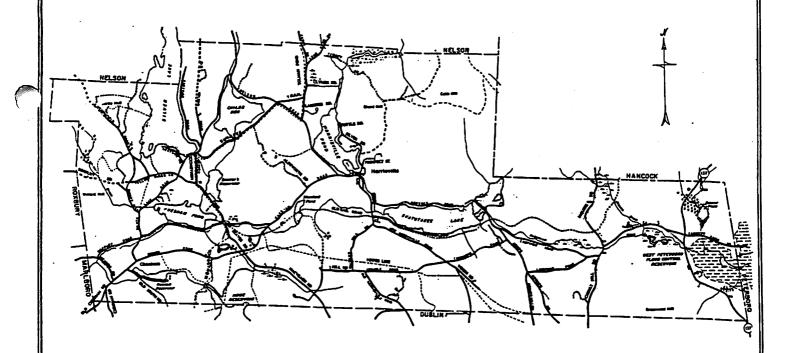
SITE PLAN REVIEW REGULATIONS

TOWN OF HARRISVILLE, NH



ADOPTED BY THE HARRISVILLE PLANNING BOARD AFTER PUBLIC HEARING ON DECEMBER 14, 1994

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SITE PLAN REVIEW CHECKLIST

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SECTION I: AUTHORITY

Pursuant to the authority vested in the Planning Board by the voters of the Town of Harrisville on 12/14/94 and in accordance with the provisions of 674:43 and 44, New Hampshire Revised Statutes Annotated, as amended, the Harrisville Planning Board hereby adopts the following regulations governing the DEVELOPMENT OR CHANGE OR EXPANSION OF USE OF TRACTS FOR NONRESIDENTIAL USES OR MULTI-FAMILY DWELLING UNITS (MORE THAN TWO units), whether or not such development includes a subdivision or resubdivision of the site. These regulations also apply to ANY ADDITIONS OR ALTERATIONS THAT CHANGE THE OUTWARD APPEARANCE of a non-residential or multi-family structure.

SECTION II: PURPOSE

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

SECTION III: DEFINITIONS

The definitions contained in the Harrisville Zoning Ordinance and in the Subdivision Regulations shall apply to the Site Plan Review Regulations.

SECTION IV: SCOPE OF REVIEW

Whenever any development or change or expansion of use of a site governed by these regulations is proposed or whenever any changes are proposed which differ from an existing site plan as previously approved by the Planning Board; before any construction, land clearing, building development or change is begun; before any permit for the erection of any building or authorization for development on such site shall be granted; the owner of the property or his authorized agent shall apply for and secure from the Planning Board approval of such proposed site development in accordance with procedures outlined in this regulation. The Planning Board shall have the responsibility for making the final decision as to the necessity of Site Plan Review. Where there is any

doubt as to whether or not a project requires Site Plan Review, the affected party should request a determination from the Board. In an effort to clarify what constitutes a change of use of sufficient magnitude or impact to trigger Planning Board action, the following guidelines will be observed:

- 1) If the proposal involves a change of use category, e.g., from residential to commercial, or from single family to multi-family.
- 2) If the proposal involves external modifications or construction, including parking lots.
- If a change of use or expansion would involve significant impacts in terms of traffic & circulation, parking, or lighting; for example: a change from a ladies shoe store to a men's shoe store of the same size would not involve significant impact, but a change from a sit-down restaurant to a fast-food restaurant would.

SECTION V: APPLICATION PROCEDURES

A. Preliminary Conceptual Consultation (Optional)

- 1) The applicant may request a meeting with the Board to discuss a proposal in conceptual form and in general terms. Although this phase is strictly optional, the Board strongly suggests that the applicant avail him/herself of the opportunity to resolve any issues at this early stage that might become a problem later on. Such preapplication consultation shall be informal and directed toward:
 - a) Reviewing the basic concepts of the proposal.
 - b) Reviewing the proposal with regard to the master plan and zoning ordinance.
 - c) Explaining the state and local regulations that may apply to the proposal.
 - d) Determination of the submission items that will be required, based on scale of the proposal.
- 2) Preliminary conceptual consultation shall not bind the Applicant or the Board. Such discussion may occur without formal public notice, but must occur only at a regular meeting of the Board.

