

# SITE PLAN REVIEW REGULATIONS

Town of Weare, New Hampshire



Planning Board  
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# Site Plan Review Regulations

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# Town of Weare, New Hampshire

## Site Plan Review Regulations

### ***I. AUTHORITY:***

Pursuant to the authority vested in the Weare Planning Board by the March 1988 Town Meeting in accordance with the provisions of Chapter 36, Section 19a, New Hampshire Revised Statutes Annotated, 1955, as amended (now known as Chapter 674, Section 43, as may be amended from time to time), the Weare Planning Board adopts the following regulations governing the review of non-residential site plan, multifamily development and residential condominiums, whether or not such development includes a subdivision or re-subdivision of the site. These regulations shall be known as the "Site Plan Review Regulations, Town of Weare, New Hampshire."

### ***II. PURPOSE***

The purposes of the regulations are to:

- A. Protect the public health, safety, welfare and prosperity;
- B. Provide for the safe, harmonious, compatible and aesthetically pleasing development of the site, and of the Town and its environs; and
- C. Guard against such conditions that 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, light, particulates, or any other discharge into the environment which might detrimentally affect persons, structures or adjacent properties;
  4. inadequate provision for fire safety, prevention and control;
  5. vehicular (motorized and non-motorized) and pedestrian movements and controls;
  6. excessive burden on public or private facilities and services;
- D. Require that the land indicated on plats submitted to the Planning Board shall be of such character that it can be used for development without danger to health;
- E. Preserve the existing vegetation and natural habitat;
- F. Provide for open spaces and green spaces of adequate proportions;
- G. Require the proper arrangement and coordination of streets within the site in relation to other existing or planned streets to accommodate existing and prospective traffic and to afford adequate light, air and access for firefighting and emergency apparatus and equipment to the site;
- H. Encourage logic, imagination, innovation and variety in the design process;
- I. Encourage the reuse and rehabilitation of existing structure.

- J. Preserve the rural character and prosperity of the Town through the use of appropriate designs, materials, proportions, and styles in buildings and other improvements.

### **III. 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; and before any construction, land clearing, building development or change is begun; and 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:

- Any change in use of a site or structure when such change is materially or substantially different from the previous use such that there is a significant effect on the quantitative or qualitative requirements of these Regulations or the Zoning Ordinance.
- Any expansion of use of a site or structure where there is a significant effect on the quantitative or qualitative requirements of these Regulations or the Zoning Ordinance.
- New construction of or physical expansions of non-residential or multi-family buildings as to cause an enlargement of the footprint of the building, or development of an accessory structure larger than 100 square feet.
- Modifications to previously approved site plans.
- An expansion of 200 square feet or greater to a parking area or driveway.
- If a change of use or expansion involves significant impact in terms of traffic and circulation, parking or lighting.

The Land Use office is directed not to accept a site plan review application that does not include written permission from the owner of the property.

### **IV. ZONING**

All applications must comply with the Town's zoning regulations before acceptance for formal site plan review.

### **V. PRE-APPLICATION REVIEWS**

Conceptual Consultation and Design Review meetings are optional and may be requested to discuss project proposals with the Planning Board in the early stages of consideration and design.

**Conceptual:** A discussion in conceptual form and general terms only. Discussion may include desirability of types of development and proposals under the master plan. No development plans can be used as part of the discussion. An existing survey, tax map, etc. may be referred to. The meeting must be scheduled on the Board's meeting agenda, but it is not necessary to make formal notice to abutters and other applicable individuals.

**Design Review:** A discussion that includes a more specific design proposal and may include the use of preliminary design plans. The meeting must be scheduled on the Board's meeting agenda, and it is necessary to give formal notice to abutters and other applicable individuals.

Neither conceptual or design review takes the place of filing a formal application to the Board if the project proceeds. These options are made available by the Board in order to save the applicant unnecessary expense and changes later in the process.

The Board may review testimony during these meetings in person or in writing from the applicant, any abutter or any other person as permitted by the Board.

The Applicant is encouraged to meet with the Land Use Staff and other applicable Department Heads for preliminary questions as well as during formulation of the plan for additional available information and guidance under existing Town Ordinances and Regulations.

Meeting and closing date schedules are available. Applications for either Conceptual or Design Review are to be submitted to, and are considered received at the time they physically received in the Land Use Office during regular business hours.

Upon receipt of a completed request, land use staff shall set a date, time and place for the Conceptual or Design Review meeting, public posting shall occur and all necessary notifications (Design Review only) by certified mail shall occur. If the individual requesting the meeting is not the owner and/or if other agents (surveyor, attorney, engineer, etc.) will represent the proposal, a letter of authorization must be submitted as part of the application. If the ownership is other than individual (a corporation or trust, etc.) application shall indicate ownership interest and authorization letter.

## ***VI. FORMAL APPLICATION PROCEDURES***

- A. A completed application shall be filed with the Land Use Coordinator at least twenty-one (21) days prior to the scheduled public meeting of the Board. The Land Use Coordinator shall review the application to make an initial determination of whether or not the application meets the submission requirements. Final determination of completeness shall be made by the Board.
- B. The application shall be submitted to and may be accepted by the Board only at a regularly scheduled public meeting after due notification to applicant, abutters, and the general public.
- C. The Board shall determine if an application is complete according to these Regulations within thirty (30) days of the delivery of the application or at the next regular meeting for which notice can be given.
- D. Applications may be refused for acceptance by the Board without a public hearing on grounds of:
  - 1. Failure of the applicant to supply information required by these regulations, including abutters' names and addresses and information required for submission.
  - 2. Failure to pay costs of notices.

- E. In conjunction with the formal acceptance of the completed application, the Board shall initially determine the kind of special studies or additional documentation which may be needed to make an informed decision. The Board may require special studies or analysis, environmental assessments, a legal review of documents, administrative expenses, and other matters necessary to make an informed decision. The Board reserves the right to request additional information, should the review process raise new or different questions.
- F. The Board shall act to approve or disapprove the completed application (including the final plat) within sixty-five (65) days of its formal acceptance, subject to extension or waiver as provided below. The Board shall provide the applicant with a written decision including conditions of approval or reasons for denial.
- G. The Board may apply to the Selectmen for an extension not to exceed an additional ninety (90) days before acting to approve or disapprove an application. The Applicant may waive the requirement for Board action within the above time periods and consent to such extension as may be mutually agreeable.
- H. If the Board has not obtained an extension, and has not taken action to approve or disapprove the completed application within sixty-five (65) days of its acceptance, the applicant may request that the Selectmen issue an order directing the Board to act within thirty (30) days. Failure of the Selectmen to issue an order, or of the Board to act upon such order of the Selectmen, shall give the applicant certain rights as provided in RSA 674:4 I (c).
- I. The Board or its designated agents may visit the site in order to thoroughly and knowledgably review the proposal.
- J. Failure to pay any costs or fees required by these regulations or failure to meet any reasonable deadline established by these regulations shall constitute valid grounds for disapproval of the application. In case of disapproval of any plat submitted, the grounds for such disapproval shall be adequately stated in the records of the Board and in written notice given to the applicant.
- K. Approval of the site plan shall be certified by written endorsement on the site plan including the date of approval and signature of the Chair or a designee.
- L. Public Hearings
  - 1. No application may be denied or approved without a public hearing on the application, duly-noticed in accordance with Section VI – M.
  - 2. A public hearing is not required when the Board rejects an incomplete application pursuant to Sections VI – C and VI – D.
  - 3. The Board may determine that additional public hearings be held on an application in addition to the first public hearing.
  - 4. Whenever the Board conditionally approves a site plan, placing a condition or conditions precedent or subsequent on the approval, all conditions shall be met within a specific period of time, or, if not specified, within one year from the date

of approval, at which time a noticed hearing may be required to provide abutters an opportunity to review and comment on the full compliance with the conditions. If the conditions are administrative in nature and do not involve discretionary judgment on the part of the Board, no compliance hearing shall be required and compliance shall be determined by the Land Use Coordinator.

