

Town of Surry, NH- Site Plan Regulations

**Town of Surry, NH**  
**Site Plan Regulations**

**Effective Date --- 3/14/2006**

**Price \$ 4.50**

Date ----- 3/14/2006

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**Table of Contents**

<b><u>Title</u></b>	<b><u>Page</u></b>
<b>Section I Authority-----</b>	<b>1</b>
<b>Section II Purpose-----</b>	<b>1</b>
<b>Section III Applicability-----</b>	<b>1</b>
<b>Section IV Definitions-----</b>	<b>1</b>
<b>Section V Application Procedure-----</b>	<b>2</b>
<b>Section VI Submission Requirements-----</b>	<b>2</b>
<b>Section VII Regional Impact-----</b>	<b>5</b>
<b>Section VIII Special Flood Hazard Areas-----</b>	<b>5</b>
<b>Section IX Performance Guarantee-----</b>	<b>5</b>
<b>Section X General Standards-----</b>	<b>6</b>
<b>Section XI Administration and Enforcement-----</b>	<b>9</b>
<b>Section XII Validity-----</b>	<b>9</b>
<b>Section XIII Amendments-----</b>	<b>9</b>
<b>Section XV Effective Date-----</b>	<b>10</b>

**Attachments:**

**Procedure Chart**

**Criteria for Determining Regional Impact**

# Town of Surry, NH- Site Plan Regulations

## **Section I. Authority**

Pursuant to the authority vested in the Planning Board by the voters of the Town of Surry NH and in accordance with the provisions of 674:43 and 44, New Hampshire Revised Statutes Annotated, as amended, the Surry NH Planning Board hereby adopts the following regulations governing the development or change or expansion of use of tracts for nonresidential uses or multi-family dwelling units (more than two units), whether or not such development includes a subdivision or resubdivision of the site.

## **Section II. Purpose**

The purpose of the Site Plan Review process is to protect the public health, safety and welfare; to promote balanced growth; to promote the timing of development to prevent premature and uncoordinated development of land without the adequate provision of public services and facilities; to ensure sound site utilization; to avoid development which may result in negative environmental impacts; and to guide the character of development. The Site Plan Review Procedure in no way relieves the developer or his/her agent 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 with any and all pertinent ordinances and regulations.

## **Section III. Applicability**

Whenever any development or change or expansion of use of a site is proposed or whenever any changes are proposed that differ from an existing site plan as previously approved by the Planning Board; before any construction, land clearing, building development or significant change is begun and before any permit for the erection of any building or authorization for development on such site shall be granted, the owner of the property or his authorized agent shall apply for and secure from the Planning Board approval of such proposed site development in accordance with procedures outlined in this regulation.

Single family and owner occupied two family dwellings are excluded from this 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 significant change of use or impact to trigger Planning Board action, the following guidelines will be observed:

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

## **Section IV. Definitions**

The definitions contained in the Surry NH Zoning Ordinance, Subdivision Regulations, and Driveway Regulations shall apply to these Site Plan Regulations.

# Town of Surry, NH- Site Plan Regulations

## **Section V. Application Procedure**

The application procedures, as outlined in the Surry NH Subdivision Regulations, shall apply to these Site Plan Regulations. (Ref. Attached "Procedure Chart")

### A. Expedited Review

The Board may provide for an expedited review of minor site plans only. Criteria the Board will use to determine whether an application qualifies as a minor site plan include, but are not limited to, the following:

1. When there is no new construction.
2. When new construction is no greater than 1,000 square feet footprint.
3. When site impacts are not expected to be significant in terms of traffic, noise, parking, lighting, signage etc.

Under the expedited review procedure, the Board may waive the submission requirement to have an engineered plan. A non-engineered plan will not be registered with the Cheshire Co. Registry of Deeds.

### B. Permit Regulation Protection

A Site Plan which complies with all the requirements of RSA 674:39 and is registered would be protected from any regulation change for four years provided significant effort has been expended in the first year.

### C. Permit Expiration

If significant effort has not been expended in the first year from the date of permit, the permit would expire at the end of the first year. If significant effort has been expended in the first year from the date of permit, the permit would expire at the end of the fourth year and a new permit must be applied for in order to complete the existing plan or to start a modified plan.

