SITE PLAN REVIEW REGULATIONS

Town of Stratham, N.H.

Adopted February 3, 1987
As amended to April 2021

2021

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- TABLE OF CONTENTS -

SECTION: Page

SECTION I:

GENERAL PROVISIONS.....6

1.1 AUTHORITY: 6

1.2 PURPOSES: 6

1.3 TITLE: 6

SECTION II: DEFINITIONS 7

2.1 DEFINITIONS: 7

SECTION III: SCOPE & REQUIREMENTS 8

3.1 SCOPE: 8

3.2 RELATIONSHIP TO OTHER REQUIREMENTS: 8

3.3 SITE PLAN REVIEW REQUIRED: 9

3.4 BUILDING PERMIT: 9

SECTION IV: APPLICATION PROCEDURES & REQUIREMENTS 10

4.1 PRELIMINARY CONSULTATION: (Rev. 0/06) 10

4.2 FORMAL APPLICATION REVIEW PROCESS: (Rev. 8/99) 11

4.3 DATA REQUIRED: 15

4.4 FORMAL REVIEW PROCEDURE: (Rev. 1/01) 18

4.5 BOARD ACTION: (Rev. 11/93) (Rev. 06/07) 18

SECTION V: DESIGN & CONSTRUCTION REQUIREMENTS 21

5.1 ACCESS DESIGN: 21

5.2 LANDSCAPE DESIGN STANDARDS: 22

5.3 STORM DRAINAGE 32

5.4 FLOOD CONTROL: 33

5.5 SNOW STORAGE: ……..33
5.6 SOLID WASTE DISPOSAL SCREENING: 33
5.7 SIDEWALKS: 33
5.8 ILLUMINATION/ NOISE EMISSIONS: 34
5.9 PARKING REQUIREMENTS: *(Amended 7/20/10)* 38
5.10 WATER AND SEWER SERVICE: ……48
5.11 FIRE PROTECTION: 48
5.12 UTILITIES: 48
5.14 STREET CONSTRUCTION: 49
5.15 ARCHITECTURAL PLANS: ……49
5.16 OPEN SPACE SETBACK: (Rev. 11/95) ……...51

SECTION VI: SUPPLEMENTARY PROVISIONS 51

6.1 CONSTRUCTION STANDARDS: ……51
6.2 AS-BUILT DRAWINGS: ……51
6.3 SITE INSPECTIONS AND FEE: (Deleted 11/93) 52

SECTION VII: AGREEMENTS & BONDING 52

7.1 SITE REVIEW AGREEMENT: 52
7.2 FINANCIAL GUARANTY: 52
7. 3 MAINTENANCE BOND: 52

SECTION VIII: WAIVERS 53

8.1 WAIVERS: 53

SECTION IX: ENFORCEMENT 53

9.1 ENFORCEMENT PROVISIONS: 53

SECTION X: VALIDITY 53

10.1 DECLARATION: 53
10.2 EFFECTIVE DATE: 53
ADDENDUM A: CISTERN SPECIFICATIONS (05/04) ..……54
ADDENDUM B: DIGITAL SUBMISSION (Added07/06) ……55

ADDENDUM C: STORMWATER REGULATIONS (ADDED 5/19) 56

APPENDIX A: RECORD OF AMENDMENTS 65

SECTION I: GENERAL PROVISIONS

1.1 AUTHORITY:

These Regulations are enacted in accordance with the authority conferred in RSA 674:43-44 and based upon the authority given to the Planning Board at the Town Meeting held on March 10, 1981.

1.2 PURPOSES:

The purposes of these Regulations are to:

a. Provide for the safe and attractive development 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 and to promote the goal of maintaining the rural character of the Town; (**Rev. 11/95)**

c. Provide for open spaces and green spaces of adequate proportions and of adequate visibility from public streets, roads, or subdivided and/or developed residential areas; **(Rev. 11/95)**

d. Require the proper arrangement and coordination of streets within the site in relation to other existing or planned streets or with features of the official map of the municipality;

e. Require suitably located streets of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air, and access for fire fighting 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; and

h. Include such provisions as will tend to create conditions favorable for health, safety, convenience, and prosperity.

1.3 TITLE:

These Regulations shall be known as the "Site Plan Review Regulations of the Town of Stratham, New Hampshire."

SECTION II: DEFINITIONS

2.1 DEFINITIONS:

Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of these Regulations. If subsections of these regulations contain alternate definitions, the more restrictive term or definition shall apply unless otherwise determined by the Planning Board on a case-by-case basis. Words used in the present tense include the future; the singular number shall include the plural, and the plural the singular; the word "building" shall include the word "structure"; and the word "shall" is mandatory and not optional. (**Rev. 5/19**)

In general, words and terms used in these Regulations shall have their customary dictionary meanings. Definitions described in the existing Town of Stratham Zoning Ordinance shall apply therein. The following words are specifically defined:

2.1.1 Abutter: means any person whose property is located in New Hampshire and adjoins or is directly across any street or any other way or stream from the land to be considered or under consideration by the Planning Board for Site Plan Review approval. For purposes of receiving testimony and not for purposes of specific notification, the term abutter shall include any person who is able to demonstrate that his/her land will be directly affected by the proposal to be considered or under consideration.

2.1.2 Development: means the construction of improvements on a tract or tracts of land, which shall include the enlargement of the structure or physical changes to the site to accommodate the intended use.

2.1.3 Engineer or Surveyor: means the duly designated and legally recognized engineer or licensed surveyor of the developer as may be pertinent to the actual services to be performed.

2.1.4 Enlargement: means the increase in size or the expansion of any structure or appurtenance, whether said appurtenance exists alone or in service of a structure or other appurtenance.

2.1.5 Hardpan: means a compact soil layer high in silt and very fine sand and generally low in clay with a permeability of less than 0.6 inches per hour.

2.1.6 Improvement: means all structures, appurtenances, or additions to the site whether above or below the surface of the land, and including but not limited to buildings, construction of any kind, site grading, landscaping, street construction, utilities (including water, sewer, electric, gas, storm drainage), whether proposed by the developer, or required by the Board under these Regulations.

2.1.7 Non-Public or Individual Waste Disposal System: means any treatment system other than a public sewer, which receives sewage or other wastes.

2.1.8 Non-Public or Individual Water Supply System: means any private system providing potable water.

2.1.9 Non-Residential Use: means any use other than that of a residence, provided, however, that these Regulations and procedures shall not apply to the construction, expansion, siting or permitted use with respect to any accessory use buildings on the same site as a

principal residence in the Agricultural - Residential District defined in the Zoning Ordinance of the Town of Stratham.

2.1.10 Seasonal High Water Table: means the upper limit of the groundwater in a soil, which becomes seasonally saturated with water.

2.1.11 Street: means the same as the definition provided in Section 1.5.26 of the Subdivision Regulations. **(Rev. 8/99)**

2.1.12 Subdivision: means the division of a lot, tract or parcel of land for the purpose, whether immediate or in the future, of sale, rent, lease, condominium conveyance or building development. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision under these Regulations.

2.1.13 Wetlands: means the same as the definition provided in Section 1.5.29 of the Subdivision Regulations**. (Rev. 8/99)**

SECTION III: SCOPE & REQUIREMENTS

3.1 SCOPE:

The Planning Board is hereby authorized to review, and approve or disapprove site plans for the development of tracts for nonresidential uses or for multifamily dwelling units (any structure containing in excess of two dwelling units) whether or not such development includes a subdivision or re-subdivision of the site.

3.2 RELATIONSHIP TO OTHER REQUIREMENTS:

3.2.1 Compliance with Other Regulations:

The Site Plan Review procedure in no way relieves the applicant from compliance with or approval under the provisions of the Town's Zoning Ordinance, Subdivision Regulations, Building Codes, and/or other regulations which pertain to or govern the proposed development. No Site Plan will be approved unless it is in compliance with all pertinent ordinances and regulations.

