

**OFFICE OF THE PLANNING BOARD  
TOWN OF BARNSTEAD**

P.O. Box 11  
Center Barnstead, NH 03225  
603-269-4071

**NON-RESIDENTIAL SITE PLAN REVIEW REGULATION**

**As Amended 10/4/2012**

**Section 1: Purpose**

In order to ensure that non-residential development is an asset, the Town of Barnstead has empowered the Planning Board to adopt and administer a non-residential site plan review regulation. With an adequate site plan review regulation and careful review of site plans by the Planning Board, non-residential development within the community can become a positive addition to the community.

Certain standards are outlined as a guide both to the Planning Board in checking proposed site plans and to the developer as a guide for his design. Most of the plan will be presented in map format of what the applicant is proposing and how he proposes to meet the standards and requirements of the Town as established by the Planning Board.

According to the regulation, the Planning Board will approve or disapprove all site plans for the development of tracts of land for all uses other than one family residential prior to the Issuance of a building permit whether or not such development includes a subdivision or re-subdivision of land. This is to assure that minimum standards will be attained so as to provide for and protect the public health, safety, and general well-being.

**Section 2: Authority**

Pursuant to the authority vested in the Barnstead Planning Board by the voters of the Town of Barnstead in accordance with the provisions of RSA 674, the Barnstead Planning Board adopts the following regulation governing the review of non-residential site plans in the Town of Barnstead, New Hampshire. This regulation shall be entitled "Non-residential Site Plan Review Regulation, Town of Barnstead, New Hampshire.

**Section 3: Submission Items: Site Development Plan And Supporting Data**

Prior to the submission of the site development plan the owner may submit a preliminary sketch showing any preliminary information he desires to the Planning Board for discussion purposes only. On the formal submission of the site development plan, the owner or his authorized agent shall submit three sets of site plan maps and supporting data to the Planning Board which shall include the following information:

**3.1 Existing Data and Information**

- A. Location of site, names, and addresses of owners of record and abutting landowners.
- B. Name and address of person or firm preparing the map, the scale of the map (1 inch equals 40 feet suggested), north arrow and date. Such map shall be prepared by a registered land surveyor or registered professional engineer. Name and address of persons or firm

preparing other data and information if different from the preparer of the map.

- C. The boundary lines of the area included in the site, including angles or bearings of the lines, dimensions and the lot area.
- D. The existing grades, drainage systems, structures and topographic contours at intervals not exceeding 2 feet with spot elevations where grade is less than 5 percent, otherwise not exceeding 5-foot contour intervals.
- E. The shape, size, height, and location of existing structures located on the site and within 200 feet of the site.
- F. Natural features such as streams, marshes, lakes, or ponds. Manmade features such as, but not limited to, existing roads and structures. Such map shall indicate which of such features are to be retained and which are to be removed or altered.
- G. Use of abutting properties shall be identified with approximate location of the structures thereon including access roads.
- H. The size and location of all existing public and private utilities and all existing landscaping. This shall include the location and size of existing public utilities that are located off-site, with which connection is planned, or located within 100 feet of the site.
- I. A vicinity sketch (suggested scale 1" equals 500') showing the location of the site in relation to the surrounding public street system. The zoning districts and boundaries for the site and within 1,000 feet of the site shall be shown. One hundred year flood elevation line shall be included where applicable.

### **3.2 Proposed Plan and Information**

- A. The proposed grades, drainage systems, structures and topographic contours at intervals not exceeding 2 feet with spot elevations where grade is less than 5 percent, otherwise not exceeding a 5-foot contour interval.
- B. The shape, size, height, and location of the proposed structures including expansion of existing buildings.
- C. Proposed streets, driveways, off-street parking spaces, sidewalks, with indication of direction of travel for one-way streets and drives and inside radii of all curves. The width of streets, driveways and sidewalks and the total number of parking spaces shall be shown. In addition, loading spaces and facilities associated with the structures on the site shall be shown.
- D. The size and location of all proposed public and private utilities.
- E. The location, type, and size of all proposed landscaping and screening.
- F. Exterior lighting plan and proposed signs to be located on the site.
- G. A storm drainage plan including plans for retention and slow release of storm water where necessary.
- H. A circulation plan of the interior of the lot showing provisions for both auto and pedestrian circulation. An access plan showing means of access to the site and proposed changes to

existing public streets including any traffic control devices necessary in conjunction with the site development plan.

