

# TOWN OF NORTHWOOD SITE PLAN REVIEW REGULATIONS



Prepared by:

The Strafford Regional Planning Commission  
County Farm Road Suite 1  
Dover, NH 03820

Adopted 1987  
Modified 1995  
Modified 2001  
Modified 2004  
Modified May 2008  
Modified January 2011

# TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
I. Authority.....	3
II. Purpose.....	4
III. Interpretation.....	6
IV. Applicability.....	7
V. Application Procedure .....	10
VI. Public Notice Requirement.....	15
VII. Site Plan Requirements.....	16
Major Site Plan.....	16
Minor Site Plan .....	18
Minimal Impact .....	20
Home Business .....	21
VIII. Performance Agreement.....	22
IX. Design Standards and Required Improvements.....	25
X. Administration and Enforcement.....	55
XI. Words and Phrases.....	58

**TOWN OF NORTHWOOD**  
**SITE PLAN REVIEW REGULATIONS**

**SECTION I - AUTHORITY**

The Town of Northwood, having adopted a zoning ordinance under New Hampshire Revised Statutes Annotated (RSA) 674:16, and the planning board having previously adopted subdivision regulations under RSA 674:36, is further empowered under RSA 674:43 to review and approve or disapprove site plans after being authorized by town meeting to adopt Site Plan Review Regulations. The special Northwood Town Meeting on August 23, 1986 authorized the Northwood Planning Board to adopt Site Plan Review Regulations.

This review authority shall be applied to the development of tracts for non-residential uses, or for multi-family dwelling units, which are defined as any structure containing more than two (2) dwelling units, whether or not such development includes a subdivision or condominium re-subdivision of a site.

## **SECTION II – PURPOSE**

The general purpose of this regulation is to guide the character of non-residential and multi-family development, re-development, expansion, and change of use in order to provide for the public health, safety, convenience, prosperity and general welfare. Northwood has historic areas and buildings that contain a mix of commercial/residential uses, as well as beautiful rural landscapes with unique natural and cultural resources in proximity to these uses. These lend Northwood its character and identity and make our town a safe and desirable place to live, work and visit. These regulations seek to balance the need for growth, development and change with the need to preserve and enhance those qualities. In keeping with this general purpose, the following are specific objectives:

- A. Establish patterns of growth which acknowledge the present but honor the past.
  - (1) Promote the harmonious and aesthetically pleasing development of the town, ensuring aesthetic continuity of sites within their surroundings.
  - (2) Establish site designs consistent with traditional New England designs.
  - (3) Provide natural areas, working farms and forest lands.
  - (4) Provide for proper building location to ensure adequate sunlight and air circulation.
  - (5) Protecting and enhancing the natural beauty of the town.
- B. Protect the public from undue hazards, disturbances, and nuisances;
- C. Promote well planned high quality commercial development and provide economic opportunities for residents.
- D. To create opportunity for new home businesses focusing on heritage tourism (antiques) and resource-based tourism, to preserve the unique character of Northwood while promoting and overseeing development.
- E. Protect environmental quality by means such as controlling erosion and site runoff;
- F. Ensure that land is of sufficient character to be used for building purposes without danger to health, and additionally ensuring that development does not exceed the capability of the land to safely provide on-site water supply and sewage disposal;

- G. Guard against such conditions as would involve danger or injury to health, safety, or prosperity by reason of inadequate drainage, conditions conducive to flooding, 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 environments which might prove harmful to persons, structures, or adjacent properties, inadequate provisions for fire safety, prevention and control;
- H. Facilitate adequate provision of public facilities, utilities and services; and
- I. Provide for adequate transportation by requiring appropriate provision and arrangement of roads, driveways, sidewalks, traffic aisles, parking, loading areas, bicycle facilities, emergency vehicle accesses, and off-site connections.

### **SECTION III – INTERPRETATION**

These Site Plan Review Regulations in no way relieve the applicant or his/her agent from compliance with the zoning ordinance, subdivision regulations or any other ordinance which pertain to the proposed development.

The standards contained in these regulations shall be interpreted as minimum requirements, and compliance with said minimum requirements shall in no instance obligate the planning board to approve any particular application solely on that basis. Only after the planning board is fully satisfied that a proposed application is in the best interest of the town will the application be approved.

## **SECTION IV - APPLICABILITY**

Site Plans shall be submitted for planning board review by any applicant seeking new, altered or converted use of a non-residential or multifamily site or structure. Planning board approval of said site plans shall be a necessary prerequisite to issuance of a building permit. Any special exceptions or variances which are required for the proposed development must be obtained prior to final approval of the site plan by the planning board. This regulation provides for five types of applications, each with its own specific requirements:

- A. Major Site Plan. A Major Site Plan review is required for all site developments which involve any one of the following circumstances:
- (1) The initial development of a site, or;
  - (2) Expansion of the building ground coverage on a site by more than 10%, gross from last approved site plan, or;
  - (3) Expansion of the aggregate parking, driveway and loading and unloading areas of a site by more than 10%, gross from last approved site plan, or;
  - (4) Expansion of the floor area of buildings on the site by more than 10%, gross from last approved site plan, or;
  - (5) Construction or expansion of an accessory structure which exceeds 500 square feet of ground coverage, or;
  - (6) Mixed use development which combines single-family, duplexes, multi-family and/or non-residential land uses, or;
  - (7) New multi-family dwelling unit (three [3] or more dwelling units per structure).
- B. Minor Site Plan. A Minor Site Plan review is required for all site developments that do not meet the criteria of a major site plan, minimal impact, home business, or are an exempt site development as defined in Sections IV(A), IV(C), IV(D) and IV(E). Minor site developments may include, but are not limited to:
- (1) Altered or converted use of an existing residential site or structure for business use.

- (2) Altered or converted structure to a multi-family dwelling unit (three [3] or more dwelling units per structure).
- (3) The surfacing of existing unsurfaced areas or non-residential driveways more than 1,000 square feet.

C. Minimal Impact Application. A change of use or intensification in use of a building that does not involve any expansion of the building or any improvements to the exterior site shall be considered a Minimal Impact if the Planning Board determines, on the record, that the change meets ALL of the following criteria:

- (1) It will not have any adverse impacts beyond the boundaries of the site.
- (2) It will not result in increased parking requirements that cannot be satisfied by the present site.
- (3) It will not result in any increased nuisance to the neighborhood or abutters.
- (4) It will not result in increased traffic hazards either on-site or off-site.
- (5) It will not result in additional drainage beyond the site or adversely affect groundwater resources.
- (6) It will not increase the sanitary waste loading of the site beyond that which already exists.
- (7) The present on-site solid waste disposal system can handle any increase in solid waste.
- (8) The present parking, circulation and loading layout is adequate to accommodate the change.
- (9) The change or intensification of use can be adequately protected with existing firefighting resources.
- (10) The present and proposed use of the site is otherwise lawful.
- (11) It will not adversely impact the traditional New Hampshire architectural character or differ significantly from the appearance of buildings in the area.

- (12) The type of business or activity will not adversely alter the character of the neighborhood, village, or town.
- (13) It does not meet the requirements for a major or minor site plan.
- (14) It has an approved site plan on file or sufficient information has been provided to make such determination.

D. Home Business Application. Home Businesses as defined by the Northwood Development Ordinance with site plan review and requirements as contained in the ordinance.

E. Exempt Site Developments. Site developments which are exempt from a site plan review involve minimal changes to the site, no impacts beyond site boundaries, and are in compliance with current site plan regulations. These include:

- (1) A building addition having a ground coverage of 100 square feet or less, gross from last approved site plan, or;
- (2) Expansion of parking areas, driveways or loading/unloading areas by 400 square feet or less, gross from last approved site plan, or;
- (3) Structures on residential property that will be constructed for the pleasure and use of the resident to include barns, sheds and garages, having ground coverage of less than 1,000 square feet.

In order to achieve exempt status, the property owner shall request and receive approval in writing from the Code Enforcement Officer, prior to the issuance of a building permit.

## **SECTION V - APPLICATION PROCEDURE**

### **A. Preliminary Consultation**

Any applicant may meet with the planning board, or its designated agent, on an informal basis to discuss his/her development prior to submitting a formal application. This “preliminary consultation” may occur with the planning board only at a regularly scheduled meeting.

A preliminary consultation may be used for the purpose of discussing proposals in conceptual form only, as they relate to the master plan, the desirability of types of development and other policies and procedures established by the planning board. Preliminary consultation may occur without giving formal public notice and shall not be binding on either the board or the applicant.

### **B. Application Submittal and Review**

Any property owner, or his/her agent, considering applying for site review approval by the planning board, shall submit an application in accordance with the following regulations. Only complete applications will be reviewed by the board. To be considered complete, an application shall:

- (1) Be made on forms available at the town hall;
- (2) Include a fee in an amount to be determined in accordance with the fee schedule;
- (3) Include ten (10) copies of a site plan as described in Section VII ;
- (4) Be submitted to the planning board or its designated agent, by the first business day of the month prior to a regularly scheduled meeting of the planning board. Included with the application shall be the names and mailing addresses of all abutters, as indicated in town records. The names of all abutters shall be obtained from town records not more than five (5) calendar days before the day of filing;
- (5) Major and Minor Site Plan applications shall include ground/aerial photos of the site and immediate area, when requested;

- (6) Major and Minor Site Plan applications shall be accompanied by written assurance from public utility companies that proposed utilities will be installed in accordance with plans submitted as part of the application;
- (7) Be accompanied by the following completed forms:
  - (a) Fire Department Review Form
  - (b) Police Department Review Form
  - (c) BOCA Statement
- (8) Be accompanied by a copy of all required local, state and federal permits or a completed copy of the local, state and federal applications (with copies of permits to follow);
- (9) Be accompanied by an impact statement, in narrative form, addressing the proposed project's purpose, scope of operation, and the impact on the immediate area of influence and the town in general. The following aspects should be addressed, except that the planning board may waive certain data requirements where considered appropriate:
  - (a) Attendance at public schools;
  - (b) Increase in vehicular traffic;
  - (c) Changes in local population;
  - (d) Increases in municipal costs;
  - (e) Load on public utilities or future demand for them;
  - (f) Public safety;
  - (g) Changes in the tax revenue;
  - (h) Changes in surface drainage;
  - (i) Increased consumption of groundwater;
  - (j) Increased refuse disposal;
  - (k) Pollution of water or air;
  - (l) Land erosion or loss of tree cover;
  - (m) Disturbance to other aspects of the natural ecology;
  - (n) Blocking of views;
  - (o) Harmony with the character of surrounding development;
  - (p) Location of utilities.

In preparing the impact statement, the applicant will explain all underlying assumptions for any of the stated conclusions, including a finding of no impact. Any statistical or technical manuals used should be referenced.
- (10) Impact statements shall be reviewed and evaluated by the planning board as to the completeness of the information submitted by the applicant.