## **Section VI. Submission Requirements**

### A. Completed Application

A completed application shall consist of the following items unless the Board grants a written request for waiver(s):

1. A completed application form.
2. A notarized list of the names and addresses of all abutters, taken from the town records not more than five (5) days before the day of filing;
3. Four copies of the Plan, prepared according to the following standards
  - a. Plans shall be at any scale between 1"= 20' and 1"=400'.
  - b. The outside dimensions of the plan shall be 8 ½" X 11", 11" X 17", 17" X 22", or 22" X 34".
  - c. All title blocks should be located in the lower right hand corner, and shall indicate:
    - 1) owner of record
    - 2) title of plan
    - 3) name of the town (s)
    - 4) tax map and lot number
    - 5) plan date and revision dates.

## Town of Surry, NH- Site Plan Regulations

4. Names and addresses of all holders of conservation, preservation or agricultural preservation restrictions.
5. A letter of authorization from the owner, if the applicant is not the owner.
6. Payment to cover notification and administrative fees.

### B. Site Plan Submission Items

1. Name of project or identifying title; names and addresses of owners of record; and tax map and lot number.
2. North arrow, date of the plan, scale appropriate to the scope of the development; name and address of person preparing the plan; signature block for Planning Board approval.
3. Vicinity sketch at an appropriate scale showing the location of the site in relation to the existing public streets; and the zoning district(s).
4. Physical features and uses of abutting land within 200 feet of the site.
5. All boundary lines of record, their source, approximate dimensions and bearings, and the lot area in acres and square feet. This includes unmerged lot lines internal to the lot(s) involved in the site.
6. The shape, size, height, location and use of existing and proposed structures located on the site and those existing within 200 feet of the site.
7. Location, name and widths of any existing and proposed public streets or private roads on the property and those existing within 200 feet of the site. New public streets shall be constructed in accordance with the provisions contained in the Surry NH Road Standards Ordinance.
8. Final road profiles, centerline stationing and cross-sections.
9. Location of existing and proposed sidewalks and driveways, with indication of direction of travel for any, which are one-way. Both vehicular and pedestrian circulation shall be shown.
10. Identification of access to the site, sight distance at the access point(s), curb cuts and proposed changes (if any) to existing streets; and copy of any driveway permit(s).
11. Location and total number of parking spaces; loading spaces and other similar facilities associated with the use.
12. A landscape plan, describing the number, location, types, and size of all existing and proposed landscaping and screening.
13. The location, type, and nature of all existing and proposed exterior lighting and signage.
14. Water courses, ponds, standing water, rock ledges, stone walls; existing and proposed foliage lines; open space to be preserved; and any other man-made or natural features.
15. The location and distance to any fire hydrants and/or fire ponds.
16. Existing and proposed topographic contours based upon the USGS topographical data, with spot elevations where necessary.

## Town of Surry, NH- Site Plan Regulations

17. The size and location of all existing and proposed water mains, sewers, culverts, proposed connections or alternative means of providing water supply and disposal of sewage and surface drainage.
18. Soil and wetland delineation.
19. Location of percolation tests with test results and outline of 4,000 square-foot septic area with any applicable setback lines;
20. Location of existing and proposed well, with 75-foot radius on its own lot.
21. Copy of certification, by a licensed septic designer, that an existing system is adequate to meet the needs of the proposed use.
22. Location of any existing or proposed easements, deed restrictions or covenants.
23. Base flood elevations and flood hazard areas, based on available FEMA maps.

### B. Other

1. Plan for Storm water Management and Erosion Control, if applicable (See Section X).
2. State subdivision approval for septic systems; septic design approval where applicable; or certification by septic designer of adequacy of existing system.
3. Alteration of Terrain Permit from NH Department of Environmental Services.
4. State/Town driveway permit, as applicable.
5. Reports from the Fire Engineer, Police Chief, and/or Town Conservation Commission.
6. Approval for municipal water/sewer connections.
7. Any deed restrictions; and all deeds covering land to be used for public purposes, easements and rights-of-way over property to remain in private ownership, and rights of drainage across private property, submitted in a form satisfactory to the Board's counsel.
8. Any other state and/or federal permits.
9. An impact analysis may be required, which takes into account the following items to the extent the Board deems applicable:
  - a) Demographic Description
  - b) Community Facilities Impacts
  - c) Environmental Impacts
  - d) Traffic Impact
10. Any additional reports or studies deemed necessary by the Board to make an informed decision.

Should the Board determine that some or all of the above-described information is to be required, the applicant will be notified in writing within ten (10) days of the meeting at which the determination was made.