M. Notices

1. Notice of the submission of a completed application 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, and to the public at the same time by posting in at least two public places in the Town. The notice shall give the date, time and place of the Board meeting at which the application or other item(s) will be formally submitted to the Board, and shall include a general description of the proposal which is the subject of the application, or of the item to be considered, and shall identify the applicant and location of the proposed site plan. Additional notice shall be given to all affected municipalities for developments with regional impact and publication in a newspaper of general circulation in Weare at the discretion of the Board.

N. Fees

1. Application and notice fees shall be established by the Planning Board. A completed application, in such form as the Board shall require, shall be accompanied by the appropriate filing fee. The applicant is also responsible for the Hillsborough County Recording fee, if applicable.
2. All costs of notices, whether mailed, posted or published, shall be paid in advance of final approval by the applicant. Failure to pay application, notice or recording fees shall constitute valid grounds for the Board to terminate further consideration and to disapprove the plat without a public hearing.
3. It shall be the responsibility of the applicant, if the Board deems it necessary, to pay reasonable fees for special studies or analysis, environmental assessments, legal review of documents, administrative expenses, and other matters necessary to make an informed decision. Failure to pay such fees shall constitute valid grounds for the Board to terminate further consideration and to disapprove the plat without a public hearing.

**VII. EXPEDITED REVIEW:**

1. At the Board's discretion, any non-residential application on a parcel for which a site plan has been previously approved by the Planning Board and which:
  - a. involves only a change of use, and/or
  - b. involves no more than a 10% increase in permeable area and no more than a 50% increase in total building area; or that
  - c. is a new site plan which involves
    - i. not more than 1,000 square feet of building and
    - ii. not more than 5,000 square feet of disturbed land area; for which no waivers of Site Plan Regulations are required; and for which the applicant has appeared before the board for consultation at which a site walk is scheduled

may be accepted and approved by the Board at one meeting subject to the notice and public hearing requirements described in these regulations and subject to the Applicant's full compliance with these regulations.

2. At the time of the filing of such an application, the applicant shall specifically request an expedited review and shall file all required application forms, checklists and plans.
3. The Board shall provide notice to all parties as provided in these Regulations of its intent both to consider the submission and the approval of the application under these expedited review procedures, and to hold a public hearing on the application.
4. The Board shall hold a public hearing, with notice as provided in these Regulations, prior to approval or disapproval of the application.
5. No public hearing shall be necessary prior to the Board's action to disapprove an application based upon the failure of the applicant to supply information required by the regulations, including abutters' identification, the failure to meet reasonable deadlines established by the Board, or the failure to pay costs of notice or other fees required by the Board.

### ***VIII. DEVELOPMENT HAVING REGIONAL IMPACT***

- A. A development shall be considered to have regional impact if it can reasonably be expected to impact on a neighboring municipality, because of factors such as, but not limited to, the following:
  1. relative size or number of dwelling units as compared with existing stock;
  2. proximity to the borders of a neighboring community;
  3. transportation networks;
  4. anticipated emissions such as light, noise, smoke, odors, or particles;
  5. proximity to aquifers or surface waters which transcend municipal boundaries;
  6. shared facilities such as schools; or
  7. other factors which, in the sole discretion of the Board, are reasonably likely to have a substantial effect on another municipality.
- B. If the application is found to have regional impact, notice of the meeting when the application will be submitted to the Board shall be sent by certified mail, to all affected municipalities and the Executive Director(s) of the appropriate regional planning agency(ies) at least fourteen (14) days prior to the date of such meeting.

### ***IX. COMPLIANCE***

- A. At the option of the Board, a compliance hearing shall be scheduled at the time of approval for the applicant to return to the Board for the Board to determine if all aspects of the approved site plan have been completed as shown. The Board, at its discretion, may require an "as-built" site plan with certification of the accuracy of the site plan by a licensed land surveyor or registered professional engineer. This "as-built" site plan shall be the originally approved site plan or a revised site plan if substantive changes have occurred during the development. Upon determination by the Board that construction

complies with the approved site plan, the original plan or revised plan, if applicable, shall be endorsed by the Chair or a designee.

- B. Approved site plans shall lapse if active and substantial building or development has not begun within one year (12 months) from the date the site plan was approved by the Planning Board or if specific conditions of approval have not been met within one year (12 months) from the date of approval by the Board.
- C. Approved site plans may, for reasonable cause, be extended once for a period of no more than one year (12 months) by the Board on receipt of a written request for extension received at least thirty (30) days prior to the expiration date of the site plan approval following a public hearing upon the request. The applicant shall be responsible for the cost of notification as required in Section V – M and V – N. Further extensions may be granted by the Planning Board after a public hearing is held. In deciding whether or not to grant extensions beyond one year, the Board shall consider the circumstances of the applicant’s request, any amendments to the Zoning Ordinance or any other regulations, any changes to the neighborhood in which the approved use is located, and any other factors the Board determines to be relevant.
- D. Projects must be built and maintained in accordance with the approved Site Plan.

**X. *SITE PLAN SUBMISSION REQUIREMENTS***

- A. All projects are required to provide the following at the time of the initial filing of the application with the Land Use Coordinator.
  - 1. Completed application for site plan review including checklist.
  - 2. A plat including, at a minimum, the items listed below, unless a waiver, requested in writing, is granted by the Board. Six (6) full-size paper copies plus one 11” x 17” reduction of the plat upon approval.
  - 3. List of abutter’s names and addresses obtained from Town records not more than five (5) days prior to filing the application; the names and addresses of any holders of conservation, preservation or agricultural preservation restrictions; the names and addresses of professionals who have stamped the plans.
  - 4. Fees as set by the Planning Board.
- B. Plat requirements:
  - 1. The following are required on all projects:
    - a. sheet size: 24” x 36” maximum, 11” x 17” minimum
    - b. name of project or identifying title; names and addresses of owners or records; and property identification number(s).
    - c. north arrow, date of plat, scale appropriate to the scope of the development; name and address of the designer/engineer and all other professionals whose seal appears on the plan; signature block for Planning Board approval.