In cases where a variance is required from the Zoning Ordinance, the applicant shall first present the plan to the Planning Board so as to allow the Board to render a decision at a public hearing. **(Rev. 7/89) (Rev. 8/99) (Rev. 6/00)**

At the Applicant’s request, the Planning Board may, at its sole discretion, waive the general requirements for a complete application, in accordance with these regulations, in order to advance the application to the Zoning Board of Appeals. Said waivers would be granted for the sole purpose of accepting the application, thereby providing the Board with jurisdiction to render a formal decision on the plan. Waivers of any or all of these general requirements shall be granted on a one time only basis and shall not be considered as justification for any future waivers of said regulations. The applicant

assumes all risk of any further zoning relief that may be found necessary as a result of subsequent Planning Board reviews of the application. **(Rev. 6/00)**

3.2.2 Minimum Not Maximum:

These Regulations shall be interpreted as **Minimum Requirements** and compliance with these minimum requirements in no way obligates the Planning Board to approve any particular application solely on that basis. The Planning Board will fully consider all aspects of an application before rendering its decision. This will include study of all site design and technical aspects of the proposal as well as consideration of the impact of the development on the open space, wildlife habitat and other natural resources, on local traffic patterns and on available public utilities, services, municipal resources and, in general, in compliance with the Stratham Master Plan. Only after the Planning Board has fully satisfied itself that the proposed project is in the public interest and that it will not prove detrimental to the public health, safety, welfare, or prosperity, will the application be approved.

3.2.3 Conflicting Provisions:

If any other provision of the Town, or any provision of State or federal law relates to any matter covered herein, the provision, which imposes the greater restriction or higher standard, shall govern.

3.3 SITE PLAN REVIEW REQUIRED:

The Planning Board requires site plans to be submitted to it for review by any applicant seeking any of the following:

a. The construction of any new non-residential or multi-family use;

b. The enlargement of any existing non-residential or multi-family use, which requires development of the site;

c. The construction or conversion of any non-residential or multi-family use in which development of the site be contemplated or required by virtue of any other Town or State ordinance, statute, regulation or decision of the Town's Zoning Board of Adjustment;

d. The change within a structure from one permitted use to another permitted use which will require development of the site including, but not limited to, improvement or alteration to the site required by virtue of any other Town or State ordinance, statute, or regulation.

3.4 BUILDING PERMIT:

No building permit shall be issued by the Building Inspector for the construction or expansion of a building or other facilities subject to these regulations, until final approval is granted by the Planning Board and the Building Inspector is so notified in writing by the Planning Board.

SECTION IV: APPLICATION PROCEDURES & REQUIREMENTS

4.1 PRELIMINARY CONSULTATION: (Rev. 4/21)

An individual who anticipates submitting a formal application for site plan review shall be required, to consult with the Planning Board prior to submission of the formal application and supporting documentation.

4.1.1 Purposes of the Consultation:

An individual who anticipates submitting a formal application for a site plan review approval shall be required, to consult with the Planning Board prior to submission of the formal application and supporting documentation. The purpose of the consultation is to familiarize the Planning Board with the basic concept of the proposed site plan. The consultation is further designed to acquaint the potential applicant with the formal application process and particular information that the Board may request, to suggest methods for resolving possible problems in the development, design and layout, and to make the potential applicant aware of the recommendations in the Master Plan (if applicable) to the property in question. Any request for consultation shall be made at least 14 days prior to the meeting at which such consultation shall occur **(Rev. 4/21)**.

4.1.2 Documents:

In order to facilitate discussion, the potential applicant is requested to prepare a base map of the property to be developed. It should be drawn to scale, and may be drawn in pencil. The proposed development should be drawn on the base map. Dimensions may be approximate. The data may be tentative, but all information shall be sufficiently clear to illustrate all conditions and the proposed development of the property.

The following information or data is requested to be submitted for review of the concept by the Planning Board:

a. General description of existing conditions on the site including characteristics of the land, topography, vegetation, and similar features;

b. General description of available community facilities and utilities;

c. General description of the proposed development, including size and dimensions, and a general use plan for the site.

4.1.3 Limits of the Review:

The Planning Board shall conduct the Preliminary Consultation at a regularly scheduled meeting of the Board. The applicant will make a presentation defining the general scope and concept of the development and how the land will be used. Any documents presented to the Board will be made a part of the record for future reference purposes.

Neither the applicant nor the Planning Board shall be bound by the discussions. However, the Planning Board shall be entitled to make recommendations with respect to the material presented to assist the applicant in preparing a formal application that will meet the development standards of the Town as expressed in these Regulations and in other ordinances and/or regulations. The Planning Board shall enter into the minutes and shall verbally communicate to the applicant any suggestions, recommendations, or other factors that the Board finds prudent and necessary.

4.1.4 Separation of Process:

It is hereby declared that no processing time limits shall apply as defined in RSA 676:4. Such time limits shall apply only when a formal application is submitted in accordance with Section 4.2 of these Regulations.

4.2 FORMAL APPLICATION REVIEW PROCESS: (Rev. 8/99)

Whether or not a Preliminary Consultation has been conducted, an applicant shall prepare and submit an application for site plan approval in accordance with and to the standards set forth in these Regulations. This formal review process is designed to afford the Planning Board, the applicant, abutters, and parties in interest a clearly delineated method for examining the proposed site plan thus allowing the Planning Board to make a timely and informed decision on the proposal.

4.2.1 Submission Period: **(Rev. 5/02)**

a. An application for site plan approval shall be submitted to the Town Office, c/o Chairperson of the Planning Board, prior to 12-PM, at least twenty (20) days in advance of a regularly scheduled Planning Board meeting. The application form and the supporting exhibits required are set forth in Section 4.2.2 of these Regulations;

b. In the case of continued applications, all new information, including but not limited to plan revisions, special studies, waiver requests, and conditional use permit requests, must be submitted to the Planning Department prior to 4-PM, at least ten (10) days in advance of the continued meeting date;

c. Applications submitted later than the deadline date in (a) above will not be placed on the following meeting's agenda. New information in (b) above that is submitted later than ten days prior to the meeting date will not be considered by the Planning Board. In the case of late submission of new information, the Board shall automatically continue the application to the next scheduled meeting date.

4.2.2 Exhibits Required at Time of Submission:

The applicant shall submit the following information when a formal application is made for site plan approval. The Planning Board shall not determine whether or not the

application is complete until it reviews all of the documents at its next regularly scheduled meeting.

a. A completely filled out form entitled: "Application for Site Plan Approval." Forms may be obtained from the Town Office;

b. A list of the names and addresses of all abutters obtained from the Town Records not more than five (5) days before the date of filing of the application;

c. Six (6) complete sets of blackline or blueline prints of all plans drawn to scale appropriate to the size of the project. Plans shall be prepared under the supervision of and stamped by a registered land surveyor licensed to practice in New Hampshire; roadway, drainage and all utility plans prepared and stamped by a professional engineer licensed to practice in New Hampshire. The information to be contained in and standards to be followed for the preparation of these plans are set forth in Section 4.3 of these regulations;

d. High intensity soils information with lot size calculations and cover letter from a soil scientist;

e. Data on test pits and percolation tests including: location of test pits, percolation test data and rate, certification of test witness, and outline of area reserved for leach fields; **(Rev. 7/89)**

f. Completed Town of Stratham Land Use Development Tracking Form, most recently revised version, utilizing the companion instructions and definitions OR the online Pollution Tracking and Accounting Project (PTAP) portal.

g. Any supporting documentation necessary to explain the proposal to the Planning Board, abutters, and the general public.

4.2.3 <u>Planning Board Responsibilities in Initial Processing</u>:

The Planning Board will accept the exhibit materials specified in Section 4.2.2 and determine its completeness at its next regularly scheduled meeting.

a. The Board, at least ten days in advance of the meeting, shall mail notice to the applicant and abutters stating that an application for site plan approval has been filed. The notice will contain the following:

   i. Name and address of the applicant;

   ii. The location of the proposed development;

   iii. A general description of the proposed project.

b. The Planning Board will also post the information contained in Section 4.2.3.a in the Town Offices.

c. At least seven (7) days prior to the meeting date where application completeness is scheduled to be determined, the Town Planner will issue formal comments relative to application completeness to the Board. These comments are made available to assist the Board in their determination of application completeness and are purely advisory. Only a vote of the Board shall determine application completeness. As a courtesy, these comments will be copied to the applicant for their consideration**. (Rev. 5/02)**

d. At the regularly scheduled meeting the Planning Board will:

   i. Review the application for completeness and determine its acceptability for further processing;

   ii. Advise the applicant of additional information that may be needed to process or evaluate the application;

   iii. Set the date for a public hearing on the application;

   iv. Determine the need for special investigative studies and advise the applicant of the time and the need for financial support from the applicant;

   v. Notify the applicant verbally at the meeting and confirm in writing if the application is formally accepted for evaluation. The date of the formal acceptance shall be used for calculating the time period for decision by the Board.

   The Planning Board may begin formal consideration of the application upon determination by vote that the application is complete, so long as a public hearing was noticed.

e. If not complete, the Planning Board will advise the applicant of what information is needed to complete the application package and when it will next be considered by the Board.

f. The Planning Board will arrange with the applicant for an inspection of the site (if determined necessary or desirable by the Board) by the Board, a committee or a member of the Board, or a Town employee appointed for said purpose by the Chairperson. Abutters shall be notified at the hearing of such inspection and shall be permitted to attend.