# Town of Surry, NH- Site Plan Regulations

## C. "As Built" Plans

Supplemental information may be required by the Board to update the final plat to reflect "as built" conditions and details. The plan shall show any easements and dedicated roadways. A security bond may be required to guarantee performance of the applicant's obligations as described herein.

## **Section VII. 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. (Ref: Attached "Criteria for Determining Regional Impact")

## **Section VIII. Special Flood Hazard Areas**

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 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 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 IX. Performance Guarantee**

As a condition of approval, the planning board shall require the posting of a security in an amount sufficient to defray the costs of construction of streets and public utilities. The amount of the security shall be based on an estimate of costs provided by the applicant; the amount of the security shall also include fees to cover the cost of periodic inspections. At the discretion of the Planning Board, a licensed engineer shall review the proposed security. The applicant shall pay all costs of such review. The Board and the municipal counsel shall approve the security as to form and sureties.

Where electric lines or other utilities are to be installed by a corporation or public utility, a letter of intent shall be required stating that the work will be done in a reasonable time and without expense to the Town. Each approved plat shall contain a time limit for the completion of all improvements. The performance guarantee shall be released in phases as portions of the secured improvements or installations are completed and approved by the Board or its designee, in accordance with the plan approved by the Board.

# Town of Surry, NH- Site Plan Regulations

## Section X. General Standards

### A. Design of Development

1. The design should fit the existing natural and manmade environments with the least stress.
2. Site preparation is to be conducted with minimal disturbance to existing vegetation.
3. 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 landowner is obtained.
4. Stripped topsoil is to be piled and reused on the site where needed. A minimum of 4 inches of topsoil is to be placed on the disturbed area. The site shall be adequately landscaped, as delineated in a landscape plan. Landscape treatment shall consist of natural, undisturbed vegetation or features, or newly installed ground cover, shrubs, or trees where appropriate.

### B. Illumination:

1. Outdoor lighting shall not glare on abutting properties or on public highways or streets.
2. Outdoor lighting is restricted to that which is necessary for advertising and security of the property.

### C. Pedestrian Safety

Sidewalks shall be provided for pedestrian traffic to provide connection between the main entrances of business, housing or industrial establishments and parking areas. In the event that pedestrian shoppers or employees are reasonably anticipated, provision shall be made for sidewalks running from the street line to the establishments. All such sidewalks shall be at least six (6) inches above grade and protected by curbing.

### D. Off-street Parking and Loading Requirements:

1. Sufficient off-street loading and/or unloading space must be provided, including off-street areas for maneuvering of anticipated trucks or other vehicles. Maneuvers for parking and/or loading or unloading must not take place from a public street.
2. Access, parking and loading areas are to be constructed so as to minimize dust, erosion and runoff conditions that would have a detrimental effect on abutting or neighboring properties.
3. Permeable pavement may be used which might reduce the need for installation of drainage facilities to accommodate runoff; however, the Board may require that access, parking and loading areas be conventionally paved, if deemed appropriate.
4. In site plans of more than one (1) use, the aggregate number of parking spaces shall be apportioned based on the various uses, with respective areas designated on the plan.

### E. Screening:

Appropriate screening/buffers are to be maintained or installed to provide privacy and noise reduction to residential areas abutting nonresidential sites:



## Town of Surry, NH- Site Plan Regulations

1. Storage areas must be fenced or screened from on-site or adjoining parking and neighboring properties.
2. Buffer strips (10 feet minimum - distance largely dependent upon the density of development in the area) must be maintained between proposed use and residential uses. Buffer strips between nonresidential and residential uses must contain vegetation that will screen nonresidential uses from sight of the residential uses during winter months.
3. Litter (garbage) collection areas must be screened.
4. The use of either fencing or hedges is permitted.

### F. Street Access/Traffic Pattern:

Access to public streets will meet the requirements of the NH Department of Transportation and/or the Town of Surry NH Driveway Regulations. Any new road construction shall conform to the road standards as specified in the Town of Surry NH Road Standards Ordinance. The internal traffic pattern will accommodate the proposed use, as well as providing easy, unimpeded access for emergency vehicles. Access will be by approved frontage on a Class V or better Public Street only.

### G. Water Supply and Sewage Disposal Systems

Must be sized to adequately meet the needs of the proposed use under the regulations of the NH Water Supply and Pollution Control Commission. It shall be the responsibility of the applicant to provide adequate information to prove that the area of the lot is adequate to permit the installation and operation of an individual sewerage disposal system, and that existing Systems are adequate to serve the needs of the proposed development.

