluate the proposed development of Site Review~~

- l) A HOME OCCUPATION, defined, for the purpose of these Regulations, as “an occupation, profession, or commercial activity or use that is considered customary, secondary, and incidental to a residential dwelling which does not alter the exterior of the property or affect the residential character of the neighborhood.” A HOME OCCUPATION is required to provide only the following submittal items for site plan review:

- i) A project narrative describing the proposed home occupation use. The narrative shall include the following elements:
 - (1) Type of business;
 - (2) Signage;
 - (3) Hours of operation;
 - (4) Number of employees (max of 2);
 - (5) Description of how the business will interact with customers (i.e. on site, online, etc.);
 - (6) How delivery to and from the business will occur;
 - (7) Description of any chemical/hazardous material usage;
 - (8) Restroom accommodations for employees and/or customers or patrons;
 - (9) Whether or not product will be stored outside;
 - (10) Type of building materials/siding to be used; and,
 - (11) Any other information the Board requests pertaining to business operations.
- ii) A sketch of the property (hand drawn or professionally) clearly showing the following elements at a reasonable scale:
 - (1) Property boundaries;
 - (2) Existing structures and buildings;
 - (3) Proposed additions or structures, if any;
 - (4) Sketches or pictures of existing facades and proposed additions, as applicable;

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- (5) Parking, delineating between employee, customer, home owner;
- (6) Any drainage areas;
- (7) Proposed traffic flows and driveway entrances;
- (8) Delivery locations;
- (9) Lighting;
- (10) Signage;
- (11) Landscaping;
- (12) Raw material/product storage (outside only); and,
- (13) Any other elements requested by the Board.

iii) An abutters list, not more than five (5) days old including all property owners of and within 200' of any property line, professionals involved in the development of the application or plan, and any easement holders.

iv) Fees as set by the Planning Board, including escrow.

v) Waivers request narrative for any items for which a waiver is requested.

m) Studies Required: The following studies may be required in accordance with the threshold criteria listed, or at the Planning Board's discretion.

i) Fiscal Impact Study: Such a study is required when a subdivision would contain the equivalent of two (2) percent of the existing dwelling units within the Town or where the Planning Board finds that a commercial or industrial subdivision may have an adverse fiscal impact on the Town, the applicant must submit an analysis of the projected operating, maintenance and capital costs of the Town. The analysis must contain a summary of the services applicable to the subdivision and of the capital facilities used to deliver the services.

ii) Traffic Impact Study: Where a Subdivision will result in the generation of an average of two hundred (200) weekday vehicle trip ends (according to Trip Generation - An Informational Report, Institute of Transportation Engineers), the Applicant must submit a Traffic Impact Study to the Board.

1. Traffic Impact Study shall include, but not be limited to, information with respect to:

- a. Estimated vehicular trips per day;
- b. An analysis of approaches;
- c. An analysis of the circulation and channelization patterns, a description and analysis of the location and type of existing and proposed traffic control devices;
- d. Pedestrian traffic and systems; v. An analysis of signal warrants;
- e. A description of the condition and capacity of the road network, and
- f. Other analysis of specific impacts as identified by the Planning Board.

2. A "trip end" is defined as a vehicle movement either entering or leaving the site.

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3. Examples of developments which would generate two hundred (200) weekday vehicle trip ends include (from Trip Generation, approximate values):

- a. 20 detached single family units,
- b. 40 manufactured housing units or condominium units, iii. 20 motel units,
- c. 17,000 gross square feet general office building,
- d. 1,700 gross square feet shopping center,
- e. 1,200 gross square feet high sit down restaurant vii. 8,400 gross square feet medical office building or clinic,
- f. 4,000 gross square feet hardware/paint store, ix. Gasoline/service station,
- g. 1,200 gross square feet bank.

iii) Community Facilities Impact Study: Where a Subdivision contains one hundred (100) lots, one hundred (100) residential units, one hundred (100) gross acres, eight thousand five hundred (8500) gross square feet of office or commercial space, or seventeen (17) gross acres of industrial land the applicant shall submit an assessment of the demands that the development will place on existing or proposed community services including, but not limited to, police, emergency, water, sewer, solid waste, roads, recreation, and Town Offices.

iv) School impact analysis: . Where a Subdivision would generate a school age population equal to one classroom according to current U. S. Census data from Subdivision Regulations Amended – September 6, 2016 Page 14 Merrimack County, the Applicant must submit an analysis of the impact of the subdivision on the School system.

v) Environmental assessment. The Applicant of each development containing ten (10) or more lots or twenty (20) or more acres shall submit a report from the New Hampshire Natural Heritage Inventory (NH Department of Resources and Economic Development) which identifies rare plant and animal species and exemplary natural communities in or near the proposed Subdivision with the Application. If any of the species or communities are identified within or adjacent to the Subdivision, an EA addressing the impacts on the species and communities.

vi) Other Considerations: The requirements contained in this Section are based on thresholds at which the expected impacts will measurable and at which point mitigation measures by the Applicant may be required by the Board. Nothing contained in this Section shall be construed to prevent the Planning Board from requiring other special investigations, at the applicant's expense or from requiring the above identified investigations at lower thresholds where, in the opinion of the Board, circumstances related to the development or the area warrant such special studies. An Applicant may not evade the application of the provisions of this Section through phased or scattered development of a parcel. The Board may, in its discretion, consider the effects of both prior and potential development of the land owned by the Applicant or other prior or future owners of the Subdivision and require compliance with the terms of this Section.

