

## **ARTICLE IV    SITE PLAN REVIEW REGULATIONS FOR THE TOWN OF KENSINGTON**

### **Section 4.1    AUTHORITY**

In pursuance of the authority vested in the Kensington Planning Board by the voters of the Town of Kensington and in accordance with the provisions of Chapter 674:43 of the Revised Statutes Annotated of New Hampshire, the Kensington Planning Board adopts the following regulations governing the power to review site plans in the Town of Kensington, New Hampshire. **(Adopted 09/06/1984)**

### **Section 4.2    SCOPES AND PURPOSE**

Site plan review regulations are for non-residential development and multi-family development in excess of two (2) units, whether or not such development includes a subdivision or re-subdivision of the site.

#### **A.    Purpose**

The purpose of the Site Review Procedure is to protect the public health, safety and welfare; to promote balanced growth; to promote the timing of development to prevent premature and uncoordinated development of land without the adequate provision of public services and facilities; to ensure sound site utilization; to avoid development which may result in negative environmental impacts; and to guide the character of development.

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

### **Section 4.3    PROCEDURES**

- A.    Site Plan Review shall be conducted in accordance with the procedural requirements contained in Subdivision Regulations for Kensington (Chapter III) including the notice to abutters and a public hearing. The list of all abutters shall be submitted to the Planning Board. The cost of notifying abutters will be borne by the developer.
  
- B.    If the site plan meets the evaluation criteria and is approved by the Planning Board, then the applicant may apply for a building permit. **No building permit will be issued until approval of the site plan by the Planning Board is granted.** The applicant will be notified of approval or disapproval of site plan.

#### **Section 4.4 SUBMISSION REQUIREMENTS**

- A. Application for Site Plan Review properly filled out.
- B. Site Plan:
  - 1. Sheet size 22" x 34" maximum;
  - 2. Scale: not less than 1" = 60';
  - 3. Match lines when needed;
  - 4. Original on mylar in pertinent ink, to be retained by the Planning Board at its option;
  - 5. Three (3) prints of each plan sheet (blue or black line);
  - 6. Date, title, scale, north arrow, location map;
  - 7. Name and address of developer, designer/engineer, and owner of record;
  - 8. Topographical plan with contour lines at two foot vertical intervals. Benchmark from USGS datum; and
  - 9. Show all easements.
- C. List of current names and address of abutters including those across the street.
- D. Abutter's notification and public hearing of \$25.00 payable to Town of Kensington.

#### **Section 4.5 REQUIRED EXHIBITS AND DATA**

- A. The following items are required on the site plan(s):
  - 1. Sketch of site showing existing natural features including water courses and water bodies, trees and other vegetation, topographical features, any other soils information, features which should be considered in the site design process;
  - 2. Plan of all buildings with their type, size, location, (setbacks) and elevation of first floor slab indicated: (assume permanent onsite elevation);
  - 3. An elevation view of all buildings indicating their height, bulk and surface treatment;
  - 4. Location of off-street parking and loading spaces with a layout of the parking indicated;

5. Location, width, curbing, and type of access ways and egress ways, plus streets within and around proposed site;
- 6a. An approved sewage disposal plan by NHWSPCC with provision for future expansion of sewage and water facilities, and all distances from existing water and sewage facilities on the site and on abutting properties to a distance of 200 feet;
- 6b. Plans for the provision of water for process use, drinking, fire suppression, etc.;
7. The plan for solid waste disposal;
8. The location, elevation, and layout of catch basins and other surface drainage features;
9. Existing and proposed contours and finished grade elevations -- all contours shall be a minimum of 2-foot intervals;
10. The type, extent and location of existing and proposed landscaping and open space areas indicating what existing landscaping and open space will be retained;
11. The location, size and design of proposed signs and other advertising or instructional devices;
12. The size and location of all public service connecting: gas, power, telephone, fire alarm, overhead or underground;
13. The location and type of lighting for all outdoor facilities;
14. Lines of all existing adjoining streets;
15. Surveyed property lines showing their deflection angles, distances, radius, lengths of arcs, control angles, along property lines and monument locations, and names of all abutters; **(Amended 11/06/2003)**
16. If a subdivision, then lines and names of all proposed streets, lanes, ways or easements intended to be dedicated for public use. All Subdivision Regulations shall apply;
17. Any other exhibits or data that the Planning Board may require in order to adequately evaluate the proposed development for Site Review;
18. An erosion and sedimentation plan (see Article 7.0:E); and
19. The location and type of Fire Walls used to separate each unit.

