

# **SITE PLAN REVIEW REGULATIONS**

## **Town of Northumberland**

**Adopted : March 14, 1989**  
**Revised: July 1, 1991**  
**Revised: July 11, 2012**  
**Revised: February 3, 2016**  
**Revised: July 5, 2017**

## **PURPOSE**

To encourage better development in the Town of Northumberland by providing the Planning Board the authority to:

- 1.) Approve or disapprove of all site plans for the development of tracts of land for all:
  - a. Nonresidential uses,
  - b. Multi-family residential units which are defined as any structure containing more than two dwelling units,
  - c. Semi-public buildings,
  - d. Public buildings,

whether or not such development includes a subdivision or re-subdivision of a site.

- 2.) Apply these regulations to any and all new developments, additions and/or alterations of nonresidential or multi-family residential units that change the outward appearance of the building(s) and require the expenditure of more than ten thousand (\$10,000) in material and labor, or which substantially changes the use of an existing building.
- 3.) Assure the Town that minimum standards will provide for and protect the public health, safety, and general well-being of the residents and landowners in Northumberland.
- 4.) Prevent premature and uncoordinated development of land without the adequate provision of public services and facilities; to avoid unnecessary and adverse impacts on neighboring property and uses; and to guide the character of development.

The construction of a residential single or two-family dwelling shall not be covered by this regulation. Agricultural structures in the rural district are included within these regulations.

## **SECTION A**

### **Authority**

Pursuant to the authority vested in the Planning Board by the voters of the Town of Northumberland on March 14, 1989 and in accordance with the provisions of the New Hampshire Revised Statutes Annotated (RSA) 674:43 and 674:44 (formerly RSA 36:19A), the Northumberland Planning Board adopts the following regulations entitled "Site Plan Review Regulations for Nonresidential Development, Town of Northumberland, New Hampshire". Whenever any nonresidential development is proposed to be made, the developing owner shall apply to and receive approval from the Planning Board for such development in conformity with these regulations.

## **SECTION B**

### **Definitions**

Definitions described in Section II of the Northumberland Subdivision Regulations and Article VIII of the Northumberland Zoning Ordinance shall apply unless specified herein.

## **SECTION C**

### **General Standards**

The Site Plan Procedure in no way relieves the developer from compliance with the Zoning Ordinance, Subdivision Regulations or any other ordinance which pertains to the proposed development. No site plan will be approved until it complies in all respects to any and all pertinent ordinances and regulations.

In the review of any nonresidential site plan conducted under these regulations, the Planning Board shall ascertain that adequate provisions have been made by the owner, or his authorized agent, for the following:

1. Traffic circulation and access including adequacy of adjacent street, entrances and exits, traffic flow, sight distances, curb cuts, turning lanes and existing or recommended traffic signalization.
2. Pedestrian safety and access.
3. Off-street loading and parking as required by the Zoning Ordinance.
4. Emergency vehicle access.

5. Storm water drainage based upon a 25-year storm frequency, utilizing on-site absorption wherever practical.
6. Water supply and wastewater disposal.
7. Provision of water supply for fire protection.
8. Environmental factors such as pollution, noise, odor, and protection of natural land features.
9. Landscaping in keeping with the general character of the surrounding area.
10. Signing and exterior lighting.
11. Handicapped accessibility.
12. Architectural plans.

In addition, the Planning Board shall review the site plan to assure compliance with the provisions of the Zoning Ordinance and the requirements for Special Exceptions as well as the minimization of impact on neighboring land uses. The applicant shall meet all of the design standards contained in the Site Plan Review Regulations as well as all design standards contained in the Zoning Ordinance and Subdivision Regulations.

## **SECTION D**

### **Submission Procedure**

All applications for nonresidential site plan review shall be made in writing, on the forms provided by the Planning Board, by the owner of the property or his agent as designated in writing by the owner and shall be accompanied by the payment to the Town of Northumberland of the current application fee.

