

Site Plan Review Regulations

Town of Monroe, New Hampshire

As Adopted, September 03, 2019



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ARTICLE I AUTHORITY

Pursuant to the authority vested in the Monroe Planning Board by the voters of the Town of Monroe in accordance with the provisions of New Hampshire Revised Statutes Annotated, 674:43 and 44, as amended, the Monroe Planning Board adopts the following regulations governing the review, and approval or disapproval, of site plans for nonresidential uses and multifamily dwellings. These regulations shall be entitled "Site Plan Review Regulations, Town of Monroe, New Hampshire."

ARTICLE II PURPOSE

The purpose of the Site Plan Review Regulations is to:

- A. 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:
 - 1. Inadequate drainage or conditions conducive to flooding of the property or that of another;
 - 2. Inadequate protection for the quality of groundwater;
 - 3. 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
 - 4. Inadequate provision for fire safety, prevention, and control.
- B. Provide for the harmonious and aesthetically pleasing development of the municipality and its environs.
- C. Provide for open spaces and green spaces of adequate proportions.
- D. Require the proper arrangement and coordination of streets within the site in relation to other existing or planned streets.
- E. Require suitably located streets of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air, and access for firefighting apparatus and equipment to buildings, and be coordinated so as to compose a convenient system.
- F. Require, in proper cases, that plats showing new streets or narrowing or widening of such streets be submitted to the Planning Board for approval.
- G. Require that the land indicated on plats submitted to the Planning Board shall be of such character that it can be used for building purposes without danger to health.
- H. Include such provisions as will tend to create conditions favorable for health, safety, convenience, and prosperity.

ARTICLE III COMPLIANCE

The site plan review procedure does not relieve an applicant from complying with the Monroe Zoning Ordinance, the Monroe Subdivision Regulations, or any other regulation or bylaw which pertains to the proposed development. No site plan shall receive final approval until it complies with all pertinent ordinances and regulations and receives all required federal, state and local permits/approvals.

ARTICLE IV TYPES OF DEVELOPMENT REQUIRING SITE PLAN APPROVAL

4.01 Site Plan Review Requirement

Site Plan approval is required prior to new nonresidential or multifamily development, redevelopment, or expansion (including additional use or additional dwelling unit); or for a change from one such use to another; whether or not such development includes a subdivision or re-subdivision of the site. Whenever any development of a site associated with a nonresidential use or multifamily dwelling is proposed, before any construction, land clearing or building development is begun, before any permit for the erection of any building or authorization for development on such site shall be granted, and before any site plan may be filed with the Grafton County Registry of Deeds, the owner or his/her authorized agent shall apply for and secure approval of such proposed site development in accordance with the procedure contained herein.

4.02 Minor Site Plan Review

When development activities associated with a nonresidential use or multi-family development are limited to the following, Minor Site Plan procedures and application requirements may be followed (see Article VIII).

- A. Home business not listed under Section 4.03 Exempt from Site Plan Review
- B. Addition of free-standing solar panels or satellite dishes
- C. Changes in landscaping or screening not involving changes to grade
- D. Accessory structures of no more than 200 sq.ft.
- E. Seasonal roadside farmstands limited to sale of the agricultural products produced on the farm on which it is located or other agricultural properties owned or leased by the same agricultural enterprise
- F. Changes from one permitted nonresidential use to another, or from a nonresidential use allowed by special exception to a permitted use, provided the change in use does not involve any of the following:
 - 1. Increase in the number of dwelling units
 - 2. Increase in pedestrian or vehicular traffic
 - 3. Change in required parking or reconfigured parking
 - 4. Additions or reconfigured building footprint, height or mass
 - 5. Reconfigured entries or loading/unloading areas

6. Additional or reconfigured exterior lighting
7. Additional or relocated free-standing signs
8. Increased impervious surface
9. Reductions in landscaping or screening
10. Changes to grade
11. Additional or increased outdoor use areas such as for dining or recreation, including decks and patios
12. Increases in delivery or service vehicles, or heavy equipment
13. Significant change or increase in hours of operation
14. Increase in noise or odor

4.03 Exempt from Site Plan Review

Site plan review is NOT required for:

- A. The construction or enlargement of any single or two-family dwelling or building accessory to such dwelling.
- B. Home business not involving any outdoor lighting, signs, noise, outdoor storage, or client or delivery vehicles.
- C. Governmental land uses as exempt pursuant to state and federal law. It is requested that governmental land uses appear before the Planning Board to discuss the town standards contained herein and opportunities to increase conformance if appropriate.

ARTICLE V DEFINITIONS

The definitions contained in the Zoning Ordinance and Subdivision Regulations shall apply to the Site Plan Review Regulations, where applicable. The term “Board” when used herein shall refer to the Planning Board.

ARTICLE VI PROCEDURES

6.01 Preliminary Consultation and Review

- A. The applicant may appear at a regular meeting of the Planning Board to discuss a proposal in conceptual form and in general terms. Preliminary consultation is highly recommended as it can help prevent delays and redesign costs by making sure requirements are understood prior to preparing a final application. Such preliminary consultation shall be informal and directed towards:
 1. Reviewing the basic concepts of the proposal;
 2. Reviewing the proposal with regard to the Master Plan, Zoning Ordinance, and Subdivision Regulations, and;
 3. Guiding the applicant relative to necessary state and local requirements.

- B. Preliminary consultation and review shall not bind the applicant or the Board. No discussions beyond the conceptual and general review shall take place without identification of and notice to abutters and the general public as described hereinafter.