- d. Vicinity sketch at an appropriate scale showing the location of the site in relation to the existing public streets and zoning district(s).
- e. All abutting landowners; manmade features; scenic, historical, or cultural resources listed in the Weare Master Plan; and uses of abutting land, all within 100 feet of the site.
- f. Sketch of site showing boundaries, existing natural features, including water courses and water bodies, trees and other vegetation, topographical features, and other features which should be considered in the site design process.
- g. The shape, size, height, location and use of existing and proposed structures located on the site and those existing within 100 feet of the site.
- h. An elevation view or photograph of all buildings indicating their dimensions and surface treatment.
- i. Name, location, curbing and widths of any existing and proposed roads on the property and those existing within 100 feet of the site.
- j. Location of existing and proposed sidewalks, driveways and curb cuts, sight distance at the access point(s), and proposed changes (if any) to existing streets. Both vehicular and pedestrian circulation shall be shown.
- k. Location, layout and total number of parking spaces, loading spaces and other similar facilities associated with the use.
- l. The location, type and nature of all existing and proposed exterior lighting, including direction and area of illumination.
- m. The size and location of all existing and proposed water mains, sewers, culverts, including location and distance to the nearest cistern or fire ponds.
- n. Location and type of existing or proposed waste disposal system, location of test pits and record or percolation tests.
- o. Location of existing and propose on-site well(s), showing appropriate protection radius.
- p. The type and location of solid waste disposal facilities.
- q. The location, size, design and illumination of proposed signs and other advertising or instructional devices.
- r. An elevation drawing of any new sign or existing signs proposed to be altered showing a reasonable representation of type face, design, shape, colors, images and embellishments.

- s. Soil survey date from the Hillsborough County Soils Map.
  - t. Location and copies of any existing or proposed easements, deed restrictions and covenants.
  - u. An Erosion Control Plan where one or more of the following conditions are proposed:
    - i. a cumulative disturbed area exceeding 20,000 square feet
    - ii. construction of a street or private
  - v. Estimated construction timetable.
2. In addition to the items required in subsection 1 (above), the following are required of all projects proposing a new building(s) or changes to the exterior dimensions of existing buildings.
- a. Survey of site showing boundaries, monument locations, existing natural features, including water courses and water bodies, trees and other vegetation, any other features which should be considered in the site design process, in place of item (f) above.
  - b. Existing and proposed contours, finished grade elevations, and base flood (100-year flood) elevations where appropriate; all contours shall be a minimum of 2-foot intervals.
  - c. Elevation of the first floor of all existing and proposed buildings on the site.
  - d. The location, elevation and layout of catch basins and other drainage features.
  - e. A landscape plan, describing the number, location, type and size of all existing and proposed landscaping and screening.
3. In addition to the items required in subsections 1 and 2 (above), the following items may also be required by the Board:
- a. A statement identifying the various goals and objectives of the Town of Weare Master Plan that relate to project and fully explaining how the project conforms to these goals and objectives.
  - b. Copies of any necessary Federal, State or local permits and approvals, including, but not limited to, Zoning Board of Adjustment, Department of Transportation, or Wetlands Board. Site Plan Review and other necessary Federal, State or local reviews may be conducted concurrently, in which case, copies of other necessary applications must be submitted.
  - c. An adequate storm water drainage system developed by a professional engineer.

- d. The size and location of all public service connections – gas, power, telephone, fire alarm, overhead or underground.
- e. In the case of new construction, the applicant may be asked to demonstrate consideration for the use/or modification of an existing structure.
- f. A rendering of sufficient detail to assist Board members to visualize the proposed site plan within its environs. The applicant should confer with the Board as to viewpoint, scale and the features to be included in the rendering.
- g. An impact analysis and mitigation plan may be required, which takes into account the following items to the extent the Board deems applicable:
  - i. community
  - ii. environmental impact analysis
  - iii. tangible and substantive net benefits to the community
- h. Any other exhibits, special studies or data that the Board may require in order to adequately evaluate the proposed development.

***XI. GENERAL STANDARDS:***

**A. Design of the development** should fit the existing natural and manmade environment 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 as 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 owner is obtained.

**B. Landscaping:** Adequate buffers, landscaping and screening are to be established, provided and maintained for year-round protection of adjoining properties, streets and internal uses of the site from any incompatible, detrimental or offensive uses of the site, including but not limited to, unsightly, obnoxious or obtrusive appearance, smoke, noise or odor. In general, the greater the difference between adjoining uses, the greater the buffering, landscaping or screening shall be. Plans for internal and perimeter landscaping shall be provided as follows:

- 1. Adequate buffering areas around the perimeter of the site to mitigate negative effects of the site on surrounding properties utilizing vegetation or fencing. Natural, existing vegetation may be retained for this purpose.
- 2. Adequate landscaping between the site and adjoining streets to reduce negative visual impact.

3. Adequate interior landscaping provided for large parking areas (over two double rows).
4. Refuse, trash, litter or garbage collection and storage areas shall be screened by fencing or vegetation.
5. All landscaping plans must show the size (present and future) and type, including common names, of all new plant material and the location, size and construction materials for any proposed fencing or retaining walls.
6. All landscaping materials must be of a species and type native to northern New England, to the extent possible. Refer to University of New Hampshire Cooperative Extension Service list of recommended plants for New Hampshire for examples of acceptable species.

**C. Parking and Loading Areas:**

1. Sufficient off-street parking must be provided for the anticipated use to accommodate both employees and customers so that no parking is forced onto public streets or nearby properties.
2. Sufficient off-street loading and/or unloading space must be provided including off-street areas for maneuvering of anticipated trucks or other vehicles which shall be designed to ensure the safety of vehicles and pedestrians on the site. Maneuvers for parking and/or loading or unloading spaces must not take place on a public street.
3. Access, parking and loading areas are to be constructed so as to minimize dust, erosion and run-off conditions that would have a detrimental effect on abutting or neighboring properties and public rights-of-way and shall be designed to ensure the safety of vehicles and pedestrians.
4. All site plans presented to the Planning Board for approval shall identify an area or areas of sufficient size and composition to allow for safe and convenient storage of snow volumes anticipated to be generated by winter site maintenance, or include a note indicating that snow is to be removed from the site.
5. Snow storage areas shall not be specified at locations where: accumulated volumes of snow will produce a visual nuisance on-site or to abutters; inevitable snow melt will result in the flow of water onto a public street. Snow shall not be stored in areas of jurisdictional wetland, wetland buffers nor in parking spaces, aisles, fire lanes, access drives nor other areas of a site where accumulated snow volumes would prevent proper use of a site in terms of these Regulations or in the judgment of the Planning Board.
6. Table of Off Street Parking Guidelines:  
The board is authorized to use the following guidelines; except where referenced to Weare's Zoning Ordinance (\*).