B. Design Review Phase (Optional)

- 1) Prior to submission of an application for Board action, an applicant may request to meet with the Board or its designee for non-binding discussions beyond the conceptual and general stage, involving more specific design and engineering details of the potential application.
- 2) The design review phase may proceed only after identification of and notice to abutters and the general public as required by RSA 676:4,I(d).
- 3) Persons wishing to engage in preapplication design review shall submit a "Request for Preapplication Review" not less than 15 days before the regularly scheduled meeting of the Board. The request shall include:
 - a) List of abutters and their addresses taken from municipal records not more than five (5) days before submission.
 - b) Check to cover mailing and advertising costs.
- 4) Statements made by Board members at this meeting shall not be the basis for disqualifying said members or invalidating any action eventually taken on the application.

C. Completed Application (Required)

- 1) A completed application shall be filed with the Planning Board Clerk at least 21 days before a regular meeting of the Board. A completed application shall consist of all pertinent data specified in Section M of these regulations.
- 2) All plans will be reviewed for completeness by the Planning Board. If the plan is incomplete, the applicant will need to provide the missing submission items before the Board will vote to accept the application.
- Submission and acceptance of an application shall only occur at a regular meeting of the Planning Board after due notification has been given according to RSA 676:4,I(d). Acceptance will be by affirmative vote of a majority of the Board members present, will be recorded in the minutes, and the applicant will be so notified.

D. Board Action on Completed Application

1) The Board shall begin consideration of the Accepted Application within 30 days of its submission. The Board shall act to approve, conditionally approve, or disapprove the application within 90 days of acceptance.

- The Board may apply to the Selectmen for an extension not to exceed an additional 90 days before acting to approve, conditionally approve or disapprove an application. An applicant may waive the requirement for Board action within the time periods specified in these regulations and consent to such extension as may be mutually agreeable.
- Approval of the application shall be certified by written endorsement on the Plat and signed and dated by the Chairman and Secretary of the Board. The Board shall then record the Plat in the Cheshire County Register of Deeds. Site Plan Approval shall be considered void if no substantial work is done on the project in one year's time. This condition shall be noted on the plat.
- 4) If any application is disapproved, the grounds for such disapproval shall be adequately stated in the records of the Planning Board and in written notice given to the Applicant within 72 hours of the decision.

SECTION VI: NOTIFICATION

Prior to the submission of an application, notice shall be given to the applicant, abutters, and the public. Prior to the approval of an application, a public hearing shall be held pursuant to RSA 676:4,I(d); the requirements for notification are as follows:

- 1) Notice of submission of a Completed Application or a Public Hearing shall be given by the Board to the abutters and the Applicant by certified mail, mailed at least ten (10) days prior to the submission.
- 2) The public will be given notice at the same time, by posting at the Town Office and the Post Office, and publication in the Keene Sentinel.
- The notice shall give the date, time, and place of the Planning Board meeting at which the Application or other item(s) will be formally submitted to the Board, shall include a general description of the proposal which is to be considered, and shall identify the Applicant and the location of the proposal.
- 4) If the notice for the public hearing was included in the notice of submission or any prior notice, additional notice of the public hearing is not required. Additional notice is not required of an adjourned session of a hearing provided that the date, time, and place of the adjourned session was made known at the prior meeting.

SECTION VII: FEES

All applications shall be accompanied by a check to reimburse the Board for its administrative and notification costs involved in processing applications.

All costs of notices, whether mailed, posted, or published, shall be paid in advance by the Applicant. Failure to pay costs shall constitute valid grounds for the Board to not accept the application as complete.

Pursuant to RSA 676.4,I(g) it shall be the responsibility of the Applicant, if the Board deems it necessary, to pay reasonable fees for special investigative studies, environmental assessments, legal review of documents, administrative expenses and other matters which may be required to make an informed decision on a particular application. Failure to pay such costs shall constitute valid grounds for the Board to terminate further consideration of the application and to disapprove the Plat without a public hearing.

SECTION VIII: FAILURE OF THE PLANNING BOARD TO ACT

In the event that the Planning Board does not act on an accepted application within the prescribed 90 days, the applicant may petition the Selectmen to issue an order directing the Planning Board to act within 30 days. If the Planning Board fails to act within 40 days of this directive, the Selectmen must approve the application unless they find in writing that the plan does not comply with a local regulation. In the event the Selectmen fail to act, the applicant may petition superior court to approve the plan.

SECTION IX: CONDITIONAL APPROVAL

The Board may grant conditional approval of an application, but the plat will not be signed or recorded until all of the conditions have been met. A further public hearing is not required when such conditions:

- 1) are administrative in nature;
- 2) involve no discretionary judgment on the part of the Board;
- 3) involve the applicant's possession of permits and approvals granted by other boards or agencies; however, any subsequent change to the plan required by such approvals would constitute grounds for a new application process.