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n) Any other exhibits or data that the Planning Board may require in order to adequately evaluate the proposed development of Site Review.

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5)6) **GENERAL STANDARDS:**

- a) Design of development should fit the existing natural and man-made environments with the least stress:
 - i) Site preparation is to be conducted with minimal disturbance to existing vegetation. The site shall be adequately landscaped when completed.
 - ii) Landscape treatment shall consist of natural, undisturbed vegetation or features, or ground cover, shrubs, or trees as appropriate.
 - iii) Grading and filling must be conducted to minimize the alteration of surface and subsurface drainage to, toward or across abutting properties, unless the written consent of the abutting owner is obtained.
- b) Appropriate buffers are to be maintained or installed to provide privacy and noise reduction to Residential areas abutting non-residential sites:
 - i) Buffer strips (the number of feet depending largely on the density of development in the area) must be maintained between use and residential zones. Buffer strip between non-residential and residential zone must contain vegetation or appropriate fencing which will screen non-residential uses from sight from residential area throughout the year.
 - ii) A landscaping plan must be submitted showing locations and types of vegetation to be retained or established. Said landscaping plan shall incorporate the elements required in these Regulations.
- c) Screening must be provided to reduce visual pollution:
 - i) Storage areas must be fenced or screened throughout the year from on-site or adjoining parking and neighboring properties.
 - ii) Litter (garbage) storage areas must be screened throughout the year.
 - iii) The use of either fencing or hedges is permitted.
- d) Easements for Public Improvements: Any improvements for public benefit that are depicted outside of a Right-of-Way shall be provided an easement for access and maintenance to the benefit of the Town of Chichester.

4)e) **Parking and Loading and Pedestrian Safety:**

i. Access and Circulation: All property subject to Planning Board review under these regulations shall have safe and efficient vehicular and pedestrian access to and from public streets via driveways. The design and construction of all driveways and walks providing access to non-residential and/or multi-family residential sites shall be adequate, in the opinion of the Planning Board, to safely accommodate anticipated traffic volumes and pedestrian use generated by the proposed development.

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1. Applicants for sites accessed from public streets under the jurisdiction of the New Hampshire Department of Transportation (NHDOT) are required to obtain a valid NHDOT Driveway permit prior to final approval. The Planning Board reserves the right to require a more stringent standard relative to driveway curb cuts onto public streets. In cases where a site is accessed from a public street under the jurisdiction of the Town of Chichester, a driveway permit from the Town of Chichester is required.
2. Sidewalls of a minimum of four (4) feet wide shall be provided for pedestrian traffic to provide connection between the main entrances to businesses, housing or industrial establishments and parking areas. In the event that pedestrian shoppers or employees are reasonably anticipated, provisions shall be made for sidewalks running from the street line to the establishments. Such sidewalks, when adjacent to or within five (5) feet of driveways or roadways shall be at least six (6) inches above grade and protected by vertical curbing.
3. All access drives shall be constructed in accordance with the requirements of A Manual On Uniform Traffic Control Devices, latest edition, published by the US Department of Transportation, Federal Highway Administration.
4. All sites shall have fire lanes and emergency vehicle access sufficient to fulfill the requirements of the Chichester Fire Department.
5. Pedestrian access to all non-residential or multi-family structures shall be provided via walkways constructed in a manner consistent with the requirements of the Americans With Disabilities Act (ADA).
6. The access/egress to a parking facility shall be clearly marked and signed and said marking signs maintained year around.
7. Sight distance is crucial to ensure safe ingress and egress from a site. For all access points, adequate sight distance standards in accordance with acceptable engineering practices and State or Federal standards (whichever is stricter) shall apply.
8. Driveway approaches, widths, and throat lengths must be adequately designed to accommodate the volume of traffic entering and exiting the site. This design must also take into consideration the safety of pedestrians, bicyclists, and other motorists. All access points on the site must be paved unless waived by the Board.
9. Driveways should be aligned with those curb cuts directly across the street from the site unless a safer and more effective configuration is presented that will facilitate better traffic circulation in the area.
10. Where traffic from a proposed development will adversely impact an adjacent street or intersection, provision shall be made for the mitigation of said impacts. Such improvements may include, but are not limited to: medians, traffic signage, drainage improvements, sidewalks or other pedestrian infrastructure or modifications to existing infrastructure, traffic signals, and curbing.

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11. Non-residential and multi-family driveways shall be a minimum of 22 feet in width and a maximum of 35 feet in width. One-way entrance and exit drives may be reduced to a minimum of 12' in width and a maximum of 20' in width. For large projects separate entrance and exit lanes shall be a minimum of 12 feet in width and shall be separated by a four (4) foot raised median.

12. The following shall serve as the acceptable standard for determining the location and spacing of driveway/access points in a development, or as these standards are amended they shall hereby be incorporated by reference.

Driveway Spacing

<u>Roadway Classification</u>	<u>Minimum Spacing (feet)</u>	<u>Desired Spacing (feet)</u>
<u>Arterial</u>	<u>300</u>	<u>500</u>
<u>Collector</u>	<u>300</u>	<u>500</u>
<u>Local</u>	<u>100</u>	<u>300</u>

ii. Parking: No land shall be used and no building or structure shall be erected, enlarged, or use of building use changed, unless the off-street parking requirements are provided as specified in this section. For purpose of this section, an enlargement of any building shall require the provision of off-street parking for existing buildings as if were newly constructed. Required off-street parking facilities shall be provided on the same lot as the principal use or uses they are intended to serve, unless otherwise approved by the Planning Board.