- (11) If the planning board deems necessary, the Board may retain consultants to prepare special investigative studies or review documents and other matters related to a particular application. Reasonable fees to cover the cost of such studies or reviews may be charged to the applicant (RSA 676:4,1,g).
- (12) The following additional documents shall be submitted with the site plan review application:
- (a) A completed application form, endorsed by the property owners and his/her agent which shall include:
    - A statement describing the development including the use or uses to be conducted on the lot, any change of an existing use, or augmentation of an existing use
    - Information sufficient to determine whether the development complies with the Northwood Ordinances;
    - Request for waivers, if any; and
    - If the development is to be staged or phased, a description of the project in terms of such stages or phases.
  - (b) Major and Minor Site Plan applications shall include drafts of deeds, easements, agreements and other legal documents including, but not limited to the following:
    - Deeds of land to be conveyed to the town;
    - Deeds of easements and right-of ways;
    - The condominium declaration, as it has prepared for submitted to the state of New Hampshire Attorney General or applicable regulatory agency: and
    - Agreements between the applicant and the town regarding public improvements or other matters.
  - (c) Certification of the following:
    - All actions of the Zoning Board of Adjustment relative to the application;
    - All action of the Board of Selectmen on any petitions or other matters relative to the application; and
    - The actions of any regulatory board of the State of New Hampshire or US Government having jurisdiction over any element of the development, including, but not limited to Water Supply and Pollution Control Division, Water Resources Board,

**C. Action by the Planning Board**

- (1) The planning board shall accept an application for site plan review by a majority vote at its regularly scheduled meeting only if the application has been submitted in accordance with Section V-B and complies with the requirements outlined in Section VII. Notice of said public meeting shall be provided to the applicant, abutters and the public in accordance with Section VI (RSA 676:4,I,b).
- (2) The planning board shall begin formal consideration of the application within thirty (30) days after submission and acceptance of the completed application. The planning board shall act to approve, conditionally approve, or disapprove within sixty-five (65) days after accepting the application subject to extension or waiver as set forth in paragraph three (3) below (RSA 676:4,I,c).
- (3) The planning board may apply to the Board of Selectmen for an extension not to exceed an additional ninety (90) days before acting to approve, conditionally approve, or disapprove an application. The applicant may waive the time period requirements for planning board action and consent to such extension as may be mutually agreeable (RSA 676:4,I,f).
- (4) No application shall be approved or disapproved without a public hearing on said application. Notice of the public hearing shall be provided in accordance with section VI.
- (5) Following a public hearing on a site plan application, the planning board shall approve, conditionally approve, deny or table the proposed application. Conditional approval may include, but not be limited to, the posting of a performance bond, or escrow agreement or other means of surety, which may be requested of the applicant by the planning board.

- (6) The action of the planning board shall be recorded in writing and shall be transmitted to the applicant, stating the reasons for approval, conditional approval or disapproval. Such correspondence shall specify, where appropriate, those aspects in which the site review application fails to conform to the town's ordinances or to other essential planning criteria, as determined by the planning board.
- (7) Any application that receives approval subject to conditions precedent, must comply with the conditions precedent before a building permit can be issued. Additional public hearings, in accordance with section VI, will be held by the planning board to determine if the applicant has complied with all conditions precedent, except as noted below (RSA 676:4-[j]).
  - (a) A public hearing is not required to determine compliance with conditions precedent if the applicant submits evidence of satisfactory compliance with the conditions imposed and that the conditions imposed were:
    - [1] Minor plat changes whether or not imposed by the planning board as a result of a public hearing, compliance with which is administrative and which does not involve discretionary judgment; or
    - [2] Conditions which are in themselves administrative and which involve no discretionary judgment on the part of the planning board; or
    - [3] Conditions with regard to the applicant's possession of permits and approvals granted by other boards or agencies.
  - (b) All other conditions precedent shall require a public hearing and notice as required in section VI of these regulations.
- (8) The planning board may offer conceptual site review approval, shall not qualify the applicant to receive a building permit for the construction of said project. Said approval shall remain in effect for a period not to exceed one (1) year. In the event a development is being constructed in phases, the applicant may, by prior written agreement with the planning board, receive a preliminary site approval for a period not to exceed two (2) years.

## **SECTION VI - PUBLIC NOTICE REQUIREMENTS**

No Site Plan Review, Minimal Impact or Home Business application shall be accepted or acted on by the planning board without giving due notice to the public. Such notice will be given in the following manner:

- A. The applicant and all abutters shall be notified by certified mail of the date upon which the application will be formally submitted to the planning board. The applicant and all abutters shall also be notified in the same manner concerning the date of the public hearing. If notice of the public hearing has been included in the notice of submission or any prior notice, additional public notice of the public hearing is not required. Nor shall additional notice be required of recessed public hearing if notice is provided at the public hearing (including date, time and place) when the hearing is resumed.
- B. Notice shall be mailed at least ten (10) day prior to the date of submission.
- C. Notice to the general public shall be given at the same time by advertising in a newspaper of general circulation or posting. The notice shall include a general description of the proposal, which is the subject of the application and shall identify the applicant and the location of the proposal.
- D. All costs of notice, including mailing, posting or publishing, shall be paid by the applicant. Failure to pay such costs shall constitute valid grounds for the planning board to terminate further consideration and to disapprove the application without a public hearing.

## **SECTION VII - SITE PLAN REQUIREMENTS**

Site Plan Review applications shall be made on forms available from the planning board Secretary. The plan shall be drawn at a scale of not less than one (1) inch equals fifty (50) feet. The size of the plan (margin to margin) shall be on a sheet size acceptable to the Rockingham County Registry of Deeds. Appropriate match lines shall be used and so indicated for plans, which exceed this size limit. If match lines are used, an overall site plan shall be submitted showing the breakdown of sheets.

- A. The following information shall be required of a Major Site Plan as described in Section IV – Applicability, except that the planning board may waive certain requirements where considered appropriate:
- (1) At a minimum the plan set shall contain the following:
    - (a) Existing Conditions Plan prepared by a land surveyor licensed in the state of New Hampshire, showing existing features and topography, boundary information and abutters;
    - (b) Proposed Site Plan, prepared by a professional engineer licensed in the state of New Hampshire, showing all proposed features;
    - (c) Auto and Pedestrian Circulation Plan;
    - (d) Lighting Plan;
    - (e) Landscape Plan;
    - (f) Erosion Control Plan; and
    - (g) Site Details.
  - (2) A title block shall be shown on each sheet, including:
    - (a) Title of plan;
    - (b) Owner's name, address and name of agent, if any;
    - (c) Date of plan preparation and date of subsequent revisions;
    - (d) Scale of plan; and
    - (e) Name, address and professional stamp of the person that prepared the plan.
  - (3) North arrow and bar scale.
  - (4) Location plan at a minimum scale of 1 inch equals 1,000-feet showing the following within a 2,000-ft radius:
    - (a) Property lines of the parcel being developed in relation to the surrounding area;
    - (b) Names and locations of existing town streets, including the nearest intersection of said streets;

- (c) Names and locations of streets within the proposed development;
  - (d) Names and locations of watercourses and water bodies on and adjacent to the site; and
  - (e) Nearby community facilities such as schools, churches, parks, etc.
- (5) The plan set shall show at a minimum the following:
- (a) Surveyed property lines of the parcel showing their bearings, distances and monument locations;
  - (b) Names, addresses and tax map numbers of all abutting property owners;
  - (c) Location and layout of existing and proposed structures and buildings;
  - (d) Existing and proposed contours at two (2) foot intervals for the entire site;
  - (e) Area of entire parcel in acres and square feet;
  - (f) Zoning and special district boundaries;
  - (g) Deed reference and tax map number;
  - (h) Location, width, curbing, paving and details of access ways, egress ways and streets within the site;
  - (i) Location and layout of all on-site parking and loading facilities;
  - (j) Location and size of all existing and proposed municipal and non-municipal utilities and appurtenances including but not limited to water, sewer, electric, telephone, gas lines and fire alarm connections, indicating whether overhead or underground, and the location of wells and septic systems and applicable radii;
  - (k) Type, location, and screening of solid waste disposal facilities (e.g. dumpsters, waste compactors, etc.);
  - (l) Location and elevation of catch basins, drain lines and all other drainage features;
  - (m) Location of all physical/natural features including but not limited to: water bodies, water courses, wetlands, vegetation/foilage lines, soil types, railroads, rock outcroppings and stone walls;
  - (n) Dimensions and area of all property to be dedicated for public use or common ownership;
  - (o) Location of flood hazard boundaries;
  - (p) Location and type of existing and proposed traffic control devices;
  - (q) Dimensions, area and minimum setback requirements on all existing and proposed lots;
  - (r) Proposed landscaping plan including size and type of plant material;
  - (s) Pedestrian walks providing circulation through the site;
  - (t) Location and size of proposed and existing signs, walls and fences;

- (u) Location and type of outdoor lighting;
  - (v) Location, width and purpose of any existing or proposed easements or rights-of-way;
  - (w) Auto and pedestrian circulation plan for the interior of the lot;
  - (x) Erosion and sediment control features;
  - (y) Fire alarms, cisterns and/or fire ponds; and
  - (z) Details and specifications for construction including, but not limited to erosion and sediment control features, drainage features, pavement and gravel thickness, landscaping elements, traffic signs, fences, curbing, lighting, utility trenches and sidewalks.
- (6) Preparation of a Landscape Plan. The landscape plan shall be prepared detailing:
- (a) overall site;
  - (b) planting beds;
  - (c) location of proposed and existing to plant materials;
  - (d) location of utilities that would impact the installation and safety of the landscape installers;
  - (e) plant list identifying the common name, scientific name, quantity and size of all plant materials to be utilized; and,
  - (f) maintenance plan
- (7) Major Site Plans shall be accompanied by a traffic study completed by a professional engineer registered in the State of New Hampshire.
- B. The following information shall be required of a Minor Site Plan as described in Section IV – Applicability, except that the planning board may waive certain data requirements where considered appropriate:
- (1) At a minimum the plan set shall contain the following:
- (a) Existing Conditions Plan prepared by a land surveyor licensed in the State of New Hampshire, showing existing features and topography, boundary information and abutters.
  - (b) Proposed Site Plan, prepared by a professional engineer licensed in the State of New Hampshire, showing all proposed features.
  - (c) Depending on the level of detail required to be shown, additional sheets such as Lighting, Landscape, Auto and Pedestrian Circulation and Details may be necessary.

- (2) A title block, including:
  - (a) Title of plan;
  - (b) Owner's name, address and name of agent, if any;
  - (c) Date of plan preparation and date of subsequent revisions;
  - (d) Scale of plan; and
  - (e) Name, address and professional stamp of the person that prepared the plan.
- (3) North arrow and bar scale.
- (4) Location plan at a minimum scale of 1:1000 showing:
  - (a) Property lines of the parcel being developed in relation to the surrounding area within a radius of 2,000-feet;
  - (b) Names and locations of existing town streets, including the nearest intersection of said streets;
  - (d) Names and locations of streets within the proposed development;
  - (e) Names and locations of watercourses and water bodies on and adjacent to the site; and
  - (f) Nearby community facilities such as schools, churches, parks, etc.
- (5) The plan of the site itself shall show:
  - (a) Surveyed property lines of the parcel showing their bearings, distances and monument locations;
  - (b) Names, addresses and tax map numbers of all abutting property owners;
  - (c) Location and layout of existing and proposed structures and buildings;
  - (d) Area of entire parcel in acres and square feet;
  - (e) Zoning and special district boundaries;
  - (f) Deed reference and tax map number;
  - (g) Location, width, curbing and paving of access ways, egress ways and streets within the site;
  - (h) Location and layout of all on-site parking and loading facilities;
  - (i) Location and size of all existing and proposed municipal and non-municipal utilities and appurtenances including but not limited to water, sewer, electric, telephone, gas lines and fire alarm connections, indicating whether overhead or underground, and the location of wells and septic systems, and applicable radii;
  - (j) Type, location and screening of solid waste disposal facilities (e.g. dumpsters, waste compactors, etc.);

- (k) Dimensions and area of all property to be dedicated for public use or common ownership;
- (l) Location of flood hazard boundaries;
- (m) Date and permit numbers of all required state and federal permits;
- (n) Location and type of existing and proposed traffic control devices;
- (o) Dimensions, area and minimum setback requirements on all existing and proposed lots;
- (p) Proposed landscaping plan including size and type of plant material;
- (q) Pedestrian walks providing circulation through the site;
- (r) Location and size of proposed and existing signs, walls and fences;
- (s) Location and type of outdoor lighting;
- (t) Location, width and purpose of any existing or proposed easements or rights-of-way;
- (u) Auto and pedestrian circulation plan for the interior of the lot;
- (v) Fire alarms, cisterns and/or fire ponds; and
- (w) Details and specifications for construction including, but not limited to erosion and sediment control features, drainage features, pavement and gravel thickness, landscaping elements, traffic signs, fences, curbing, lighting, utility trenches and sidewalks.