1. The completed application for site plan review, together with the documentation required in these regulations shall be submitted to the Planning Board at least twenty one (21) days prior to a scheduled public meeting of the Board.
2. Notice to the applicant, abutters, and the general public will be given by the Board at the applicant's expense as provided in Section III of the Subdivision Regulations.
3. No site plan shall be approved or disapproved by the Planning Board without affording a hearing thereon. All abutters and the applicant shall be notified of said hearing by certified or registered mail, with return of receipt requested, stating the time and place of such hearing, not less than ten (10) days before the date fixed thereof.
4. One copy of the approved site plan shall be included in the application for a building permit. If the Board shall vote to disapprove, the owner or his authorized agent shall be notified in writing and the specific causes of disapproval shall be noted.

5. Prior to formal application or his authorized agent may request an informal "Preliminary Consultation and Review" of the site plan by the Planning Board to determine its compliance with Town regulations. This consultation shall not bind the Board or the applicant and may occur without formal public notice and shall occur at least fifteen (15) days before any formal review by the Board.

## **SECTION E**

### **Submission Requirements**

When the owner of the property or his authorized agent makes formal application for Site Plan Review, his application shall contain at least the following exhibits and information:

1. A fully executed and signed copy of the application for site plan review.
2. Three (3) copies of a Site Plan drawn at a scale sufficient to allow review of the items listed under the preceding general standards, but at no more than fifty (50) feet to the inch for that portion of the total tract of land being proposed for development, and showing the following:
  - a. Owner's name, address and signature.
  - b. Names and addresses of all abutting property owners.
  - c. Sketch map showing general location of the site within the town.
  - d. Boundary of the entire parcel held in single ownership regardless of whether all or part is being developed this time.
  - e. The bearing and distances of all property lines and the sources of this information.
  - f. Zoning classification(s) of the property and the location of zoning district boundaries if the property is located in two or more zoning districts.
  - g. Soil types and location of soil boundaries as certified by the Coos County Conservation District or by a certified soil scientist specifically approved by the Planning Board. High intensity soil surveys shall be provided for the areas of the parcel proposed for septic systems and storm water discharge for parcels not serviced by a public wastewater system.
  - h. The location of all building setbacks required by the Zoning Ordinance.
  - i. The location, size, and character of all signs and exterior lighting.

- j. The lot area of the parcel, street frontage and the zoning requirements for minimum lot size and frontage.
- k. The location of all existing and proposed buildings (including size and height), driveways, sidewalks, parking spaces, loading areas, trash storage areas, electric and telephone utility lines, open spaces, large trees, open drainage courses, signs, exterior lighting, service areas, easements and landscaping.
- l. The approximate location of all buildings within four hundred (400) feet of the parcel to be developed and the location of intersecting roads or driveways within five hundred (500) feet of the parcel at a scale of 1" = 50'.
- m. A storm water drainage plan showing:
  - i. The existing and proposed method of handling storm water run-off.
  - ii. The direction of flow of the run-off through the use of arrows.
  - iii. The location, elevation, and size of all catch basins, drywells, drainage ditches, swales, retention basins, and storm sewers.
  - iv. Engineering calculations used to determine drainage requirements based upon a 25-year storm frequency if the project will significantly alter the existing drainage pattern due to such factors as the amount of new impervious surfaces (such as paving and building area) being proposed.
- n. Existing and proposed topography of the site at two (2) foot contour intervals or five (5) foot contour intervals on land with greater than ten (10) percent slope and contour elevations marked every ten (10) feet.
- o. A utility plan showing provisions for water supply and wastewater disposal including the size and location of all piping, holding tanks, leach field, etc.
- p. A landscape plan which meets the requirements of the Subdivision Regulations.
- q. An architectural plan by a registered architect or structural engineer if the proposed commercial, industrial or institutional building exceeds 2,000 sq. ft. of enclosed floor space or will contain more than three (3) residential units and must be compatible with the neighborhood:
  - i. exterior materials and colors;
  - ii. type and pitch of roofs;
  - iii. size and spacing of windows, doors and other openings;

- iv. building signs;
- v. size, type and location of towers, chimneys, roof structures, flagpoles and other similar features;
- vi. whether primarily of wood frame or of metal or masonry construction;
- vii. compliance with State and Federal handicapped accessibility laws and regulations and with the New Hampshire Life Safety Code;
- viii. and the relation of the building to other buildings and their features within a minimum of 400 feet distance, noting styles of all buildings which are over 50 years old, are architecturally significant or otherwise would be eligible for historic preservation or national landmark status.