1. Buildings, structures, parking lots, and landscaping shall be arranged so that access and egress by emergency vehicles will not be inhibited, and so as to promote safe internal circulation on the property.
2. Sufficient off-street loading and/or unloading space must be provided including off-street areas for maneuvering of anticipated trucks or other vehicles which shall be designed to ensure the safety of vehicles and pedestrians on the site. Maneuvers for parking and/or loading or unloading spaces must not take place on a public street.
3. Parking spaces shall not be used as temporary/permanent storage, nor will they be considered loading areas.
4. At the discretion of the Planning Board, parking may or may not be required to be paved.
5. No activities will be permitted except for those for which the use of the parking spaces, fire lanes, loading areas, snow storage areas, and access aisles was intended.
6. All site plans presented to the Planning Board for approval shall identify an area or areas of sufficient size and composition to allow for safe and convenient storage of snow volumes anticipated to be generated by winter site maintenance, or include a note indicating that snow is to be removed from the site.

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7. Snow storage areas shall not be specified at locations where accumulated volumes of snow will produce a visual nuisance on-site or to abutters, or snow melt will result in the flow of water onto a public street. Snow shall not be stored in areas of jurisdictional wetland, wetland buffers or in parking spaces, aisles, fire lanes, access drives nor other areas of a site where accumulated snow volumes would prevent proper use of a site in terms of these Regulations or in the judgment of the Planning Board.
8. The number of off-street parking spaces shall be provided in accordance with the Chichester Zoning Ordinance. In computing total parking requirements for a land use, fractional numbers shall be summed. Where the sum of the parking space computations results in a fractional number, fractions of one-half (½) or more shall be counted as one (1).
9. The parking requirement for a use that does not fall within one of the categories in parking requirements of the Zoning Ordinance, shall be as required for the closest similar use, as determined by the Planning Board.
10. Where multiple uses or buildings are located on the same lot, the parking requirements shall be computed for each use or structure, and the number of spaces provided shall not be less than the sum of the number of spaces so calculated.
11. For nonresidential principal uses, up to twenty-five (25) percent of the total number of required spaces may be designated for compact automobiles. Additional compact spaces may be allowed by the Planning Board up to a maximum of fifty (50) percent upon a determination that the increase is warranted and will not be detrimental to the users of the property.
12. Each standard parking space shall contain a rectangular area of at least nineteen (19) feet in length and nine (9) feet in width, except where the spaces are located parallel to the travel aisles, the length shall be increased to twenty-two (22) feet.
13. Parking spaces for compact automobiles shall contain a rectangular area of at least fifteen (15) feet in length and eight (8) feet in width, except where the spaces are located parallel to the travel aisles, the length shall be increased to eighteen (18) feet. These spaces must be conspicuously designated as reserved for compact automobiles by a sign such that it will not be obscured by a vehicle parked in the space.
14. Parking spaces for passenger vehicles carrying handicapped individuals shall contain a rectangular area of at least nineteen (19) feet in length and eight (8) feet in width together with an access way of five (5) feet in width immediately adjacent to the parking space. Parking spaces for vans carrying handicapped individuals shall contain a rectangular area of at least nineteen (19) feet in length and eight (8) feet in width together with an access way of eight (8) feet in width immediately adjacent to the parking space. Two (2) adjacent parking spaces for the handicapped may share one access way. All handicapped accessible

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parking shall be designated as such by a sign bearing the symbol of accessibility, located such that it will not be obscured by a vehicle parked in the space.

15. Stacking spaces shall contain a rectangular area of at least twenty (20) feet in length and nine (9) feet in width. Where there are separate windows or stations for ordering and for receiving services or products, the required stacking spaces shall be located so as to accommodate vehicles approaching the window or station which is for ordering services or products.

16. Minimum Aisle Width in parking lots shall be at least twenty-four (24) feet in width for two-way traffic. Aisles shall be provided at the minimum widths shown below for one-way traffic. Parking spaces at an angle of less than ninety (90) degrees shall provide for one way traffic flow.

<u>Angle to Aisles in degrees</u>	<u>Minimum Aisle Width</u>
<u>60</u>	<u>18 feet (one-way)</u>
<u>45</u>	<u>15 feet (one-way)</u>
<u>30</u>	<u>15 feet (one-way)</u>
<u>0</u>	<u>15 feet (one-way)</u>

17. Driveways connecting parking lots to a street or another parking lot shall be at least twenty-four (24) feet in width for two-way traffic flow and at least twelve (12) feet in width for one-way traffic flow. No driveway shall exceed twenty-eight (28) feet in width except where the Planning Board requires a driveway of three (3) lanes or more as part of the approval of a site plan.