C. Minimal Impact: The following information shall be required of a Minimal Impact Application as described in Section IV – Applicability, except that the planning board may waive certain requirements where considered appropriate:

- (1) At a minimum the application shall include the following:
  - (a) Sketch of the lot with proposed activity drawn to scale;
  - (b) Title Block shall be shown on the sketch to include:
    - (1) Title of Plan;
    - (2) Owner's name, address and name of agent, if any;
    - (3) Date of plan/sketch preparation and date of subsequent revisions; and
    - (4) Scale of plan.
    - (5) North Arrow and bar scale
    - (6) Sketch drawn to scale
- (2) Sketch shall show at a minimum the following:
  - (a) names, addresses and tax map numbers of abutting property owners;
  - (b) location and layout of existing and proposed structures and buildings;
  - (c) Overlay districts on property to be noted;
  - (d) Deed reference and tax map number;

- (e) Location and layout of all on-site parking and loading facilities;
- (f) Location and size of proposed and existing signs, walls and fences;  
and,
- (g) Location and type of outdoor lighting.

D. Home Business: The following information shall be required of a Home Business Application as described in Section IV – Applicability, except that the planning board may waive certain requirements where considered appropriate:

- (1) At a minimum the application shall include the following:
  - (a) Sketch of the lot with proposed activity drawn to scale;
  - (b) Title Block shall be shown on the sketch to include:
    - (1) Title of Plan;
    - (2) Owner's name, address and name of agent, if any;
    - (3) Date of plan/sketch preparation and date of subsequent revisions;  
and
    - (4) Scale of plan.
  - (c) North Arrow and bar scale
  - (d) Sketch drawn to scale
  - (e) Exterior lighting shown on the sketch
- (2) Sketch shall show at a minimum the following:
  - (a) names, addresses and tax map numbers of abutting property owners;
  - (b) location and layout of existing and proposed structures and buildings;
  - (c) Overlay districts on property to be noted;
  - (d) Deed reference and tax map number;
  - (e) Location and layout of all on-site parking and loading facilities;
  - (f) Location and size of proposed and existing signs, walls and fences;  
and,
  - (g) Location and type of outdoor lighting.

## **SECTION VIII - PERFORMANCE AGREEMENT**

### **A. Period of Performance**

All site improvements shall be constructed and/or installed within the period of time specified in the planning board Northwood Site Plan Review Regulations approval of the site plan, and in compliance with RSA 674:39. Site improvements shall not be considered complete until officially approved by the Building Inspector and such other federal, state or local officials, as may have jurisdiction.

Construction activities and storage of building materials shall only be carried on in such a manner and at such times as to render said activities not unduly objectionable to adjacent properties. After the improvements required by the planning board have been satisfactorily completed, a certificate of completion shall be issued by the designated town official.

### **B. Certificate of Occupancy**

- (1) A certificate of occupancy shall be issued by the Building Inspector for residential and/or non-residential units only after he/she has approved the adequacy of all required improvements servicing the subject parcel or parcels.
- (2) A certificate of occupancy shall be issued provided that all required roads, utilities and other improvements servicing the subject parcel have been constructed and or installed in accordance with town specifications.
- (3) A certificate of occupancy may be issued if only minor improvements are needed to complete the project and if the completion of these improvements have been delayed due to factors, such as the weather, beyond the control of the applicant. The applicant must demonstrate to the planning board the reasons these improvements were not completed. In addition, the applicant must demonstrate that the lack of these improvements, as well as the eventual construction of the improvements, will not impede the protection of public health and safety.

### **C. Performance Guaranty**

- (1) An irrevocable letter of credit that will be considered to have automatically been "called" unless the individual or institution advancing the surety obtains a certificate of completion from the town prior to the expiration date of the security. A performance guaranty shall be filed by the applicant with the planning board prior to final plat approval.

- (2) Such performance guaranty shall be in an amount up to one hundred (100) percent of the cost of construction as determined by the planning board to secure to the town the satisfactory construction and installation of the required improvements.
- (3) Construction and installation of required improvements must be satisfactorily executed within the time constraints imposed by the planning board, or the applicant shall forfeit said performance guaranty, and the surety shall be used to complete and/or install such improvements in accordance with the requirements specified herein. If an extension of such time limit is required, the applicant shall notify the planning board at least thirty (30) days prior to said completion date. The planning board shall have the discretion to extend said completion date and/or increase the limit of the performance guaranty.

**D. Maintenance Guaranty**

An irrevocable letter of credit to guaranty that all site work was properly done shall be posted by the applicant with the planning board. Such maintenance guaranty shall be in an amount of two (2) percent of the estimated project cost and remaining in force for two (2) years after site improvements are completed. If such repairs are needed and are not satisfactorily installed by the applicant, then such guaranty shall be used to complete and/or install such improvements in accordance with the requirements specified herein.

**E. Inspection of Improvements**

All site improvements shall be subject to inspection by and approval of the Building Inspector, as appropriate, who shall be notified by the applicant at least seventy-two (72) hours prior to the start of construction. Inspections will be conducted by said official or their designee following a request by the applicant. No underground installation shall be covered until inspection. Any improvements covered without inspection shall be considered not accepted.

**F. As-Built Plans**

At the completion of construction, the applicant shall submit a set of as-built plans showing the actual location and details of all improvements prepared by a licensed land surveyor or professional engineer registered in the state of New Hampshire and shall submit three (3) blue-line prints of the plans to the planning board. Certified plot plans must be consistent with all improvements and conditions made in the site plan approval by the planning board before an occupancy permit is issued. All as-built plans with proposed town roads must show location and grade before town may accept it.

## **SECTION IX - DESIGN STANDARDS AND REQUIRED IMPROVEMENTS**

### **A. General Requirements for all applications**

(1) Conformance to Applicable Laws, Rules and Regulations - In addition to the requirements established herein, all developments shall comply with the applicable provisions of the Northwood Ordinances, Subdivision Regulations, and all other applicable town regulations.

(2) Self-imposed Restrictions - If the owner places restrictions on any of the land contained in the development greater than those required by the town ordinances or these regulations, such restrictions or reference thereto may be required to be indicated on the site plan, or the planning board may require that restrictive covenants be recorded with the Rockingham County Registry of Deeds in form to be approved by the planning board.

(3) Specification References -

- (a) Reference to state specifications shall mean Standard Specifications for Road and Bridge Construction of the New Hampshire Department of Transportation, approved and adopted 1969, as amended.
- (b) Reference to Uniform Traffic Control Devices shall mean the Manual on Uniform Traffic Control Devices for Streets and Highways, published by the U.S. Department of Commerce, Bureau of Public Roads.

### **B. Architectural Design Review** (Approved 1/8/98; amended 3/08)

Findings/Purpose: The town finds it desirable to protect, enhance, and sustain areas of historical, cultural, architectural, artistic or geographic significance through the following:

- (a) Protect and expand the town's economic base.
- (b) To stabilize and improve property values.
- (c) Foster civic pride.
- (d) Protect cultural assets.
- (e) Preserve historic architectural design and authenticity.
- (f) Ensure harmonious, orderly, and efficient growth and development.
- (g) Promote sound sustainable design and construction.

As documented in the original 1979 Northwood Master Plan and subsequent Master Plan updates, many of Northwood's residents desire to preserve the historic and rural character of the Town. Non-residential development should be sensitive to the traditions of Northwood and New England, and neighboring buildings and the broader setting of cultural and natural resources should maintain or improve aesthetics, increase property values and retain Northwood's community character and quality of life.

(2) General Guidelines/Criteria for all proposed development:

(a) The reuse of existing structures that have special architectural, historical, cultural, or contextual value is strongly encouraged. These historic structures should set the theme for the entire development, and new buildings should incorporate architectural elements that compliment the historical building design.

(b) Building design shall blend with natural and manmade features within or around the site. This may be accomplished by utilizing similar architectural elements, materials, fences, tree placements, plantings and walkways. This will create a sense of visual continuity within the overall area. This is especially important where a proposed commercial development is in proximity to historic structures or other historic elements.

(c) It is recognized that many national and regional chain businesses seek to build a standard design across the country or region. The Planning Board will evaluate all proposed designs for their compatibility with our community character and for conformance with the regulations. It shall be the obligation of the applicants to develop designs that are compatible with our community character.

(d) Buildings shall be sited so that entrances are clearly identifiable and directly accessible from a walkway. Buildings shall be sited so that pedestrian areas and gathering places are created. Buildings shall be accessible for pedestrians, bicyclists and mass transit users. Separation of vehicular and pedestrian pathways is important to the overall safety of the site.

(3) Building Siting for Major and Minor Site Plans: The development of the site must address various elements in providing a total design plan for the proposed construction. The building's orientation, setback, alignment with the street, and relative spacing with respect to other structures will be considered in the overall design.

(a) All existing natural and man-made features on the site shall be carefully considered for integration into the overall site design. Buildings shall be clustered within a development

wherever feasible to maximize and maintain natural areas, and located where such development will limit environmental impact.

(b) Structures shall be located and configured in a visually harmonious manner within scale and in keeping with the terrain and vegetation. Structures should not impede scenic views.

(c) Facades of new buildings shall be oriented parallel or perpendicular to the street, a pattern that reinforces the streetscape. New buildings should not be oriented at odd angles, unless this is already the prevailing pattern in the area.

(4) Architectural Design Standards for Major and Minor Site Plans: The purpose of these standards is to ensure architectural designs which draw inspiration from traditional New England designs. Building design should reinforce the environment through careful consideration of architectural forms, massing, detailing, number and use of materials and color.

(a) Roofs

[1] The roof and fascia of the building shall be in keeping with the scale of the structure itself.

[2] Roofs shall have appropriate overhangs and be designed to divert water, ice and snow away from pedestrian areas such as walkways and entrances. The use of canopies, awnings or similar protective designs are encouraged at entry locations.

[3] All sides of a roof structure shall receive consideration. A façade unrelated to the rest of the building is not acceptable

[4] Roof mounted mechanical equipment, satellite dishes and other equipment mounted on the roof shall be so placed as to be not visible from the street (public view) and instead shall be screened by building elements so they are shielded from sight.

[5] Pitched roofs shall be constructed of shingles, metal, natural slate, contemporary simulated natural materials or other materials of traditional New England prominence. Muted tone colors are encouraged.

[6] Use of roofing or façade materials for advertisements, such as names or numbers spelled in the shingles is not permitted.

(b) Exterior Building Materials. Exterior surfaces of building shall be covered with traditional materials or products which simulate natural materials, including but not limited to clapboards, shingles, stone, brick, or architectural concrete masonry units. Exposed plain cinder block, sheet plastic, T-111 plywood and sheet fiberglass are not acceptable.