- I. Construction drawings, including, but not limited to, pavements, walks, steps, curbing and drainage structures.
- J. Review by fire, police and highway department or Road Agent.

### **3.3 Additional Information**

The Planning Board may require such additional other information as it deems necessary in order to apply the regulations contained herein.

## **Section 4: Design and Construction Requirements**

All design and construction standards shall refer to the items shown and presented on the Proposed Plan and Information.

- 4.1 Traffic access to the site from the town streets shall ensure the safety of vehicles and pedestrians.
- 4.2 Improvement to existing streets shall include signal devices if necessary because of increased traffic generated by the development.
- 4.3 Circulation (vehicle and pedestrian) and parking including loading facilities shall be designed to ensure the safety of vehicles and pedestrians on the site.
- 4.4 Landscaping and screening shall be provided with regard to adjacent properties, the public highway and within the site including interior landscaping of large parking areas, (over three double rows).
- 4.5 Storm drainage of the site shall be designed for a 25-year flood and if the existing drainage system to which the site drainage system will be connected is inadequate, provisions shall be made for retention and gradual release of storm water in order to meet the 25-year flood demand.
- 4.6 Provision shall be made for snow storage during winter months.
- 4.7 Provision shall be made for the site to be serviced by necessary utilities which may include water for fire and domestic use, sanitary sewer, electrical, and gas.
- 4.8 Provision shall be made for protection of natural features.
- 4.9 All developments shall meet the standards and requirements included in the town zoning ordinance and subdivision regulations including, but not limited to, parking, off-street loading, landscaping, signs, location of driveways, erosion, screened service area and exterior lighting.
- 4.10 Construction requirements shall be in accordance with Standard Specifications for Road and Bridge Construction as published by the State of New Hampshire Department of Public Works and Highways provided that alternative provisions may be considered by the Planning Board if submitted by the developer.
- 4.11 Provision shall be made for water supply, wastewater disposal, and solid waste disposal.
- 4.12 Environmental factors.

- 4.13** Provision shall be made to assure that the proposal is consistent with the need to minimize flood damage that all public utilities and facilities, such as sewer, gas, electrical, and water systems are constructed and that adequate drainage is provided to reduce exposure to flood hazards. Design provisions shall also be made to minimize or eliminate infiltration of floodwaters into new or replacement water supply systems and/or sanitary sewage systems and discharges from these systems into floodwaters. On-site waste disposal systems shall be located to avoid impairment of them or contamination from them during flooding.

## **Section 5: Occupancy and Bonding**

The Planning Board may require a performance bond before any work commences on a development for that portion of the development that, if not properly completed, will have an adverse effect on adjoining property or has a potential for erosion. The steps for issuing and releasing a performance bond shall be the same as required in the subdivision regulations including, but not limited to, determining the amount, the sufficiency, term, and form of the bond.

No development may be occupied or used unless a certificate of occupancy has been issued by the Building Inspector. The Building Inspector shall not issue such certificate of occupancy until this regulation has been complied with and the improvements made or a performance bond provided to the town for unfinished improvements.

## **Section 6: Definitions**

### **6.1 Development**

A development means the construction of improvements on a tract or tracts of land for nonresidential use.

### **6.2 Zoning and Subdivision Regulations**

The definitions contained in the Barnstead Zoning Ordinance and the Barnstead Subdivision Regulations shall, where applicable, apply to the Non-residential Site Plan Review Regulation.