6.02 Completed Final Application

- A. In order to invoke jurisdiction of the Board, a completed application must include sufficient information to allow the Board to proceed with consideration and to make an informed decision regarding compliance with each requirement.
- B. The following shall be required for and shall constitute a completed application:
 - 1. The names and addresses of the owner(s), applicant(s) if different than owner, easement holders, any professional whose seal appears on the plan, and all abutters as indicated in Town records not more than five (5) days prior to the day of filing.
 - 2. A check payable to the Town of Monroe to cover filing fees, mailing, advertising, recording, and other costs provided in Section 6.05 Fees.
 - 3. Five paper print copies and a PDF of the Site Plan Layout in accordance with and accompanied by the information required in Article VII.

6.03 Filing and Submission of Final Application

- A. An application for Site Plan Approval properly filled out and executed by the applicant must be filed with the Board at least twenty-one days prior to a scheduled public meeting of the Planning Board.
- B. The application shall be formally submitted to and considered by the Board for completeness only at a regularly scheduled public meeting after due notification to owner(s), applicant(s) if different than owner, abutters, easement holders, any professional whose seal appears on the plan, and the general public, of the date the application will be submitted to and considered by the Board for acceptance as a complete application.
- C. An incomplete application filed by the applicant will not be formally accepted by the Board, nor will notices of a public hearing be mailed, posted, or published.
- D. Applications may be disapproved by the Board without public hearing on grounds of failure of the applicant to supply information required by these regulations, including:
 - 1. Abutters' identification and required information;
 - 2. Failure to pay costs of the notices or other costs and fees required by these regulations;
 - or
 - 3. Failure to meet any reasonable deadline established by these regulations.
- E. The Board shall, at the next regular meeting or within 30 days following the delivery of the application, for which notice can be given, determine the completeness of a final submission.
- F. When an application is accepted by the Board as complete, the Board shall provide a receipt to the applicant indicating the date of formal acceptance.

6.04 Notices

- A. Notice of the submission of a completed application shall be given by the Board to the abutters, owner(s), applicant if not the owner, easement holders, and any professional whose seal appears on the plan, by certified mail, mailed at least ten (10) days prior to the submission, and to the public at the same time by posting in at least two public places in the town and publicizing the hearing in a newspaper of general circulation. The notice shall give the date, time, and place of the Board meeting at which the application will be formally submitted to the Board, and shall include a general description of the proposal which is subject of the application or of the item to be considered, and shall identify the applicant and location of the proposed site development.
- B. For any public hearing on the completed application, the same notices as required for notice of submission of the completed application shall be given.
- C. For an application for a Minor Site Plan, the notice of the public hearing may be included in the same notice as the notice of submission, with language conveying that the public hearing will be held as noticed if the submission is accepted as complete by the Board.
- D. Additional notice is not required of any adjourned session of a hearing with proper notice if the date, time and place of the adjourned session was made known at the prior hearing.

6.05 Fees

- A. A completed application shall be accompanied by the required filing fee as provided by the Town Office.
- B. 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 terminate further consideration and to disapprove the application without a public hearing.
- C. The Board may require special investigative studies, environmental assessments, traffic studies, economic impact studies, a legal review of documents, administrative expenses, and other matters necessary to make an informed decision. The cost of such studies and investigations shall be paid by the applicant prior to the approval or disapproval of the Site Plan pursuant to RSA 674:44 and 676:4-b.

6.06 Developments with Potential Regional Impact

Pursuant to RSA 36:56, upon receipt of an application for site plan review, the Board shall review it and determine whether or not the development, if approved, could reasonably be construed as having the potential for impact beyond the boundaries of the town of Monroe. This regional impact could result from a number of factors, such as, but not limited to, the following:

- A. Relative size or number of units compared with existing stock;
- B. Transportation networks;

- C. Proximity to the borders of a neighboring community;
- D. Anticipated emissions such as light, noise, smoke, odors or particles;
- E. Proximity to aquifers or surface waters which transcend municipal boundaries; and
- F. Shared facilities such as schools and solid waste disposal facilities.

Doubt concerning regional impact shall be resolved in a determination that the development has a potential regional impact. Upon determination that a proposed development has a potential regional impact, the Board shall afford the Regional Planning Commission and the affected municipalities the status of abutters for the limited purpose of providing notice and giving testimony. Within five (5) business days of reaching a decision that a development has regional impact, the Board shall, by certified mail, furnish the Regional Planning Commission with copies of the minutes of the meeting at which the decision was made and copies of the initial project plan, and the affected municipalities with copies of the minutes of the meeting at which the decision was made. At least fourteen (14) days prior to the public hearing, the Board shall notify, by certified mail, all affected municipalities and the Regional Planning Commission of the date, time and place of the hearing and the right to testify concerning the development.

6.07 Public Hearing

Prior to approval of a Site Plan, a public hearing shall be held as prescribed by RSA 676:4, and notice to applicant, owner(s) if not applicant, easement holders, any professional whose seal appears on the plan, abutters and the public shall be given in accordance with Section 6.04 Notices. The Planning Board may hold a hearing on Site Plan Review in conjunction with a subdivision hearing if required for a project. A hearing for Site Plan Review may be held jointly with a Board of Adjustment hearing for a Special Exception.

6.08 Board Action on Completed Application

- A. After review of the completed application, and after a duly noticed public hearing as provided in Section 6.07 Public Hearing, the Board shall grant a conditional approval, final approval or disapproval of the completed application within sixty-five (65) days after acceptance of the completed application, subject to extension from the Selectboard or waiver from the applicant as provided in accordance with RSA 676:4, as amended.
- B. In case of disapproval of any plans submitted, the grounds for such disapproval shall be adequately stated in the Board records and written notice given to the applicant.
- C. If the Planning Board has not obtained an extension or waiver as provided in Section 6.08 A. Board Action on Completed Application, and has not taken action to approve or disapprove the completed application within sixty-five (65) days of its acceptance, the applicant may obtain from the Selectman an order directing the Board to act within thirty (30) days. If the Board does not act on the application within that thirty (30) day time period, then within

forty (40) days within issuance of the order, the Selectboard shall certify on the application that the plan is approved pursuant to RSA 676:4 I (c) (1) unless during that period the Selectboard has identified in writing that the site plan does not comply with some specific provision of the Site Plan Regulations or Zoning Ordinance.