4.2.4 Public Hearing and Notice**: (Deleted 1/01; Reinserted 12/03)**

The Planning Board, before taking action on a site plan, shall hold at least one public hearing thereon. The Planning Board shall take testimony from the applicant, abutters, and parties in interest to the proposal either in person and/or in writing.

The applicant and abutters shall be notified of the public hearing and the time of place of such hearing by certified mail, not less than ten (10) days before the date fixed for the hearing. In addition, notice to the general public of the public hearing shall be published in the Portsmouth Herald and posted in the Town Offices at least ten (10) days before the date fixed for the hearing. The notice to the applicant, abutters and general public shall contain the information as specified in Section 4.2.3.a.

4.2.5 Concurrent and Joint Hearings:

The Planning Board may hold a hearing on a site plan or for a subdivision plat **(Rev. 1/01)** in conjunction with each other if both are required for a project. A hearing for either by the Planning Board may be held at the same time and place that a hearing for a special exception or variance is held for the project by the Board of Adjustment, provided that such a hearing is mutually agreed to in advance by the Boards.

4.2.6 Submission Deadline**: (Deleted 1/01)**

4.2.7 Fees and Charges:

The applicant shall pay the following fees and charges as are applicable.

a. Filing Fee: The applicant shall pay a filing fee of one-hundred ($100) dollars for each 1,000 square feet of building construction — with a minimum of one hundred ($100) dollars**. (Rev. 8/99) (Rev. 10/07)**

b. For a Preliminary Consultation as provided for under Section 4.1, a filling fee of $75.00.

c. Notice Costs: The applicant shall pay $150.00 plus $8.00 per abutter and per applicant for the costs of all notice requirements including the cost of postage for certified mail, reproduction costs, and any publication and/or posting costs. **(Rev. 8/99) (Rev. 10/07)**

d. Special Investigative Costs: The Board may require the applicant to pay reasonable costs of special investigative studies which may be necessary for the Planning Board to evaluate the impact of a proposed development.

e. Recording Costs: The applicant shall prepare a check payable to the Rockingham County Registry of Deeds for submission to Rockingham County after the site plan has been approved. The amount shall be determined by Rockingham County at the time of submission. Recording check and mylar plan shall be delivered to the Planning Board Secretary after Planning Board approval. It will be the responsibility of the Town to record all plans**. (Rev. 11/93)**

f. Municipal Review Costs**: (Rev. 11/93)**

The Board will require the applicant to reimburse the Town for the cost of having duly appointed agents of the municipality review a submitted plan. Such costs may be encountered in the following instances:

i. Witnessing of test pits by an agent designated by the Board;

ii. Review of roadway design, drainage and stormwater management, and erosion and sediment control plans by an agent appointed by the Board;

iii. Periodic construction inspections and/or tests;

iv. In accordance with RSA 674:44, V, and RSA 676:4 I, (g), the Board shall also require an applicant to reimburse the Town for expenses incurred by the Rockingham Planning Commission Circuit Rider Planner; including, but not limited to, time spent for technical review of plans, meetings with the applicant subsequent to application, and other reasonable expenses directly accountable to the particular application, the rate shall reflect the current hourly rate charged to the Town for this service, however, no fee shall be charged for time spent in meetings during contracted office hours, or contracted night meetings, or the first 2 hours of technical review of an application submitted to the Board. The amount of this fee will vary according to the particular aspects of any application. The Circuit Rider shall provide a detailed accounting of the time spent reviewing an application to the Town for purposes of proper billing**. (Rev. 12/96)**

4.3 DATA REQUIRED:

The following data or information is required on the site plan(s) or as part of the submission package showing existing and proposed features as described:

4.3.1 Existing Data:

The following existing site data shall be provided unless inappropriate for the specific project:

a. Location of site and the current names and addresses of developer, owners of record, abutting landowners, and professionals preparing and/or stamping the plan;

b. Names and address of person or firm preparing the map (which must be prepared and stamped by a registered architect or registered professional engineer), the scale of the map, north arrow and date. Name and address of persons or firm preparing other data and information if different from the preparer of the map;

c. The boundary lines of the area included in the site, including angles or bearings of the lines, dimensions, and the lot area;

d. Sketch plan of the site showing existing natural features including watercourses and water bodies, trees and other significant vegetation, topographic features, and any other features, which should be considered in the site design process. Existing trees over 6" in caliper at 4 ft. above the existing ground elevation must be shown on the existing conditions plan (in some cases the Board may waive this requirement if an inventory of standing timber of significant or unique species **(Rev. 1/01)** is provided by a licensed forester). The landscape design must indicate which of existing trees meeting the stated minimum size requirement will be removed during the development; **(Rev. 8/99)**

e. The existing grades, drainage systems, structures, and topographic contours at intervals not exceeding two (2) feet with spot elevations where grade is less than three percent (3%);

f. The shape, size, height, and location of existing structures on abutting properties and access roads within 200 feet of the site**; (Rev. 11/95)**

g. All easements and rights-of-way;

h. Man-made features such as, but not limited to, existing roads, and structures indicating which of such features are to be retained and which are to be removed or altered;

i. The size and location of all existing public and private utilities and all existing landscaping including the location and size of existing public utilities that are located off-site with which connection is planned or located within 100 feet of the site;

j. A vicinity sketch (no smaller than 1 inch equals 1000 ft.) showing the location of the site in relation to the surrounding public street system and the zoning districts and boundaries for the site and within 1,000 feet of the site. One hundred-year flood elevation contour shall be included within floodplain;

k. Soils map showing all soil types and delineating any poorly or very poorly drained soils;

l. Tax map and parcel number; **(Rev. 7/89)**

m. Size of parcel in acres; **(Rev. 7/89)**

4.3.2 Proposed Plans:

The following site data shall be provided for the proposed development, as appropriate:

a. Proposed grades, topographic contours at intervals not exceeding two (2) feet with spot elevations where the grade is less than three percent (3%). All elevations at the base of existing trees, which are over 6" in caliper at 4 ft. above the existing ground level and affected by proposed grading, shall be shown. Proposed finish grade elevations around these trees shall be shown; **(Rev. 11/95) (Rev. 8/99)**

b. Plan view of the shape, size, height and location of the proposed structures, including expansion or other alterations of existing buildings;

c. The location, size, direction of travel, if appropriate, curbing, paving and the radii of all streets, driveways, access ways, and sidewalks within the site and its relationship to the off-site street system;

d. The size, location, and layout of all on-site parking and loading facilities;

e. The size and location of all public and private utilities including water lines, sewage facilities, gas lines, power lines, telephone lines, fire alarm connections, storage tanks (underground and above ground), and other utilities; **(Rev. 11/93)**

f. A storm drainage plan, performed by a Registered Professional Engineer, including a plan for the retention and slow release of storm water where necessary, together with supporting calculations in accordance with Addendum C;

g. The location, type, and size of all proposed landscaping and screening as well as a plan for the retention of existing significant natural features (open spaces, green areas, etc.) on the site;

h. A statement, prepared by the project architect, landscape architect, or landscape designer, and included on the landscape plan indicating that the design is compatible and complementary to the building and hardscape design. The statement shall read as follows:

> "I certify that the landscape design as depicted hereon is compatible with and complementary to the building and hardscape design for the site."
>
> Signed_____
>
> Project Architect
>
> (Landscape Architect or Landscape Designer); **(Rev. 11/95)**

i. The location, size, and design of proposed signs and other advertising or instructional devices. The calculation of the sign area must be shown on the sign design submitted to the Planning Board. A sign permit shall be obtained from the Town of Stratham Code Enforcement Officer prior to the submission of site plan approval. **(Rev. 11/95)** Signs may be two-faced with the area of each face equal to the area allowed by the Zoning Ordinance. Only one face may be seen from any one view. Sign standards or

supports along with any elements cannot exceed in area, on the same plane, as the sign more than 50% of the allowed signage area for the sign without the express approval of the Planning Board; **(Rev. 11/95)** Signage design shall be submitted in the Site Plan

Review, with colors specified by the architect and color samples submitted to and approved by the Planning Board; **(Rev. 11/95)**

j. The location, type, and design of outdoor lighting;

k. Surveyed property lines showing their bearings and distances and showing monument locations;

l. Construction details, including but not limited to pavement, walks, steps, curbing, drainage structures, and erosion and sedimentation control techniques.