## **Section 7: Procedure for Planning Board Review**

- 7.1** A completed application shall fulfill all requirements of Sections 2 and 3 of this regulation. Provided an application is received at least five days before a Planning Board meeting, determination, as to its completeness shall be made at that meeting. A receipt for the application shall be provided by the Planning Board. Within 30 days after it has been determined that the application for site plan review meets the requirements of this regulation, the Planning Board shall place consideration of such proposed site plan on its agenda and shall act to approve or disapprove it within 90 days of accepting the completed application, provided that the Planning Board may apply to the Selectmen for an extension not to exceed an additional 90 days before acting to approve or disapprove. Otherwise, such proposed site plan shall be deemed to have been approved and the certificate of the town as to the date of submission of the site plan for approval and the failure to take action thereon within such time shall be issued on demand and shall be sufficient in lieu of the written endorsement or other evidence of approval herein required; provided however that the applicant for the Board's approval may waive this requirement and consent to an extension of such period. When necessary, the Building Inspector for the Town shall issue on behalf of the town the certificate of failure on the part of the Planning Board to take action as provided herein.

**7.2** Planning Board may approve or disapprove the plan. In case of disapproval of any proposed site plan submitted, the grounds for such disapproval shall be adequately stated on the records of the Planning Board and the applicant notified by certified mail.

**7.3 Public Hearing and Notice**

Before taking action on a nonresidential site plan, the Planning Board shall hold a public hearing thereon. The applicant and abutters shall be notified of the public hearing and the time and place of such hearing by certified or registered mail, return receipt requested, not less than 10 days before the date fixed for the hearing. In addition, notice of the public hearing shall be by advertisement in a newspaper of general circulation in the Town of Barnstead stating the time and place of such hearing and a brief description of the location of the proposed site plan. The publication of such notice shall be not less than 10 days before the date fixed for the hearing. The costs of any such required publication or posting of notice and the cost of mailing notice of the hearing shall be paid by the applicant prior to the hearing.

**Section 8: Concurrent and Joint Hearings**

The Planning Board may hold a hearing on site plan review in conjunction with a subdivision hearing if both are required for a project. A hearing for site plan review by the Planning Board may be held at the same time and place that a hearing for a special exception is held for the project by the Board of Adjustment.

**Section 9: Waiver Procedure**

When a proposed site plan is submitted for approval with regard to an expansion of an existing use or to a new use on a lot containing less than 60,000 square feet in area, the owner may submit a proposed site plan and request the Planning Board to waive specific requirements for the plan and supporting data. The Planning Board may agree to such requests provided that the Board has determined that such waiver of any requirements will not affect the purpose and intent of this regulation. This shall not apply to design and construction standards.

**Section 10: Amendments**

Amendments to this site plan review regulation shall be made in the same manner in which amendments to subdivision regulations are made.

**Section 11: Separability**

If any provisions herein shall be held to be invalid for any reason by a Court, such holding shall not invalidate in any manner any other provision contained herein.

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**CHECKLIST FOR SITE PLAN REVIEW**

All proposed site plan submissions shall be accompanied by a properly completed, dated and signed application, along with a completed copy of this Checklist. (Available from the Planning Board Office) Such Application and Checklist shall be filed with the Planning Board Secretary not less than thirty (30) days prior to the scheduled meeting.

Site Location: \_\_\_\_\_ Tax Map \_\_\_\_\_ Lot Number \_\_\_\_\_  
Owner: \_\_\_\_\_ Date Submitted \_\_\_\_\_  
Engineer/Agent: \_\_\_\_\_

The final submission and drawing requirements shall be three (3) paper copies and one (1) wash off Mylar if required:

	<u><b>Applicant</b></u>	<u><b>P.B.</b></u>
<b>1. Existing Data &amp; Information</b>		
A. Location of site, name(s) and address(es) of owner(s) of record, and abutting land owners.	_____	_____
B. Name and address of person(s) or firm preparing the map		
a. scale of map (1" = 40', suggested)	_____	_____
b. north arrow and date	_____	_____
c. stamp of Registered Land Surveyor/Engineer	_____	_____
d. name and address of preparer of other data/information (if different from preparer of map)	_____	_____
C. Boundary lines of area included in site, including angles or bearings of lines, dimensions, and lot area	_____	_____
D. Existing grades		
a. drainage systems	_____	_____
b. structures and topographic contours at intervals not exceeding 2', with spot elevations where grade is less than 5%, otherwise not exceeding 5' contour intervals	_____	_____
E. Shape, size, height and location of existing structures located on site and within 200' of site	_____	_____
F. Natural features such as streams, marshes, lakes or ponds	_____	_____
a. manmade features such as, but not limited to, existing roads and structures	_____	_____
b. features to be retained	_____	_____
c. features to be removed or altered	_____	_____
G. Use of abutting properties with approximate location of structures,		

including access roads

H. Size and location of all existing public and private utilities

a. existing landscaping

b. location and size of existing public utilities located off-site with which connection is planned or located within 100' of site