ARTICLE VII SUBMISSION REQUIREMENTS

7.01 General Requirements

A Site Plan shall have the following characteristics:

1. Maximum plan size: 22"x 34".
2. Suggested scale: 1"= 40'.
3. Submit three (3) copies of blue or black line prints.
4. Date, title, north point, scale.
5. Name and address of developer, applicant and owner(s) if not the applicant.
6. Name, address, and the stamp of the Licensed Professional Engineer and/or Licensed Land Surveyor who prepared the plan, as well as the name and address of any other professional person responsible for preparation of the plans presented to the Board.

7.02 Site Plan Contents

1. Surveyed property lines showing bearings, distances, monuments, and the lot area; and names of all abutters.
2. Existing and proposed grades, drainage systems and structures, with 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.
3. The location of all buildings within 50 feet of sight lines of existing abutting streets, and the location of all intersecting roads or driveways within 200 feet, together with an identification of the use of abutting properties.
4. Natural features such as streams, marshes, lakes or ponds, types of vegetation, and ledge outcrops. Man-made features such as, but not limited to, existing roads, structures, and landscaping. Such map shall indicate which of such features are to be retained and which are to be removed or altered.
5. A vicinity sketch (suggested scale 1" equals 400') showing the location of the site in relation to the surrounding public streets system. The Zoning districts and boundaries for the site and up

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to 1,000 feet from the site shall be shown. One hundred-year flood elevation line shall be included where applicable.

6. The size and proposed location of water supply and wastewater facilities; all distances from existing water and wastewater facilities on the site and on abutting properties to a distance of 200 feet.
7. The size and location of existing and proposed public and private utilities and utility connections, with all necessary engineering data.
8. Provisions for fire protection, including water supply.
9. The shape, size, height, and location of the proposed structures, including expansion of existing buildings.
10. Natural vegetation to be retained; location, type, and size of all proposed landscaping and screening.
11. Exterior lighting plan demonstrating that the lighting conforms to these regulations, showing the location of and describing all existing and proposed exterior lighting fixtures, including those associated with buildings, landscaping, signs and parking areas; and a designation of which lighting fixtures are considered necessary for safety or security purposes. The lighting plan shall include:
 - Location, type, proposed mounting height, aiming points for any flood or spot lighting fixtures, color temperature, lumens output, and shielding planned.
 - Manufacturer's specification information and illustrations, such as contained in a manufacturer's catalog cuts, for all existing and proposed light fixtures and lamps.
 - A table showing the amount of existing and proposed outdoor lights by fixture, wattage, lumens, and lamp type.
12. A plan for the location of free-standing or building-mounted signs, including the size, location, mounting, aiming and shielding of any associated light fixtures.
13. A stormwater management plan providing adequate detail to demonstrate compliance with the appropriate applicable best management practices identified in Volumes 1, 2 and 3 of the **NEW HAMPSHIRE STORMWATER MANUAL**, current edition, published by NHDES. This shall include, for example, a storm drainage plan, including plans for retention and slow release of stormwater where necessary, including the location, elevation and size of all catch basins, dry wells, drainage ditches, swales, culverts, retention basins, and storm sewers. Indicate direction of flow through the use of arrows. Show the engineering calculations used to determine drainage

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requirements, as well as the date and source for precipitation data. A plan for long-term maintenance of the stormwater facilities must be included.

14. Plan for snow removal indicating location of snow storage.
15. A circulation plan of the interior of the lot showing provisions for both auto and pedestrian circulation. An access plan showing means of access and egress, and proposed changes to existing public streets, sidewalks or curbs, including any traffic control devices or signs necessary in conjunction with the site development plan.
16. Proposed streets with street names, driveways, parking spaces, sidewalks, with indication of direction of travel for one-way streets and drives, and inside radii of all curves. Include estimated trip generation volumes and basis for calculation. The width of the streets, driveways, and sidewalks, and the total number of parking spaces shall be shown, along with the calculations used to determine the required number of spaces. In addition, loading spaces and facilities associated with the structures on the site shall be shown.
17. Construction drawings including, but not limited to, pavements, walks, steps, curbing, and drainage structures.
18. The location of all building setbacks required by the Zoning Ordinance.
19. The lot area and street frontage.
20. The location of all existing and proposed deed restrictions, easements, covenants, etc.
21. A soils classification map, together with descriptive information for each type of soil.
22. The location of wetlands, poorly drained soils, soils subject to flooding, flood hazard areas, mapped fluvial erosion hazard areas if any.
23. Noise that can reasonably be expected to be heard beyond the property lines, including hours and duration of impact. Applicants may be required to provide a noise study report including decibels, noise level contours, and list of remedies to reduce impacts to neighboring property and public areas.
24. Copies of all applicable state approvals and permits and associated application material.

25. The Planning Board may require such additional other information as it deems necessary in order to apply the regulations contained herein. The cost of all such additional information shall be paid by the applicant.