m. Any other exhibits or data that the Planning Board may require in order to evaluate adequately the proposed development including but not limited to:

   i. Calculations relating to stormwater runoff;

   ii. Information on the composition and quantity of wastewater generated;

   iii. Information on air, water, or land pollutants discharged;

   iv. Estimates of noise generation.

n. Traffic Impact Analysis: All proposed commercial, industrial or residential development shall be reviewed by the Planning Board to ascertain that adequate provisions have been made by the owner or his/her authorized agent for traffic safety. To facilitate this review, the Planning Board may require the developer to provide a traffic impact analysis when deemed necessary by the Board due to the size, location, or traffic-generating characteristic of the development. Traffic impact analyses shall address each of the following:

   i. Traffic circulation and access, including adequacy of adjacent street and intersections, entrances and exits, traffic flow, sight distances, accident statistics, curb cuts, turning lanes, and existing or recommended traffic signalization;

   ii. Pedestrian safety and access;

   iii. Off-street parking and loading;

   iv. Emergency vehicle access;

   v. Necessary off-site improvements, to be constructed by the developer.

o. A copy of the plans submitted in a digital format as provided for in Addendum D: Digital Submission Requirements. **(Added 07/06)**

4.3.3 Other Permits:

The applicant may be required to secure permits from other levels of government as part of the approval process. The applicant may submit approvals in any logical order. However, the Site Plan will not receive final approval until evidence is placed in the record that all other permits have been received.

4.4 FORMAL REVIEW PROCEDURE: (Rev. 1/01)

The Board shall act to approve or disapprove a site plan within sixty-five (65) days of the formal acceptance as determined in Section 4.2.3(d)(v).

The Planning Board may apply to the Board of Selectmen for an extension not to exceed ninety (90) days before acting to approve or disapprove an application. The applicant may waive the requirement for Planning Board action within the time periods specified and consent to such extension as may be mutually agreeable.

Upon failure of the Planning Board to approve or disapprove within sixty-five (65) days (or within additional days, if granted by the Selectmen), the applicant may obtain from the Selectmen an order directing the Planning Board to act within thirty (30) days. Failure of the Planning Board to act upon such order shall constitute grounds for action in the Superior Court in accordance with RSA 676:4.

4.4.1 Public Hearing and Notice **(Deleted 1/01)**

4.5 BOARD ACTION: (Rev. 11/93) (Rev. 06/07)

Within the appropriate time frames as established by NH RSA 676:4, the Board shall approve, conditionally approve, approve with conditions, table or disapprove the application. The reasons for disapproval of a plan shall be stated in the record of the Board. Approval of a plan shall be endorsed on the plan by the Chairman or Vice Chair of the Board. The time to act may be extended in accordance with NH RSA 676:4-f.

4.5.1 Conditional Approval:

All conditional approvals are valid for a period of not more than 120 days, unless the Planning Board, at their discretion, chooses to extend the number of days required to meet precedent conditions. All precedent conditions of approval must be met within this 120-day period (or time period established by the Planning Board at time of conditional approval) or the approval shall be considered null and void. In cases where extenuating circumstances prevent the meeting of precedent conditions within 120 days, the applicant may request an extension, to be filed (in writing and with justification) with the Board no later than 14 days prior to the expiration date of the conditions. The Planning Board shall then vote on whether or not to grant such extensions.

4.5.2 Approval with Conditions:

The Board may attach reasonable conditions to ensure that the public interest is upheld. Such conditions may include, but are not limited to the following:

a. The posting of a performance guarantee (in the form of a bond, passbook, or cash only) in an amount and under conditions satisfactory to the Planning Board; (**Rev. 8/91)**

b. The execution of a written agreement stating the nature, conditions, and time for performance of the approved application;

c. Phasing of the development approval providing that the portions approved and portions to be approved subsequently are clearly delineated on the documents to be filed with the Rockingham County Registry of Deeds;

d. Any other conditions that the Planning Board finds necessary to secure the public interest.

4.5.3 Table:

If the Planning Board finds that certain administrative/procedural requirements have not been met or additional investigative studies are needed, the Planning Board may table the application to a time certain.

If such a finding is made, the Planning Board shall advise the applicant in writing what is necessary to correct the administrative/procedural defect or what investigative studies are needed.

4.5.4 Disapproval:

If the Planning Board finds that the application does not meet the standards of these Regulations, fails to comply with other local or State laws, or will have an adverse impact on surrounding areas or the community, the Planning Board shall disapprove the application. **(Rev. 8/99)**

In the event of disapproval, the grounds for disapproval shall be specified in the records of the Board and communicated to the applicant in writing. If the Board denies an application, based on the need for a variance or special exception, the applicant may appeal the decision to the Stratham Zoning Board of Adjustment per Section XVII of the Stratham Zoning Ordinance. The granting of said variance or special exception by the Zoning Board of Adjustment does not relieve the applicant from the need to obtain Planning Board approval for the site plan. **(Rev. 8/99)**

4.5.5 Building Permit Time Limitations

All certified (signed by the Planning Board Chair or Vice Chair) site plans must obtain a building permit within 1 year from the date the plan was signed. Failure to obtain a building permit within 1 year will render the approval null and void. In cases where extenuating circumstances prevent the receipt of a building permit within 1 year, the applicant may request an extension of not more than 1 additional year. Such request must be filed (in writing and with justification) with the Board no later than 14 days prior to expiration. The Planning Board shall then vote on whether or not to grant such extensions.

4.5.6 Vesting

Approved site plans shall be protected from future changes in regulations and ordinances in accordance with NH RSA 674:39 as summarized by the following:

a. Every site plan approved by the Planning Board shall be exempt from all subsequent changes in Site Plan Regulations and Zoning Ordinances adopted by the Town of Stratham, except those regulations and ordinances which expressly protect public health standards, such as water quality and sewage treatment requirements, for a period of 4 years after the date of certification of the site plan by the Planning Board; provided, however, once substantial completion of the improvements as shown on the plans have occurred in compliance with the approved plans, or the terms of said approval or unless otherwise stipulated by the Planning Board, the rights of the owner or the owner's successor in interest shall vest and no subsequent changes in Site Plan

Regulations or Zoning Ordinances shall operate to affect such improvements; and further provided that:

i. Active and substantial development or building has begun on the site by the owner or the owner's successor in interest in accordance with the approved plans within 12 months after the date of approval (certification by the Planning Board), or in accordance with the terms of the approval, and, if a bond or other security to cover the costs of roads, drainage structures, landscaping, drains or septic/sewer is required in connection with such approval, such bond or other security is posted with the Town, at the time of commencement of such development;

ii. The development remains in full compliance with the public health regulations and ordinances of the Town of Stratham; and

iii. At the time of approval (certification of the plans by the Planning Board), the site plan conforms to the Site Plan Regulations, and Zoning Ordinances then in effect at that time.

b. For purposes of these regulations, "active & substantial development" shall be defined as:

i. Construction of and/or installation of basic infrastructure to support the development (including all of the following: foundation walls and footings of proposed buildings; roadways, access ways, parking lots, etc. to a minimum of gravel base; and utilities placed in underground conduit ready for connection to proposed buildings/structures) in accordance with the approved plans; and

ii. Construction and completion of drainage improvements to service the development (including all of the following: detention/retention basins, treatment swales, pipes, underdrain, catch basins, etc.) in accordance with the approved plans; and

iii. All erosion control measures (as specified on the approved plans) must be in place and maintained on the site; and

iv. Items i, ii, and iii shall be reviewed and approved by the Town's Road Agent & Building Inspector or their designated agents.

Movement of earth, excavation, or logging of a site without completion of items i, ii, iii, & iv, above, shall not be considered "active and substantial development." Plans approved in phases shall be subject to this definition for the phase currently being developed.

SECTION V: DESIGN & CONSTRUCTION REQUIREMENTS

The layout of the proposed site plan is subject to the requirements and provisions of these Regulations.

5.1 ACCESS DESIGN:

Traffic access to the site from Town streets must ensure the safety of vehicles and pedestrians.

a. The Planning Board must give its approval of the design for a proposed access/egress point onto the public way, which point shall provide as adequate sight distance, grade, width and curb.

b. In all cases, the number of points of access to a given street shall be held to a minimum, preferably one, in order to reduce traffic hazards from turning movements and installation of traffic control devices.

c. The Planning Board may require improvement of existing access/egress point(s) to provide safe flow onto abutting streets should increased traffic be generated by the development.

   Any approval or requirements above shall in no way be in lieu of or superior to any approval or permit which may be granted by the State of New Hampshire Department of Public Works and Highways in any case where that body has preemptive jurisdiction.

d. Off-site requirements may be required, such as pavement width, deceleration lanes, curbing, or signal devices.