18. Accessible parking is required and shall conform to the most current State and Federal law in place at the time of the application. Adequate provisions shall be made for safe accessibility for persons with disabilities from the parking spaces to the proposed building(s)/use(s). One in every eight (8) accessible spaces, but not less than one (1), shall be designed and designated for vans. Accessible Parking Spaces shall be provided as follows:

<u>Total Number of Parking Spaces</u>	<u>Required Minimum Number of Accessible Spaces</u>
<u>1 to 25</u>	<u>1</u>
<u>26 to 50</u>	<u>2</u>
<u>51 to 75</u>	<u>3</u>
<u>76 to 100</u>	<u>4</u>
<u>101 to 150</u>	<u>5</u>
<u>151 to 200</u>	<u>6</u>

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<u>Total Number of Parking Spaces</u>	<u>Required Minimum Number of Accessible Spaces</u>
<u>201 to 300</u>	<u>7</u>
<u>301 to 400</u>	<u>8</u>
<u>401 to 500</u>	<u>9</u>
<u>501 to 1000</u>	<u>2 percent of total</u>
<u>1001 and over</u>	<u>20 plus 1 for each 100 over 1000</u>

19. Stacking spaces for drive-through businesses, vehicle stacking spaces for drive-up window(s) service shall be located on the same lot as the principal use, and shall not interfere with ingress to the lot from a public street, other required parking spaces, or access aisles to said parking spaces.
20. Stacking spaces for uses incorporating drive-through services shall be located on the same lot as the principal use, shall not interfere with other required parking and loading spaces or access aisles to said parking and loading spaces, shall minimize or avoid conflict with pedestrian circulation and access, and shall not interfere with ingress to the lot from a public street.
21. A landscaping and lighting plan shall be required for all parking areas.
22. All parking, aisles, driveways, loading areas are required to be paved, unless waived by the Planning Board for good cause.
- i. Pavement shall consist of an asphalt binder and wear course. There shall be a minimum of 12" of subsoil and 3" of pavement.
 - ii. For loading areas, additional pavement thickness or concrete may be required due to weight of delivery vehicles.
 - iii. At seasonal or agricultural use locations, paving may be omitted upon a finding by the Planning Board that the parking area is suitable for the proposed use and location proposed.
 - iv. Applicants are encouraged to use alternative impervious surface materials other than asphalt and concrete. Encouraged materials include pervious pavements, brick and concrete pavers, stamped concrete and asphalt, as well as other similar materials.

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~~—The Planning Board shall require vehicular and material storage areas to be provided with surface treatment which will not generate dust or result in soil erosion. Sufficient off-street parking must be provided for the anticipated use to accommodate both employees and customers so that no parking is forced onto public streets or nearby properties, American Disability Act (ADA) requirements must be met for parking.~~

- i) Make provision to accommodate the increased run-off caused by changed soil and surface conditions during and after development. Sediment basins or other acceptable techniques may be required. Diversions, sediment retention basins, and other such devices, shall be constructed prior to any on-site grading or disturbance of existing surface material.
- ii) Show control measures both during construction and any permanent controls to remain after construction.
- iii) Identify, locate and show elevation, grades and/or contours at intervals of not more than two (2) feet for the existing and proposed drainage ways, drainage easements, drainage structures, and water bodies.
- iv) Identify, and relatively locate, proposed erosion and sediment control measures and structures during and after development.
- v) Include drawings and specifications for each proposed soil erosion and sediment control measure and structure in accordance with the town and the Merrimack County Conservation District standards.
- vi) Include drawings, details and specifications for proposed flood hazard prevention measures and structures and for proposed storm water retention basins.

4g) Ensure that stripping of vegetation, regrading or other development will be done in such a way that will minimize soil erosion. Temporary seeding and/or mulching may be required by the Board to protect exposed critical areas during development. Whenever practical, natural vegetation shall be retained, protected and supplemented.

6j) Outdoor Lighting

- a) Definitions: In addition to those words and terms related to outdoor lighting contained within the Chichester Zoning Ordinance, the following definitions shall also apply:
 - i) Full cut off type fixture. (See Figure F-1) A luminaire or light fixture that; by design of the housing, does not allow any light dispersion or direct glare to shine above a horizontal plane from the base of the fixture.
 - ii) Uplighting. Any light source that distributes illumination above a horizontal plane from the base of the fixture.
 - iii) Illuminated sign. Any sign that uses artificial light or reflected light from an artificial source.
 - iv) Electronic message sign. A sign consisting of text, symbolic imagery, or both, that uses an electronic display created through use of a pattern of lights in a dot matrix configuration

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allowing the sign face to intermittently change the image without having to physically or mechanically replace the sign face, including an LED (Light Emitting Diode) sign, as distinguished from a static image sign.

- b) Purpose: It is the goal of this section to provide further guidance to developers in implementing minimum requirements for lighting for all non-residential projects (non-residential projects include multi-family proposals). Recognizing that inappropriate and poorly designed or installed outdoor lighting causes unsafe and unpleasant conditions, limits resident's ability to enjoy the nighttime sky, and results in unnecessary use of electric power. Conversely, it is also recognized that some outdoor lighting is appropriate in areas such as civic, commercial and industrial centers. To ensure appropriate lighting while minimizing its undesirable effects, the following regulations are established.
- c) General Requirements
- i) That all exterior lights and illuminated signs shall be designed, located, installed and directed in such a manner as to prevent light trespass, in excess of two-tenths (0.2) foot-candles, and glare across the property lines.
 - ii) All parking area lighting will be full cut-off type fixtures.
 - iii) Full cut-off fixtures must be installed in a horizontal position as designed, or the purpose of the design is defeated, and glare will result.
 - iv) Uplighting is prohibited. Externally lit signs, display, building and aesthetic lighting must be shielded to prevent direct glare and/or light trespass. The lighting must also be, as much as physically possible, contained to the target area.
 - v) The display or erection of electronic message signs is prohibited.
 - vi) All building lighting for security or aesthetics will be full cut-off or a shielded type, not allowing any upward distribution of light. Flood lighting is discouraged, and if used, must be shielded to prevent:
 - (1) Glare for drivers or pedestrians,
 - (2) Excess light trespass beyond the property line, and
 - (3) Light above a horizontal plane. Unshielded wallpack type fixtures are not acceptable.
 - vii) All non-essential lighting will be required to be turned off after business hours, leaving only the necessary lighting for security. ("Non-essential" can apply to: display, aesthetic, parking and sign lighting.)
 - viii) When outdoor lighting installation or replacement is part of a development proposal for which site plan approval is required under these regulations, the Planning Board shall review and approve the lighting installation as part of its site plan approval.