### **Table of Off Street Parking Guidelines**

Accessory Attached Apartment	* (19.1.10.6) 1 space per dwelling unit
Agricultural Road Stand	7 spaces per customer service employee
Auto/Truck Sales (only)	5 minimum plus 1 space per 10 vehicles
Bank	12 spaces per 1,000 SF
Child Care Facility	1 space per 10 children plus 1 per employee
Elderly Housing	1 space per dwelling unit
Emergency Services	1 space per 200 SF of gross floor area
Funeral Home	1 space for each 4 patron seats in the largest assembly area
Gas Service Station, Automotive Repair Garage	1 space per employee plus 2 spaces per service bay or 1 space per 200 SF
Gas Station with or without Mini-Mart	minimum 1 space per pump plus 1 space per 200 SF
Hair Salon, Nails, Tanning	2 spaces per chair/table
Hospital, Nursing/ Convalescent Home	1 per 3 beds plus 1 per 3 employees on dayshift
Hotel, Motel, Lodging House or B & B	1.1 space per rental unit; and 1 space per 5 seats seats in ancillary restaurant, of gross floor area used; and 1 space per 300 SF floor area for function room and other such uses.
Industrial (light volume)	1 space per employee plus 1 space per 200 SF
Industrial (heavy volume)	1 space per 2 employees plus 1 space per 2,000 SF
Lounge	1 space per 2 seats
Medical and Dental Offices, Medical Office Buildings, Clinics	3 spaces per Doctor plus 1 space per employee
Multi-Family Housing	*(26.3.5) not less than 2.5 spaces per dwelling unit
Office (high volume) – Including but not limited to health aid services, attorneys, insurance, real estate	1 space per 200 SF

Office (low volume) – Including but not limited to construction, remodelers	1 space per 300 SF
Place of Assembly: Churches, Theaters, Etc.	1 space per 3 seats; and 1 space per 55 inches permanent bleacher or bench seating space; and 1 space per 150 SF of area without permanent seating that is devoted to regular public assembly; and 1 space per employee
Private Club or Lodge	1 space per 4 members
Residential Single Family and Two-Family Dwellings	* (18.3.2) 2 spaces per dwelling unit
Restaurants (carry out or drive through (no beverages or food consumed on premises	1 space per 50 SF of gross floor area
Sit-down, eat in restaurants	1 space per 3 seats plus 1 per employee
Sit-down and carry out and/or drive through	Parking shall be the aggregate of the standards for sit-down and carry-out restaurants, above.
Retail (high volume) including but not limited to drug, food, specialty, bakery and ice cream stores	1 space per 150 SF
Retail (medium volume) including but not limited to clothing, shoes, general merchandise, lawn and garden supplies, service industries, video store, etc.	1 space per 250 SF
Retail (low volume) including but not limited to construction, remodeling services and materials	1 space per 400 SF

Handicapped parking is required and shall conform to the most current State and Federal law in place at the time of application.

The Planning Board may adjust these guidelines to particular circumstances.

Parking spaces shall not be used as permanent storage, nor will they be considered loading areas. No activities will be permitted except for those for which the use of the spaces were intended.

**D. Pathways:** Pathway of appropriate width and construction may be required for pedestrian traffic to provide connection between the main entrances to business, housing or industrial establishments and parking areas.

**E. Erosion and Sediment Control Plan** shall:

1. Make provision to accommodate the increase run-off caused by changed soil and surface conditions during and after development. Sediment basins or other acceptable techniques may be required. Diversions, sediment retention basins, and other such devices, shall be constructed prior to any on-site grading or disturbance of existing surface material.
2. Show control measures both during construction and any permanent controls to remain after construction.
3. Identify, locate and show elevation, grades and/or contours at intervals of not more than two (2) feet for the existing and proposed drainage ways, drainage easements, drainage structures and water bodies.
4. Identify and relatively locate, proposed erosion and sediment control measures and structures during and after development.
5. Include drawings and specifications for each proposed soil erosion and sediment control measure and structure in accordance with the Town of Weare Subdivision Regulations Article 8.4.2-5a and Hillsborough County Conservation District standards.
6. Include drawings, details and specifications for proposed flood hazard prevention measures and structures and for proposed storm water retention basins.
7. Ensure that stripping of vegetation, regarding or other development will be done in such a way that will minimize soil erosion. Temporary seeding and/or mulching may be required by the Board to protect exposed critical areas during development. Whenever practical, natural vegetation shall be retained, protected and supplemented.

**F. Illumination:**

1. Outdoor lighting shall be directed away from abutting properties or highways or streets to the extent possible.
2. Outdoor lighting is restricted to that which is necessary for advertising, safety and security of the development.
3. All outdoor lighting fixtures must utilize cut-off type fixtures to direct light downward and minimize glare and light scattering.

**G. Access to Public Streets** shall be in conformance with the rules and regulations of the New Hampshire Department of Transportation and/or the Town, as adopted and amended.

- H. Road Construction:** New streets shall be constructed in accordance with the provisions contained in the Town of Weare Subdivision Regulations. For internal non-public roads, the Board, at its discretion, may allow reduced road construction standards that are appropriate for the anticipated type and intensity of traffic.
- I. Water Supply and Sewage Disposal Systems** must be sized to adequately meet the needs of the proposed use under the regulations of the New Hampshire Department of Environmental Services, Water Supply and Pollution Control Division and/or Town Zoning Ordinance. In areas not currently served by the public sewers, it shall be the responsibility of the applicant to provide adequate information to prove that the area of the lot is adequate to permit installation and operation of an individual sewage disposal system. The applicant shall be required to provide the necessary percolation tests and submit such tests together with the proposed plan to the New Hampshire Department of Environmental Services, Water Supply and Pollution Control Division for its consideration and approval. Such approval must be obtained before site plan approval can be finalized.
- J. Accessibility:** Site improvements, such as sidewalks, pedestrian walkways, parking areas and building access points, must be constructed in compliance with the “American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped,” Number A177.-1961, as modified (41 CFR 101-17.703).
- K. Building Design** shall be sensitive to existing surrounding buildings as viewed at street level and to the character of the community.
1. In areas of higher density development, the recommended minimum height for building is no less than the lower of the adjacent buildings.
  2. In areas of higher density development, the recommended maximum height for a building is the taller of the adjacent buildings, not to exceed the maximum permitted by the Zoning Ordinance.
  3. In areas of higher density development, the recommended setback is no more than that of the adjacent building with the greater setback.
  4. It is recommended that the exterior design of new development be coordinated with existing buildings. All new designs, while respecting this collective effect will also be reviewed for providing sufficient variety in exterior design so as to avoid monotony in appearance. Attention shall be given to:
    - a. exterior materials
    - b. colors and textures of walls
    - c. roofs and exposed structural members
    - d. openings for doors and windows
    - e. the ratio of window to wall area
    - f. window size, proportion, and style
- L. Site Plans Proposed in lands designated as “High Risk Areas”**  
For site plans that involve land designated as “High Risk Areas” by the National Flood Insurance Program (NFIP):

1. 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.
2. The Planning Board may require that proposals for development, include Base Flood Elevation (BFE) data within such proposals (i.e. floodplain boundary and 100-year flood elevation).
3. The Planning Board may require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a determination that:
  - a. all such proposals are consistent with the need to minimize flood damage;
  - b. all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
  - c. adequate drainage is provided so as to reduce exposure to flood hazards.