(c) Architectural details. Balconies, decks, covered porches, decorative shingles, bracketed eaves, columns, balustrades, cupolas, towers, turrets, skylights and arches are among details to be considered and encouraged. All features and details shall be in proportion with the building.

(d) Accessory structures. Structures other than the primary building(s) such as screen walls, gas station canopies, carports, signage structures shall be coordinated with the primary building(s) in terms of scale, materials, colors and style.

(e) Fencing. Fences for non-security purposes shall be constructed of or replicate traditional New England material (i.e. picket, split rail, wrought iron, brick, stone). Chain link security fences may be allowed where appropriate, but their use is generally discouraged. Refer to Section IX (K), Landscaping.

(5) As part of its Major and Minor Site review process the planning board shall review each proposal for conformance with the intent of this standard. The Board shall take into account the location within the community, surrounding properties and proposed use of any proposed development in making its decision.

- (a) The town seeks to protect the capacity of arterial roads. The primary purpose of arterial roads is to allow for traffic movement, and access to adjacent properties is of secondary importance. However, arterial roads have historically provided the sole access for a significant portion of the homes and businesses in Northwood. The town understands that it shares a responsibility with the state in protecting arterial road capacity, and that failure to do so will exacerbate conflicts between community interests and state transportation interests. Where possible, developments shall access the road network on a collector or local road. In cases where driveway access onto an arterial road is necessary, the planning board shall apply the following standards:
  - [1] For new development, the Board shall allow not more than one driveway per lot. In some cases, appropriate cross easements for access to adjacent lots may be considered. Such driveways

and related site improvements shall be designed to minimize disruption to traffic flow on the arterial road.

- [2] For expansion or modification of existing sites, the Board shall require that the existing access to the site be modified to reduce disruption to traffic flow on the arterial road, and may impose such conditions on an approval as are necessary to accomplish this purpose.

**C. Streets and Access**

- (1) General Requirements - All developments shall make adequate provision for safe and suitable access to an existing public street or shall make provisions for the construction and dedication of a public street in order to obtain safe and suitable access to the development site. Where an adjacent existing street from which access is gained is deemed substandard by the planning board, the upgrading of said street shall be provided by the applicant. Where traffic from a proposed development will adversely impact an adjacent street or intersection, provision shall be made for the mitigation of said impacts by the applicant.
- (2) Required Improvements for Major and Minor Site Plans:
- (a) Wherever, in the opinion of the planning board, safe and satisfactory access cannot be gained from an existing public street, the Board may require the construction and dedication of a public street.
  - (b) Wherever, in the opinion of the planning board, traffic generated by a development will adversely impact existing public streets or the intersection of public streets, the Board may require improvements to be made to such streets and intersections in an effort to mitigate such impacts.
  - (c) Wherever, in the opinion of the planning board, traffic is sufficient to require, driveways/roads to site developments serving the public shall be designed and constructed in accordance with the road design standards detailed in the Northwood Subdivision Regulations.
- (3) Design Standards for Major and Minor Site Plans:
- (a) Wherever a public street is to be constructed and dedicated, that street shall be designed and constructed in accordance with the applicable standards for the type of street as contained in the Northwood Subdivision Regulations.

(b) Wherever an existing public street and/or bridge which provides access to a development is substandard with regard to the applicable standards for the type of street and/or bridge established in the Subdivision Regulations, the planning board may require that street and/or bridge to be improved in all respects, including the dedication of additional right-of-way width, so that it will conform to the applicable standards set forth in the Subdivision Regulations.

(c) Wherever a public street, an intersection of public streets, and/or a bridge, will be adversely impacted by traffic generated by a development, that street, intersection, and/or bridge shall be improved in accordance with requirements established by the planning board. Those improvements may include, but not be limited to, the installation of traffic signals, the construction of additional lanes for turning movements, the construction of raised islands or barriers for channeling traffic, and the replacement or improvement of bridges to NHDOT design standards.

Driveway entrances/access points onto town roads with speed limits of 30 mph or less, shall have an all season safe sight distance of 250-ft in each direction.

Driveway entrances/access points onto town roads with speed limits greater than 30 mph, shall have an all season safe sight distance of 300-ft in each direction.

Driveways or access points shall be located at least 100-ft from street intersections and major driveway entrances.

The units of multi-family and elderly housing developments shall not be further than 1,000-ft from a single point of access.

#### D. Storm Water Drainage

All developments shall make adequate provisions for stormwater disposal facilities. The following Storm Water Drainage requirements [Sections (1), (2) and (3)] apply to Major and Minor Site Plans:

- (1) General Requirements
  - (a) Storm water disposal facilities for major and minor site plans shall be designed and stamped by a registered engineer licensed in the state of New Hampshire. Storm water drainage systems shall be constructed within specified easements to carry storm water to existing water courses, existing storm drains, or infiltration structures. If the

storm water drainage system creates any additional flow over other properties, the applicant shall obtain easements therefore from the owners of said properties.

- (b) Developments shall not increase, modify, or alter existing patterns of off-site drainage, erosion or sedimentation caused during the development of the site and/or by the eventual development itself. The applicant shall provide for and maintain methods that eliminate any detrimental downstream effect to the other property. Developments shall not increase the amount of erosion and sediment in surface waters.
- (c) A drainage analysis and Storm Water Management Plan prepared by an engineer licensed in the state of New Hampshire including a comparison between pre-development and expected post development conditions shall be submitted for any site development that involves cumulatively disturbing 20,000 square feet or more, construction of a street or road and/or disturbing environmentally critically areas.

(2) Design Standards

- (a) Storm Water Systems. All required drainage improvements and /or facilities shall be designed to accommodate a 25-year storm event. Drainage calculations shall be prepared in conformance with the guidance document, Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas of New Hampshire, prepared by the USDA Soil Conservation Service, as amended. Such drainage facilities shall be located in the road right-of-way where feasible. Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed easements at least twenty five (25) feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities.
- (b) Pre- and Post-Development Flow

[1] The applicant shall provide pre- and post-development peak flow rates. Any site that was wooded in the last five years must be

considered undisturbed woods for the purposes of calculating pre-development peak flow rates.

[2] The two-year, 24-hour post-development peak flow rate shall be (a) less than or equal to 50 percent of two-year, 24-hour storm pre-development peak flow rate and (b) less than or equal to the one-year, 24-hour storm pre-development peak flow rate.

[3] The 10-year, 24-hour post-development peak flow rate shall not exceed the pre-development peak flow rate for all flows off-site.

[4] Peak discharge flow rates shall be measured at the drainage system outfall/discharge location, or the down-gradient property boundary (if applicable). Discharge locations shall be designed to maintain existing flow paths within the watershed. The topography of the site may require evaluation at more than one location if flow leaves the property in more than one direction. Watershed and subcatchment boundaries shall not be limited by property boundaries where the project site is located down gradient from adjacent up-gradient properties or watersheds.

[5] An applicant may demonstrate that a feature beyond the property boundary is more appropriate as a design point. The board may also require that a design point beyond the property boundary be evaluated to demonstrate town facilities (i.e. town storm sewer system or downstream culverts passing under town roads) will not be impacted.

[6] The post-development total runoff volume shall be equal to 90 to 110 percent of the pre-development total runoff volume (based on a two-year, 10-year and 25-year, 24-hour storms). Calculations shall include runoff from adjacent up-gradient properties.

(c) Groundwater Recharge - Except where prohibited, stormwater management designs shall demonstrate that the annual average recharge volume for the major hydrologic soil groups found on-site are maintained.

[1] For all areas covered by low permeability surfaces, the total volume of recharge that must be maintained shall be calculated as follows:

$$1) \text{ REQUIRED RECHARGE VOLUME (ft}^3\text{)} = \frac{(\text{Soil Recharge Factor}) \times (\text{Area})}{12}$$

Where Soil Recharge Factor is expressed as follows:

USDA/NRCS Group	Hydrologic Soil	Soil Recharge Factor (inches)
	A	0.40
	B	0.25
	C	0.10
	D	not required

Where Area is square footage of proposed low permeability surfaces.

Example: Applicant proposes 30,000 square foot parking lot over C soils.

$$\text{REQUIRED RECHARGE VOLUME} = \frac{0.10 \times 30,000}{12}$$

$$\text{REQUIRED RECHARGE VOLUME} = 250 \text{ ft}^3$$

- 2) Where more than one hydrologic soil group is present, a weighted soil recharge factor by area shall be computed.

[2] Pre-Treatment Requirements

- 1) All runoff must be pretreated prior to its entrance into the groundwater recharge device to remove materials that would clog the soils receiving the recharge water.
- 2) Pretreatment devices shall be provided for each Best Management Practice (BMP), shall be designed to capture anticipated pollutants, and be designed and located to be easily accessible to facilitate inspection and maintenance.

[3] Sizing and design of infiltration (recharge) BMPs

- 1) All units shall be designed to drain within 72 hours from the end of the storm.

- 2) The floor of the recharge device shall be at least three feet above the seasonal high water table and bedrock.
- 3) Soils under BMPs shall be scarified or tilled to improve infiltration.
- 4) Infiltration BMPs shall not be located in areas with materials or soils containing regulated or hazardous substances or in areas known to DES to have contaminants in groundwater or above current standards.

[4] Infiltration may be prohibited or subject to additional pre-treatment requirements under the following circumstances:

- 1) The facility is located in a well-head protection area or water supply intake protection area; or
- 2) The facility is located in an area where groundwater has been reclassified to GAA, GA1 or GA2 pursuant to RSA 485-C and Env-Ws 420; or
- 3) Stormwater is generated from a “high-load area,” as described under Section (e).

(d) Water Quality: - If more than 35 percent of the total area of the site will be disturbed or the site will have greater than 25 percent low permeability cover, the applicant shall demonstrate that their stormwater management system will, where applicable:

[1] Remove 80 percent of the average annual load of total suspended solids (TSS), floatables, greases, and oils after the site is developed, and/or;

[2] Remove 40 percent of phosphorus.

(e) Land Uses with Higher Potential Pollutant Loads

[1] The following uses or activities are considered “high-load areas,” with the potential to contribute higher pollutant loads to stormwater, and must comply with the requirements set forth in subsections 1,2, and 3 below:

- 1) Areas where regulated substances (e.g. hazardous, explosive, flammable) are exposed to rainfall or runoff; or
- 2) Areas that typically generate higher concentrations of hydrocarbons, metals, or suspended solids than are found in

typical stormwater runoff, including but not limited to the following:

1. Industrial facilities subject to the NPDES Multi-Sector General Permit (MSGP); not including areas where industrial activities do not occur, such as at office buildings and their associated parking facilities or in drainage areas at the facility where a certification of “no exposure” will always be possible [see 40CFR122.26(g)].
  2. Petroleum storage facilities.
  3. Petroleum dispensing facilities.
  4. Vehicle fueling facilities.
  5. Vehicle service, maintenance and equipment cleaning facilities.
  6. Fleet storage areas.
  7. Public works storage areas.
  8. Road salt storage and loading facilities.
  9. Commercial nurseries.
  10. Non-residential facilities having uncoated metal roofs with a slope flatter than 20 percent.
  11. Facilities with outdoor storage, loading, or unloading of hazardous substances, regardless of the primary use of the facility.
  12. Facilities subject to chemical inventory under Section 312 of the Superfund Amendments and Reauthorization Act of 1986 (SARA).
  13. Commercial parking areas with over 1,000 trips per day.
- 3) If a high-load area demonstrates that there is no exposure of regulated substances to precipitation or runoff or release of regulated substances, it shall no longer be considered a high-load area.