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- ix) The applicant shall submit to the Town sufficient information, in the form of an overall exterior lighting plan, to enable the Town to determine that the applicable provisions will be satisfied. The lighting plan shall include at least the following:
 - (1) A site plan, drawn to the required scale, showing all buildings, landscaping, parking areas, all proposed exterior lighting fixtures;
 - (2) Specification (details) for all proposed lighting fixtures including photometric data, and other descriptive information on the fixtures;
 - (3) Proposed mounting height of all exterior lighting fixtures;
 - (4) Analyses and luminance level diagrams showing that the proposed installation conforms to the lighting level standards outlined within this section and the Chichester Zoning Ordinance; and
 - (5) Drawings of all relevant building elevations showing the fixtures, the portions of the walls to be illuminated, the luminance levels of the walls, and the aiming points for any remote light fixtures.
- x) Lighting of Gas Station Canopies: All of the above standards shall apply, as well as the following standards:
 - (1) Lighting levels under canopies shall be adequate to facilitate the activities taking place in such locations. Lighting of such areas shall not be used to attract attention to the business. Signs allowed under the appropriate sections of the Chichester Zoning Ordinance shall be used for that purpose.
 - (2) The illumination of, or the installation of any lighting fixtures upon, the sides or top of the canopy is prohibited.
 - (3) Lighting fixtures mounted under canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy.
- xi) When an outdoor lighting installation is being modified, extended, expanded or added to, the entire outdoor lighting installation shall be subject to the requirements of this section.
- xii) Expansion, additions, or replacements to outdoor lighting installations shall be designed to avoid harsh contrast in color and or lighting levels.
- xiii) Where practicable, electrical service to outdoor lighting fixtures shall be underground.
- xiv) Proposed lighting installations that are not covered in this section may be approved if the Planning Board finds that they are designed to minimize glare, do not direct light beyond the boundaries in excess of 0.2 foot-candles of the area being illuminated or onto adjacent properties or street, and do not result in excessive lighting levels.

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xv) Mounting height restriction: Any luminaire rated at a total of more than 1800 lumens, and any flood or spot luminaire rated at a total of more than 900 lumens. The maximum height of the luminaire may not exceed 25 feet.

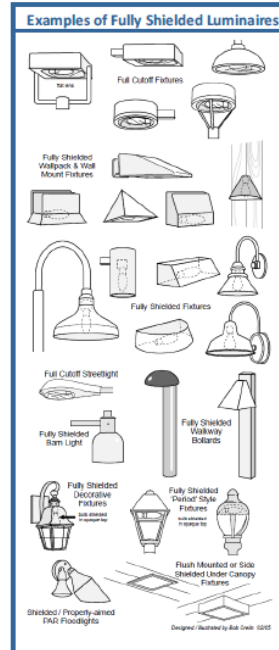


Figure F-1

7)8) Access to Public Streets:

- a) Access to public streets shall be in conformance with the rules and regulations of the New Hampshire Department of Transportation and/or the town, as adopted and amended.

9)9) Water supply and sewage disposal systems:

- a) Water supply and sewage disposal systems must be sized to adequately meet the needs of the proposed use under the regulations of the New Hampshire Department of Environmental Services, Division of Water Supply and Pollution Control and/or the Town Subdivision Regulations. In areas not currently served by public sewers, it shall be the responsibility of the developer, or his agent, to provide adequate information to prove that the area of the lot is adequate to permit the installation and operation of an individual sewage disposal system. The developer shall be required to provide the necessary percolation tests and submit such tests together with the proposed plan to the New Hampshire Department of Environmental Services, Division of Water Supply and Pollution Control for its consideration and approval. Such approval must be obtained before site plan approval can be finalized.

9)10) Flood Hazard Areas:

- a) Site plans for both non-residential development and multi-family units will be reviewed to determine whether such proposals will meet existing floodplain regulations. If such a proposal is determined to be in a flood prone area, such proposals will be reviewed to assure that:

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- i) All such proposals are consistent with the need to minimize flood damage within the flood prone area;
- ii) All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
- iii) Septic systems, if required, shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into flood waters;
- iv) The lowest floor (including the basement) is elevated or flood-proofed to or above the base flood level.

11) FIRE PROTECTION

All developments shall make adequate provision for fire apparatus to access buildings and structures to allow for safe and effective emergency rescue and fire protection. While these standards represent the minimum, the Chichester Fire Chief or his or her designee may impose more or less stringent standards at their discretion based upon the specifics of a proposed development.