## ***XII. STANDARDS FOR PERSONAL WIRELESS SERVICE FACILITIES:***

The following standards shall apply to Site Plan Review applications for personal wireless service facilities:

- A. Definitions:** The definitions for this section shall be consistent with those in the Town of Weare's Zoning Ordinance.
- B. Submission Requirements:** In addition to the submission requirements contained in these regulations, the applicant shall also submit the following:
  1. A scaled plan including a scaled elevation view, topography, radio frequency coverage, facility height, setbacks, parking, fencing, landscaping and adjacent land uses.
  2. If the applicant is not the property owner, a copy of the proposed lease between the property owner and the facility owner.
  3. Written proof that the proposed use/facility complies with FCC regulations on radio frequency (RF) exposure guidelines, and FAA regulations in tower lighting requirements.
  4. Written proof that an evaluation has taken place satisfying the requirements of the National Environmental Policy Act (NEPA), further referenced in applicable FCC rules. Such written proof shall include the results of the evaluation.
  5. An inventory of existing personal wireless service facilities that are within the Town of Weare and those within three miles of the border thereof, including specific information about the location, height, design of each tower, as well as economic and technological feasibility for co-location on the inventoried towers.
  6. For applications for a new ground mounted facility, the applicant shall submit written evidence demonstrating that no existing facility or structure can accommodate the applicant's proposed personal wireless service facility. This evidence shall consist of the following:

- a. The applicant shall submit to the Planning Board a list of all contacts made with owners of potential sites regarding the availability of potential space for a personal wireless service facility. The applicant shall provide copies of all letters of inquiry made to owners of existing structures and letters of rejection. If letter of rejection are not provided, at a minimum, unanswered "Return Receipt Requested" forms from the U.S. Post Office shall be provided for each owner of existing structures that was contacted. If the Planning Board or Land Use Department informs the applicant that additional existing structures may be satisfactory, the applicant shall contact the property owner(s) of those structures.
  - b. If the applicant claims that a structure is not capable of physically supporting a personal wireless service facility, this claim must be certified by a licensed professional civil engineer. The certification shall, at a minimum, explain the structural issues and demonstrate that the structure cannot be modified to support the personal wireless service facility without unreasonable costs. The estimated cost shall be provided to the Planning Board.
  - c. Substantial evidence that demonstrates other limiting factors that render existing towers and structures unsuitable for the applicant's proposed antenna.
7. For applications for a new tower, the applicant shall submit an agreement with the Town that allows the maximum allowance of co-location upon the new structure. This statement shall, at a minimum, require the applicant to supply available co-location for reasonable fees and costs to other carriers. Failure to provide such an agreement is evidence of the applicant's unwillingness to cooperate with the orderly and well-planned development of the Town of Weare, and grounds for the application to be denied.
  8. The applicant shall submit engineering information detailing the size and coverage required for the personal wireless service facility location. The Planning Board may have this information reviewed by a consultant for verification of any claims made by the applicant regarding technological limitations and feasibility for alternative locations. Cost for the review shall be borne by the applicant in accordance with NH RSA 676:4 (g).

### ***XIII. USE CHANGE REVIEW REQUIRED***

In instances where a change of use does not require a site plan, a change of use review may still be required as outlined. The final decision on whether to require a site plan or a use change shall be made by the Board.

1. Each change of use request must be accompanied by an application fee as defined
2. Uses allowed are only those uses permitted in the appropriate zones in the Town of Weare Zoning Ordinance
3. A change of use requiring Planning Board review shall be based on the following:
  - a. Does the proposed activity reflect the nature of the existing or former use?
  - b. Is any proposed use different in character, nature and kind from the existing use?
  - c. Is any proposed use having a substantially different impact on the neighborhood?

- d. Any change of use which, in the opinion of the Board requires Planning Board approval in order to ensure the health, welfare, morality (integrity, principles) and safety of Weare’s citizens and recreational guests.
- 4. Proposals for Change of Use Review must include the following information:
  - a. Present use and proposed use of the property
  - b. Present and proposed parking facilities
  - c. A scaled plan of the property showing street frontage, building location, parking, driveways, traffic flow, loading spaces and walkways
  - d. Location, description and size of existing and/or proposed signs
  - e. Physical changes to the exterior of the structure including color changes and lighting
  - f. An operational plan listing proposed hours of operation both open and closed to the public
- 5. The Planning Board may request any further information it deems necessary for proper review of the change of use request and shall not take action until such time that the information is provided to the Board.

***XIV. TOWN ENGINEER***

The town engineer, or in the absence of a town engineer, a registered engineer hired by the Board, may be required to inspect all site improvements, the cost for which is to be paid by the applicant. The applicant shall enter into an agreement with the Town to establish an escrow account from which funds may be drawn for the payment of said costs. The findings of inspections conducted under this section may be utilized both by the Planning Board to effectuate site plan review regulations and by the Board of Selectmen to effectuate the provisions of the road acceptance policy of the Town of Weare as it may be amended from time to time.

***XV. WAIVER PROCEDURE***

The Planning Board may waive the requirements for any of the specific items outlined in these Regulations. Before granting a waiver, the Board shall find that requiring all the information would be inconsistent with the intent of these regulations, and the lack of such information will not impair or prejudice the Board’s review. The Planning Board cannot waive standards required by other Town boards, State statutes and/or Town Ordinances.

***XVI. PERFORMANCE GUARANTEE***

In lieu of completion of required improvements, the applicant may enter into a development agreement with the Board specifying the manner in which the improvements are to be completed, pursuant to RSA 674:36 III, as from time to time amended. The Board may require that a financial surety, in an amount to be determined by the Board, in the form of an irrevocable letter of credit or a performance bond, be posted by the applicant and held by the Town until the Board determines that all conditions of the site plan approval and other pertinent Town ordinances or regulations have been met. The bond may be released in part when the project is substantially completed, at the discretion of the Board. If the development agreement option is chosen, the Board shall hold a compliance hearing in accordance with Section VII prior to the full or partial release of any surety.

***XVII. REVOCATION OF PLANNING BOARD APPROVAL***

- A. Approvals may be revoked by the Board in whole or in part, per RSA 674:4-a, under the following circumstances:

1. at the request of, or by agreement with, the applicant or the applicant's successor in interest;
2. when any requirement or condition of approval has been violated;
3. when the applicant has failed to perform any condition or approval within the time specified or within four years;
4. when four years have elapsed without any vesting rights and the plan no longer conforms to applicable regulations; or
5. when the applicant has failed to provide for the continuation of adequate security.

***XVIII. AMENDMENTS***

Amendments to these Site Plan Review Regulations shall be made in the same manner as these regulations were adopted and in accordance with the procedure outlined in RSA 675:6, as may from time to time be amended.

***XIX. 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.

***XX. DEFINITIONS***

The definition sections of the Zoning Ordinance and the Subdivision Regulations of the Town of Weare are hereby adopted by reference.