[2] In addition to implementation of BMPs for designing site-specific stormwater management controls, uses included under subsection (e)[1] shall provide a stormwater pollution prevention plan (SWPPP), describing methods for source reduction and methods for pretreatment.

[3] Infiltration of stormwater from high-load areas, except commercial parking areas, is prohibited. Infiltration, with appropriate pre-

treatment (e.g., oil/water separation) and subject to the conditions of the SWPPP, is allowed in commercial parking areas and other areas of a site that do not involve potential “high-load” uses or activities.

[4] For high-load areas, except commercial parking areas, filtering and infiltration practices, including but not limited to, sand filters, detention basins, wet ponds, gravel wetlands, constructed wetlands, swales or ditches, may be used only if sealed or lined.

- (f) Natural Watercourses - Where a development is traversed by a natural watercourse, drainageway, channel, or stream, a storm water easement or drainage right-of-way shall be provided conforming substantially to the lines of such watercourse, and of such width and construction or both as will be adequate for such purpose. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow. The applicant shall dedicate, either in fee or by drainage or conservation easement, land on both sides of existing watercourses to a distance to be determined by the planning board.
- (g) Accommodation of Upstream Drainage Area - A storm water drainage system shall be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the development permitted by the Zoning Ordinance. The planning board shall require on-site retention or detention facilities to prevent the overloading of existing downstream facilities.
- (h) Flood Plain Areas - Any development in flood plain areas shall be in compliance with the standards for Special Flood Hazard Areas contained in Section IX-K of these regulations.
- (i) Areas of Poor Drainage - The planning board may restrict the development of any portion of the property having poorly or very poorly drained soils in accordance with the Wetland conservation provisions in the town ordinances.

### (3) Maintenance

- (a) Operation and Maintenance - All stormwater management systems shall have a post-construction operations and maintenance (O&M) plan to ensure that systems function as designed. This plan shall establish the maintenance tasks, maintenance schedule, and responsible entity for implementing the O&M plan for the stormwater system components approved for the facility. All O&M plans shall include a provision that require parties responsible for implementation of the plan to retain records of all maintenance and repairs for the system for a period of ten years. The O&M plan shall be submitted to the planning board for review and approval.
  - (b) Recording - The approved O&M plan shall be referenced on the site plan recorded with the registry of deeds, or recorded with the registry of deeds as a separate exhibit, in a manner that establishes that the obligation of implementing the O&M plan run with the land in perpetuity.
  - (c) Ownership - The stormwater management system owner is generally considered to be the landowner of the property unless other legally binding entities have been identified and established.
- (4) Reclamation, Redevelopment and Reuse
- (a) Reclamation of a previously subdivided and developed lot that requires site plan approval prior to redevelopment shall meet the stormwater management standards established herein to the maximum extent that is technically feasible for the site.

## **E. Water Supply**

All developments shall make adequate provision for a water supply of potable water for domestic consumption and for water supply for fire protection purposes. The following water supply requirements [Sections (1), (2), and (3)] apply to Major and Minor site plans:

(1) General Requirements - All water supply systems and facilities shall be designed and stamped by a registered engineer licensed in the state of New Hampshire.

(2) Required Improvements:

- (a) The location of individual private wells shall comply with all standards of the New Hampshire Water Supply and Engineering Bureau or applicable New Hampshire regulatory agency.
- (b) A water system having fifteen (15) or more connections or serving more than 25 people over a 60 day period, shall conform with and meet all standards set for community water services as established by the New Hampshire Water Supply and Engineering Bureau, or applicable New Hampshire regulatory agency. All fees including, but not limited to testing, studies, short-term and long-term monitoring, evaluation of results, and treatment of water shall be the responsibility of the owner(s).
- (c) Upon determination by the planning board, a private water system, having three or more service connections may be required to meet some or all of the standards set for community water services as established by the New Hampshire Water Supply and Engineering Bureau. All fees including, but not limited to testing, studies, short-term and long-term monitoring, evaluation of results, and treatment of water shall be the responsibility of the owner(s).
- (d) A hydrogeologic study shall be required for any well or development with a withdrawal of over 10,000 gallons of water per day. The study shall provide at a minimum the following:

- (i) A hydrologic mapping of local groundwater flow, aquifer characteristics, including but not limited to elevation, transmissivity and boundaries.
  - (ii) Existing background water quality.
  - (iii) The location of abutter water supply wells and septic systems.
  - (iv) The location and capacity of proposed septic systems.
  - (v) Estimates of the transport of contaminants from any septic systems or industrial sources at the property boundary and at the abutter's water supplies.
  - (vi) The hydrologic studies shall be performed by qualified hydrologists, hydrogeologists or professional geologists licensed in the state of New Hampshire. All water testing is to be performed at EPA approved laboratories.
- (3) Fire alarms, fire hydrants, cisterns and fire ponds shall be provided as required local, state or federal regulations. These items shall be shown on the site plan.

#### **F. Sewerage**

All developments shall make adequate provision for sanitary sewage disposal facilities. The following Sewerage Requirements [Sections (1) and (2)] apply to Major and Minor Site Plans.

General Requirements - The sanitary sewerage disposal facilities shall be designed and stamped by a registered engineer licensed in the State of New Hampshire. Sanitary sewage disposal shall be accomplished through the provision of individual waste disposal systems or a private central sewerage system.

(2) Design Standards - Sanitary waste disposal may be accomplished by either of the following methods:

- (a) Individual disposal systems, the design and location of which shall be approved by the state of New Hampshire Water Supply and Engineering Bureau, or applicable regulatory agency. The system shall be located on private property, no closer than seventy-five (75) horizontal feet to a watercourse, a waterbody, a wetland, or a well that is being used as a source of individual water supply.
- (b) A private central sewerage system, the design and location of which shall be approved by the State of New Hampshire Water Supply and

Pollution Control Division. Maintenance and operating costs of the system shall be borne by the applicant.

- (c) A hydrogeologic study shall be required for any sewerage system, or combination of systems, existing or planned, on one parcel that is/are designed to accommodate 2,500 gallons per day or more. The study shall provide at a minimum the following:

A hydrologic mapping of local groundwater flow, aquifer characteristics, including to but not limited to elevation, transmissivity and boundaries

Existing background water quality

The location of abutter water supply wells and septic systems.

The location and capacity of proposed septic systems.

Estimates of the transport of contaminants from any septic systems or industrial sources at the property boundary and at the abutter's water supplies.

The hydrologic studies shall be performed by qualified hydrologists, hydro geologists or professional geologists licensed in the State of New Hampshire. All water testing is to be performed at EPA approved laboratories

## **G. Non-Municipal Utilities**

The following Non-Municipal Utilities Requirements apply to Major and Minor Site Plans.

General Requirements - The applicant is responsible for all coordination with utility companies to assure that non-municipal utilities are installed in accordance with plans approved by the Board pursuant to these regulations.

Design Standards - All utility facilities, including but not limited to electric power and telephone shall be located underground throughout the development. Wherever existing utility facilities are located above ground, they shall be removed and placed underground. Existing utilities which are located within public rights-of-way are exempted from this provision. The planning board shall review and approve the location of all non- municipal utility lines.

## H. Off-Street Parking and Loading

All developments shall make adequate provisions for off-street parking and loading facilities for use by both employees and patrons.

The following Off-Street Parking and Loading requirements [Sections (1) through (9)] apply to Major and Minor Site Plans.

- (1) General Requirements – Off-street parking and loading facilities shall be designed to ensure the safety and convenience of pedestrian and vehicular movement on the site. The design shall also minimize the impact of intrusive elements of parking and loading such as noise, dust, stormwater runoff and glare upon neighboring properties and land uses. No on-street parking, delivery or loading is permitted. Whenever a use existing on the effective date of these regulations is expanded or changed thereafter to a new use, parking facilities shall be provided for such new use.
- (2) Required Improvements - Every development with more than 10 parking spaces shall provide an area for parking and loading on the site which is paved and drained in accordance with the standards in section IX-C (Streets and Access) and IX-D (Stormwater Drainage.) For best management practices see Stormwater Drainage. Alternative pavements to reduce low permeability surfaces are encouraged. Acceptable alternatives may include porous paver blocks, porous concrete or “grass pave” type systems (fire/emergency access lanes or other low traffic areas only).
- (3) Design Considerations. To the extent possible, locate parking lots to the rear and/or side of principal structures. Parking lot location is especially important in historic and rural centers, as most buildings are traditionally facing the street. Side or rear parking lots ensures that the building is the focal point of the development and allows for better pedestrian access from the street and a longer driveway length to facilitate access. Parking to the rear and side allows for full emergency service vehicle access to the entire structure as access to the front of the structure is from the roadway.

The design and layout of parking and loading spaces shall conform to the requirements of these regulations:

- (a) Each parking space shall have a safe and independent access;

- (b) All parking and loading shall be situated on the same street or parcel of land as the primary use building or structure; except when a use is located on contiguous parcels/lots under common ownership.
- (c) No paving, parking, loading area or storage shall be permitted within twenty (20) feet of any property line; or within the dripline of trees. For trees on the edge of construction areas, no more than twenty-five percent of the area within the dripline shall be disturbed.
- (d) For parking lots of twenty spaces or more provision shall be made on site for the storage of snow which is removed from the parking and loading areas during the winter months; snow storage is not permitted on any landscaped areas or within wellhead protection radius for any drinking water supply well. In accordance with NH DES Best Management Practices, locate snow storage areas and snow dumps so that runoff is directed to vegetated swales or filter strips, created for that purpose.
- (e) Parking spaces shall be arranged so that cars will not back into a public street.
- (f) Parking areas shall accommodate solid waste disposal without impacting parking spaces.
- (h) Adequate pavement markings and signs shall be provided to designate traffic flow patterns.
- (i) Applicant shall identify the design vehicle used as the basis for all turning movements (radii) on site.
- (j) Wheel stops shall be provided for areas without curb and abutting natural vegetated areas to parking beyond the limits of parking area.
- (k) Provisions for Handicap Parking shall include:
  - (1) Designated spaces to be located closest to wheel chair accessible primary entrances avoiding crossing traffic;
  - (2) Provide 9 ft. debarking area;
  - (3) Provide sign and paint marking to identify space;
  - (4) Maximum slope 1:20;
  - (5) Free of drainage structures and paths;
  - (6) A sufficient number of spaces shall be provided to meet needs of the site; and,
- (k) Signs shall be provided to identify compact car parking areas.

(4) Parking Standards - The following parking standards represent parking space requirements. Any parking in excess of the requirements below shall be considered overflow parking.

- (a) Multi-family dwelling: One and one half space per unit for each one bedroom and two spaces for each dwelling unit with two or more bedrooms plus one additional space per 3-4 units.
- (b) Restaurant - One space per two seats based on maximum seating capacity; plus one parking space per each two employees on shift of largest employment.
- (c) Wholesale establishments, warehouses and storage buildings - One parking space for each employee, plus one parking space for each company vehicle operating from the premises.
- (d) Manufacturing - One space for each employee in the maximum working shift.
- (e) Office – One space per three hundred twenty five (325) square feet of gross floor area, or, where business(es) do not include regular patronage by the general public, one space per each one and one-half business occupant.
- (f) Retail - One space per two hundred fifty (250) square feet of gross floor area.
- (g) Place of Worship – One space for each three seats of total seating capacity.
- (h) Gasoline Service Station – Three spaces for each service bay, plus one space per employee in the maximum shift.
- (i) Home Occupation – One space in addition to residential needs.
- (j) Home Business – One space per employee; plus 1-4 spaces for customers (depends on needs of business, subject to planning board approval).
- (k) Accessory Use – Depends on the nature of the use and number of expected users, subject to planning board approval.
- (l) Bed and Breakfast – One space per room occupancy in addition to resident/owner needs.
- (m) Day Care – One space per 250 square feet of gross floor area; plus one space per employee.
- (n) Elderly Housing – One space per each unit plus one space for each employee on maximum shift.
- (o) Mixed uses – Sum of various use computed separately.  
Other – Closest similar use as shall be determined by the planning board.