- a) Fire access shall be provided through an unobstructed twenty (20) foot wide corridor from an accessible paved area to the main walk-in access point of any building or structure over 2,000 square feet in gross floor area.
- b) All uses proposed within a development shall be required to conform to the applicable standards for automatic fire suppression systems contained within the State Building Code as well as all applicable NFPA requirements for fire suppression systems. One and two family residential structures are exempt from the requirement to provide automatic fire suppression systems pursuant to RSA 674:36 IV, however, one and two family residential structures may be sprinklered if the owner/developer chooses to do so.
- c) Fire lanes shall be provided for any of the following structures which are not completely protected by an approved automatic fire suppression system:
 - i. All residential structures except for one and two family structures.
 - ii. All non-residential structures two (2) or more stories in height and all non-residential structures containing over 4,000 square feet of gross floor area.
- d) Fire lanes shall be at least twenty-four (24) feet wide and be located along the side of the building or structure which has walk-in access to the interior of the structure. Fire lanes shall be located along one longitudinal side of the structure for a minimum of two-thirds (2/3) of the building length. Required fire lanes shall be located parallel to the ridge line of the building, or eave line of a flat roof, so that the mid-point of the fire lane is perpendicular to the mid-point of the structure.
- e) Fire lanes shall be capable of supporting axle loads of eighteen (18) tons and shall not exceed five (5) percent slopes.

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- f) Fire lanes shall be posted with signs and/or pavement markings.
- g) Fire lanes, where separated from the building or structure by parking spaces, shall be provided with fifteen (15) foot corridors between parking spaces to each walk-in entrance to the building. At a minimum one (1) fire access through the parking shall be provided for each building and no less than one (1) fire access be provided for each eighty (80) feet of fire lane. Fire lanes shall be set back from the wall of the building or structure a minimum of 15' for a one and two story structure and twenty-five (25) feet for structures greater than 25' in total height.
- h) Where access to a proposed development is proposed through a gated driveway, access gates shall be constructed to standards for gates with preemption control established by the Town of Chichester Fire Department. A permanent means to assure maintenance acceptable to the Planning Board shall be created to maintain the gated access.
- i) Where emergency access is proposed by way of a secondary gated driveway, an emergency access gate shall be constructed to standards for gates with preemption control established by the Town of Chichester Fire Department and shall be maintained in perpetuity. A permanent means to assure maintenance acceptable to the Planning Board shall be created to maintain the emergency access, including snow removal.

12) LANDSCAPING

The landscaping and erosion control standards are intended to ensure that site plan developments manage runoff, enhance the visual quality of Chichester's streetscapes, provide effective screens and buffers, and better integrate the built and natural environment. Landscape plans shall be designed to preserve existing natural and cultural resources, maintain and enhance wildlife habitat, establish vegetative buffers, conserve water resources, and support on-site stormwater control.

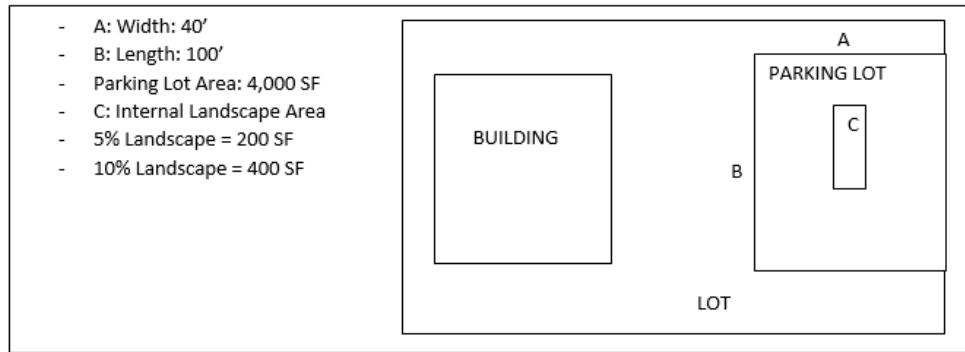
The general intent and purpose of this section is to ensure adequate and aesthetically pleasing landscape designs are submitted with the site plan application. Said designs shall include appropriate species that will survive and prosper in their proposed location, provide screening, shade parking lot areas and provide three seasons of color throughout the site. The use of native species is encouraged.

- a) All plant materials required under this section shall be installed in accordance with accepted horticultural standards and must be regularly maintained after installation. The landscaping plan shall note the common and botanical names, location, type, and size of proposed plantings. The Planning Board may require additional plantings based upon the size and scope of the project.
- b) All areas disturbed by construction shall be covered with a minimum thickness of 6- inches of friable topsoil and seeded, covered with sod or planted with ground cover. All open space areas not covered with natural vegetation shall be covered with grass or other vegetative ground covers, with the exception of planting beds which may be mulched.