   The Planning Board, at its sole discretion, may require the developer of the subject property to install granite curbing on all frontages facing public thoroughfares. The curbing shall be installed in accordance with the State of New Hampshire Department of Transportation specifications. **(Rev. 6/00)**

   In the event that the State, County or Town has documented plans to adjust the frontage roads within three years of the submission of the site plan, the developer may not be required to install the curbing specified prior to site plan approval. In lieu of such installation, the developer must post a bond with the Town in an amount equal to 125% of an estimate for curbing installation provided by the Town Highway Agent. The Town will have the right to require installation of the curbing at any time, without regard to Federal, State, or Town road improvement plans. **(Rev. 11/95)**

   The Planning Board, at its sole discretion, may require the developer of General Commercial (GCM), Professional/Residential (PRE), Town Center (TC), Commercial Light Industrial Office (CLIO) and Retirement Planned Community (RPC) zoned property to install granite curbing in accordance with the State of New Hampshire Department of Transportation specifications wherever paved areas abut open space. **(Rev. 11/95) (Rev. 8/99) (Rev. 6/00)**

e. Traffic circulation, pedestrian access, parking and loading facilities, emergency and fire access shall be designed and located to ensure safety on the site.

f. Parking areas and drives shall be paved if public use is intended; however, the Planning Board may waive or modify paving to reduce runoff which cannot be conveniently disposed of.

g. Access to public streets will meet the requirements of the New Hampshire Department of Public Works and Highways and/or the Town, as adopted and amended, and shall conform to whichever standards are higher.

5.2 LANDSCAPE DESIGN STANDARDS:

A. The existing landscape of Stratham is diverse, containing natural wooded environments, orchards and open fields, as well as marsh, wetlands and streams. New development should be respectful and sensitive to the dominant landscape character of Stratham as a whole.

B. Purpose:

The purpose of landscaping design standards in Stratham is to:

1. Preserve and enhance the character of Stratham's landscape.
2. Enhance the goals of the Master Plan, and provide attractive settings for new development, which promotes aesthetically pleasing relationship of scale between buildings and their natural surroundings.
3. Preserve and enhance local and regional open space resources.
4. Support and encourage the use of sustainable design principles and operating practices that preserve and enhance wildlife habitats, water quality, and overall health of the natural environment.
5. Encourage the use of indigenous plant material to provide natural habitat and food sources and to maintain ecological diversity.
6. Retain mature vegetation in place or transplant and reuse it on site to the greatest extent feasible and reinforce the visual image of Stratham through the planting of shade trees along roadways, the installation of underground utilities, and the design of "monument or pedestal" signage.
7. Enhance the visual impact of public spaces and promote "pedestrian friendly" environments by including sidewalks, barrier-free street crossings, public benches, and bicycle racks.
8. Offer adequate buffering between abutting parcels and to protect neighboring properties from potentially adverse impacts of structures, lighting glare, noise, wind velocities, and odors.
9. Provide visual and climatic relief from broad expanses of pavement and define pedestrian and vehicular circulation.
10. Enhance the natural drainage of the site and facilitate the reintegration of stormwater run-off on the site.

C. General Requirements:

1. All required landscaping shall be located entirely within the lot, unless agreements have been made with the Town for landscaping in the road right-of-way.

2. Landscaping and screening must be provided with proper regard to adjacent properties, the public highway and within the site, including interior landscaping of parking areas. The proposed landscape design must be sensitive to any well-executed and maintained adjoining property landscape design. The landscape design, as submitted to the Planning Board, shall indicate prominent landscape elements on adjoining properties within 25 feet abutting the subject site. A minimum of 60% of the required open space on any lot shall be readily visible from public streets, roads, or subdivided and/or developed residential areas.

3. Where the site abuts residential property, activity on the subject property shall be screened to a reasonable level from the residential property by appropriate landscaping, including the use of plant materials, and/or existing natural vegetation. Fencing alone will not be considered an acceptable method of screening. **(Rev. 11/95)**

4. Buffer strips of at least twenty-five (25) feet minimum width, or more, if required by the Zoning Ordinance, must be provided where a proposed non-residential development abuts residential properties. Where appropriate, existing growth must be incorporated into the buffer strips or landscaping design. Buffer strips must contain vegetation, which will screen the view from adjacent residential property during all seasons. **(Rev. 7/89)**

5. The use of native plant varieties or the cultivars of natives is encouraged. Plants shall be selected for their ability to thrive in the environment encountered and for their ability to achieve a desired effect. In addition:

   a. Plants shall be installed in contiguous planting beds in masses of three or more so as to appear more natural.

   b. Plant varieties shall be selected to ensure long-term survival.

   c. Plant varieties shall be selected so as to reduce long-term maintenance.

   d. A partial list of acceptable plants includes:

Botanic Name:	**Common Name:**
Shade Trees:	
Acer Rubrum	Red Maple
Quercus palustris	Pin Oak
Fraxinus pennsylvanica	Green Ash
Quercus rubra (borealis)	Red Oak
Tilia cordata	Littleleaf Linden
Zelkova serrata	Japanese Zelkova
Ulmus Americana	American Elm (DED resistant only)
Platanus acerifolia	London Planetree
Ornamental Trees:	
Cercis canadensis	Redbud
Cornus spp.	Dogwood (do not use Cornus florida)
Malus spp.	Crabapple
Prunus spp.	Flowering Cherry
Pyrus calleryana	Callery pear
Amelanchier Canadensis	Service berry
Evergreen Trees:	
Picea spp.	Colorado Spruce
Pinus spp.	Pine
Thuja spp.	Arborvitae
Tsuga canadensis	Canadian Eastern Hemlock

For additional recommended trees, see; Selecting Trees For Urban Landscape Ecosystems. NH Department of Resources and Economic Development, 1994.

Botanic Name:	**Common Name:**
Evergreen Shrubs:	
Ilex spp.	Holly
Juniperus spp.	Juniper
Kalmia latifolia	Mountain Laurel
Pieris spp.	Andromeda
Rhodondendron spp.	Rhododendron
Taxus spp.	Yew
Deciduous Shrubs:	
Azalea spp.	Azalea
Cornus spp.	Dogwood
Cotoneaster spp.	Cotoneaster
Euonymus app.	Euonymus
Forsythia spp.	Forsythia
Myrica pensylvanica	Northern Bayberry
Syringa spp.	Lilac
Viburnum spp.	Viburnum

6. Under no circumstances shall any plants be used that are recognized by the State of New Hampshire Department of Agriculture as invasive.
7. All plant material shall have minimum winter hardiness for Zone 5B as determined by the U.S. Department of Agriculture.
8. Minimum sizes for plant material, unless indicated elsewhere in these regulations or the Zoning Ordinance, shall be as follows:
   a. Deciduous shade trees: three-inch caliper,
   b. Deciduous ornamental trees: two inch caliper, and
   c. Evergreen trees: six-foot height.
9. Sizing and measuring shall be governed by the American Association of Nurserymen and defined in the publication, “American Standard for Nursery Stock”

10. Landscaping shall be laid out in informal drifts rather than formal rows and shall undulate with site topography. Individual clusters of trees or islands of shrub beds are acceptable as long as the tree clusters and/or shrub islands overlap. Linear solutions shall be avoided wherever possible.
11. The applicant may request that the Planning Board determine whether existing vegetation is suitably located, sufficiently dense, and vigorous enough to be substituted in lieu of new planting required by these regulations.
12. Plant material located within 20 feet of any road or other paved area shall consist of only those plants tolerant of roadway deicing salts.
13. Landscaping shall be maintained in good condition. If within one year from the date of installation any plant is in a deteriorating state or is dead it shall be replaced in kind in a timely manner.
14. No person shall deface, alter the location of, or remove any stonewall which was made for the purpose of delineating a boundary or border of a lot, road or right of way in the Town of Stratham or other stone wall or historic structure located within the proposed development area, except upon the issuance of a Conditional Use Permit by the Planning Board with written comments from the Heritage Commission.
15. Landscaping shall be designed so that it does not interfere with sight distances at driveways.
16. Use a variety of species to assemble new landscaping masses.
    a. Create visual depth in plant massing by layering plants of various textures, sizes and colors.
    b. Include flowering or fruiting species for color, interest and wildlife habitat where appropriate.
17. Integrate existing mature trees and vegetation into the landscape plan.
    a. Preserve the function of existing vegetation, such as groves of trees that separate land uses or provide a natural backdrop for development.
18. Use plantings to enhance the relationship of buildings to their surroundings.
    a. Layered plantings soften edges and corners and reduce the scale of buildings in the landscape.
    b. Masses of trees and vegetation near buildings reduce the perceived scale of buildings and set them into the landscape.
    c. Trees shall have a 3”caliper minimum at the time of planting.
    d. Consider plant massing along with architectural massing during the design process.
    e. Balance the mass, proportion and rhythm of landscape and building elements.