### H. Fire Protection

Applications for new Site Plans shall be required to address water supply needs for fire protection. The Town of Surry Fire Engineers shall review all proposals to determine whether or not water supply should be addressed for that particular proposal; if so, the following requirements apply:

1. The Fire Engineers shall complete an inspection of the proposed site to evaluate the availability of existing water supply in the area.
2. The Fire Engineers shall implement all applicable provisions of the National Fire Prevention Association's Standard on Water Supplies for Suburban and Rural Fire Fighting.
3. The Fire Engineers shall determine the type, location and spacing of any water supply (such as fire ponds, cisterns, etc.)
4. Following the inspection and evaluation, the Fire Engineers will submit their findings, in writing, to the Planning Board.
5. All proposed developments, whether including the provision of hydrants or other water supply facilities, shall be accessible to firefighting and other emergency equipment.

### I. Storm water Management and Erosion Control

1. The applicant shall submit a storm water management and erosion control plan when a cumulative disturbed area exceeding 20,000 square feet is proposed:

# Town of Surry, NH- Site Plan Regulations

2. All storm water management and erosion control measures in the plan shall adhere to the "Erosion and Sediment Control Design Handbook for Developing Areas of New Hampshire", published by the Rockingham County Conservation District, and the "Model Storm water Management and Erosion Control Regulation", published by the NH Association of Conservation Districts, Water Quality Committee.
3. The applicant shall bear final responsibility for the installation, construction, and disposition of all storm water and erosion control measures required by the Board. Site development shall not begin before the plan is approved.
4. Standard agricultural and silvicultural practices are exempt from these provisions.

J. Underground fuel storage tanks

Tanks shall comply with the standards of the NH Water Supply and Pollution Control Division, as set forth in Part Env-WS 411, NH Code of Administrative Rules.

K. Noise:

In lieu of any other regulations governing noise in the Town of Surry NH the following provisions shall apply:

1. Noise levels shall not exceed the DB(A) levels shown below:

	<u>7 A.M. to 8 P. M</u>	<u>8 P.M. to 7 AM</u>
Residential Uses-----	60-----	50
Commercial Uses-----	65-----	55
Industrial Uses-----	70-----	65

2. Measurements shall be made at the property line, at least four (4) feet from ground level, using a sound level meter meeting the standards prescribed by the American National Standards Institute.
3. Construction authorized by a building permit allows an increase to 75 DB(A) for daytime hours

L. Handicapped Access:

Where required by law, all buildings shall have access for handicapped persons.

M. Pollution Control:

To avoid undesirable and preventable elements of pollution such as noise, smoke, soot, particulate, or any other discharges into the environment, which might prove harmful, or a nuisance to persons, structures, groundwater, or adjacent properties is that the applicant will employ the best standards and technology economically available at the time.

N. Protection of Natural and Historic Features:

All significant natural and historic features on the site, such as large or unusual trees, natural stone outcroppings, stone walls, etc. shall be shown on the plan. Board approval shall be obtained before removal of such features.

# Town of Surry, NH- Site Plan Regulations

## O. Utilities:

Where appropriate, installation of any new utilities and/or transmission lines shall be buried underground.

## **Section XI. Administration and Enforcement**

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 that requires site plan approval until or unless such planned construction has received site plan approval by the Board.

### A. 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.

### 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. 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 non-compliance with the zoning ordinance, in which case an appeal can be taken to the Board of Adjustment.

## **Section XII. Validity**

If any provision of these regulations shall be held invalid for any reason by a court, such holding shall not invalidate in any manner any other provision contained herein.

## **Section XIII. Amendments**

These regulations may be amended by a majority vote of the Planning Board after at least one (1) public hearing following the notification procedure outlined in Section IV, H & I.

# Town of Surry, NH- Site Plan Regulations

## Section XV. Effective Date

These regulations shall take effect upon their adoption as indicated by the attached signatures, and all regulations or parts of regulations, inconsistent therewith, are hereby repealed.

Adopted after Public Hearing on 12/09/02

Amended: Section VIII 3/14/2006

_____	Chairman	_____	Date
_____	Secretary	_____	Date
_____	Member	_____	Date
_____	Member	_____	Date
_____	Member	_____	Date

Filed with Surry Town Clerk \_\_\_\_\_ Date