(5) Wholesale, manufacturing, office, retail and mixed use facilities in excess of 25,000 square feet shall incorporate no less than 30% parking for compact vehicles and motorcycles.

(6) All overflow parking areas must be constructed of a pervious surface material.

(7) Parking Dimensions - The following represent minimum dimensions of parking stalls.

**Standard**

Angle (degrees)	Stall Width (feet)	Length of Space (feet)	Aisle Width (measured between end of stall lines)
90	9	18	26
60	9	21	16 (one way)
Parallel	8	22	14' (one way) 24' (two way)

**Compact**

Angle (degrees)	Stall Width (feet)	Length of Space (feet)	Aisle Width (measured between end of stall lines)
90	8	15	22
60	8	18	14
Parallel	8	18	14' (one way) 24' (two way)

(8) Loading Standards - The space requirements for off-street loading for the uses listed below shall apply:

(a) Retail, service and restaurant establishments shall allow one space for each 10,000 square feet.

Wholesale and manufacturing shall allow the following:

<u>Area of Building (sf)</u>	<u>Number of Spaces</u>
5,000 – 15,000	1
15,001 – 25,000	2
35,001-45,000	3
45,001+	4

(b) The first loading berth required in each instance shall not be less than 12-feet in width, 50-ft in length, and 14-ft in height. Up to 50% of any additionally required berths may be less than 50-ft in length, provided that in no case shall any berth be less than 20-ft in length.

(c) Loading spaces shall not overlap with required parking spaces and turning movements shall not interfere with parking.

(d) Loading and unloading areas shall be designed to demonstrate the ability for maneuvering of the design vehicle identified in H(3)(h) into loading zones and through the site.

- (9) See Landscaping section K for parking lot landscaping requirements.

**I. Signs**

The following Sign Requirements apply to all developments.

General Requirements - Signs are intended for the identification of the use on the sign on which they are located. Signs shall not be a hazard or nuisance by virtue of their location or illumination.

Design Standards - Sign size, type, location, height, and illumination shall conform to the requirements of the town ordinances.

**J. Preservation of Natural and Historic Features**

The Preservation Requirements apply to Major and Minor Site Plans.

General Requirements –

Grading and clearing should be minimized so as to avoid creating undue erosion or interruption of natural drainage ways. Particular attention should be given to natural features suitable as buffer strips between residential subdivisions abutting commercial or industrial areas. Similar natural features that provide buffers between lots, or sections of a development should be preserved to enhance privacy and attractiveness. Provision for clearing may be made for southerly exposure for solar access to dwellings or buildings.

If the planning board finds certain land to be unsuitable for development due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations or topography, utility easements or other features which will reasonably be harmful to the safety, health, and general welfare of the present or future users of the development, inhabitants of the surrounding area, or residents of the town, the land shall not be developed unless adequate methods are formulated by the applicant and approved by the planning board to solve the problems created by the unsuitable land conditions. Otherwise, such land shall be set aside for uses as shall not involve such danger.

Applicants shall use construction methods which cause the least disturbance to the environment possible. No cut trees, debris, junk, rubbish, or other waste

materials of any kind shall be buried in any land, or left or deposited on any lot or street at the time of issuance of a certificate of occupancy, and removal of same shall be required prior to issuance of any certificate of occupancy. Nor shall any debris be left or deposited in any area of development at the time of expiration of the performance bond or dedications of public improvements, whichever is sooner.

Each significant natural feature within the site, including large or unusual trees, water courses, natural stone outcroppings, and other scenic features shall be shown on the plans. All attempts shall be made to preserve such features.

Each existing building or manmade structure, including stone walls, shall be shown on the plans and reviewed with the planning board for historic significance. All attempts shall be made to preserve such features.

#### **K.1. Major Site Plan Landscaping Requirements**

Landscaping Requirements Sections K.1.(1) through K.1.(10) apply to Major Site Plans.

K.1.(1) Purpose. The intent of these landscape requirements is to establish practices and procedures to insure that new landscapes promote a healthy environment. These practices address long term planning and maintenance of trees, shrubs, and other landscape elements that enhance development and economic stability, and maintain the visual character of Northwood. Research has shown that implementation of sound landscaping requirements could positively impact the community with benefits including but not limited to the following:

- (a) Environmental Values:
  - [1] improve air and water quality;
  - [2] provide shade in summer and open sunlight in winter, reducing heating and cooling demands;
  - [3] filter the air pollution;
  - [4] filter runoff; and,
  - [5] reduce noise
  
- (b) Economic Values:
  - [1] foster a general increase in property values;
  - [2] increase business activity as a result of enhanced aesthetics; and,
  - [3] moderate heating and cooling costs.

- (c) Social Values:
  - [1] allow for a stronger appreciation of the community and encourage pride of ownership;
  - [2] increase the natural beauty within the town and the region;
  - [3] aid in the reduction of crime and defacement of property; and,
  - [4] promote better public health.

K.1.(2) General Requirements - In all developments, a minimum of 25 percent of the land area of a parcel being developed shall remain in its natural state or shall be maintained as a landscape area. Wherever possible, landscaping should include the saving, protecting, and enhancing the appearance of existing trees, shrubs, and groundcovers which are considered not to be invasive species

- (a) Protection of Existing Plantings: Existing trees shall be preserved wherever feasible. Maximum effort should be made to preserve small stands of trees to minimize the potential for serious damage due to wind, grade changes and soil compaction. No construction materials, equipment, vehicles, or temporary soil deposits shall be located within the dripline of existing trees. Protective barriers shall be installed around each plant and/or groups of plants that are to remain on site. Snow fences installed around the drip line of the tree canopy are an example of acceptable barriers.
- (b) All proposed new plant material including trees, shrubs, groundcovers shall be suited to the growing conditions of the specific site as well as the general area.

K.1.(3) Required Improvements -

- (a) A landscaped area serving as a buffer zone shall be required wherever a commercial or industrial development abuts an adjacent residential property.
- (b) Every development shall include landscaping to enhance the appearance of structures, to screen parking, loading, storage areas and waste disposal facilities to improve the visual character of the immediate area.

- (c) Every site developed along Routes 4, 43, 202, 202A, 9, and 107 shall plant street trees along the frontage of roads, at intervals not to exceed 40 feet. The trees shall be a minimum of 3" caliper at a point 6" above the top of the root ball, and shall be of a suitable hardwood species. Preservation of existing street trees shall be encouraged and existing trees should be substituted for new plantings whenever possible. No pavement shall be placed within the dripline of existing trees, in order to protect the trees. Protective barriers shall be installed around each plant and/or groups of plants that are to remain on site. For trees on the edge of construction areas, no more than 25 percent of the area within the dripline shall be disturbed.
  - (d) Landscaping around buildings shall be provided to buffer parking areas, to define entrances, to provide foundation planting and to soften large expanses of walls or long roof lines.
- K.1.(4) Design Standards/Requirements
- (a) Buffer Zone Requirements. A buffer zone shall consist of a strip of land at least twenty feet wide, densely planted (or having equivalent, natural growth) with shrubs or trees at least 4 feet high at the time of planting of a type that will form a year round dense screen at least 6 feet high within 3 years; or a wall, barrier, or fence of uniform appearance 6 feet high and extending to within 6 inches of ground level.
  - (b) For all landscaping areas, shade trees shall be planted at intervals of no more than 40 feet apart and shrubs, perennials and groundcovers shall be planted en masse among the trees. Combinations of evergreen and deciduous plantings are encouraged. A wall, barrier, or fence of uniform appearance 6 feet high and extending to within 6 inches of ground level may be used in conjunction with plant materials. All buffer areas are to be maintained as an integral part of the landscape.
  - (c) Screening of Unsightly Features. Provisions shall be made to screen unsightly features (i.e. refuse, material storage, loading areas, waste disposal areas, etc.) by blocking or minimizing the view of such features. Berms and fences may be acceptable in conjunction with landscaping elements.

K.1.(5) Landscaping for Parking Areas - General:

- (a) It is recognized that the environmental conditions in a parking area in New Hampshire are often in direct conflict with snow removal, subject to extreme temperature variations, have arid growing conditions and are subject to salt intrusion. It is important to place all materials including trees, shrubs, perennials, and ground covers, in strategic locations to reduce their vulnerability to snow removal operations and to choose plant materials that are capable of withstanding the extremes of this growing environment. Trees within landscape medians have a better chance of survival if planted in line with parking stripes rather than centered within parking spaces.
- (b) For parking lots of 20 or more spaces, all landscape beds must have granite curbing to act as a wheel stop. If a landscape bed also serves as a stormwater treatment area, for example a rain garden, spacing between the curb stone to allow for the entry or exiting of water may be permitted.
- (c) To increase the longevity and health of plant materials, snow storage shall not be permitted on any landscaped areas. In accordance with NH DES Best Management Practices, snow storage areas and snow dumps shall be located so that snowmelt runoff is directed to vegetated swales or filter strips created for that purpose.
- (d) For parking lots with less than twenty spaces, wheel stops with periodic spacing shall be provided at landscape areas.
- (e) Perimeter Landscaping for Parking Areas:  
Along the perimeter of parking lots with twenty or more spaces continuous buffer zone perimeter landscaping is required.
- (f) Interior Landscaping for Parking Areas:
  - [1] The intent of the interior landscaping is to break up large expanses of pavement, provide summer shade on pavement areas and reduce wind velocity across exposed surface areas.
  - [2] In addition to the perimeter landscaping requirements, interior landscaping shall be required for all parking lots with multiple adjacent parallel parking rows. Required interior landscaping

area shall be a minimum of 10 percent of the total area of driveways and parking areas.

[3] Where interior landscaping is provided, beds shall be a minimum of 12 feet wide and must meet the requirements of (3)(a).

[4] The maximum number of continuous parking spaces permitted shall be 20.

#### K.1.(6) Plant Materials and Installation-

- (a) Plant materials shall be suitable for site conditions including soil composition, location, and exposure to environmental factors.
- (b) Existing topography shall be maintained wherever feasible. Those areas that shall be disturbed shall be replaced with a minimum of 6 inches of suitable topsoil either from the stockpile or off-site, and then replanted with vegetative cover as part of the landscape.
- (c) Invasive species identified by the New Hampshire Department of Agriculture as amended are prohibited from further planting within Northwood. See NH RSA 430:55.
- (d) All plant materials shall be installed according to the American Nurserymen Standards.
- (e) Trees shall be 3-inch caliper (diameter 6" above root ball) or larger. If trees are located in a lawn area they need to be mulched to preserve soil moisture, reduce weed growth and prevent mower and trimmer damage. The mulch bed shall be at least 4 feet in diameter. The depth of mulch shall not exceed 3 inches as greater amounts increase plant mortality. The installation and subsequent use of tree guys is for a period of one year from the time of installation; at the end of that time the stakes and guys must be removed.
- (f) Shrubs shall be a minimum of 2 1/2 feet height at planting and also receive mulch with a depth not to exceed 3 inches.
- (g) The introduction of ground cover and perennial plants en masse planting settings and utilizing mulch as the soil covering is acceptable. Bare soil is not acceptable.