**Section 4.6 GENERAL STANDARDS**

- A. Design of development should fit the existing natural and man-made environments with the least stress.
1. Site preparation is to be conducted with minimal disturbance to existing vegetation. Stripped topsoil is to be piled and re-used on the site where needed. A minimum of four inches of topsoil is to be placed on the disturbed area. The site shall be adequately landscaped. Landscape treatment shall consist of natural undisturbed vegetation or features, or ground cover, shrubs, or trees as appropriate. Grading and filling must be conducted to minimize the alteration of surface and subsurface drainage to, toward or across abutting properties, unless the written consent of the abutting owner is obtained.
- B. Appropriate **buffers** are to be maintained between use and residential zone and must contain vegetation which will screen non-residential site.
1. Buffer strips must be maintained between use and residential zone must contain vegetation which will screen non-residential uses from sight from residential area during winter months.
  2. A **landscaping plan** must be submitted showing locations and types of vegetation to be retained or established.
- C. Screening must be provided to reduce visual pollution:
1. Storage areas must be fenced or screened from on-site or adjoining parking and neighboring properties.
  2. Litter (garbage) collection areas must be screened.
  3. The use of either fencing or hedges is permitted.
- D. **Parking** and loading and pedestrian safety.
1. Sufficient off-street parking and emergency access lanes satisfactory to the Planning Board must be provided for the anticipated use to accommodate both employees and customers so that no parking is forced on to public streets.
  2. Sufficient off-street loading and/or unloading space satisfactory to the Planning Board must be provided, including off-street areas for maneuvering of anticipated trucks or other vehicles. Maneuvers for parking and/or loading or unloading must not take place from a public street.
  3. Access, parking, and loading areas are to be constructed so as to minimize dust, erosion and run-off conditions that would have a detrimental effect on abutting or neighboring properties.

- a. crushed rock may be used which might reduce the need for installation of drainage facilities to accommodate run-off; however,
  - b. the Board may require that access, parking, and loading areas be conventionally paved if appropriate or necessary.
4. **Sidewalks** - Sidewalks shall be provided for pedestrian traffic to provide connection between the main entrances of business, housing or industrial establishments and parking areas. In the event that pedestrian shoppers or employees are reasonably anticipated, provision shall be made therefore by sidewalks running from the street line to the establishments. All such sidewalks shall be at least six inches above grade and protected by curbing.

**E. Erosion and sedimentation plan shall:**

1. Make provisions to accommodate the increased runoff caused by changed soil and surface conditions during and after development. Sediment in the run-off water shall be trapped by the use of sediment basins or other acceptable methods until the disturbed area is stabilized;
2. Show control measures both during construction and any permanent controls to remain after construction;
3. Identify, locate, and show elevation, grades and/or contours at intervals of not more than two feet for the existing and proposed drainage ways, drainage easements, drainage structures, and water bodies;
4. Identify, and relatively locate, proposed erosion and sediment control measures and structures during and after development;
5. Include drawings and specifications for each proposed soil erosion and sediment control measure and structure in accordance with the Town and the Rockingham County Conservation District standards;
6. Include drawings, details, and specifications for proposed flood hazard prevention measures and structures and for proposed storm water retention basins; and
7. Ensure that stripping of vegetation, regrading, or other development will be done in such a way that will minimize soil erosion. Temporary seeding and/or mulching may be required by the Board to protect exposed critical areas during development. Whenever practical, natural vegetation shall be retained, protected and supplemented.

**F. Illumination:**

1. Outdoor lighting shall not glare on abutting properties or on public highways or streets.

2. Indirect lighting should be used on signs advertising goods or services offered on the premises. Moving, fluttering, blinking or flashing lights or signs are not permitted.
3. Outdoor lighting is restricted to that which is necessary for advertising and security of the development.

G. Access to public streets:

Access to public streets will meet the requirements of the New Hampshire Department of Public Works and Highways and/or the Town, as adopted and amended.

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

I. Flood Hazard areas:

1. Site plans for both non-residential development and multi-family units other than one and two family dwellings will be reviewed to determine whether such proposals will be reasonably safe from flooding. If such a proposal is determined to be in a flood prone area, such proposals will be reviewed to assure that:
  - a. All such proposals are consistent with the need to minimize flood damage within the flood prone area;
  - b. all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
  - c. septic systems, if required shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters; and
  - d. the lowest floor (including the basement) is elevated or flood proofed to or above the base flood level.

- J. The **Town Engineer** or in absence of a town engineer, a registered engineer hired by the town shall inspect all site improvements. The developer shall pay

the cost of the Board's employment of said engineer and the cost of any inspection(s) test(s) deemed necessary by the Board or the engineer. A letter certifying to the developer's concurrence to the employment of said engineer shall be filed with the Board as part of the site plan review.

- K. Fire Walls. In multi-family dwellings, Fire Walls shall separate each unit. A Fire Wall shall be defined as a masonry constructed wall of sufficient structural stability, under fire conditions, to allow collapse of construction on either side without collapse of the wall.

The Fire Wall shall provide a three (3) hour fire resistance rating, and shall be continuous from foundation to two (2) feet eight (8) inches above the roof surface. Fire Walls shall be smoke tight at their junction with exterior walls.

#### **Section 4.7 SPECIAL EXCEPTIONS**

- A. The Planning Board may waive any requirements listed in the Site Plan Review Regulations, if it determines that such regulation does not apply to the proposed development.

#### **Section 4.8 PERFORMANCE BOND**

- A. The Planning Board may require that a performance bond, the amount to be determined by the Planning Board, in the form of a passbook savings deposit or a bond, be posted by the developer and held by the town until the town is satisfied that all conditions of the site plan approval and any other pertinent zoning ordinance(s), subdivision regulation(s), and building regulation(s) have been met. The bond may be released in part when the project is substantially completed.

#### **Section 4.9 RECORDING OF SITE PLAN**

- A. The Site Plan Map, which shows, at a minimum, lot lines and proposed construction, roads, and other improvements, and Planning Board approval, should be recorded with the Registry of Deeds. Should the approval be subject to conditions not apparent on the face of the map, such conditions shall be recorded as well with reference made to such recording on the face of the map.

**Adopted by Kensington Planning Board 02/07/1991**