I. Vicinity sketch (scale: 1"=500', suggested) showing location of site in relation to surrounding public street system

a. zoning districts and boundaries for site and within 1,000' of site

b. 100-year flood elevation line, where applicable

2. **Proposed Plan & Information**

A. Proposed grades, drainage systems, structures and topographic contours at intervals not exceeding 2' with spot elevations where grade is less than 5%, otherwise not exceeding 5' contour interval

B. Shape, size, height and location of proposed structures, including expansion of existing buildings

C. Proposed streets, driveways, off-street parking spaces, sidewalks, with indication of direction of travel for one-way streets and drives, and inside radii of all curves

a. width of streets, driveways, sidewalks and total number of parking spaces

b. loading spaces and facilities associated with structures on site

D. Size and location of all proposed public and private utilities

E. Location, type and size of all proposed landscaping and screening

F. Exterior lighting plan and proposed signs to be located on site

G. Storm drainage plan including plans for retention and slow release of storm water, where necessary

H. Circulation plan of interior of lot showing provisions for both auto and pedestrian circulation

a. access plan showing means of access to site, and proposed changes to existing public streets, including any traffic control devices necessary in conjunction with the site development plan

I. Construction drawings including, but not limited to, pavements, walks, steps, curbing and drainage structures

3. **Additional Information**

The Planning Board may require such additional information as it deems necessary in order to apply the Regulations contained herein.

A. Building Inspector



- |   |       |       |
|---|-------|-------|
| B. Conservation Commission                            | _____ | _____ |
| C. Fire Department                                    | _____ | _____ |
| D. Health Officer                                     | _____ | _____ |
| E. Police Department                                  | _____ | _____ |
| F. Road Agent   | _____ | _____ |
| G. Site Plan Agreement                                | _____ | _____ |
| H. Photo upon Completion of Project by Planning Board | _____ | _____ |
| I. Other  | _____ | _____ |

4. **Design & Construction Requirements**

- |  |       |       |
|--|-------|-------|
| A. Traffic access to site from Town streets to ensure the safety of vehicles and pedestrians   | _____ | _____ |
| B. Improvements to existing streets including signal devices, if necessary, because of increased traffic generated by development  | _____ | _____ |
| C. Circulation (vehicles and pedestrian) and parking including loading facilities, designed to ensure safety of vehicles and pedestrians on site   | _____ | _____ |
| D. Landscaping and screening provided, with regard to:   |       |       |
| a. adjacent properties   | _____ | _____ |
| b. public highway  | _____ | _____ |
| c. within site, including interior landscaping of large parking areas (over 3 double rows)   | _____ | _____ |
| E. Storm drainage of site designed for a 25-year storm event:  |       |       |
| a. if existing drainage system to which site drainage system will be connected is inadequate, provisions shall be made for retention and gradual release of storm water in order to meet the 25-year storm event |       |       |
| F. Provision for snow storage during winter months   | _____ | _____ |
| G. Provision for site to be serviced by necessary utilities, including:  |       |       |
| a. water for fire and domestic use   | _____ | _____ |
| b. sanitary sewer  | _____ | _____ |
| c. electrical and gas  | _____ | _____ |
| H. Provision for protection of natural features  | _____ | _____ |
| I. Standards and requirements met including Zoning Ordinance and Subdivision Regulations, not limited to:  |       |       |