K.1.(7) Maintenance Plan. A maintenance plan shall be provided with the site plan application. All landscaped areas shall receive regular maintenance and upkeep. Severely injured, diseased or dead plant materials must be replaced in kind in perpetuity (avoid replacing landscape materials in the period from November to March). Best management practices to minimize environmental impacts, including the use of low phosphorous fertilizer and slow release

nitrogen, shall be included in the management plan. If the ownership of a site is conveyed to a new property owner the new owner shall be responsible for maintaining all landscaping in accordance with the approved final landscaping plan.

K.1. (8) Enforcement

- (a) An inspection of all plantings to ensure compliance with the submitted landscape plan shall be conducted prior to the issuance of a certificate of occupancy.
- (b) The applicant may be required to provide financial security in the form of cash, bond, or letter of credit to cover the cost of landscape improvements. The specific dollar amount shall be negotiated with the Board of Selectmen.

K.1.(9) The Planning Board may seek an advisory opinion regarding the submitted landscaping plan at the expense of the applicant.

K.1.(10) The planning board will seek an advisory opinion of the conservation commission regarding the submitted landscaping plan, if deemed necessary.

**K.2. Minor Site Plan Landscaping Requirements**

Landscaping Requirements Sections K.2.(1) through K.2.(4) apply to Minor Site Plans.

K.2.(1) General Requirements – In all developments, a minimum of 25 percent of the land area being developed shall remain in its natural state or shall be maintained as a landscape area.

K.2.(2) Required Improvements –

- (a) A landscaped buffer zone shall be required wherever a commercial or industrial development abuts an adjacent residential property A.
- (b) Every minor site plan development shall include landscaping to enhance the appearance of structures, to screen parking, loading, storage areas and waste disposal facilities to improve the visual character of the immediate area.

- (c) Every site developed along Routes 4, 43, 202, 202A, 9, and 107 shall plant street trees along the frontage of roads, at intervals not to exceed 50 feet. The trees shall be a minimum of 3" caliper at a point 6" above the top of the root ball, and shall be of a suitable hardwood species. Preservation of existing street trees shall be encouraged, and existing trees should be substituted for new plantings whenever possible. No pavement shall be placed within five (5) feet of the trunk of trees, in order to protect the trees.
- (d) Landscaping around buildings shall be provided to buffer parking areas, to define entrances, to provide foundation planting and to soften large expanses of walls or long roof lines.

#### K.2.(3) Design Standards

- (a) A buffer zone shall consist of a strip of land at least ten (10) feet wide, densely planted (or having equivalent, natural growth) with shrubs or trees at least four (4) feet high at the time of planting of a type that will form a year round dense screen at least six (6) feet high within three years; or an opaque wall, barrier, or fence of uniform appearance six (6) feet high and extending to within six (6) feet high and extending to within six (6) inches of ground level.
- (b) Site landscaping shall consist of trees, shrubs and other plant materials adapted to the growing conditions of the specific site as well as the general area.

K.2.(4) The planning board will seek an advisory opinion of the conservation commission regarding the submitted landscaping plan, if deemed necessary.

### **L. Special Flood Hazard Areas**

Special Flood Hazard Area Requirements apply to Major and Minor Site Plans.

All Major and Minor site plan proposals governed by these regulations having lands identified as Special Flood Hazard Areas in the "Flood Insurance Study for the Town of Northwood, N.H." together with the associated Flood Insurance Rate Maps and Flood boundary and Floodway maps of the Town of Northwood dated September, 1979 shall meet the following requirements:

Site Plan proposals, including their utilities and drainage, shall be located and designed to be consistent with the need to minimize flood damage.

All public utilities and facilities, such as sewer, electrical and water systems shall be located and constructed to minimize or eliminate flood damage.

Adequate drainage shall be provided to reduce exposure to flood hazards.

- (a) New and replacement water systems (including on-site systems) shall be located, designed and constructed to minimize infiltration and avoid impairment.
- (b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.

Within the altered or relocated portion of any watercourse, the applicant shall submit to the planning board certification provided by a registered professional engineer assuring that the flood carrying capacity of the watercourse be maintained.

All site plan proposals shall include 100 year flood elevation data.

#### **M. Outdoor Lighting**

Outdoor Lighting Requirements apply to all developments. Lighting of all sites shall be designed to prevent off-site disturbance, nuisance, or hazard, and shall not detract from the qualities of the community which attract many visitors, such as the heritage of the community and its natural beauty. In addition to the town's ordinances, the following shall apply:

- (1) All outdoor light sources shall be designed, directed and/or shielded such that the nighttime lighting is primarily contained on the site, shielding abutting properties and roads to the extent necessary;
- (2) No light source shall be permitted if that light causes glare or other safety problems on an adjacent street or property, and;
- (3) Commercial outdoor lighting, except for a minimal amount of security lighting, shall be turned off when the establishment is not open for business.

#### **N. Hours of Operation**

All applicants shall present limits on the hours of operation of non-residential operations. This shall be reviewed by the board to ensure that adverse impacts on the neighborhood and town are suitable mitigated by means as deemed appropriate by the board.

#### **O. Lot Coverage**

For all developments, lot coverage by low permeability surfaces shall not exceed the following percentages:

Mixed Use (Combination of Residential and Non-Residential Use) 40%

Non-Residential 50%.

**P. Noise**

The applicant and future owners of all site developments shall conform with the Northwood Development Ordinance for the purpose of regulating noise levels within the town.

**Q. Sidewalks**

Sidewalk requirements apply to Major and Minor Site Plans.

Sidewalks, where applicable, shall be provided for pedestrian traffic to provide connection between the main entrance of businesses, industries, residential developments, and parking areas. In addition, sidewalks shall be provided from side lot line to side lot line, along road frontage. Provisions shall be made for the installation of sidewalks running from the street line to the principal building. Sidewalks shall be at least five (5) feet wide, six (6) inches above grade, and shall be protected by curbing. Sidewalk designs shall include means for handicapped access.

## **SECTION X – ADMINISTRATION AND ENFORCEMENT**

### **A. Waivers**

- (1) When in the judgment of the planning board, special circumstances exist where strict conformity with any specific requirement of these regulations would cause extraordinary and unnecessary hardships, the Board may waive certain portions of the regulations so that substantial justice may be achieved and the public interest secured, provided that such waivers shall not have the effect of nullifying the intent and purpose of the Zoning Ordinance or the Master Plan.
- (2) In granting waivers, the planning board may require such conditions as will in the Board's judgment secure substantially the objectives of the standards or requirements of these regulations.
- (3) The planning board shall not approve waivers unless it shall make findings based upon the evidence presented to it in each specific case that:
  - (a) The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other adjacent property;
  - (b) The conditions upon which the request for a waiver is based are unique to the property, for which the waiver is sought and are not applicable generally to other property;
  - (c) Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; and
  - (d) The waiver will not, in any manner, vary the provisions of the town ordinance or Master Plan.
- (4) Procedures: A petition for any such waiver shall be submitted in writing by the applicant at the time when the application is filed for consideration by the planning board. The petition shall state fully the grounds for the waiver and all of the facts relied upon by the petitioner.

### **B. ENFORCEMENT**

The enforcement of these regulations shall be in the manner enacted by the Northwood Selectmen as authorized by RSA 676: 17.

**C. FEES**

- (1) Application Fees - Any application for approval of a site plan review shall be accompanied by a non-refundable fee to cover the planning board's administrative costs. Application fees will be consistent with the schedule adopted by the planning board and approved by the Board of Selectmen.
- (2) Inspection Fees – reserved.
- (3) Notice Fees -The applicant shall be responsible for paying the costs of mailing certified notices to abutters and the applicant as well as the cost of advertising and posting.
- (4) Additional Fees - Any applicant may be required to pay additional reasonable fees imposed by the planning board to cover the costs of special investigative studies, inspections, review of documents and other matters which may be required by a particular application (RSA 676: 4-1 (g)).
- (5) Adoption - In accordance with RSA 675:6, these regulations shall become effective after a public hearing is held as specified in RSA 675:7, adoption and certification by a majority of the planning board members, and filing of certified copies with the planning board secretary as required by RSA 675:8. Copies shall also be filed with the New Hampshire Office of State Planning as required by RSA 675:9.
- (6) Interpretation and Conflict - In matters of judgment or interpretation of the requirements of these regulations, the opinion and decision of the planning board shall prevail. In any place where these regulations are in conflict with any other regulations, ordinances or law in effect in the town, the more restrictive regulations or provision shall prevail.
- (7) Separability - If any section, subsection, paragraph, sentence, clause, or phrase of these regulations shall be held to be invalid or unconstitutional by any Court of competent authority, such holding shall not affect, impair, or invalidate any other section, subsection, paragraph, sentence, clause, or phrase of these regulations.

- (8) Amendments - As provided for n RSA 677:15, any persons aggrieved by any decision of the planning board may present to the Superior Court a petition, duly verified, setting forth that such decision is illegal or unreasonable in whole or in part, specifying the grounds upon which the same is claimed to be illegal or unreasonable. Such petition shall be presented to the Court within thirty (30) days after the filing of the decision by the planning board.

## **SECTION XI – WORDS AND PHRASES**

### **A. Word Usage**

Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word “building” shall include the word “structure”, the word “shall” is mandatory; the word “may” is permissive.

### **B. Definitions**

For the purpose of this chapter, the terms used herein are defined as follows:

**ABUTTER** - Any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the planning board. For purposes of receiving testimony only, and not for purposes of notification, the term abutter shall include any person who is able to demonstrate that his or her land will be directly affected by the proposal under consideration.

**ALTERNATIVE DESIGN SUBDIVISION** - For the purpose of this ordinance, an alternative design subdivision will represent an alternative form of residential development were, instead of subdividing an entire tract into lots of conventional size, a similar number of housing units may be arranged on lots of reduced dimensions. The remaining land in the tract which has not been built upon shall be reserved for common open space, to be held in some form of ownership or easement which will prevent it from being further subdivided.

**APPLICANT** - Any person, agent, firm, association, partnership or corporation that makes application to the planning board of the approval of site plan pursuant to the rules and regulations of this chapter.

**APPLICATION, COMPLETE** - An application for site plan review which contains sufficient information to invoke jurisdiction of the planning board. The ninety (90) day period for review does not start until a complete application has been submitted by the applicant and accepted by the planning board.

**APPLICATION, FILE** - To deliver an application to the planning board’s agent for inclusion on planning board’s agenda.

**APPLICATION, SUBMISSION** - See Official Submittal Date.

**AS-BUILT DRAWINGS** - Drawings which delineate the specific location of site utilities.

**ACCESSORY BUILDING** - A building exist on the same lot and within the same zoning district as the principal use shall be customarily incident and subordinate to the principal use, subject, however, to the provisions of the town ordinances.

**BUFFER ZONE** - Land area used to visibly separate one use from another or to shield or block noise, light or other nuisances. Buffer zones may include such things as fences or berms as well as shrubs and trees.

**BUILDING** - Any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind and which is constructed or permanently affixed on the land. Such "building" includes open porches, open breezeways and any other roofed areas. This in no way is to be construed to include a trailer, mobile home or any other like product.

**BUILDING INSPECTOR** - The individual designated by the Town of Northwood to enforce building codes and development regulations. (Different than Zoning Ordinance)

**BUILDING PERMIT** - Written permission issued by the proper town official authorizing the construction, repair, alteration or addition to a structure.

**CERTIFICATE OF COMPLETION** - A document issued by the proper town officials indicating that the improvements required by the planning board have been satisfactorily completed.