Minimize lawn area, as most lawn grasses require supplemental irrigation and regular applications of fertilizer to stay green.

19. Where lawn is necessary favor fescues and other drought tolerant species.

D. Preservation of Existing Vegetation

1. Buildings, parking, loading docks, access roads, and other site elements shall be sited to preserve existing healthy mature vegetation and maintain natural topography to the maximum extent feasible.

2. Healthy trees with a minimum 12-inch caliper, and existing wooded areas are recommended for preservation, particularly those trees located within setback areas where buildings cannot be constructed.

3. Construction activities and site alterations shall not disturb the root zone of the trees designated for preservation. During construction, the applicant shall install and maintain tree protection fencing, or other protective measures approved by the Planning Board, located 12 inches off the drip-line of the trees to be protected. All no-cut zones shall be appropriately monumented and delineated on the site plan.

4. The applicant shall be responsible to replace any trees designated to remain, which have been damaged, killed, or removed as a result of construction activities. The Planning Board shall require replacement-in-kind, per caliper inch of deciduous trees and by height for evergreens. Two-inch caliper deciduous trees and 4-foot tall evergreens shall be the minimum size used for replacement. For example, if a 24-inch caliper deciduous tree is damaged or killed during construction, the applicant shall replace the tree with six 4-inch caliper trees, or any other combination that adds up to 24 caliper inches. A 36-foot tall evergreen, for example shall be replaced with six 6 foot tall evergreen, or any other combination adding up to 36 feet.

E. Screening

1. Screening shall be a year-round visually impermeable barrier that may be existing, constructed, or a combination thereof.

   a. Existing screens may consist of natural topographic landforms, rock outcrops, or vegetation that is dense enough to be visually impermeable.

   b. Constructed screens may consist of built screens, such as walls or fences, topographic screens, such as berms or landforms, vegetative screens consisting of primarily evergreen material, or a combination thereof.

2. Screening is required to soften the visual impact of buildings, parking areas, loading docks, trash disposal areas, exterior storage, and other unsightly areas associated with or generated by a particular development as viewed from a public right-of-way, residential zoning districts, and the principal entrances of buildings on abutting lots.

3. The use of existing vegetation, topography, and natural features to comply with screening requirements is encouraged.

4. Vegetative screens shall achieve a minimum of 75% vertical opacity to a height of 6 feet, year-round, within one year of installation. Screens shall not be located so as to impede vehicular or pedestrian traffic.

F. Screening of Unsightly Features

1. Locate storage/stockpile areas out of view of public or in a screened area: fenced enclosure required.
2. Locate loading docks/receiving areas out of view or in a screened area.
3. Minimum one evergreen tree per linear foot of screen perimeter; minimum tree height equal to 1/2 maximum height of items to be screened.
4. An enclosure constructed of materials compatible with the principal structure may be substituted for screening requirements.

G. Street Tree Landscape Strip

1. Minimum one shade tree per 40' frontage; minimum 3" caliper may substitute one new tree for each existing tree over 3" caliper preserved within strip.
2. Minimum tree height equal to 1/2 proposed building height.
3. Buffer strip should include a combination of deciduous and/or evergreen trees and shrubs, grass, fences, berms and walls.

H. Parking Areas

1. Planting islands should be used to define vehicular and pedestrian circulation patterns, to break up large expanses of pavement and to facilitate site drainage. In general, islands should be distributed throughout the parking lot. A combination of end cap islands and linear islands running parallel to parking rows are preferred. Islands should include trees and be planted with either grass or evergreen shrubs and shall be designed to absorb run-off from the parking areas.
2. There shall be landscaped open space within the parameter of the parking areas in the minimum amount of 5 % of the gross parking area.
3. <u>Provide minimum area of 200 sf per landscaped island and at least one tree per island; trees must be minimum 4' from curbing.</u>
4. <u>Divider islands</u>. Provide at least one island for every four parking rows at least 10 ft. wide; space trees not more than 50 ft. apart in each contiguous landscape area; or provide one tree per 200 sf of ground area.
5. <u>Terminal islands</u>. Provide at ends of parking rows at least every 25 spaces; provide at least two trees per island and evergreen shrubs 3' on center, or grass/ground cover with approval of Planning Board. All landscape areas shall contain shrub and ground cover plantings. They may not be totally covered with mulch.
6. Strategically placed island crossings constructed of modular pervious paving is encouraged to minimize soil compaction within the island.

I. Adjacent Buildings

1. Provide minimum 10’ deep area with trees and shrubs around building sides with public access.

J. Signage Landscape Strip

1. Require minimum 4’ wide area around each freestanding sign.
2. Existing vegetation, which is preserved, may be substituted for required plantings.

K. Soil Preparation

Landscaped areas where soil compaction has occurred due to construction activities should be deep tilled to a depth of 12 inches to facilitate deep-water penetration and soil oxygenation. Use of soil amendments is encouraged to improve water drainage, moisture penetration, soil oxygenation, and/or water holding capacity. Soil amendments are organic matter such as compost, Biosolids, and forest by products, but do not include topsoil or any mix with soil as an element.

For all newly landscaped areas, organic matter (3-4 cubic yards of organic matter per 1,000 square feet of landscape area) should be incorporated to a depth of 4 to 6 inches. Organic content of landscaped soils shall not be less than 18% by volume in the top 6 inches of the finished topsoil.

For newly landscaped areas where topsoil is limited or nonexistent, or where soil drainage is impeded due to subsurface hardpan or bedrock, 6 to 24 inches of sandy loam topsoil should be spread in all planting and turf areas, in addition to the incorporation of organic matter into the top horizon of the imported soil. Organic content of landscaped soils shall not be less than 18% by volume in the top 6 inches of the finished topsoil.

Soil analysis of new or renovated turf areas should include a determination of soil texture, including percentage of organic matter; an approximated soil infiltration rate; and a measure of pH value.

L. Mulching

1. Mulch should be applied regularly to, and maintained in all, planting areas to assist soils in retaining moisture, reducing weed growth, and minimizing erosion. Mulches include organic materials such as wood chips, compost and shredded bark and inert organic materials such as decomposed lava rock, coble, and gravel. If weed barrier mats are used, the use of organic mulches is recommended. Non-porous materials, such as plastic sheeting, are not recommended for use in any areas of the landscaping because of down-slope erosion potential soil contamination from herbicide washing and increased runoff coefficients. Mulches should be applied to the following depths; 3 inches over bare soil, and 2 inches where plant material will cover. Mulches for stormwater management areas should be heavier and not of a type that will float away.

M. Maintenance

1. The owner of any lot shall be responsible for the maintenance of all landscaped open space, natural screens, and constructed screens within the lot. Landscaping shall be maintained in good condition such that planting shall be vigorous and in good health at all times and that the parcel shall present a healthy, neat, and orderly appearance, free from refuse and debris. Any dead vegetation that is part of the approved landscaping design shall be replaced within one year.
2. Landscaping shall be maintained so that it does not interfere with sight distances at driveways.
3. The Planning Board, at its discretion, may require a landscape maintenance and water management plan. The maintenance plan shall include, but not be limited to the following:
   i. Integrated Turf Management: mowing schedule, weed control, pest control, soil pH management, fertilizer plan, aeration/dethatching schedule and repair/replacement plan.
   ii. Shrub and Groundcover Management: mulch schedule, weed control, pruning where needed for visibility, preventative pest/disease management, repair/replacement plan.
   iii. Tree Management: mulch schedule, weed control, deadwood removal, pruning schedule, particularly for trees located next to walkways or roadways, fertilizing schedule, preventative pest/disease management, repair/replacement plan.
   iv. Water Systems Management: water source, system description, spring start-up, fall closeout, system testing schedule, and repair/replacement plan. The applicant may install a permanent water supply system consisting of a sprinkler system and/or hose bibs placed at appropriate locations and intervals. Wherever possible, irrigation water shall be derived from sources other than a public water system, including "gray water," re-used water, detained stormwater or roof drainage. "Gray water" is water from sinks, showers, dishwashers, and washing machines. On-site cisterns may be installed to store water for irrigation.
   v. Seasonal Maintenance: Spring clean-up plan, fall clean-up plan, disposal plans for leaves and plant debris, winter plowing plan, winter deicing plan.
4. Provide a landscape maintenance bond for one year.
5. A note shall be provided on the plan stating" All conditions on this plan shall remain in effect for perpetuity."