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- c) A landscape plan shall be submitted with all site plan applications and when otherwise required by the Planning Board. The landscape plan for Site Plans with more than 30,000 square feet of impervious areas shall be prepared by a New Hampshire Licensed Landscape Architect who shall stamp and seal the plans.
- d) All landscape plans shall identify the location of proposed plantings and other landscape improvements, and shall also contain a plant schedule identifying the scientific and common name, size, and quantity of proposed plant material, as well as planting and maintenance specifications. Construction details shall also be provided for other landscape improvements including but not limited to retaining walls, pavers, walkways, tree grates, benches, walls and fences.
- e) Plant material shall be reasonably distributed throughout the site, with careful attention to the road frontage and views from the public right-of-way, entrances to buildings, signs, required buffers/screens, and parking lot landscaping.
- f) Existing vegetation, cultural and natural features which would add value to a residential, commercial or industrial development or to the Town as a whole shall be preserved wherever possible. The Planning Board may require a modification to the site plan to preserve these features. Existing natural features of special interest such as mature trees, existing tree groves, watercourses and falls, beaches, historic sites, vistas and similar unique assets shall be located on the site and landscape plan.
- g) During construction, protective barriers such as silt fencing or construction fencing shall be installed around each plant and/or groups of plants that are to remain on-site. The applicant shall be responsible for replacing any trees proposed to be retained which have been damaged or destroyed by construction activities.
- h) Landscape improvements shall be placed to avoid interference with pedestrian and vehicular movement, underground and overhead utilities, and snow storage. Plant material shall be located to avoid interference with vehicular sight distance at intersections and driveways.
- i) Trees to be planted underneath overhead utilities shall be selected to avoid interference with utility lines.
- j) All parking lots shall include an internal landscape area equivalent to at least five (5) percent of interior parking areas under 50 spaces, and ten (10) percent for lots with 50 or more parking spaces. For example, length times width of paved area is the "parking lot" and the internal landscape area must be five or ten percent of that area:

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1. Recommended Standards: The following are recommend guidelines for design. If the standards depicted below are used, the landscape areas themselves will be excluded from the calculation of the required internal landscape area, however the interior parking area used in the calculation includes the parking spaces and aisles, driveways, fire lanes, and stacking.
 - ii. Proposed trees selected to encourage biological diversity.
 - iii. One (1) tree provided for each 300 square feet of impervious surface.
 - iv. A minimum dimension of 10' should be required for any landscaped area used to meet the requirements of this section.
 - v. Trees should be planted between twenty (20) feet and forty (40) feet apart, or as otherwise approved by the Planning Board.
 - vi. The majority of trees to be planted along the street or within parking lots should be deciduous shade trees, appropriate for use in urban areas. Trees should be salt and drought-tolerant, native or non-invasive species.
 - vii. Landscape bumpouts and islands within parking lots should contain a minimum of one (1) deciduous shade tree and shall be protected with curbing.

13) COMMUNITY DESIGN STANDARDS

The purpose of these regulations is to establish a unique identity for the Town of Chichester to distinguish it from the other communities along both US 4/NH202/NH9 and NH 28 pursuant to RSA 674.44,II(a) and (b) along with RSA 674.2,III(k). These corridors are the location for major commercial, employment, and tax base growth in the community. These regulations are intended to enhance the appearance of the corridor, while promoting economic development and improving the consistency of review of applications for new development, change of uses,

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redevelopment/expansions and modifications to existing buildings and structures, signs and commercial sites in general.

a) Elements Include:

i. Signage

ii. Landscaping

iii. Building Design

iv. Fencing

b) The signs shall conform to the Town of Chichester Zoning Ordinance.

c) Landscaping shall be placed in accordance with these Site Plan Regulations.

d) The following architectural treatments shall govern the construction of buildings and structures.

i. Traditional building materials shall be used (including, but not limited to: clapboards, shingles, vertical board, brick, and stone).

ii. Roofs shall be pitched. Gable or hip roofs are most preferred. Shed and gambrel style roofs are also acceptable.

iii. Balconies, decks, covered porches, decorative shingles, bracketed eaves, columns, balustrades, towers, turrets, skylights, and arches are among the details to be considered. All features and details should be in proportion with the building. Metal, fiberglass, and plastic awnings are not acceptable.

iv. Windows and doorways shall be encased with trim; decorative trim is preferred.

v. Corner boards along with both horizontal and vertical trim is encouraged to break up large building masses.

vi. Fences made of traditional New England materials are encouraged (e.g. picket, split rail, wrought iron, brick, stone).

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~~10,14~~ **WETLANDS:**

- a) Wetlands are areas inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions, does support a prevalence of vegetation typically adapted for life in saturated soil conditions. For the purpose of determining buffer areas for site plan and subdivision review, wetland boundaries shall be delineated on the basis of hydrophytic vegetation, hydric soils and wetland hydrology by a Certified Soil Scientist or Certified Wetlands Scientist. Delineation shall be done in accordance with the most recent U.S. Army Corps of Engineers standards.
 - i) Septic System Setbacks. As required by the New Hampshire regulation: RSA 485A, Water Pollution and Waste Disposal, septic systems will be setback 75 feet from very poorly drained soils (Hydric A) and 50 feet from poorly drained wetland soils (Hydric B)
 - ii) Underground Storage Tanks. No underground chemical or fuel storage tanks of any size shall be located within 200 feet of any wetland.
 - iii) Other Setbacks. Refer to Chichester Zoning Ordinance 3.16
 - iv) Wetlands Identification. Any site plan or subdivision plan containing wetlands in the Chichester Zoning Ordinances, Section C Zoning Map, must show wetland areas determined by a Certified Soil Scientist or Certified Wetlands Scientist. Incurred fees will be paid by the site plan or subdivision plan applicant.
 - v) Preexisting Uses. Preexisting uses are exempt from this ordinance. However, they may not be expanded, altered or changed without a Special Exception provided by the Board of Adjustment.
 - vi) Permitted Uses. Uses that will not require the erection of structures or change the surface by digging, dredging or filling are permitted. Examples: Recreational, forestry, tree farming and agriculture using best management practices.