**CERTIFICATE OF OCCUPANCY (CO)** - A document issued by the proper town officials allowing the occupancy or use of a building and certifying that the structure or use has been constructed or will be used in compliance with all the applicable town ordinances and regulations.

**CLUSTER DEVELOPMENT** - For the purpose of this ordinance, cluster development shall be consistent with the definition of alternative design subdivision.

**CONDOMINIUM** - For the purpose of this ordinance, the definition of condominium will be consistent with the provisions of RSA 356-B.

**DEED RESTRICTION** - See Restricted Covenant.

**DRIPLINE** - An imaginary vertical plumb line that extends downward from the tips of the outermost tree branches and intersects the ground.

**DWELLING** - A structure or portion thereof which is used exclusively for human habitation.

**DWELLING, MULTI-FAMILY** - A dwelling containing three (3) or more dwelling units.

**DWELLING, SINGLE FAMILY** - A detached building containing one (1) dwelling unit only.

**DWELLING, TWO FAMILY** - A building containing two (2) dwelling units with not more than five (5) lodgers or boarders. Two family dwellings are also referred to as duplexes.

**DWELLING UNIT** - One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for exclusive use of a single family maintaining a household.

**EASEMENT** - The right or privilege that a person may have in another person's property usually for the purposes of installing and maintaining utilities and drainage ways.

**ESCROW** - A conditional delivery of money by an applicant to a bank to be held until such time as the conditions of the final plat approval have been satisfactorily complied with.

**FAMILY:**

- (1) Individuals occupying a dwelling unit and living together as a single housekeeping unit provided that all members are related by blood, marriage or adoption and including necessary domestic help and no more than two (2) lodgers or roomers; or
- (2) Any number of unrelated individuals living together as a single housekeeping unit, provided that not less than three hundred (300) square feet of habitable floor space is provided for each occupant.

**FLOOD HAZARD AREA** - That portion of land, as designated on the most current Flood Insurance Rate Maps or on the Flood Boundary and Floodway maps of the Town of Northwood, that, on the average, is likely to be flooded once every one hundred (100) years, i.e., that has a one percent (1%) chance of flood occurrence in any given year.

**FLOOR AREA** - The sum of the gross horizontal areas of all floors of - any building or buildings on a lot measured from the exterior walls. In particular, the "floor area" shall include:

- (1) In dwellings, any basement space designed to be used for residential purpose.
- (1) In other than dwellings, any basement or cellar space used for any purpose.

- (3) In all buildings, interior balconies, mezzanines, roofed porches or terraces and all spaces other than basement or cellar spaces with structural head room of at least seven (7) feet.

**FRONTAGE** - The linear distance measured along the front lot line between the points of intersection with the side lot lines for the purpose of access. For the purpose of measurement, lot frontage shall be measured along the joining boundary of the front lot line and a public right-of-way. Frontage along cul-de-sacs shall be measured along the arcs of the right-of-way between the points of intersection with the side lot lines.

**GASOLINE STATION** - An automobile service station, the basic function of which is to provide for the sale of gasoline and oil and routine automobile maintenance.

**HOME BUSINESS:** Home business uses include office, personal or business service, light manufacturing, or other uses of a similar nature where there is no on-site sale of goods except as is incidental to the primary activity or service.

**HOTEL** - Any building in which more than five (5) rooms are rented to more than ten (10) persons, said rooms being rented for sleeping purposes for compensation and reached from hallways common.

**IMPROVEMENT** - Refers to site grading, street work and utilities, including water, sewer, electric, gas and stormwater to be installed or agreed to be installed by the applicant on land to be used for public or private streets, and easements or other purposes as are necessary for the general use of lot owners in the subdivision.

**INVASIVE SPECIES** - Any species, including its seeds, eggs, spores, or other biological material capable of propagating or reproducing that species, that is not native to that ecosystem and whose introduction causes or is likely to cause economic or environmental harm or harm to human health.

**JUNKYARD** - An open area where waste, used or secondhand materials are brought, sold, exchanged, stored, baled, packed, disassembled or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles. The term "junkyard" shall not include uses established entirely within enclosed buildings.

**LETTER OF CREDIT, IRREVOCABLE** - A conditional delivery of money by a applicant to nominee mutually agreeable to the planning board and the applicant. The holder of the

money will retain the money until release is authorized by the town or the money is “called” that is transferred to the Town of Northwood. The money will be called by the town if the applicant does not obtain a Certificate of Completion from the town prior to the expiration date of the security. Upon the expiration date, the money will be transferred to the town if a Certificate of Completion has not been received by the agent from the town.

**LICENSED LAND SURVEYOR** - A land surveyor properly licensed and registered in the state of New Hampshire.

**LOT** - A tract of land under single ownership and occupied by, or designed to be occupied by, one (1) principal building and its accessory buildings or uses customarily incident to it, together with such open spaces and yards as are required by this chapter. (Different than Zoning Ordinance)

**LOT LINE** - A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

**LOW PERMEABILITY SURFACES** – Surfaces which do not allow fluids to pass readily through them (e.g. pavement, concrete, roofs, etc.).

**MAINTENANCE GUARANTY** - An irrevocable letter of credit accepted by the town to assure that necessary improvements will function as required for a specific period of time.

**MASTER PLAN** - The plan or any portion thereof adopted by the town for the coordinated physical development, including, among other things, plans and programs regarding the location, character and extent of highways, transportation routes, bridges, public buildings or uses, utilities, schools, residential, commercial or industrial land uses, parks, forests, dams, drainage facilities and projects affecting the conservation of natural resources of the town.

**MOBILE HOME** - Any vehicle used or so constructed as to permit its being used as a conveyance or transported upon its own wheels upon the public streets or highways and duly licensable as such and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one (1) or more persons and provided with a toilet and bathtub or shower. A prefabricated residential unit shall not be construed as a trailer or “mobile home” if said unit is supported by a permanent foundation.

**MOTEL** (see “Hotel”) - A building or group of buildings containing rooms or apartments that are rented or hired out for sleeping purposes and which rooms have direct outside access.

**NONCONFORMING USE** - A lawful use that does not conform to the prescribed use regulation of the district in which it is located.

**NONRESIDENTIAL SUBDIVISION** - A subdivision intended to be used for purposes other than residential, such as commercial and industrial. Such subdivisions shall comply with the applicable provisions of these regulations.

**OFFICIAL MAP** - A map adopted in conformance with Chapter 674:9-14 of the New Hampshire Revised Statutes Annotated, 1985, inclusive. Such "Official Map" is to be deemed to be final and conclusive with respect to the location and width of streets and the location of parks shown thereon.

**OFFICIAL SUBMITTAL DATE** - An application shall be considered officially submitted only at the regular meeting of the planning board following the completion of the appropriate application procedure.

**ORDINANCE** - Any legislative action, however denominated, of the Town of Northwood which has the force of law, including any amendment or repeal of any ordinance.

**OWNER** - Any person, group of persons, firm or firms, corporation or corporations or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.

**PERFORMANCE GUARANTY** - An irrevocable letter of credit or an escrow agreement accepted by the town as a guaranty that improvements required as part of a site plan review approval are satisfactorily completed.

**PLANNING BOARD** - The planning board of the Town of Northwood. Also referred to as the board.

**PLAT** - The maps, drawings, charts and other documents complying with all applicable provisions in this chapter which constitute the plan for site plan review and which the applicant submits to the town.

**PUBLIC HEARING** - A meeting announced and advertised in advance and open to the public, with the public given an opportunity to talk and participate.

**PUBLIC MEETING** - Any scheduled meeting, of the planning board.

**REGISTERED PROFESSIONAL ENGINEER** - An engineer properly licensed and registered in the State of New Hampshire.

**REGISTERED PROFESSIONAL GEOLOGIST** - A geologist properly licensed and registered in the State of New Hampshire.

**RESTRICTED COVENANT** - A restriction on the use of land usually set forth in the deed.

**RIGHT-OF-WAY (ROW)** - A parcel of land used to provide access for a second party. (Different than Zoning Ordinance)

**RIGHT-OF-WAY LINES** - The lines that form the boundaries of the right-of-way.

**ROOM** - An unsubdivided portion of the interior of a dwelling unit, excluding bathrooms, closets, hallways and service porches.

**SETBACK** - The distance between the street right-of-way lines and the front line of a building.

**SETBACK LINE** - The line that is the required minimum distance from the street right-of-way line or any other lot line that establishes the area within which the principal structure must be erected or placed.

**SIGN** - A sign as a name, identification, description, display or illumination which is affixed to or painted or represented, directly or indirectly, upon a building, structure or piece of land and which directs attention to an object, product place, activity, person, institution, organization or business.

**SITE** - Any plot or parcel of land or combination of contiguous lots parcels of land.

**SITE PLAN** - A plan of the owner's property showing the property lines, location of buildings, means of ingress and egress (access to off-street parking and curb cuts) on the owners property and the general relationship of this property to the abutting property.

**SITE PLAN REVIEW** - The procedure by which the town reviews the development plan for one or more lots on which is shown the existing and proposed conditions of the lot including: topography, vegetation, drainage, floodplains, marshes and waterways; open spaces, walkways, means of ingress and egress, utility services, landscaping, structures and signs, lighting and screening devices; any other information that reasonably may be required in order that an informed decision can be made by the planning board.

**SLOPE** - The degree of natural inclination of the existing ground.

**STREET** - A public or private way which is intended to provide vehicular access to two (2) or more lots and/or to two (2) or more primary buildings and which may or may not be continuous. Also included are terms such as avenue, boulevard, road, private road, lane, alley, highway, viaduct, freeway, court, way, and drive.

**STREET, ARTERIAL (Major)** - A street designed or utilized primarily for high vehicular speeds or heavy volumes of traffic on a continuous route, with intersections at grade, and which may have direct access to abutting properties and on which geometric design and traffic control measures are used to expedite the safe movement of through traffic.

**STREET, COLLECTOR** - A street which carries or is proposed to carry intermediate volumes of traffic from local streets to arterial streets and which may or may not be continuous.

**STREET, LOCAL** - A street used primarily for access to abutting properties providing for minimum speeds and traffic volumes. Also referred to as minor or secondary streets.

**STRUCTURE** - Anything constructed, the use of which requires permanent or temporary location on or in the ground or water, or attachment to something having permanent or temporary location or in the ground or water, including but not limited to, stationary or portable carports, swimming pools, tennis courts, parking lots, and driveways with a man-made surface. Fences, stonewalls and driveways are structures, but are exempt from dimensional requirements.

**SUBDIVIDER** - Any person, firm, partnership, association, corporation, estate or other group or combination acting as a unit dividing or proposing to divide land in a manner that constitutes a subdivision as herein defined.

**SUBDIVISION** - The division of the lot, tract, or parcel of land into two (2) or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision under these regulations. (Different than Zoning Ordinance)

- (1) **MAJOR** - A division of a lot, tract or parcel of land into four (4) or more separate parcels, or a subdivision which requires new streets, the extension of municipal facilities or the creation of any public improvements.
- (2) **MINOR** - A division of a lot, tract or parcel of land into three (3) or less separate parcels, provided that there shall be no extension of streets or other significant improvements required; or any subdivision that, in the judgment of the planning board, may present no significant engineering and/or planning difficulties.

**ZONING DISTRICT** - A specifically delineated district within the town where regulations and requirements uniformly govern the use, placement, spacing and size of land and buildings.

**ZONING BOARD OF ADJUSTMENT** - The Zoning Board of Adjustment of the Town of Northwood, as provided in the New Hampshire Revised Statutes Annotated 673:3.