ARTICLE VIII REVIEW AND APPROVAL OF MINOR SITE PLANS

8.01 Minor Site Plan Application Requirements

In lieu of the requirements listed in Section 7.01 General Requirements and 7.02 Site Plan Contents above, an applicant for a Minor Site Plan may submit 3 copies of a self-prepared drawing illustrating the proposed alterations. Size can be from 8.5 in. x 11 in. to 24 in. x 36 in. Drawings must contain an approximate scale, and arrow indicating the general direction of north. The site plan must be drawn reasonably to scale and contain enough detail to enable the Board to determine compliance with these regulations. Setbacks must be indicated, along with features surrounding the proposed alteration sufficient to provide the Board with an understanding of the context of the proposed alteration. The Planning Board may require such additional other information as it deems necessary in order to apply the regulations contained herein.

8.02 Public Hearing

For Minor Site Plan applications, a public hearing may be held at the same meeting as the submission of the application, provided the application is accepted as a complete application by the Board.

8.03 Approval of Minor Site Plans

Documentation of approval of Minor Site Plans may be limited to the meeting minutes and the signature of the Planning Board Chair on any submitted drawings, maps or other materials showing the details of the approved development activity.

ARTICLE IX NATIONAL FLOOD INSURANCE REQUIREMENTS

For site plans that involve land designated as “Special Flood Hazard Areas” (SFHA) by the National Flood Insurance Program (NFIP):

- A. The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State Law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- B. The Planning Board shall require that all proposals for developments greater than 50 lots or 5 acres, whichever is the lesser, include Base Flood Elevation (BFE) data within such proposals (i.e. floodplain boundary and 100-year flood elevation).

- C. The Planning Board shall require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a determination that:
1. All such proposals are consistent with the need to minimize flood damage;
 2. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
 3. Adequate drainage is provided so as to reduce exposure to flood hazards.

ARTICLE X FINAL PLAN APPROVAL

10.01 Notice of Action

The Board shall notify the applicant, by notice in writing signed by the Chair, of its actions on the Final Site Plan. The Notice of Action shall also be on file with the meeting minutes within five (5) business days of the vote and available for public inspection. In the case of disapproval, the grounds for such disapproval shall be set forth in the Notice. In the case of approval, the Notice shall set forth the following as applicable:

1. The language of any deed restrictions, covenants or articles of association submitted by the applicant and accepted by the Board.
2. Any waivers granted by the Board from the requirements of these regulations.
3. Conditions of approval, if any, such as:
 - i. Requirements for off-site improvements.
 - ii. Any conditions required prior to signing and recording the final plan (conditions precedent), for example, approval of the fire chief, required state and local permits.
 - iii. Any conditions of approval that must appear on the final plan, e.g., long-term responsibility for maintenance of roads, stormwater and other utilities and facilities, restrictions on the use of the property, or safeguards that must be observed during development of the property or once the project is in use (conditions subsequent).
 - iv. A description of land, if any, to be dedicated to widen existing streets or accomplish some other purpose.
 - v. Requirements regarding utilities.
4. A statement that all improvements required by the Planning Board shall be completed and constructed at the sole expense of the applicant or the successors and assigns of the applicant.
5. A reference to the security to be provided by the applicant as guarantee of performance in construction of the required improvements.
6. A statement of responsibility for possible damage to existing streets during construction.
7. All agreements, if any, between the applicant and Board concerning matters not required by these regulations, but to be performed by the applicant.

8. Criteria established by the Board for determining “active and substantial development” and “substantial completion” pursuant to RSA 674:39 Five-Year Exemption.

Unless all of the above information appears on the final plan to be signed and recorded, the Notice of Action shall be recorded at the Grafton County Registry of Deeds along with the final plan.

10.02 Performance Guaranty

As a condition precedent to approval of any Site Plan, the applicant shall file with the Board a performance bond, an irrevocable letter of credit, or other type or types of security acceptable to the Selectman, in an amount of money equal to the total cost of construction of all streets, utilities, and improvements, as specified in the approved Site Plan.

The Board may waive the requirement to post bond or provide other forms of security, and grant approval of the Site Plan on conditions acceptable to the Board and applicant.

10.03 Inspection Fees

Where so required by the Planning Board, prior to the approval endorsement of the Planning Board on the final plan, the applicant shall pay the Town an amount of money estimated by the Planning Board to fully compensate the Town for all inspections and testing charges deemed necessary by the Planning Board relating to such improvements required as conditions of approval. All inspection and testing shall conform in quality and quantity to accepted engineering and construction practices.

10.04 Recording

Upon final approval, the applicant shall supply one mylar and two paper prints of the approved plan showing any conditions of approval. Final approval of the site plan shall be certified by written endorsement on the final plan by the Planning Board Chair. The Board or its agent shall transmit a mylar copy of the Site Plan with such approval endorsed in writing therein, along with Notice of Action, to the Register of Deeds of Grafton County within thirty days. The applicant shall be responsible for the payment of all recording fees.

ARTICLE XI STANDARDS

In a review of any Site Plan application conducted under these regulations, in order to grant approval, the Planning Board shall ascertain that adequate provisions have been made by the owner or his/her authorized agent for each of the following, as applicable:

11.01 Standards and Requirements

All development shall meet all of the standards and requirements included in the Town of Monroe Zoning Ordinance and Subdivision Regulations.