***XXI. PENALTIES***

As provided in RSA 676:15 & 17, as from time to time amended, the Town may obtain an injunction, mandamus, abatement, or any other appropriate action or proceeding to prevent enjoin, abate, or remove any erection, construction, alteration, or reconstruction which is not in compliance with these regulations. Any violation of these regulations may be punishable, as determined by the Selectmen, by either: (a) a civil fine or not more than \$275 for each day that such violation is found by a court to continue after the conviction date or after the date on which the violator receives written notice from the municipality that he or she is in violation of these regulations, whichever is earlier; or, (b) a criminal penalty, which shall be a misdemeanor if the violation is committed by a natural person, or a felony if committed by any other person. In any legal action brought to enforce these regulations, the prevailing party may recover its costs in pursuing or defending itself in such legal action.

## **WEARE PLANNING BOARD INSTRUCTIONS FOR SITE PLAN REVIEWS**

These instructions are intended as a brief synopsis of the filing requirements. Additional information, requirements and direction are contained within the Federal and NH law and administrative rules and applicable local Regulations and Ordinances. Please contact the Land Use Office (529-2250) for assistance.

The Applicant is responsible to become familiar with all relevant State and local Ordinances and Regulations to submit correct, complete information. Copies of all Ordinances and Regulations are available on-line or for review or purchase in the Land Use Office. Applications shall comply with all applicable Ordinances and Regulations. In the case of conflicting requirements, the more stringent shall apply.

The Applicant is encouraged to meet with the Land Use Coordinator and other applicable Department Heads during formulation of the plan for additional available information and guidance under existing Town Ordinances and Regulations. Applicants may also schedule a Conceptual Consultation or a Design Review with the Planning Board.

Meeting and closing date schedules are available. Applications are to be submitted to, and are considered received at the time they are physically reviewed in the Land Use Office during regular business hours. However, until abutter notification for the first hearing is complete, proposals are subject to posted proposed changes in the Town's Ordinances and Regulations.

When an application is received in the Land Use Office, a copy will be forwarded to other Town Departments, Boards and Commissions for their comments. The application will be reviewed by the land use staff who will provide the applicant with a written list of any information outstanding from the minimum application submission requirements and for which no request for waiver has been included.

Once the application meets the minimum application submission requirements, the application will be scheduled for the next available planning board agenda based on the posted meeting closing dates. A date, time and place for the plan submission meeting and public hearing shall be set and all necessary notifications by certified mail and public posting shall occur. The Applicant may request a joint hearing of the Planning and Zoning Boards for applications requiring dual review.

If Applicant is not the owner and/or if other agents (surveyor, attorney, engineer, etc.) will represent the proposal, a letter of authorization must be submitted as part of the application. If the ownership is other than individual (a corporation or trust, etc.) application shall include ownership interest and authorization letter.

At the meeting, applications are first reviewed by the Board for completeness under the terms of the Regulations. The Applicant or authorized representative must attend. If not present, the application may be denied. The Applicant may be required to provide a presentation restricted to the issue of whether or not the application is complete including any waivers specific to the question of completeness. Once the Board acts to find an application complete for the purposes of beginning their review, the 65-day review period (subject to waiver and/or extension) shall

commence. If the Board finds the application is not complete, resubmission requires review and confirmation of the land use staff as outlined above and renotification by the applicant.

Once the Board has accepted the application, the public hearing will be held. This will normally occur immediately after the acceptance. However, it may be continued due to time constraints. At the public hearing, the Applicant shall present the application, the Board shall comment/question, and the hearing shall be opened to abutters and other interested parties. All comments are to be directed to the Chair. All speakers shall identify themselves by name and address.

The Plan Submission Meeting and the Public Hearing will be continued by the Board as necessary. The Board may continue to time certain by stating the date/time/place of the continued meeting, for which no additional noticing will be required. They will also require that additional noticing occur at the expense of the applicant. Multiple continuances will usually require renoticing for the consideration of abutters. Renoticing is also required when substantive changes are made to the original proposal. Decisions may be rendered by the Board at the close of the public hearing or at a later date.

The Board will require further information as necessary and may also require independent review of submitted information at the cost of the Applicant. Property under consideration must be made available for inspection during the review and construction phases. No site work may commence until all approvals are obtained and all conditions precedent are complied with.

#### **THE FOLLOWING IS INITIALLY REQUIRED AS PART OF THE APPLICATION**

- Completed application form
- Completed abutter notification list
- Authorization letter by owner for any applicant or agent(s) to present application
- Plan(s)
- Fees
- Written request for waiver(s), if any
- All data sufficient to meet requirements of the applicable Ordinances/Regulations

# WEARE PLANNING BOARD FORMAL SUBMISSION REQUIREMENTS

All projects shall submit the following:

1. Completed application form.
2. Checklist of required exhibits and data.
3. A plat including the items required in Section X of the Regulations, or written waiver requests.
4. Six (6) full-size paper copies of the plat (sheet size: 24" x 36" maximum)
5. One (1) 11" x 17" reduction of the plat
6. List of abutter names and addresses obtained from Town records not more than five days prior to filing the application; the names and addresses of any holders of conservation, preservation or agricultural preservation restrictions; the names and addresses of professionals who have stamped the plans.
7. Two (2) sets pre-printed mailing labels of abutters
8. Fees as set by the Planning Board:

**Application fees:**

Conceptual Review (No Charge)	\$ _____
Change of Use; Expedited Review or	
Design Review (\$100 per application)	\$ _____
Formal Application: (\$250 per application)	\$ _____
Plus: <b>0.10/SF</b> in excess of 2,000 SF (structures)	\$ _____
Less Design Review Fee (if applicable)	\$ _____
Notification Fee (\$10.00 per notice)	\$ _____

**TOTAL DUE "Town of Weare":** \$ \_\_\_\_\_

Application Received on: \_\_\_\_\_ By: \_\_\_\_\_

Fees received on: \_\_\_\_\_ By: \_\_\_\_\_

**WEARE PLANNING BOARD  
APPLICATION FOR CONCEPTUAL OR DESIGN REVIEW**

Request for (check one):        Conceptual Meeting  
       Design Review Meeting

**MUST BE TYPED OR PRINTED LEGIBLY IN PEN:**

**Owner:** \_\_\_\_\_ Telephone: \_\_\_\_\_

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

**Applicant:** \_\_\_\_\_ Telephone: \_\_\_\_\_  
(If Different than Owner, but holding interest in property)

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

**Agent:** \_\_\_\_\_ Telephone: \_\_\_\_\_

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



Address of Property: \_\_\_\_\_ Zoning District: \_\_\_\_\_

Tax Map & Lot #(s): \_\_\_\_\_ Total Area: \_\_\_\_\_ (acres) Acres in Current Use: \_\_\_\_\_

Describe in detail all **existing** uses & structures on the subject property: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Describe in detail all **proposed** uses, structures, construction or modifications: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Check if proposal includes:

\_\_\_\_ New Street    \_\_\_\_ Public/Community Water    \_\_\_\_ Public/Community Sewer

If any Variance granted, date: \_\_\_\_\_ If any Special Exception granted, date: \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner or Authorized Individual (w/Auth. Letter)

**THE FOLLOWING IS REQUIRED AS PART OF A REQUEST FOR MEETING**

**Conceptual Meeting:**

- Completed Conceptual/Design Review Application
- Authorization letter by owner for an applicant or agent(s) to present application