N. Preparation of a Landscape Plan:
Landscape Plan shall be prepared in sufficient detail to indicate compliance with these regulations. The plan shall include:

a. A plant schedule (keyed to plants shown on the plan) with quantity, plant name (common and scientific) and size. Sizing and measuring shall be governed by the

American Association of Nurserymen and defined in the publication, "American Standard for Nursery Stock"

b. Written planting notes and details.

2. The Plan shall be prepared by a Professional Landscape Architect registered in the State of New Hampshire, or certified by the Council of Landscape Architectural Registration Boards (CLARB). The Landscape Architect shall sign and stamp the Plan as a requirement for a complete Site Plan application. The Planning Board may waive the requirements of this section where the overall cost of site improvements and building are less than $ 400,000.

The Landscape Plan shall be prepared to include the following certification:

I _____, hereby certify that I prepared or have sufficiently reviewed this plan and am confident that the design meets the requirements of the Town of Stratham's Landscape Design Standards.

I am a Landscape Architect licensed by the State of NH # _____and/or I CLARB # _____.

O. Vegetated Non-Disturbance Buffer Areas

This section shall apply to approved site plans and subdivisions encumbered by vegetated non-disturbance buffer areas and in which no formal agreement or instrument is in place for the management or enforcement of maintaining such areas. Property owners encumbered by non-disturbance buffer areas must maintain such areas in their natural states. No improvements of any kind may be made within non-disturbance areas, except as provided below.

Property owners may trim or prune branches of vegetation that extend over the non-disturbance buffer areas within their properties provided that reasonable care is exercised to avoid damaging the health of the vegetation. Property owners proposing to remove dead, dying, or diseased vegetation within non-disturbance areas, or vegetation which presents safety or property damage concerns, must present a written request to the Stratham Planning Department. The property owner must physically and clearly mark all vegetation proposed for removal with flags. Within seven days of the request, the Town Planner and the Code Enforcement Officer will make arrangements with the property owner to visit the property to view the vegetation. Property owners must afford the Town Planner and the Code Enforcement Officer reasonable access to the property to conduct a visual inspection.

The Town Planner and Code Enforcement Officer shall promptly issue a written decision either approving or disproving the request within 21 days of receipt of a request. As part of a conditional approval, the Town Planner and Code Enforcement Officer may require the property owner to replace removed vegetation with new plantings if necessary to maintain a vegetated buffer or visual

screening provided that the number of replacement plantings does not exceed the number currently in place. Such plantings may include, but are not limited to:

- Deciduous shade trees (minimum three-inch caliper at planting)
- Deciduous ornamental trees (minimum two-inch caliper at planting)
- Evergreen trees (minimum six-feet height)
- Evergreen shrubs (minimum four-feet height)

When practicable, the Town Planner and Code Enforcement Officer will work with the property owner to require vegetation that is consistent with surrounding landscaping, provides sufficient screening, and meets the property owner's preferences. Vegetation proposed for removal must be removed within 120 days of a written decision. Property owners must take reasonable care to ensure that removal does not harm adjacent landscaping within non-disturbance areas. The Town Planner and Code Enforcement Officer reserve the right to require Planning Board approval for any requests made under this section.

Supplemental landscaping, if required, must also be installed within 180 days. In winter conditions, the property owner shall be afforded reasonable time to install the vegetation, but no more than one year from the issuance of a decision.

In cases where vegetation within non-disturbance buffer areas presents immediate risks to public health, safety, or welfare, property owners may remove vegetation without first obtaining Town approval. However, the property owner must document such removals with the Stratham Planning Department within 30 days. The Town Planner and Code Enforcement Officer may require that supplemental landscaping be installed in replacement as previously described in this section.

Violations of the requirements of this section shall be treated as code enforcement violations per Section XVI of the Stratham Zoning Ordinance.

Decisions of the Town Planner and Code Enforcement Officer under this section may be appealed to the Stratham Planning Board within 30 days of the issuance of a written decision.

5.3 STORM DRAINAGE

a. An adequate surface stormwater drainage system must be provided. Storm drainage shall be carried to existing watercourses, or connect to existing storm drains. Storm water runoff shall be restricted to existing drainage ways. No new drainage ways shall be created unless necessary easements are obtained by the applicant. No increase in surface runoff shall be permitted if such increased runoff passes beyond the property lines unless it is to be within an existing approved public storm drainage system.

b. Drainage swales, culverts, storm sewers, detention/retention ponds, and other drainage facilities shall be based on the storm frequencies stipulated in Addendum C. **(Rev. 7/89) (Rev. 8/99)(Rev. 19)**

5.4 FLOOD CONTROL (Rev. 11/20):

Provision shall be made to assure that the proposal is consistent with the need to minimize flood damage that all public utilities and facilities, such as sewer, electrical and water systems, are constructed and that adequate drainage is provided so as to reduce exposure to flood hazards. Design provisions shall also be made to minimize or eliminate infiltration of floodwaters into new or replacement water supply systems and/or sanitary sewage systems and discharges from these systems into floodwaters. On-site waste disposal systems shall be located so as to avoid impairment to them or contamination from them during flooding.

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.

The Planning Board shall require that all proposals for development include Base Flood Elevation (BFE) data within such proposals (i.e. floodplain boundary and 100-year flood elevation).

5.5 SNOW STORAGE:

Provision shall be made to store snow accumulation during the winter months, and such provisions shall be shown on the site plan and shall not be located in wetland or shoreland protection districts. **(Rev. 8/99)**

5.6 SOLID WASTE DISPOSAL SCREENING:

The manner of waste disposal must be specified on the site plan and include areas for safe disposal. Litter and/or garbage collection and holding areas must be secured. All outdoor storage areas and trash receptacles must be located or screened to prevent visibility from within the parking and neighboring properties. The use of either fencing or hedges is permitted for the foregoing purposes. However, as a condition of approval, the Board may require earth berms and plantings of shrubs and/or trees.

5.7 SIDEWALKS:

Sidewalks must be provided for pedestrian traffic to permit passageways between the entrances of commercial, housing, or industrial establishments, and parking areas. All such sidewalks must be at least six (6) inches above grade and protected by curbing. The design must include means for access by handicapped persons.

All paving, except for walks and drive entries, shall be set back 25 feet from all property lines, except for those fronting Portsmouth Avenue. In the case of Portsmouth Avenue all paving, except for walks and approved entry drives, shall be set back a minimum of 35 feet from the front property line, with an average setback no less than 50 feet from the front property line. **(Rev. 11/95)**

5.8 ILLUMINATION/ NOISE EMISSIONS:

Outdoor lighting must be provided subject to the following conditions:

a. Outdoor lighting must not directly shine on abutting properties or on public highways or streets. All lighting cast will be confined to within property lines and will not illuminate adjacent properties; **(Rev. 11/95)**

b. Indirect lighting should be used on signs advertising goods or services offered on the premises. Moving, fluttering, blinking or flashing lights or signs shall not be permitted;

c. Outdoor lighting must be restricted to that which is necessary for advertising, safety, and security of the development. All parking, roadway, and walk areas within the proposed development will be illuminated to a level sufficient to provide reasonable security lighting during hours of darkness; **(Rev. 11/95)**

d. All security lighting shall be located on light standards not exceeding 25 feet in height, with the illumination source directed downward and not visible in the horizontal plane. In addition to light standards, security lights may be building-mounted, subject to the review and approval of the Planning Board for the specifications of all such fixtures and mounting locations. Light standards used to illuminate the exterior of the buildings may not exceed four feet in height. All building, security, and general-purpose lighting fixtures and locations must be approved by the Planning Board; **(Rev. 11/95)**

e. All external loudspeaker (or enunciation) systems, including bells, buzzers, and public address systems are prohibited. Intercom systems, such as those used in the operation of drive-in fast-food restaurants and drive-in bank tellers are specifically exempt from this provision. **(Rev. 11/95)**

f. The building and all site improvements will be designed to contain operational and mechanical noise, such that the noise level on abutting properties will not exceed 60 decibels. **(Rev. 11/95)**

5.8.1 Illumination: **(Adopted 08/01)**

This regulation is intended to reduce the problems created by improperly designed and installed outdoor lighting for non-residential development. It is intended to achieve dark-sky compliance while eliminating problems of glare, minimize light trespass minimize obtrusive light, protect the quality of the New Hampshire night sky, Stratham's rural character, and conserve energy and resources while maintaining safety, security and productivity by establishing regulations which limit the area that certain kinds of outdoor-lighting fixtures can illuminate and by limiting the total allowable illumination of lots located in the Town of Stratham. **(Rev. 11/20)**.

a. Definitions:

For the purposes of this Regulation, terms used shall be defined as follows:

Cut-off Angle *(of a luminaire)* - The angle formed by a line drawn from the direction of the direct light rays at the light source with respect to the vertical, beyond which no direct light is emitted.