11.02 Buildings

- A. To reinforce the traditional streetscape, primary buildings in Zoning Districts A and B should be located perpendicular to the street (with the gable end toward the road) with the parking to the side or rear. Exceptions may be permitted when an alternative arrangement will provide greater conformance with structures on abutting developed properties and those across the street.
- B. To maintain the architectural and aesthetic integrity of Monroe’s village center, new construction in Zoning Districts A and B shall be compatible with the majority of existing developed properties in Monroe with regard to general characteristics such as height, massing, roof shapes, and window proportions. This includes:
 - 1. Exterior surfaces covered with wood or red brick, or man-made materials that simulate these siding materials, including clapboard-look siding.
 - 2. Outside walls of 50 feet or more in length shall be broken up by the addition of architectural features such as portico entries, dormers, pillars, and variation in exterior surface covering.
 - 3. Buildings should have pitched roofs of 3:12 or greater. In cases where pitched roofs are not possible, consideration will be given to alternatives, such as, for example, a facade giving the appearance of a mansard roof.
 - 4. Buildings 5,000 sq. ft. or greater should be designed to give the appearance of multiple attached buildings.

11.03 Safety of Vehicles and Pedestrians

Improvement to existing streets, traffic access to the site from streets, on-site vehicular and pedestrian circulation, site distance, parking, loading facilities, and emergency vehicle access, shall all be designed to ensure the safety of vehicles and pedestrians. Access management and/or traffic calming strategies shall be included if necessitated because of increased traffic generated by the development.

11.04 Parking Space Requirements

- A. Off-street parking spaces shall be provided whenever any new use is established or any existing use enlarged. Parking spaces, whether outdoor or in a garage, shall be ten (10) feet wide by twenty (20) feet long unless designated for specific parking uses requiring a smaller or larger size. The parking plan shall include adequate documentation to support the proposed number and size of spaces.
- B. With adequate availability documented, and approval of the Planning Board, parking provided by public lot or other off-site parking, may be utilized in lieu of on-site parking to fulfill some or all of the parking requirements when provided within a distance appropriate to the proposed use but not exceeding 400 feet.
- C. Guidelines for parking lot construction are outlined in the following table. The Planning Board may require additional parking spaces if deemed necessary for public safety. Where a use is not indicated below, the Planning Board may establish parking standards on an individual basis as the public safety shall require. Requests for a reduction in the parking requirements must be accompanied by a technically adequate parking analysis.

| USE | PARKING SPACES |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| RESIDENTIAL | |
| Multi-family housing | 2 spaces per dwelling unit |
| Senior housing units | 1 space per unit plus 1/staff member at largest shift |
| CIVIC | |
| School | Elementary and Jr. High – 1 space per 1.5 employee High school – 1 space per 1.5 employees plus 1 per 25 students |
| Church | 1 space per 3 seats in principal assembly area |
| Community buildings, lodges, halls | 1 space per 200 sq. ft. of principal use area |
| RECREATION | |
| Outdoor recreation facilities | 1 space per peak hour user |
| COMMERCIAL | |
| Personal services | 1 space for each 250 sq. ft. gross floor area |

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| Offices | 1 space for each 250 sq. ft. gross floor area |
| Retail stores | 1 space for each 300 sq. ft. of gross floor area |
| Restaurant | 1 space for each 3 seats plus 1 per employee |
| Auto service stations | 1 space for each 200 sq. ft. of gross floor area or 1 space per employee plus 2 spaces per service bay, whichever is greater |
| Wholesale, warehouse, processing and manufacturing facilities | 1 space per employee on major shift plus 1 space per 2,000 sq.ft. of principal use area |

- D. Pervious surfaces and shared parking will be encouraged to reduce disturbance of natural vegetation and increased stormwater runoff.
- E. The parking plan shall demonstrate adequate parking for the number and type of vehicles which are expected as part of the operation of the facility, including all commercial vehicles, any oversized vehicles such as tour buses, trailers and ramps for loading and unloading, e.g., recreation equipment or livestock.
- F. Site plan applications may include provision for events or other uses that are expected to occur no more than twelve times per year and no more than twice in any given month. In these cases, adequate temporary parking areas must be indicated as part of the site plan application. These parking areas may include a combination of areas on premises, or off premises with the owner's written permission. In the case of off-premises, documentation of the means of passage of event participants from the parking area to the premises shall be required, e.g., sidewalk or other pedestrian way, or shuttle bus.
- G. In the event the need for parking exceeds projections, and the excess number, size or type of vehicles leads to unsafe conditions in the judgment of the Planning Board, or to parking on roadsides in locations other than legally designated parking spaces, the owner shall be required as a condition of approval to submit an application for an amendment to the approved site plan showing how the additional parking will be provided. In some cases, such as when a reduction from the required parking identified in Section 11.04 C. above has been permitted, the applicant will be required to show a reserve area on the plan which will be set aside for the construction of additional parking if needed in the future.
- H. Parking lots/spaces shall be in compliance with the most recent standards published by the Department of Justice pursuant to the Americans with Disabilities Act.
- I. Off-street loading facilities shall be provided for all institutional, commercial,

and industrial uses. These facilities shall be located so that the delivery vehicles maneuver and park outside of the street right-of-way.

11.05 Landscaping and screening

- A. To enhance site design and separate, screen and shield potentially conflicting land uses from undue impact, every lot used for multifamily housing or nonresidential uses shall reserve a landscaped buffer area along and within its perimeter boundaries in accordance with the following:
 - 1. Minimum buffer widths shall be:
 - Zoning District A - 10 feet
 - Zoning District B - 20 feet
 - Zoning District C - 30 feet
 - 2. The landscaped buffer shall include a combination of noninvasive shrubs, grasses and trees in character with the area. Integrating desirable existing trees and land formations is encouraged.
 - 3. Larger buffer widths, and the addition of other screening methods such as fencing, may be required when necessary to reduce noise, for visual considerations, and other impacts due to the nature of the proposed use and/or the use of abutting properties.
 - 4. Required buffer areas shall not be used for parking or storage or display of material or items for use or sale, or any other use which conflicts with the purposes and standards of this section.
- B. Large parking areas (over three double rows) shall include interior landscaping.
- C. Landscaping should be designed and species chosen which will be salt and drought tolerant; and which shall not interfere with pedestrian and vehicular movement, underground and overhead utilities, and snow storage when the plantings have matured.
- D. Screening shall be provided for utilities, solid waste storage areas, and the like, visible to public highways or abutting properties.
- E. Refuse, dumpsters, compactors, and stock-piled materials shall be located so as to be out of view from any abutting property and from the public right-of-way throughout the year. At a minimum, all such areas shall be concealed with fencing that blends with the design of the building and landscaping design and is at least as tall as the items to be stockpiled, or any fencing type if screened with landscaping.
- F. Additional mitigation measures, including but not limited to, fencing and/or berms, may be required to increase compatibility with neighboring land uses.