If the applicant has not complied with the conditions of approval within one (1) year, the approval is considered null and void and the applicant must submit a new application.

SECTION X: CONCURRENT AND JOINT HEARINGS

The Planning Board may hold a hearing on a site plan review in conjunction with a subdivision hearing if both are required for the same project. A hearing for site plan review may also be conducted at the same time and place as a hearing before the Zoning Board of Adjustment.

SECTION XI: SITE INSPECTIONS

Whenever the Board deems it necessary for the consideration of an application to visit the site, the Board shall request permission from the applicant. Inclusion of the public at the site inspection is at the discretion of the applicant. The owner shall allow access to the property, to the extent reasonable and necessary to properly review the application. Denial of access automatically terminates any further consideration of the proposal.

Such a site inspection shall be posted as a meeting of the Board pursuant to the Right-to-Know provisions of RSA 91-A. If there is a quorum present at the sitewalk, minutes shall be kept.

The practice of an applicant directly calling a Board member to invite that person to visit the property without prior Planning Board notice shall be discouraged as inappropriate.

SECTION XII: DEVELOPMENTS HAVING REGIONAL IMPACT

All applications shall be reviewed for potential regional impacts. Upon such a finding, the Board shall furnish the regional planning commission and the affected municipalities with copies of the minutes of the meeting at which the determination was made. The copies shall be sent by certified mail within 72 hours of the meeting. At least 14 days prior to the scheduled public hearing, the Board shall notify by certified mail the regional planning commission and the affected municipalities of the date, time and place of the hearing, and of their right to appear as abutters to offer testimony concerning the proposal.

Section XIII: Submission Requirements

Every application shall be accompanied by a plat showing information relevant to the proposal. All plats shall, at a minimum, show the submission items listed below, unless a waiver from any of these is granted by the Board. All existing conditions shall be drawn in solid lines; proposed conditions shall be drawn in dotted lines. Four (4) copies of the plat shall be submitted with the application.

A. Plat Submission Items

- 1) Name of project or identifying title; names and addresses of owners of record; and tax map and lot number.
- 2) North arrow, date of the plat, scale (suggested 1"=100'); name and address (seal, if appropriate) of person preparing the plat; signature block for Planning Board approval.
- 3) Vicinity sketch (suggested scale 1"=500') showing the location of the site in relation to the existing public streets; and the zoning district(s).
- 4) All abutting land owners and conditions on and uses of abutting land within 200 feet of the site.
- 5) Boundary lines, their approximate dimensions and bearings, and the lot area in acres and square feet.
- 6) The shape, size, height, location and use of existing and proposed structures located on the site and those existing within 200 feet of the site.
- 7) Location, name and widths of any existing and proposed roads on the property and those existing within 200 feet of the site,
- 8) Location of existing and proposed sidewalks and driveways, with indication of direction of travel for any which are one-way. Both vehicular and pedestrian circulation shall be shown.
- 9) Identification of access to the site, sight distance at the access point(s), curb cuts and proposed changes (if any) to existing streets; and copy of any driveway permit(s).
- 10) Location and total number of parking spaces; loading spaces and other similar facilities associated with the use.
- 11) The location, types, and size of all existing and proposed landscaping and screening.
- 12) The location, type, and nature of all existing and proposed exterior lighting.
- 13) Natural features such as streams, marshes, lakes, or ponds. Wetlands, as identified and defined in the Town of Harrisville Water Resources Management and Protection Plan.

- 14) The existing and proposed grades and topographic contours based on USGS data, with spot elevations where appropriate.
- 15) The size and location of all existing and proposed water mains, sewers, culverts, to include location and distance to any fire hydrants and/or fire ponds.
- 16) Location and type of proposed waste disposal system, with an outline of the 4,000 sq.ft areas reserved for leach fields for any new system; location of test pits and record of percolation tests.
- 17) Location of existing and proposed on-site well (showing 75-foot radius).
- 18) Soil survey data from the Cheshire County Soil Survey.
- 19) Location of any existing or proposed easements, deed restrictions, covenants, etc.