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~~11~~15) TOWN ENGINEER

- a) The town engineer, or in the absence of a town engineer, a registered engineer hired by the Planning Board shall inspect site improvements at the request of the Board. The Developer shall pay the cost of the Board's employment of said engineer and the cost of any inspection(s) and test(s) deemed necessary by the Board or the engineer. A letter certifying to the developer's agreement to the employment of said engineer shall be filed with the Board as part of the site plan review, Engineer is defined as the duly designated engineer of the Town of Chichester, or other official, who shall be a duly registered engineer.

~~12~~16) WAIVERS OF SITE PLAN REVIEW REGULATIONS

- a) The Planning Board may waive any requirements listed in the Site Plan Review Regulations, where it finds that such regulation does not apply to the proposed development.
 - i) By filing an application, the applicant consents to the inspection of the property by Board members, with reasonable notice.

~~13~~17) PERFORMANCE BOND

- a) The Planning Board may require that a performance bond, in an amount to be determined by the Planning Board, in the form of a passbook, savings deposit, irrevocable letter of credit or a bond, be posted by the developer and held by the Town until the Board of Selectmen is satisfied that all conditions of the site plan approval and any other pertinent Zoning Ordinance(s), Subdivision Regulation(s), and other Town Ordinance(s) or Regulation(s) have been met. The bond may be released in part when the project is substantially completed, at the discretion of the Board of Selectmen.

~~14~~18) RECORDATION

- a) The ~~Site Plan, in recordable mylar format, which shows, at a minimum, lot lines and proposed construction, roads, and other improvements, and Planning Board approval, must~~ Notice of Decision shall be recorded with the Merrimack County Registry of Deeds. A signed copy of the ~~recorded documents, with proof thereon of recordation~~ Site Plan must be filed with the Planning Board. Should the approval be subject to conditions not apparent on the face of the map, such conditions shall be recorded as well with reference made to such recording on the face of the map.

~~15~~19) JOINT HEARINGS

- a) In accordance with adopted Rules of Procedure, the Planning Board may hold a hearing on Site Plan Review in conjunction with a subdivision hearing if both are required for a proposal. A hearing for Site Plan Review by the Planning Board may be held at the same time and place that a hearing for special exception is held for the project by the Board of Adjustment.

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~~16)~~20) AMENDMENTS

- a) Amendments to these Site Plan Review Regulations shall be made in the same manner as these regulations were adopted and in accordance with the procedure outlined in RSA 675:6, as may from time to time be amended.

~~17)~~21) SEPARABILITY

- a) If any provision 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.

~~18)~~22) DEFINITIONS

- a) Unless as otherwise defined in these Regulations, the Definitions section of the Subdivision Regulations are hereby adopted by reference.
- b) Change of Use: Occurs when the use of a building or site, or any portion thereof, changes to a new commercial use. For example, a gas station succeeding a hardware store or an office succeeding a retail use is a change of use. By contrast, one restaurant succeeding another restaurant and a real estate office succeeding an insurance agency are not changes of use. Some changes of use occur without any development, as defined herein. These regulations provide for site plan review of such changes of use in certain situations.

~~19)~~23) PENALTIES

- a) As provided in RSA 676:15 & 17, as from time to time amended, the Town may obtain and injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent, enjoin, abate, or remove any erection, construction, alteration, or reconstruction which is not in compliance with these Regulations. Any violation of these Regulations may be punishable, as determined by the Selectmen, by either: (a) a civil fine of not more than \$100. for each day that such violation is found by a court to continue after the conviction date of after the date on which the violator receives written notice form the municipality that he or she is in violation of the Regulation, whichever is earlier; or, (b) a criminal penalty, which shall be a misdemeanor if the violation is committed by a natural person, or a felony if committed by any other person.
- b) In any legal action brought to enforce these Regulations, the prevailing party may recover its costs in pursuing or defending itself in such legal actions.

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CHICHESTER PLANNING BOARD
SITE PLAN REVIEW APPLICATION

Owner of Record: _____ Map Number: ____ Lot Number: _____

Address:

Daytime Phone Number: _____ Evening Phone Number: _____

Prepared by: _____

Address: _____

Daytime Phone Number: _____ Evening Phone Number: _____

1. Road Location: _____

2. Property Located in the _____ zone.

3. Land is in open space (current use): _____ YES; _____ NO

4. Area of entire tract: _____ (acres)

Portion to be utilized: _____ (acres or square feet)

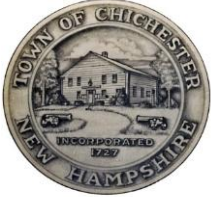
5. Describe planned use:

The applicant agrees that he/she is familiar with the Site Plan Regulations of the Town of Chichester and the Laws of the State of New Hampshire governing site plan review, and in making this application, has complied with the same.

Property Owner or Applicant

Date

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Town of Chichester

Office of the Planning Board
54 Main Street
Chichester, New Hampshire 03258
(603) 798-5350 Fax (603) 798-3170

Permission to Inspect

I, _____, property owner of Map _____, Lot _____,
on _____, in the town of Chichester, NH do hereby grant my
permission for the Town Engineer to inspect site improvements or plans when the Chichester
Planning Board requests.

I understand that all cost of the employment of said engineer for inspection(s), test(s) or
review shall be paid by me; prepaid in an escrow account held and managed by the Town
Treasurer. Such funds shall be expended upon final billing by said engineer and any remaining
funds to include earned interest shall be returned to me.

Signature Owner of Record

Date

Witness

Date