11.06 Stormwater

The development shall be designed in a manner which will minimize and treat stormwater runoff and prevent erosion consistent with the following:

- 1. Storm drainage of the site shall be designed for at least the 25 year storm, and provision shall be made for retention and gradual release of stormwater.

2. All stormwater management and erosion control measures in the plan shall adhere to Volumes 1, 2 and 3 of the **NEW HAMPSHIRE STORMWATER MANUAL**, current edition, published by NHDES, to the extent practicable.
3. The smallest practical area of land should be exposed at any one time during development.
4. When land is exposed during development, the exposure should be kept to the shortest practical period of time. Land should not be left exposed during the winter months.
5. Where necessary, temporary vegetation and/or mulching and structural measures should be used to protect areas exposed during development.
6. Provisions should be made to effectively accommodate the increased run-off caused by the changed soil and surface conditions during and after development.
7. The permanent, final vegetation and structures should be installed as soon as practical in the development.
8. The development plan should be fitted to the topography and soils so as to create the least erosion potential.
9. Whenever feasible, natural vegetation should be retained and protected.
10. The applicant shall bear final responsibility for the installation, construction, and establishment of provisions for ongoing maintenance of all stormwater and erosion control measures required by the Planning Board. Final approval will not be granted until the plan and a mechanism for ensuring ongoing maintenance are approved by the Planning Board.
11. Flow volume, velocity, and pollutant loading, including, but not limited to, sediments, total suspended solids (TSS), phosphorus, nitrogen, metals, pathogens, dissolved substances, floatable debris, and oil and other petroleum products, shall not be higher at the property line post-development when compared with pre-development conditions.

11.07 Sites within Floodplain

For sites subject to flooding or riverbank erosion, provision shall be made to minimize flood damage and exposure to flood hazards and erosion on and off the site.

11.08 Snow Storage

Provision shall be made for snow storage during winter months.

11.09 Utilities

Provision shall be made for the site to be serviced by necessary utilities including water for fire and domestic use, wastewater disposal, electric and internet, fuel storage if applicable, solid waste storage and collection.

11.10 Outdoor Lighting

A. Definitions

The following definitions shall apply only to Section 11.10 Outdoor Lighting:

1. Adaptive Controls: Devices such as timers, motion sensors and light-sensitive switches used to actively regulate the emission of light from light fixtures.
2. ANSI: The American National Standards Institute is a private, non-profit organization that administers and coordinates the U.S. voluntary standards and conformity assessment system.
3. Barn Light: Commonly referred to as a dusk-to-dawn light and is generally unshielded and used in rural applications.
4. Bulb: A light-emitting device or a structure containing a light source that includes but is not limited to a lamp; also referred to as a "lamp."
5. Correlated Color Temperature (CCT): A specification of the color appearance of the light emitted by a lamp, relating its color to the color of light from a reference source when heated to a particular temperature, measured in kelvins (K).
6. Existing Light Fixtures: Those outdoor light fixtures already installed on the date these Site Plan Review Regulations are effective.
7. Exterior Lighting: Temporary or permanent lighting that is installed, located and used in such a manner to cause light rays to shine outside. Fixtures that are installed indoors and intended to light something outside are considered exterior lighting.
8. Fixture: An outdoor lighting assembly containing one (1) or more lamps including any lenses, reflectors and shields designed to direct the light in a defined manner.
9. Floodlight: A light fixture designed to flood a well defined area with light.
10. Fully Shielded Fixture: A light source screened and its light directed in such a way that none is emitted above the horizontal plane passing through the lowest light-emitting part.
11. Glare: Lighting entering the eye directly from luminaries or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.
12. IES: The Illuminating Engineering Society (formerly IESNA) is a recognized authority on lighting best practices and standards; a professional society of lighting engineers, including those from manufacturing companies, and others professionally involved in lighting.
13. Initial Lamp Lumens: The number of lumens of light emitted by a lamp when new and not counting any depreciation of output due to the age of the lamp. This information can be found in manufacturer data sheets.
14. Light Fixture: The assembly that holds or contains a lamp or bulb and includes elements designed to give light output control, such as a reflector (mirror) or refractor (lens), ballast, housing and the attached parts.
15. Light Trespass: Unwanted light falling on public or private property from any location external to that property; generally caused by a light on a property that shines on the property of others.