Applicants are encouraged to use traditional architectural designs, colors and materials found in the North Country area of new Hampshire. Normally, buildings will have sidings of painted wood, brick, stone, concrete or earthtone painted metal. Stucco, plastic, and non-earthtone metal sidings are not encouraged. The Board may request changes in the design for reasons of public safety or to maintain the value of other buildings within the neighborhood.

- ix. Architects are encouraged to specify water-saving plumbing fixtures.
3. Copies of any proposed or existing easements, covenants, deed restrictions, etc.
  4. Copies of all applicable State approvals and permits including, but not limited to:
    - a. Approval of the New Hampshire Water Supply and Pollution Control Division of any proposed septic system(s), or additions to buildings on a septic system for connections to a public wastewater system and for any storm water discharges,

- b. Approval of the New Hampshire Wetlands Division for the relocation, filling, dredging or re-channeling of any natural or manmade drainage, river, stream, pond, wet area, etc.,
- c. Approval of the New Hampshire Department of Transportation for any required driveway permits or curb cuts.

5. For subdivisions and site plans that involve land designated as "Special Flood Hazard Areas" (SFHA) by the National Flood Insurance Program (NFIP):

- A. The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- B. The Planning Board shall require that all proposals for development greater than 50 lots or 5 acres, whichever is the lesser, include Base Flood Elevation (BFE) data within such proposals (i.e. floodplain boundary and 100-year flood elevation).
- C. The Planning Board shall require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a determination that:
  - (i) all such proposals are consistent with the need to minimize flood damage;
  - (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and,
  - (iii) adequate drainage is provided so as to reduce exposure to flood hazards.

## **SECTION F**

### **Administration Enforcement**

- 1. Joint meetings and hearings shall be utilized when the subject matter of the requested permit is within the responsibilities of two or more land use boards. The Planning Board will request joint meetings with other boards or commissions whenever possible to streamline the process and ensure that each board receives the same information.
- 2. The Planning Board may require the posting, prior to final approval of any plan, of a bond or escrow agreement in such amount as is approved by the Board as being reasonably necessary to ensure completion of all



- improvements required as conditions of approval of such plan, in such form as may be approved by the Board and Town Counsel.
3. The Planning Board may require the owner or his authorized agent to deposit in escrow with the Town an amount of money sufficient to cover the costs for any professional review of the site plan documents which the Board may feel is reasonably necessary to protect the general welfare of the Town. This escrow payment shall be made before the Board engages any outside party to undertake this review. Any part of this escrow payment in excess of the final costs for this review shall be returned to the owner or his agent.
  4. Board Action – The Planning Board shall consider and take action on site plans within the same time elements and under the same procedures and under the same guarantees for performance, as provided for review or subdivision plans under the Town’s Subdivision Regulations.

## **SECTION G**

### **Waiver of Requirements**

1. Upon written request by the applicant, or upon the motion of any regular member, the Board may vote to waive, in whole or in part, any provision(s) of Section D when, in the majority opinion of the Board, such provision(s) would be inappropriate or superfluous to informed evaluation of the site in question.
2. Upon written request by the applicant, the Board may vote to waive, in whole or in part, any provision(s) of Section e when, in the majority opinion of the Board:
  - a. Literal enforcement of the regulation would create unnecessary hardship due to unique characteristics of the site in question, AND
  - b. Such waiver would not adversely compromise the purpose or intent of the regulation.

## **SECTION H**

### **Amendments**

Amendments to these Site Plan Review Regulations shall be made in the manner described in RSA 675: 6

## **SECTION I**

### **Separability**

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.

## **SECTION J**

### **Effective Date**

This ordinance shall take effect upon a vote by the Planning Board, filing of the Regulations with the Town Clerk, the Board of Selectmen, and the Registry of Deeds of Coos County.

**As revised by the Planning Board Members on July 5, 2017 (Public Hearing on Section D):**

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**Gloria Brisson**

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**Addison Hall**

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**Alan Rossetto**

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**Jeffrey St. Cyr**

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**Jesse Hern, Alternate**

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**James Weagle, Selectmen Rep**