

# **SITE PLAN REVIEW REGULATIONS**

**for the**

**TOWN OF BROOKFIELD, NEW HAMPSHIRE**

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# **SITE PLAN REVIEW REGULATIONS**

## **ARTICLE I - AUTHORITY**

The Brookfield Planning Board hereby adopts site plan review regulations as authorized by New Hampshire Revised Statutes Annotated, Chapter 674:43.

## **ARTICLE II - PURPOSE**

The purpose of site plan review is to protect the safety and welfare of the community through a review and analysis of the location of buildings, roads, and sidewalks and of the interaction of the site with neighboring lots, town highways, and sidewalks. Site plan review may provide for the safe and attractive development or change or expansion of use of the site and guard against such conditions as would involve danger or injury to health, safety, or prosperity by reason of:

- A. inadequate drainage or conditions conducive to flooding the property or that of another;
- B. inadequate protection for the quality of groundwater;
- C. undesirable and preventable elements of pollution such as noise, smoke, soot, particulates, or any other discharge into the environment which might prove harmful to persons, structures, or adjacent properties; and
- D. inadequate provision for fire safety, prevention, and control.

It may provide for the harmonious and aesthetically pleasing development of the municipality and its environs.

## **ARTICLE III - COMPLIANCE WITH OTHER REGULATIONS**

The site plan review procedure shall in no way relieve an applicant from compliance with the Brookfield Zoning Ordinance, the Brookfield Subdivision Regulations, or any other regulation or by-law which pertains to the proposed development.

## **ARTICLE IV - DEFINITIONS**

For the purpose of these site plan review regulations, the meaning of terms or words used herein shall conform to the definitions found in the Town of Brookfield Subdivision

Regulations and Zoning Ordinance. The word "board" shall mean the Brookfield Planning Board.

## **ARTICLE V - TYPES OF DEVELOPMENT REQUIRING SITE PLAN REVIEW**

No site plan approval shall be required for one-family dwelling units, agriculture, as defined by RSA 21:34-a, or associated accessory uses. An applicant shall obtain site plan approval from the board for the following types of building development:

- A. all new principal buildings and/or accessory buildings for nonresidential use;
- B. additions of more than 1,000 square feet of floor area to such existing principal and accessory buildings; and
- C. any change in use of a site or existing building.

### **Minor Site Plan Review**

Where applicable, where Site Plan Review is required the Planning Board will attempt to expedite requests for site plan applications by means of an expedited Minor Site Plan Review process. In order to qualify as a minor site plan an application for development must comply with the criteria:

- 1. The purpose of the plan is for a change of use or expansion of present use.
- 2. The site plan will have a minimum traffic impact on the surrounding road network.
- 3. There is no alteration of access to public streets.
- 4. Minimum lot grading.
- 5. Minor drainage improvements are required to accommodate any increased drainage due to improvements.
- 6. Increase of the floor area of up to 1,000 square feet.
- 7. Addition of up to 2,000 square feet of impermeable surface.
- 8. There are no unusual or special conditions which require full Site Plan review.

## **ARTICLE VI - PROCEDURE FOR SITE PLAN REVIEW**

### **A. General Procedure**

Whenever any development of a site regulated by this regulation is proposed, before any permit for the erection of any building or authorization for development on such site shall be granted, the developer or his authorized agent shall apply for and secure approval of such proposed site development in accordance with the following procedure.

### **B. Preliminary Consultation and Review**

1. The applicant may appear at a regular meeting of the planning board to discuss a proposal in conceptual form and in general terms. Such preliminary consultation shall be informal and directed toward:
  - a. reviewing the basic concepts of the proposal;
  - b. reviewing the proposal with regard to the town master plan, zoning ordinance, and subdivision regulations; and
  - c. guiding the applicant relative to necessary state and local requirements.
2. Preliminary consultation and review shall not bind the applicant or the board. Such discussion may occur without a public hearing and formal public notice as provided in Sections C and D below. However, no discussions beyond the conceptual and general review shall take place without identification of and notice to abutters and the general public as described in Section C.
3. Preliminary consultation and review shall be separate and apart from formal consideration under Sections C and D below, and the time limits for acting shall not apply until a formal, completed application is submitted.

### **C. Application**

1. An application for site plan review shall be filed with the planning board.
2. An application for approval of a site plan shall be accompanied by a review fee, a list of abutters' names and addresses, and fees associated with the necessary notifications.
3. It shall be the responsibility of the applicant, if the board deems it necessary, to pay reasonable fees for the review of documents, the cost of special investigative studies, board administrative fees and other matters which may be required by particular applications.