**Design Review Meeting:**

- Completed Conceptual/Design Review Application
- Authorization letter by owner for an applicant or agent(s) to present application
- Six (6) copies of any plan(s) to be used during the meeting
- One (1) copy of any other data to be used during the meeting
- Completed **Abutter** Notification List
- Notification and Meeting Fees

# TOWN OF WEARE DESIGN REVIEW APPLICATION CHECKLIST OF REQUIRED EXHIBITS AND DATA

Applicant's name: \_\_\_\_\_

Date completed by Applicant: \_\_\_\_\_

**Instructions:** **Applicant** to check off item under the (A) column if it is included with the application or is shown on the site plan. All **waiver** requests are to be checked off under the (W) column **and accompanied by a separate written request for each item or group of items that are requested to be waived** (see section XI Waiver Procedure). The Land Use **Coordinator** is to check off each item under (C) column that is filed with application or shown on the site plan. *Each applicable item must be included with the application or shown on the plan or accompanied by a written waiver request of the application will be found incomplete and not accepted by the Planning Board.*

**THE FOLLOWING ARE REQUIRED OF ALL PROJECTS:**

A	W	C	ITEM	NOTES
			(1) Name of project or identifying title; names and addresses of owners of record; and property identification number(s).	
			(2) Grid and magnetic north arrow, date of plat, scale appropriate to the scope of the development; name and address of the designer/engineer and all other professionals whose seal appears on the plan; signature block for Planning Board.	
			(3) Vicinity sketch at an appropriate scale showing the location of the site in relation to the existing public streets and zoning district(s).	
			(4) All abutting landowners, physical features and uses of abutting land within 100 feet of such as lights, parking, signs, historic features, etc.	
			(5) A scaled drawing of site showing boundaries, existing natural features, including water courses and water bodies, trees and other vegetation, topographical features, any other features which should be considered in the site design process.	
			(6) The shape, size, height, location and use of existing and proposed structures located on the site and those existing within 100 feet of the site.	
			(7) An elevation view or photograph of all buildings indicating their dimensions and surface treatment.	

A	W	C	ITEM	NOTES
			(8) Name, location and widths of any existing and proposed roads on the property and those existing within 100 feet of the site.	
			(9) Location of existing and proposed sidewalks, driveways and curb cuts, sight distance at the access point(s), and proposed changes (if any) to existing streets.	
			(10) Both vehicular and pedestrian circulation shall be shown.	
			(11) Location, layout and total number of parking spaces, loading and other similar facilities associated with the use including offsite parking, if any.	
			(12) The location, type and nature of all existing and proposed exterior lighting, including direction and area of illumination. Supply cut sheets of proposed fixtures.	
			(13) The size and location of all existing and proposed water wells, septic systems, or culverts. Show the location and distance to any fire cisterns or fire ponds.	
			(14) Location and type of existing waste disposal system, or location and type of proposed water disposal system with an outline of 4,000 square foot areas reserved for leach fields for any new system; location of test pits and record of percolation tests.	
			(15) Location of existing and proposed on-site well(s), showing appropriate protection radius and all wells within 100 feet of the area to be developed.	
			(16) The type and location of solid waste disposal facilities.	
			(17) The location, size, design and illumination of proposed signs and other advertising or instructional devices.	
			(18) Soil survey data from the Hillsborough County Soil Survey.	
			(19) Location and copies of any existing or proposed easements, deed restrictions or covenants.	
			(20) Hours of operation	
			(21) Estimated construction timetable.	
A	W	C	<b>In addition to the items required above the following are required of all projects proposing a new building(s) or changes to the exterior dimensions of existing buildings:</b>	<b>NOTES</b>
			(22) Survey of site showing boundaries, monument locations, existing natural features, including water courses and water bodies, trees and other vegetation, any other features which should be considered in the site design process, in place of item (5) above.	

A	W	C	ITEM	NOTES
			(23) Existing and proposed contours, finished grade elevations, and base flood (100-year flood) elevations where appropriate; all contours shall be a minimum of 5-foot intervals.	
			(24) Elevation of first floor of all existing and proposed buildings on the site.	
			(25) Provision for future expansion of sewage and water facilities.	
			(26) The location, elevation and layout of all drainage features and storm water management features.	
			(27) The size and location of all public service connections – gas, power, telephone, fire alarm, overhead or underground	





Size/Describe area to be used within structure: \_\_\_\_\_

Activities that will occur within structure: \_\_\_\_\_

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Describe interior repairs/modifications: \_\_\_\_\_

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Size/Describe area to be used outside of structure: \_\_\_\_\_

Activities that will occur outside of structure: \_\_\_\_\_

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Describe exterior repairs/modifications: \_\_\_\_\_

Describe proposed signage (including the location, size, design and illumination of proposed signs and other advertising or instructional devices): \_\_\_\_\_

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Include sketch of property showing areas to be used (including parking facilities): \_\_\_\_\_

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### STATEMENT OF ASSURANCE

I hereby certify that to the best of my knowledge this information is valid and that there is no violation of the approved ordinances, codes and/or regulations of the Town of Weare. I authorize members of the Board or their staff to enter onto my property for the purposes of review.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Business Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Land Owner (if different)

**WEARE PLANNING BOARD  
APPLICATION FOR EXPEDITED REVIEW**

**MUST BE TYPED OR PRINTED LEGIBLY IN PEN:**

**Owner:** \_\_\_\_\_ Telephone: \_\_\_\_\_

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

**Applicant:** \_\_\_\_\_ Telephone: \_\_\_\_\_  
(If Different than Owner, but holding interest in property)

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

**Agent:** \_\_\_\_\_ Telephone: \_\_\_\_\_

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

Address of Property: \_\_\_\_\_ Zoning District: \_\_\_\_\_

Tax Map & Lot #(s): \_\_\_\_\_ Total Area: \_\_\_\_\_ (acres) Acres in Current Use: \_\_\_\_\_

**ADDITIONAL INFORMATION:**

- Check any of the following that apply:
- Involves only a change of use **and/or**
  - Involves no more than 10% increase in impermeable area and no more than 50% increase in total building area **or**
  - a new site plan which involves not more than 1,000 SF of building and not more than 5,000 SF of disturbed land area for which **NO** waivers are required **AND** the applicant has appeared before the Board for conceptual consultation at which a site walk was scheduled

Date site plan was previously approved by the Planning Board: \_\_\_\_\_

**REQUIRED SUBMITTALS:**

1. Completed Application for Expedited Review
2. Written request to Planning Board specifically requesting an Expedited Review
3. Completed Application for Change of Use Review **OR**
4. Completed Application for Formal Site Plan Review
5. Completed Abutter Notification List
6. Six (6) copies of proposed plan(s)
7. Fees
8. All data sufficient to meet requirements of the applicable Ordinances/Regulations

The Applicant certifies that all the requirements listed in the Site Plan Review Regulations of the Town of Weare have been complied with and understands that the Site Plan Review Regulations guide the procedures and conditions for approval. This application must be filed with the Land Use Coordinator at least 21 days prior to a regularly scheduled meeting.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Property Owner(s)

**If Applicant is not the Property Owner:**

I hereby designate \_\_\_\_\_ as the representative(s) to whom all communication with the Owner may be addressed and the person to whom legal process may be served in connection with any proceeding arising out of the agreement herein.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

## WEARE PLANNING BOARD APPLICATION FOR FORMAL SITE PLAN REVIEW

The undersigned Applicant hereby submits to the Weare Planning Board a completed application for Site Plan Review for a property located at the following address: \_\_\_\_\_ with tax map and parcel number(s) \_\_\_\_\_. The applicant proposes to \_\_\_\_\_.