- |   |       |       |
|---|-------|-------|
| a. parking  | _____ | _____ |
| b. off-street loading   | _____ | _____ |
| c. landscaping  | _____ | _____ |
| d. signs  | _____ | _____ |
| e. location of driveways  | _____ | _____ |
| f. erosion  | _____ | _____ |
| g. screened service area  | _____ | _____ |
| h. exterior lighting  | _____ | _____ |
|   |       |       |
| J. Construction requirements met in accordance with the Standard Specifications for Road & Bridge Construction, (as published by The State of New Hampshire Department of Public Works & Highway)         | _____ | _____ |
| [Note: Alternative provisions may be considered by the Planning Board if submitted by the developer.]   |       |       |
|   |       |       |
| K. Provision for water supply   | _____ | _____ |
| a. wastewater disposal  | _____ | _____ |
| b. solid waste disposal   | _____ | _____ |
|   |       |       |
| L. Environmental factors  | _____ | _____ |
|   |       |       |
| M. Provision to assure that the proposal is:  |       |       |
| a. consistent with the need to minimize flood damage  | _____ | _____ |
| b. all public utilities and facilities such as sewer, gas, electrical and water systems are constructed   | _____ | _____ |
| c. adequate drainage is provided so as to reduce exposure to flood hazards  | _____ | _____ |
| d. design provisions to minimize or eliminate infiltration of flood waters into new or replacement water supply systems and/or sanitary sewage systems and discharges from these systems into floodwaters | _____ | _____ |
| e. on-site waste disposal systems located so as to avoid impairment of them or contamination from them during flooding  | _____ | _____ |

[Note: The Planning Board may require a performance bond before any work commences on a development for that portion of the development that, if not properly completed, will have an adverse effect on adjoining property or has a potential for erosion. The steps for issuing and releasing a performance bond shall be the same as required in the Subdivision Regulations including, but not limited to, determining the amount, the sufficiency, term and form of the bond.]

## 5. Waivers

When a proposed site plan is submitted for approval with regards to an expansion of the existing use or to a new use on a lot containing less than 60,000 square feet in area, the owner(s) may submit a proposed site plan and request the Planning Board to waive specific requirements for the plan and supporting data. The Planning Board may agree to such requests provided that the Board has determined that such waiver of any requirements will not affect the purpose and intent of these Regulations. This shall not apply to design and construction standards.

## **APPENDIX B**

### **SITE WALKS**

There are frequent occasions when some or all members of a land use board do have a legitimate reason to meet outside a traditional, formal meeting. The most common of these is a "site walk" in which board members visit the site of a proposed project. Site walks can be very important because they enable board members to get a better understanding of existing property conditions and any issues that are not apparent from looking at a plan on paper.

If a quorum of the board attends the site walk, it is by definition a public meeting, and it must comply fully with the Right to Know Law - appropriate written notice, proper minutes and to allow public attendance. There is no room for argument on this point. It is "the convening of a quorum of the membership of a public body to discuss or act upon a matter or matters over which the public body has supervision."

A site walk is a public meeting, and not a public hearing. While the public, including abutters, has a right to observe the planning board as it conducts its business, there is no right to speak or offer information during the walk. The owner has a right to control the abutters/public access in the sense that the person may be chaperoned, and may not go to portions of the property that the board does not observe, such as inside a structure. This may be a difficult thing for an applicant who is in a dispute with an abutter, but allowing controlled access is the only way for the board to obtain the information it needs to complete work on an application. If the applicant excludes the public, he is effectively excluding the board, and the board can't get access to needed information, so the application may be denied.

The board has a right to obtain all the information it needs to make an intelligent and informed decision on the application. If the board has decided in good faith that a site walk is necessary, the applicant's refusal to allow access to the site ought to be a sufficient basis for denying the application. The applicant has refused to provide access to information necessary to make a decision. It is no different from refusing to provide, say, soil information or a traffic impact study.

The applicant needs to understand that the full board has a right to participate in the site walk, and if the full board is meeting, it has to be done in public. The board does not have a right to exclude the public.