16. Lumen: A unit of measure that identifies the amount of light emitted per second into a solid angle of one steradian from a uniform source of one candela.
17. Luminance: Light that reaches a surface and other objects; the density of luminous flux incident on a surface measured in lux or foot-candles.
18. Luminaire: The complete lighting unit (fixture) consisting of a lamp, or lamps and ballasts, together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps and to connect the lamps to the power supply.
19. Lumens Per Net Acre: The total number of initial lumens produced by all lamps utilized in outdoor lighting on a developed property divided by the number of acres. The net acreage of a property is the gross acreage of the property less any acre(s) that are considered undeveloped.
20. Nonconforming: A structure and outdoor lighting that was installed before the effective date of these Site Plan Review Regulations and does not conform to the standards imposed by these Regulations.
21. Opaque: Material that does not transmit light from the internal illumination source. The color of such opaque backgrounds is not restricted.
22. Outdoor Lighting: Night-time illumination of an outside area or object by any manmade device that is located outdoors and produces light.
23. Property Line: The edges of the legally-defined extent of a property.
24. Recessed: When a light is built into a structure or portion of a structure such that the light is fully shielded and no part of the light extends or protrudes beyond the undersides of a structure or portion of a structure.
25. Sag-lens/Drop-lens: Clear or prismatic refracting lens that extends below the lowest opaque portion of a light fixture.
26. Searchlight: Any light fixture having a narrow beam intended to be seen in the sky by an observer on the ground.
27. Sky Glow: The brightening of the nighttime sky caused by the scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Sky glow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.
28. Spotlight: A fixture designed to illuminate a small area.
29. Street Lighting: Lighting provided for major, collector and local town roads, as well as sidewalks and bikeways, where pedestrians and cyclists are generally present.
30. Temporary Outdoor Lighting: Lighting installed and operated for periods not to exceed 60 days, completely removed and not operated again for at least 30 days.
31. Up Lighting: The most commonly used technique to illuminate structures or parts of structures, trees, walls, waterfalls, fountains and other outdoor objects above the horizontal plane. Light fixtures are ground-mounted and directed upwards, away from the viewer to prevent glare.
32. Unshielded: Any fixture which, as designed or installed, emits all or part of the light above the lowest part of the light fixture.

B. Outdoor Lighting Design

Outdoor lighting shall not cause light trespass, glare, sky glow, or excessive lighting.

Outdoor lighting fixtures shall be sufficiently shielded and aimed such that spillage of light onto adjacent properties is minimized and glare from light emitting and/or reflecting parts of a luminaire is not visible from an adjacent property. All outdoor lighting installed for multi-family housing and nonresidential uses shall conform to the following standards unless specifically addressed elsewhere in Section 11.10:

1. Shielding:

- a. Any luminaire with a lamp or lamps rated at a total of *more* than 1800 lumens shall be fully-shielded so as to produce no light above a horizontal plane through the lowest direct-light-emitting part of the luminaire. Exceptions may be made in cases where the fixture is recessed or shielded by a roof overhang or similar structural shield that will prevent light from extending beyond the structural shield.
- b. Flood lights and spot lights rated at more than 900 lumens shall be fully shielded so as to produce no light above a horizontal plane through the lowest direct-light-emitting part of the luminaire, and aimed so that the light-emitting lamp element is not visible from any location beyond the property line.
- c. Luminaires with a lamp or lamps rated at 1800 lumens or less, and flood or spot lights with a lamp or lamps rated at 900 lumens or less, up to a total of 5,000 lumens per net acre, may be used without restriction to light distribution, except that, to prevent light trespass and glare, if any spot or flood luminaire is aimed, directed, or focused so as to cause light trespass to be a nuisance for neighboring properties, or to create glare for persons operating motor vehicles on public ways, the luminaire shall be redirected or its light output reduced or shielded as necessary to eliminate such conditions.

2. Height:

- a. Any luminaire with a lamp or lamps rated at a total of more than 1800 lumens, and all flood or spot lights with a lamp or lamps rated at a total of more than 900 lumens, shall be mounted at a height equal to or less than the value $3 + (D/3)$ where D is the distance in feet to the nearest property boundary.
 - b. The maximum height of any luminaire shall not exceed twenty (20) feet.
3. No lighting shall be permitted which will result in a level of luminance in excess of IES Standards.
 4. To the extent practicable, lighting shall make use of timers, dimmers, motion sensors and other adaptive controls to substantially dim or extinguish lighting between 12 a.m. and 5 a.m. unless public safety concerns demand otherwise.
 5. Lighting shall not exceed a Correlated Color Temperature of 3,000 kelvins.

C. Prohibited Lighting Types

1. Sag-lens, drop-lens and mercury vapor fixtures are prohibited.
2. Searchlights, beacons, laser source and other high-intensity fixtures are prohibited.
3. Except as otherwise allowed, any lighting that is moving, flashing, blinking, rotating, fluttering, chasing or rapidly changing in color or intensity is prohibited.

4. The installation of any barn light fixture for use as outdoor lighting is prohibited unless the fixture includes a full opaque reflector instead of the standard translucent lens.

D. Exceptions

1. Lighting required by local, state or federal law, for example, motor vehicles.
2. All temporary lighting required for construction projects, related to road construction and repair, installation utilities, and other public infrastructure.
3. All temporary emergency lighting needed by the police or fire departments or other emergency services.
4. Seasonal holiday lighting, providing that such lighting does not produce glare or light trespass on neighboring residential properties.
5. Properties that share a driveway or other access way or have adjoining parking areas may have light trespass over the shared property line subject to agreement of all parties. Such agreement shall be in writing and filed with the Town Office.
6. Outdoor lighting for which light is produced directly by the combustion of fossil fuels.
7. Fixtures used for playing fields shall be exempt from height restrictions.
8. Strobe lights on towers and other lights for aerial navigation that are required by the Federal Aviation Administration (FAA) during daytime hours are permitted. Other required night navigational lights shall not be brighter than the minimum required by the FAA.
9. Up-lighting and down-lighting of flagpoles is permitted:
 - a. Flagpoles illuminated from below are limited to a height of 25 feet above ground level and shall be illuminated with a single spot-type fixture whose maximum initial output is 52 lumens per foot of height, measured from the light fixture to the top of the flagpole. The maximum output shall be 1,300 lumens and 3,000 kelvins. The fixture shall be mounted perpendicular to the flagpole and the light outputs shall point straight up at the flag.
 - b. Flagpoles illuminated from above shall utilize a single light fixture, not to exceed 800 initial lamp lumens and 3,000 kelvins, attached to the top of the flagpole.
 - c. If the flag of the United States of America is displayed during the hours of darkness it should be illuminated as recommended in the United States Flag Code (36 U.S.C. Paragraphs 173, 174).