<u>Property Owner</u>	<u>Applicant/Representative</u>
Name: _____	_____
Address: _____	_____
_____	_____
Phone: _____	_____

The Applicant certifies that all the requirements listed in the Site Plan Review Regulations of the Town of Weare have been complied with and understands that the Site Plan Review Regulations guide the procedures and conditions for approval. This application must be filed with the Land Use Coordinator at least 21 days prior to a regularly scheduled meeting.

*The Weare Planning Board and its agents are authorized to access the property for the purpose of reviewing this site plan, performing any inspections related to this site plan deemed necessary by the Board or its agents, to ensure conformance with the approved plan and all the Town of Weare ordinances and regulations (per RSA 674:1).*

Date	Signature of Applicant
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Date	Signature of Property Owner(s)
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**If Applicant is not the Property Owner:**

I hereby designate \_\_\_\_\_ as the representative(s) to whom all communication with the Owner may be addressed and the person to whom legal process may be served in connection with any proceeding arising out of the agreement herein.

Date	Signature of Owner
------	--------------------

# TOWN OF WEARE FORMAL APPLICATION CHECKLIST OF REQUIRED EXHIBITS AND DATA

Applicant's name: \_\_\_\_\_

Date completed by Applicant: \_\_\_\_\_

**Instructions:** **Applicant** to check off item under the (A) column if it is included with the application or is shown on the site plan. All **waiver** requests are to be checked off under the (W) column **and accompanied by a separate written request for each item or group of items that are requested to be waived** (see section XI Waiver Procedure). The Land Use **Coordinator** is to check off each item under (C) column that is filed with application or shown on the site plan. *Each applicable item must be included with the application or shown on the plan or accompanied by a written waiver request of the application will be found incomplete and not accepted by the Planning Board.*

**THE FOLLOWING ARE REQUIRED OF ALL PROJECTS:**

A	W	C	ITEM	NOTES
			(1) Name of project or identifying title; names and addresses of owners of record; and property identification number(s).	
			(2) Grid and magnetic north arrow, date of plat, scale appropriate to the scope of the development; name and address of the designer/engineer and all other professionals whose seal appears on the plan; signature block for Planning Board.	
			(3) Vicinity sketch at an appropriate scale showing the location of the site in relation to the existing public streets and zoning district(s).	
			(4) All abutting landowners, physical features and uses of abutting land within 100 feet of such as lights, parking, signs, historic features, etc.	
			(5) A scaled drawing of site showing boundaries, existing natural features, including water courses and water bodies, trees and other vegetation, topographical features, any other features which should be considered in the site design process.	
			(6) The shape, size, height, location and use of existing and proposed structures located on the site and those existing within 100 feet of the site.	
			(7) An elevation view or photograph of all buildings indicating their dimensions and surface treatment.	

A	W	C	ITEM	NOTES
			(8) Name, location and widths of any existing and proposed roads on the property and those existing within 100 feet of the site.	
			(9) Location of existing and proposed sidewalks, driveways and curb cuts, sight distance at the access point(s), and proposed changes (if any) to existing streets.	
			(10) Both vehicular and pedestrian circulation shall be shown.	
			(11) Location, layout and total number of parking spaces, loading and other similar facilities associated with the use including offsite parking, if any.	
			(12) The location, type and nature of all existing and proposed exterior lighting, including direction and area of illumination. Supply cut sheets of proposed fixtures.	
			(13) The size and location of all existing and proposed water wells, septic systems, or culverts. Show the location and distance to any fire cisterns or fire ponds.	
			(14) Location and type of existing waste disposal system, or location and type of proposed water disposal system with an outline of 4,000 square foot areas reserved for leach fields for any new system; location of test pits and record of percolation tests.	
			(15) Location of existing and proposed on-site well(s), showing appropriate protection radius and all wells within 100 feet of the area to be developed.	
			(16) The type and location of solid waste disposal facilities.	
			(17) The location, size, design and illumination of proposed signs and other advertising or instructional devices.	
			(18) Soil survey data from the Hillsborough County Soil Survey.	
			(19) Location and copies of any existing or proposed easements, deed restrictions or covenants.	
			(20) Hours of operation	
			(21) Estimated construction timetable.	
<b>A</b>	<b>W</b>	<b>C</b>	<b>In addition to the items required above the following are required of all projects proposing a new building(s) or changes to the exterior dimensions of existing buildings:</b>	<b>NOTES</b>
			(22) Survey of site showing boundaries, monument locations, existing natural features, including water courses and water bodies, trees and other vegetation, any other features which should be considered in the site design process, in place of item (5) above.	

A	W	C	ITEM	NOTES
			(23) Existing and proposed contours, finished grade elevations, and base flood (100-year flood) elevations where appropriate; all contours shall be a minimum of 5-foot intervals.	
			(24) Elevation of first floor of all existing and proposed buildings on the site.	
			(25) Provision for future expansion of sewage and water facilities.	
			(26) The location, elevation and layout of all drainage features and storm water management features.	
			(27) The size and location of all public service connections – gas, power, telephone, fire alarm, overhead or underground	
A	W	C	<b>In addition to the items required above, the following items may also be required by the Board:</b>	NOTES
			(28) A statement identifying the various goals and objectives of the Town of Weare Master Plan that relate to the project and fully explaining how the project conforms with these goals and objectives.	
			(29) Prior to final approval, copies of any necessary Federal, State or local permits and approvals, of other boards or commissions.	
			(30) Erosion Control Plan which meets the design standards and specifications set forth in the “Erosion and Sedimentation Control Design Handbook for Developing Areas in New Hampshire” (USDA Soil Conservation Service).	
			(31) An adequate storm water drainage system developed by a certified engineer.	
			(32) Demonstrate consideration for the reuse and/or rehabilitation of an existing structure.	
			(33) Impact analysis and mitigation plan, fiscal study, traffic study, environmental study or other studies as determined by the Board.	
			(34) Any other exhibits, special studies or data that the Board may require in order to adequately evaluate the proposed development.	
A	W	C	<b>Other information, as applicable:</b>	NOTES
			(35) State subdivision approval for septic systems; septic design approval; or certification by septic designer of adequacy of existing system	
			(36) Site Specific Permit from NH Department of Environmental Services	
			(37) Plan for Storm water Management and Erosion Control	
			(38) EPA approval	

A	W	C	ITEM	NOTES
			(39) State/Town driveway permit	
			(40) Comments from other departments (Fire, Police, Building, Public Works, Conservation Commission, etc)	
			(41) Any other local, state and/or federal permits	