#### **D. Public Hearing and Notice**

Within 60 days following the determination that the application meets the submission requirements contained herein, the planning board shall hold a public hearing on the proposed site plan before taking any action thereon. Notice of the hearing, containing information as to time and place together with a brief description of the proposed development, shall be given to the applicant and to all abutters not less than 10 days before the date fixed for the hearing. In addition, notice of the public hearing shall be conspicuously posted in not less than two public places within the Town of Brookfield not less than 10 days before the date fixed for the hearing. The cost of these notices, including postage and publication expense, shall be paid by the applicant at the time of application.

#### **E. Action of the Board**

1. The board shall act to approve, approve with modifications, or disapprove the proposed site plan within 90 days following the public hearing, except that the board may apply to the selectmen for an additional 30 days within which to act upon the application. The applicant shall be notified in writing by means of an official notification which shall contain all requirements and conditions of the board and shall be signed by the chairman or such person as may be designated by the board.
2. In the case of approval, the applicant shall sign and return a copy of the notification as evidence of acceptance and shall furnish any security as required. Within 45 days following the date of notification, the applicant shall deliver two copies of the site plan, as approved, for signatures by the chairman or such person as may be designated by the board. One copy shall be retained by the board and one copy shall be returned to the applicant.
3. In case of disapproval, the board shall clearly set forth in the notification to the applicant the reasons for its action, with specific reference to standards contained in these regulations.

#### **F. Failure to Act**

If the board fails to act within the time limits set forth above or set forth in subdivision regulations under Article VIII, the proposed site plan shall be deemed to have been approved. A certificate of the town stating the date of submission of the site plan and the failure to take action thereon within such time shall be issued by the selectmen on demand, which shall be sufficient in lieu of written endorsement or other evidence of approval required herein. The applicant may waive these time requirements.

## **ARTICLE VII - PROCEDURE WHEN SPECIAL EXCEPTION OR VARIANCE IS REQUIRED**

When a special exception or variance is required by the zoning ordinance, the applicant shall first obtain the special exception or variance before the hearing for site plan approval. 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 or variance is held for the project by the zoning board of adjustment. Any conditions imposed by the zoning board of adjustment shall take precedence over the requirements contained in these regulations.

## **ARTICLE VIII - PROCEDURE WHEN SUBDIVISION APPROVAL IS REQUIRED**

When both subdivision and site plan approval are required on a proposed development, the board may hold the site plan review hearing at the same time as the hearing required by the subdivision regulations using time limits required by the subdivision regulations.

## **ARTICLE IX - SUBMISSION REQUIREMENTS**

Application for site plan approval shall be accompanied by two sets of the proposed site plan, including the following information:

- A. A vicinity sketch showing the location of the site in relation to the surrounding public street systems.
- B. The names and addresses of owners of record of the site and of the abutting properties.
- C. The name and address of the preparer of the plan.
- D. Certification of the boundary survey by a land surveyor licensed to practice in the State of New Hampshire.
- E. The scale of the plan, which shall be no more than one inch equals fifty feet. The plan shall include a north arrow and date.
- F. The perimeter boundary of the proposed site, including compass bearings, distances, and site areas.
- G. Existing and proposed grades, including topographic contours at intervals not exceeding two feet. The board may require a licensed land surveyor to provide this information.

- H. The shape, size, height, and location of all existing and proposed structures, including typical elevations.
- I. The location of natural features such as streams, marshes, lakes, or ponds, and man-made features such as existing roads and structures. The plan shall indicate those natural and man-made features which are to be removed or altered.
- J. The use of abutting properties with approximate location of all structures and access roads thereon within 200 feet of the site boundary.
- K. Proposed streets, driveways, parking spaces, and sidewalks, with indication of direction of travel and the inside radii of all curves. The width of the traveled way of all streets, driveways, and sidewalks, and the total number of parking spaces shall be shown. Loading spaces and facilities used in connection with any structures on the site shall be shown.
- L. The size and location of all existing and proposed public and private utilities.
- M. A plan for exterior lighting and signs.
- N. A proposed landscaping plan indicating landscaping to be installed and natural cover to be retained. Such plan shall show the proposed landscaping and natural cover of the perimeter of the site including screens, fences, and walls.
- O. The zoning designation and dimensional requirements applicable to the site under the Brookfield Zoning Ordinance.
- P. All surface and subsurface storm drainage facilities, including town storm drainage facilities located immediately adjacent to the site.
- Q. An estimated timetable for construction and completion of buildings, parking facilities, and landscaping.

The board may require such additional information as may be reasonably necessary for the purposes of the regulations. In the event additional information is so required, and if the board's request is not made to the applicant prior to the public hearing, the board may adjourn the public hearing to a specified date.