B. Other

- 1) The application shall be accompanied by any necessary Federal, State or local permits and approvals, including but not limited to Board of Adjustment, Department of Transportation, or Water Supply and Pollution Control Commission.
- 2) Erosion Control Plan which meets the design standards and specification set forth in the "Erosion and Sedimentation Control Design Handbook for Developing Areas in New Hampshire" (USDA Soil Conservation Service) shall be submitted where one or more of the following conditions are proposed:
 - a) a cumulative disturbed area exceeding 20,000 square feet;
 - b) construction of a road or street;
 - c) construction of three or more dwelling units.
- 3) An impact analysis may be required, which takes into account the following items to the extent the Board deems applicable:
 - a) Demographic Description.
 - b) Community Facilities Impacts (sewage disposal, water system, traffic, schools, public safety, recreation).
 - c) Environmental Impact Analysis.
- 4) An adequate stormwater drainage system developed by a certified engineer.

- 5) Copies of any proposed or existing easements, covenants, deed restrictions, etc.
- Such other information as deemed necessary by the Board in order to apply the regulations contained herein. Should the Board determine that some or all of the above-described information is to required, the applicant will be notified in writing within ten (10) days of the meeting at which the determination was made.

C. "As Built" Plans

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

SECTION XIV: PERFORMANCE GUARANTEE

- A. As a condition of approval, the planning board shall require the posting of a performance guarantee in an amount sufficient to defray the costs of construction of streets and public utilities. The amount of the security shall be based on an estimate of costs provided by the applicant; the amount of the security shall also include fees to cover the cost of periodic inspections.
- B. At the discretion of the Planning Board, the proposed security shall be reviewed by a licensed engineer. All costs of such review shall be paid by the applicant. The security shall be approved as to form and sureties by the Board and the municipal counsel.
- C. Where electric lines or other utilities are to be installed by a corporation, municipal department, or public utility, a letter of intent shall be required stating that the work will be done in reasonable time and without expense to the Town.
- D. Each approved plat shall contain a time limit for the completion of streets and public improvements.
- E. The performance guarantee shall be released in phases as portions of the secured improvements or installations are completed and approved by the Board or its designee, in accordance with the plan approved by the Board.

SECTION XV: GENERAL STANDARDS

- A. <u>Design of development</u> should fit the existing natural and manmade 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 reused on the site where needed. A minimum of 4 inches of topsoil is to be placed on the disturbed area. The site shall be adequately landscaped.
 - 2) Landscape treatment shall consist of natural, undisturbed vegetation or features, or ground cover, shrubs, or trees where appropriate.
 - 3) Grading and filling must be conducted to minimize the alteration of surface and subsurface drainage to, toward or across abutting properties, unless the written consent of the abutting landowner is obtained.
- B. <u>Screening:</u> Appropriate screening/buffers are to be maintained or installed to provide privacy and noise reduction to residential areas abutting nonresidential sites:
 - 1) Buffer strips (10 feet minimum distance largely dependent upon the density of development in the area) must be maintained between use and residential uses. Buffer strip between nonresidential and residential uses must contain vegetation which will screen nonresidential uses from sight of the residential uses during winter months.
 - 2) Storage areas must be fenced or screened from on-site or adjoining parking and neighboring properties.
 - 3) Litter (garbage) collection areas must be screened.
 - 4) The use of either fencing or hedges is permitted.

C. <u>Pedestrian Safety:</u>

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 (6) inches above grade and protected by curbing.

D. 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. Blinking or flashing lights or signs are nor permitted.
- 3) Outdoor lighting is restricted to that which is necessary for advertising and security of the property.
- G. <u>Street Access/Traffic Pattern</u>: Access to public streets will meet the requirements of the NH Department of Transportation and/or the Town of Harrisville. Any new road construction shall conform to the road standards as specified in the Harrisville Subdivision Regulations. The internal traffic pattern will accommodate the proposed use, as well as providing easy, unimpeded access for emergency vehicles.
- H. Water Supply and Sewage Disposal Systems must be sized to adequately meet the needs of the proposed use under the regulations of the NH Water Supply and Pollution Control Commission and/or the Town of Harrisville regulations. It shall be the responsibility of the applicant to provide adequate information to prove that the area of the lot is adequate to permit the installation and operation of an individual sewerage disposal system, and that existing systems are adequate to serve the needs of the proposed development.
- I. <u>Underground fuel storage tanks</u> shall comply with the standards of the NH Water Supply and Pollution Control Division, as set forth in Part Env-WS 411, NH Code of Administrative Rules.
- J. <u>Stormwater Drainage:</u> No increase in surface runoff should be permitted if such increased runoff passes beyond the property lines of the parcel upon which the development occurs, unless it is within an approved public storm drainage system.
- K. <u>Pollution Control</u>: The standard for avoidance of undesirable and preventable elements of pollution such as noise, smoke, soot, particulate, or any other discharges into the environment which might prove harmful or a nuisance to persons, structures or adjacent properties is that the applicant will employ the best technology economically available at the time.
- L. Where required by law, all buildings shall have access for handicapped persons.
- M. Where appropriate, installation of any new utilities and/or transmission lines shall be buried underground.