## **APPENDIX D**

### **DEPLOYMENT OF PERSONAL WIRELESS SERVICE FACILITIES**

**Refer to New Hampshire Statute - Chapter 12-K Sections 1-9**

**Section 12-K-1 Goals, Purpose**

**Section 12-K-2 Definitions**

**Section 12-K-3 Wireless Carriers Doing Business in This State**

**Section 12-K-4 Payment of Cost**

**Section 12-K-5 Fall Zones**

**Section 12-K-6 Personal Wireless Services Facilities Map**

**Section 12-K-7 Regional Notification**

**Section 12-K-8 Model Ordinance and Guidance**

**Section 12-K-9 Rulemaking**

## **APPENDIX E**

### **SMALL WIND ENERGY SYSTEMS**

**Refer to New Hampshire Statute - Chapter 674:62-66**

**Section 674:62 – Definitions**

**Section 674:63 – Municipal Regulations**

**Section 674:64 – Aviation Requirements**

**Section 674:65 – Abandonment**

**Section 674:66 – Abutter and Regional Notification**

## APPENDIX F

### OFFICE OF THE PLANNING BOARD TOWN OF BARNSTEAD

P.O. Box 11  
Center Barnstead, NH 03225  
603-269-4071

#### **APPLICATION FOR AMENDED SITE PLAN REVIEW** **CHANGE OF USE and/or EXPANSION**

##### **Submission Requirements: Complete pages 1 & 2**

Return to Planning Board Office with a copy of the plot plan, and a short business plan which describes the change in use or expansion, hours of operation, number of employees, etc. Any questions may be directed to Planning Board Office at 603-269-4071.

1. Location \_\_\_\_\_  
Tax Map \_\_\_\_\_ Lot Number \_\_\_\_\_

2. Applicant's Name: \_\_\_\_\_

Telephone Number: Home \_\_\_\_\_ Other \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Town \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

E-Mail Address \_\_\_\_\_

3. Property Owner's Name: \_\_\_\_\_

(If Different from Applicant)

Telephone Number: Home \_\_\_\_\_ Other \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Town \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Signature of Applicant/Agent \_\_\_\_\_ Date \_\_\_\_\_

Print or Type Name \_\_\_\_\_

## **PROPOSAL**

### **Change of Use:**

From \_\_\_\_\_

To \_\_\_\_\_

Expansion of Use (if applicable) \_\_\_\_\_

Size of Addition (if applicable) \_\_\_\_\_ s.f.

Size of Existing Building \_\_\_\_\_ s.f.

(Attach site plan if available)

Conversion from residential to non-residential use? Yes \_\_\_\_\_ No \_\_\_\_\_

Conversion from non-residential to residential use? Yes \_\_\_\_\_ No \_\_\_\_\_

Will this change of use involve the addition of regulated materials? Yes \_\_\_\_\_ No \_\_\_\_\_

Consult Original Site Plan (if available) \_\_\_\_\_

**All Construction shall be in accordance with Town of Barnstead Ordinances, regulations, policies, procedures and specifications. It is the responsibility of the owner/applicant to be aware of these requirements.**

### **PARKING**

1. Number of Spaces Existing \_\_\_\_\_ Proposed \_\_\_\_\_ No Change \_\_\_\_\_

### **BUILDING**

1. Outside Lighting: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ No Change \_\_\_\_\_

2. Signage Existing: \_\_\_\_\_ Proposed \_\_\_\_\_ No Change \_\_\_\_\_

3. Number of Bathrooms: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ No Change \_\_\_\_\_

3. Plot Plan: (Provide 8 1/2 x 11 sketch)

### **EMPLOYEES**

Number of Employees: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ No Change \_\_\_\_\_

### **OPERATIONAL HOURS/DAYS** \_\_\_\_\_ No Change \_\_\_\_\_

1. Days \_\_\_\_\_

2. Hours \_\_\_\_\_

I/We have read the Non-Residential Site Plan Review Regulations Yes \_\_\_\_\_ No \_\_\_\_\_

I/We give Permission for a Site Walk on the Property (Appendix B) Yes \_\_\_\_\_ No \_\_\_\_\_

I/We have paid all fees according to fee schedule (Appendix C) Yes \_\_\_\_\_ No \_\_\_\_\_

I/We understand if any changes are made to this approved  
Amended Site Plan, a New Amended Site Plan must be presented (Appendix F) Yes \_\_\_\_\_ No \_\_\_\_\_