## **ARTICLE X - STANDARDS AND REQUIREMENTS FOR PROPOSED DEVELOPMENTS**

The planning board shall approve the proposed site plan only upon determination that the following requirements have been met:

### **A. Site Characteristics**

The development shall conform to the extent appropriate to the natural topography of the site. Site clearing shall be kept to the minimum required for the construction of buildings and improvements, taking into consideration the need for pedestrian and vehicular safety and the need for light and air to the extent possible and reasonable. Natural cover shall be retained to supplement required landscaping to the extent possible and reasonable. Landscaping shall be provided which is in keeping with the character of the area where the site is located, the purpose of the development, and the location of buildings and improvements.

### **B. Perimeter**

A landscaped buffer may be required to assure that the development of the project conforms at its boundaries with the character of the adjoining land and its uses. These buffer areas shall be of sufficient width to provide privacy and noise protection, but in no case shall the width of such buffer be less than the setbacks otherwise required in that zoning district.

### **C. Landscaping and Screening**

1. Landscaping and screening shall be provided with regard to the impact on the adjacent properties, the public highway, and the site itself.
2. The location, type, material, and dimensions of all fences, walls, and outdoor recreational facilities shall be included.



#### **D. Off-Street Parking and Loading**

1. All developments shall make adequate provisions for off-street parking and loading facilities. Such facilities shall be designed to ensure the orderly flow of traffic on the site. The design shall also minimize the impact of intrusive elements of parking and loading such as noise, dust, and glare upon neighboring properties and land uses.
2. Whenever an existing use is expanded or changed to a new use, parking and/or loading facilities shall be provided for such new use.
3. Every development shall provide an area for parking and loading on the site which is properly drained. The number and size of parking spaces and the loading area shall conform to the requirements in the Brookfield Zoning Ordinance.
4. All developments shall provide for parking and loading to be situated on the same parcel of land as the primary use or structure except when off-street public parking is available. The calculations used to determine the number of parking spaces shall be shown.
5. Consideration shall be made for the plowing and storage or removal of snow during the winter months.
6. The provisions of the Brookfield Driveway Ordinance must be followed.

#### **E. Signs**

1. All development proposals shall submit designs for all new proposed signage. Additionally, the size and location of existing signs shall be noted on the plan.
2. Sign size, type, location, height, and illumination shall conform to the Brookfield Zoning Ordinance.
3. Any sign which refers to a discontinued use shall be removed. All signs shall be maintained in good condition and in good repair at all times.
4. Signs may be illuminated with light sources so placed that they will not constitute a hazard to street or highway driving from glare.

## **ARTICLE XI - CONSTRUCTION OF REQUIRED IMPROVEMENTS**

### **A. Security for Construction of Improvements**

The board may specify in its approval of the site plan the amount of any security to be posted by the applicant for the development of the site in accordance with the notification. The purpose of the security will be to allow the town to construct and install improvements as required by the site plan approval in the event of default or failure by the applicant. The security shall be reduced at the discretion of the selectmen as the improvements are completed.

### **B. Changes and Alterations in an Approved Site Plan**

No changes or alterations shall be made in an approved site plan without the consent of the board. The board may grant such consent for good cause upon request of the applicant and upon such notice and hearing as may be required at the discretion of the board.

## **ARTICLE XII - RELAXATION OF REQUIREMENTS**

Upon request of the applicant, and for good cause, the board may waive any of the requirements contained herein, except that no relaxation may be granted which is in conflict with the Brookfield Zoning Ordinance or other applicable regulations. All such waivers shall be set forth in the notification to the applicant and shall be shown on the site plan as approved.

## **ARTICLE XIII - SEPARABILITY**

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

Adopted: January 13, 1997

## APPLICATION FOR SITE PLAN REVIEW

### Town of Brookfield Planning Board

1. APPLICANT

Name: \_\_\_\_\_

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

Phone: \_\_\_\_\_

OWNER OF PROPERTY

Name: \_\_\_\_\_

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

Phone: \_\_\_\_\_

2. See Fee Schedule for the Following:

Application Review Fee	\$ _____
Abutter Fee - Fee per Abutter x _____ Abutters =	\$ _____
Application Notification Fee	\$ _____
Total	\$ _____

Tax Map and Lot Number \_\_\_\_\_ Date paid \_\_\_\_\_

3. Abutter List

Name	Tax Map Number	Address
------	----------------	---------

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Check here if abutter list is continued on back \_\_\_\_\_

4. Brief Description of Proposed Project:

\_\_\_\_\_  
\_\_\_\_\_

Applicant's signature: \_\_\_\_\_

Owner's Signature: \_\_\_\_\_

Application received by: \_\_\_\_\_ Date: \_\_\_\_\_

**Planning Board Members:**

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Administrative Assistant: George Nick

Filed with Town Clerk: \_\_\_\_\_ Date \_\_\_\_\_  
Virginia McGinley, Town Clerk.

Copies of the document have been distributed to the Town Clerk's Binder, OEP, Strafford Regional, and Town Counsel.