SECTION XVI: ADMINISTRATION AND ENFORCEMENT

These regulations shall be administered by the Planning Board. Enforcement shall be by the Board of Selectmen. The Selectmen shall not issue any building permit for construction which requires site plan approval until or unless such planned construction has received site plan approval by the Board.

SECTION XVII: WAIVERS

Any portion of these regulations may be waived where, in the opinion of the Planning Board, strict conformity would pose an unnecessary hardship to the applicant, and such waiver would not be contrary to the spirit and intent of the regulations.

SECTION XVIII: REVOCATION OF PLANNING APPROVAL

An approved and recorded site plan may be revoked by the Board in whole or in part, under certain circumstances as set forth in RSA 676:4-a.

SECTION XIX: VALIDITY

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

SECTION XX: EFFECTIVE DATE

These regulations, and any amendments thereto shall take effect upon their adoption, and all other site plan review regulations, or part thereof inconsistent therewith, are hereby repealed.

APPENDICES:

Site Plan Review Checklist Criteria for Determining Regional Impact Application Procedure Flowchart

Applicant Name	
DATE OF APPLICATION_	

Town of Harrisville SITE PLAN REVIEW CHECKLIST

A.	PLAT	SUBMISSION ITEMS	
Subm <u>Yes</u>	ITTED <u>No</u>	Waived (Date)	
		1.	Name of project; name and address of owner of record; tax map and lot number.
		2.	North arrow; date of plat; scale; name, address and seal of person preparing the plat
		3.	Vicinity sketch; zoning district(s).
		4.	Abutting land owners; conditions on and uses of land within 200 feet.
	_	5.	Boundary lines, dimensions and bearings; lot area in acres and square feet.
	_	6.	Shape, size, height, location and use of existing and proposed structures on the site and within 200 feet of the site.
_		7.	Location, name, widths of existing and proposed roads on the site and within 200 feet of the site.
		8.	Location of existing and proposed sidewalks and driveways, direction of travel, vehicular and pedestrian circulation shown.
	_	9.	Access to the site, sight distance at access point(s), curb cuts; copy of driveway permit.
		10.	Location and number of parking spaces, loading spaces and other similar facilities.
		11.	Location, type, and size of all existing and proposed landscaping

Yes	<u>No</u>	Waived (Date)	
		12.	Location, type and nature of all existing and proposed exterior lighting.
		13.	Proposed grades, drainage systems and topographic contours at intervals not exceeding two feet, with spot elevations where appropriate.
		14.	Existing and proposed grades and topographic contours.
		15.	Size and location of all existing and proposed water mains, sewers, culverts, and distances to fire hydrants and ponds.
	_	16.	Location and type of proposed waste disposal system; 4,000-sq.ft. leach field area; test pits and perc results.
		17.	Location of existing and/or proposed well.
_		18.	Soil overlay based on Cheshire County Soil Survey.
_		19.	Existing and/or proposed easements.
B.	Отне	R	
		1.	Any federal, state or local permits or approvals
		2.	Soil erosion and sediment control plan.
_		3, -	Impact Analysis.
		4	Stormwater drainage system.
		5.	Copies of any deed restrictions or covenants.

ITEMS TO ACCOMPANY SITE PLAN REVIEW APPLICATION

REQUIRED		SUBMITTED			
<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>		
				1.	Driveway Access: a. approval from the NH Department of Public Works and Highways b. approval from Harrisville Road Agent
				2.	Statement from licensed septic designer or from NH DES certifying that existing septic system is adequate for the proposed use.
		_		3.	Hazardous Waste: a. Written disclaimer for hazardous materials. b. Copy of written submission to the State. c. Written statement of the nature and amount of any hazardous waste.
<u> </u>				4.	Approval of Harrisville Fire Chief.
		. —		5.	Certification that electrical and plumbing work is done by duly-licensed electricians and plumbers.
				6.	Copy of any approvals granted by Z.B.A. for either a variance or special exception.
_	_	**************		7.	Approval from NH Division of Public Health Services for all food service establishments.
				8.	Statement concerning any potentially unpleasant or noxious emissions, including noise, light, smoke, soot, odors or particulates.
_		_		9.	Copy of most recent deed.