E. Temporary Outdoor Lighting

Temporary outdoor lighting which does not conform to Sections 11.10 B. or C. may be permitted by the Selectboard or their designee after considering the following:

1. The public and/or private benefits that will result from the temporary lighting;
2. Any annoyance or safety problems that may result from the use of the temporary lighting; and,
3. The duration of the temporary lighting. (See Definition in Section 11.10 A.30.)

The applicant shall submit a detailed description of the proposed temporary lighting to the Selectboard or their designee, who shall render a decision on the temporary lighting request within two weeks.

F. Nonconforming Lighting

Except for those causing a public safety hazard or public or private nuisance, all luminaires lawfully in place prior to the date of adoption of these regulations or any amendments thereto may be continued. However, any luminaire that replaces a nonconforming luminaire must meet the standards of this section.

11.11 Signs

- A. Signs may be placed in the front setback but shall not be placed in required buffers or in a location which may interfere with the line of sight or otherwise obstructs the visibility of drivers, bicyclists or pedestrians.
- B. All signs shall be of solid, durable construction.
- C. Outdoor signs may be unlighted or lighted externally from a fixture mounted at the top of the sign. Signs lighted internally or backlit are prohibited. Lighting must be located, aimed and shielded so as to minimize glare perceptible to drivers, pedestrians, bicyclists, and other passersby on adjacent streets and properties. Lighting must be aimed and shielded so that light is directed only upon the sign face and does not trespass onto adjacent streets, properties or into the night sky.
- D. In order to avoid undue distraction, confusion or hazard to the surrounding area or vehicular traffic, digital electronic message signs with intermittent, scrolling or flashing illuminations are prohibited. Blinking, fluttering, moving signs or sign lighting are prohibited.
- E. Free-standing signs shall not exceed 10 feet.
- F. Attached signs shall not exceed the height of the longest portion of the roofline.

11.12 Natural Features

Provision shall be made for protection of natural features.

11.13 Fire Protection

All site plans shall meet the approval of the Monroe Volunteer Fire Department, documented by the Fire Chief or designee, relative to emergency access and fire prevention, protection, and water supply.

11.14 Construction Standards

Construction requirements shall be in accordance with the **NHDOT STANDARD SPECIFICATION FOR ROAD AND BRIDGE CONSTRUCTION**, as amended, including Supplemental Specifications if any, and the Town of Monroe Subdivision Regulations. Where alternative construction specifications are given, the Planning Board shall determine which shall be applicable.

11.15 Off-Site Improvements

The Planning Board may require the applicant to extend or improve, or contribute to the cost of the extension or improvement of, the street, street lighting, sidewalk, water or storm drainage facilities serving the site, where such extensions or improvements are required to adequately serve the proposed development. The amount of the applicant's required contribution shall be reasonably and proportionately related to the needs created by the development and to the benefits accruing to the development from the improvements.

11.16 Regulations are Minimum Standards

The Planning Board may set more stringent requirements with respect to any of the foregoing specifications if conditions warrant such action in the opinion of the Board. Topography and natural features of the site, as well as the density of development, are examples of such conditions.

ARTICLE XII WAIVER OF REQUIREMENTS

12.01 Waiver of Application Requirement

Upon written request by the applicant, or upon the motion of any regular member, the Board may vote to waive, in whole or in part, any provision(s) of Section 7.02 Site Plan Contents when, in the majority opinion of the Board, such provision(s) would be inappropriate or superfluous to informed evaluation of the site in question.

12.02 Waiver of Standards

Pursuant to RSA 674:44 III.(e), upon written request by the applicant, the Board may vote to waive, in whole or in part, any provision(s) of Article XI Standards, when, in the majority opinion of the Board:

1. Strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations; or
2. Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations.

The basis for any waiver granted shall be recorded in the minutes of the Planning Board.

ARTICLE XIII ENFORCEMENT AND PENALTIES

These regulations shall be considered to be a part of each approved site plan. These regulations shall be enforced by the Selectboard. The Selectboard shall undertake such enforcement in a manner similar to that of enforcing the Zoning Ordinance, including the delegation of prosecution of specific

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enforcement actions to such other qualified individuals as may be appropriate from time to time. Any and all penalties available to the appropriate enforcement official per RSA 676:15-18, as amended, are hereby incorporated into these regulations by reference.

ARTICLE XIV APPEALS

Any person aggrieved by any decision of the Planning Board concerning site plan review may appeal within 30 days as provided in RSA 677:15.

ARTICLE XV AMENDMENTS

Amendment to these Site Plan Review Regulations shall be made in the manner described in RSA 675:6.

ARTICLE XVI SEPARABILITY

If any provision 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.

ARTICLE XVII EFFECTIVE DATE

These Site Plan Review Regulations shall take effect upon a vote by the Planning Board, and the filing of the Regulations with the Town Clerk.

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We the undersigned members of the Town of Monroe Planning Board do hereby certify that these Site Plan Review Regulations were adopted on September 3, 2019 pursuant to RSA 675:6.

Glenn Fegan

Steven Shemen

Ralph Bunnell

Received by Town Clerk:

Maugh S Bodell CFC
Signature

Sept. 3, 2019
Date