CRITERIA FOR DETERMINING REGIONAL IMPACT

Impact Criteria shall include, but not be limited to, the following items. These shall in no way be considered exhaustive, but rather guidelines for the Board to follow in making a determination of impact on a neighboring municipality.

- A. RESIDENTIAL DEVELOPMENT: Proposals for lots or dwellings that would increase the existing housing stock of the town by more than 25%.
- B. COMMERCIAL DEVELOPMENT: Proposals for new or expanded space of 50,000 square feet or greater.
- C. INDUSTRIAL DEVELOPMENT: Proposals for new or expanded space of 100,000 square feet or greater.

D. OTHER FACTORS TO BE CONSIDERED:

- 1. Proximity to other municipal boundaries.
- 2. Traffic impacts on the regional road network.
- 3. Potential effect on groundwater, surface water and wetlands that transcend municipal boundaries.
- 4. The potential to disturb or destroy a significant or important natural environment or habitat.
- 5. The necessity for shared public facilities such as schools or solid waste disposal.
- 6. Anticipated emissions such as light, noise, smoke, odors, or particulates.
- 7. The potential for accidents that would require evacuation of a large area.
- 8. The generation and/or use of any hazardous materials.

PROCEDURE FOR APPLICATION REVIEW

I. PREAPPLICATION REVIEW - OPTIONAL

The two stages of preapplication review are optional at the request of the applicant. The applicant may choose to engage in both the Preliminary Conceptual Consultation and the Design Review Phase, or any one of the two.

A. PRELIMINARY CONCEPTUAL CONSULTATION

STEP 1:

Applicant meets with Planning Board to review plan in terms of concept and compliance with the Master Plan and zoning ordinance; Board determines type of proposal and offers guidance relative to state and local requirements.

(Public notice is not required).

STEP 2:

At this point the applicant may either request the Design Review Phase or move directly to the formal submission of a completed application.

B. Design Review Phase

STEP 1:

Applicant submits a "Request for Preapplication Review" at least 15 days before the next regularly-scheduled meeting of the Board.

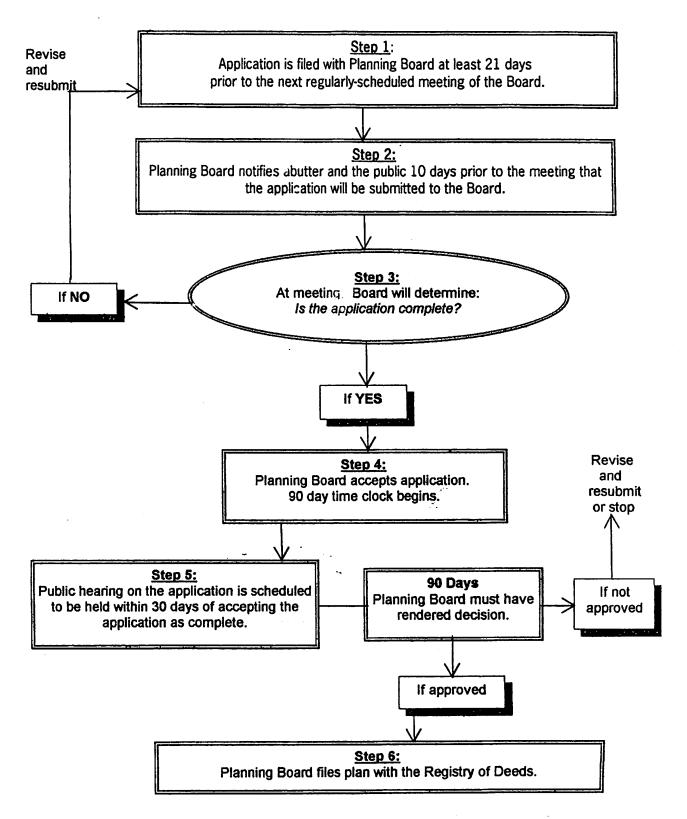
STEP 2:

Planning Board notifies abutters and the public 10 days prior to the meeting that the proposal will be discussed.

STEP 3:

Board and applicant engage in non-binding discussion involving specific design and engineering details of the potential application.

II. Application Procedure



NOTE: For a minor or technical subdivision, Steps 3,4 &5 may occur at one meeting, provided the first public notice so states.