Direct Light: Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Fixture: The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

Flood or Spot Light: Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

Foot-Candle*:* A unit of illuminance amounting to one lumen per square foot. A measure of light falling on a given surface. One foot-candle is equal to the amount of light generated by one candle shining on a square foot surface one foot away.

Fully Shielded: A fully shielded luminaire is a luminaire constructed or shielded in such a manner that all light emitted by the luminaire, either directly from the lamp or indirectly from the luminaire, is projected below an angle of 20 degrees below the horizontal plane through the luminaire's lowest light emitting part as determined by photometric test or certified by the manufacturer.

Glare: Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

Height of Luminaire: The height of a luminaire shall be the vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

Illuminance: The quantity of light arriving at a surface divided by the area of the illuminated surface, measured in foot-candles.

Lamp: The component of a luminaire that produces the actual light.

Light Trespass: The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Lumen: A measure of light energy generated by a light source. One footcandle is one lumen per square foot. For the purposes of this Regulation, the lumen-output values shall be the INITIAL lumen output ratings of a lamp.

Luminaire: This is a complete lighting system, and includes a lamp or lamps and a fixture.

Outdoor Lighting: The night-time illumination of an outside area or object by any man-made device located outdoors that produces light by any means.

Partially Shielded: Shall mean outdoor light fixtures shielded or constructed so that no more than ten percent of the light rays are emitted by the installed fixture at angles greater than 20 degrees below the horizontal plan, and shall not extend above the horizontal plane, as certified by a photometry test report.

Temporary Outdoor Lighting: The specific illumination of an outside area of object by any man-made device located outdoors that produces light by any means for a period of less than 7 days, with at least 180 days passing before being used again.

Uplighting: Any light source that distributes illumination above a 90-degree horizontal plane.

b. General Lighting Requirements:

i. Illumination levels at property boundaries will not exceed 0.3 foot-candles, except when a property abuts a residential lot where illumination levels shall not exceed 0.2 foot-candles at the shared boundary;

ii. All lighting in the Town of Stratham is required to be fully shielded.;

iii. Up-lighting by any method is prohibited; however, the Planning Board may allow limited use of upward landscape lighting on a case by case basis;

iv. Non-cutoff wallpack type fixtures are prohibited.

c. Control of Glare – Luminaire Design Factors:

Any luminaire with a lamp or lamps rated at a total of MORE than 1800 lumens, and all flood or spot luminaires with a lamp or lamps rated at a total of MORE than 900 lumens, shall not emit any direct light above a horizontal plane through the lowest direct-light-emitting part of the luminaire.

Any luminaire with a lamp or lamps rate at a total of MORE than 1800 lumens, and all flood or spot luminaires 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. The maximum height of the luminaire may not exceed 25 feet.

The luminaire's maximum illuminance shall not exceed the MINIMUM illuminance recommended for that purpose as defined in the most RECENT "Illuminating Engineering Society Lighting Handbook/References & Applications."

d. Submission of Plans:

The submission shall contain but shall not necessarily be limited to the following:

i. Plans indicating the location on the premises, and the type of illuminating devices, fixtures, lamps, supports, reflectors, and other devices;

ii. Description of the illuminating devices, fixtures, lamps, supports, reflectors, and other devices and the description may include, but is not limited to, catalog cuts by manufacturers and drawings (including sections where required);

iii. Photometric data, such as that furnished by manufacturers, or similar showing the angle of cut off or light emissions;

iv. A visual impact photometric plan that demonstrates both light coverage and light spillage resulting from the proposed lighting plan.

Additional Submission: The above required plans, descriptions and data shall be sufficiently complete to readily determine whether compliance with the requirements

of this regulation are met. If such plans, descriptions and data cannot enable this ready determination, by reason of the nature or configuration of the devices, fixtures, or lamps proposed, the applicant shall additionally submit as evidence of compliance to enable such determination such certified reports of tests as will do so provided that these tests shall have been performed and certified by a recognized testing laboratory.

e. Exceptions:

i. Any luminaire with a lamp or lamps rated at a total of 1800 lumens or LESS, and all flood or spot luminaires with a lamp or lamps rated at 900 lumens or LESS, may be used without restriction to light distribution or mounting height, except that if any spot of flood luminaire rated 900 lumens or LESS is aimed, directed, or focused such as to cause direct light from the luminaire to be directed toward residential buildings on adjacent or nearby land, or to create glare perceptible to persons operating motor vehicles on public ways, the luminaire shall be redirected or its light output controlled as necessary to eliminate such conditions.

ii. Luminaires used for public-roadway illumination may be installed at a maximum height of 25 feet and may be positioned at that height up to the edge of any bordering property. Proposed streetlights or replacement of existing streetlights shall be fully shielded.

iii. All temporary emergency lighting need by the Police or Fire Departments or other emergency services, as well as all vehicular luminaires, shall be exempt from the requirements of this article.

iv. All hazard warning luminaires required by Federal regulatory agencies are exempt from the requirements of this article, except that all luminaires used must be red and must be shown to be as close as possible to the Federally required minimum lumen output requirement for the specific task.

v. Luminaires used primarily for sign illumination may be mounted at any height to a maximum of 25 feet, regardless of lumen rating.

f. Prohibitions:

i. Mercury Vapor Lamps Fixtures and Lamps: The installation of any mercury vapor fixture or lamp for use as outdoor lighting is prohibited;

ii. Laser Source Light: The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal is prohibited;

iii Searchlights: The operation of searchlights for advertising purposes is permitted by permit issued by the building inspector.

5.8.2 Noise Emissions:

a. All external loudspeaker or enunciation systems, including bells, buzzers, and public address systems, are prohibited. Intercom systems, such as those used in the operation of drive-in fast-food restaurants, and drive-in bank tellers, are specially exempt from this provision. **(Rev. 11/95)**

b. The building and all site improvements will be designed to contain operation and mechanical noise, such that the noise level on abutting properties will not exceed 60 decibels. **(Rev. 11/95)**

5.9 PARKING REQUIREMENTS: (Amended 7/20/10)

1. Purpose and Intent
   In order to minimize traffic congestion, air pollution, and the risk of motor vehicle and pedestrian accidents, as well as to promote other elements of sound community planning; off-street parking, loading spaces, circulation, and access shall be required of all structures and land uses. Parking spaces, aisles, and circulation shall be provided for all permitted and conditional uses of structures, lots, and land in amounts not less than those specified in this Ordinance. It is further the intent of this ordinance to:
   a. Safe, adequate, and convenient vehicular and pedestrian traffic must be maintained both within and adjacent to the development.
   b. Ensure that any land use involving the arrival, departure, or storage of motor vehicles on such land be so designed as to reduce hazards to pedestrians and abutters.
   c. Encourage the sharing and integration of parking resources to serve multiple uses/users.
   d. Reduce congestion in the streets by assuring adequate space for parking of vehicles off the street.
   e. Ensure there are adequate parking and loading facilities to serve the use or uses of the property.
   f. All off-street parking, loading or unloading shall be suitably improved, graded, surfaced and maintained so as to cause no nuisance from dust or storm drainage including ice and snow removal.
   g. Encourage the use of LID and "Green" materials in the design and construction of parking facilities.

2. Table of Off-Street Parking Regulations
   In all districts, unless otherwise stated herein, off-street parking spaces shall be provided and maintained in connection with the construction, conversion, or increase in units or dimensions of buildings, structures or use, such spaces to be provided in at least the following minimum amounts provided in the following and accompanying notes below.

Table of Off-Street Parking Regulations

Use	Parking Spaces Required
Residential	
Single-Family Dwelling Unit	2 per dwelling unit
Multi-Family Dwelling Unit	
Studio	1.25 per dwelling unit
One Bedroom	1.5 per dwelling unit
Two or More Bedrooms	2 per dwelling unit
Accessory Dwelling Unit	1 space per dwelling unit

Sleeping Room	1 space per unit or room; plus 2 for owner/manager
Commercial Lodgings	1.25 per guest room; plus 10 per 1,000 SF restaurant/lounge; plus 30 per 1,000 SF meeting/banquet room (<50 1,000 SF per guest room) or 20 per 1,000 SF meeting/banquet room (>50 per guest room)
Elderly Housing Independent Unit	0.6 per dwelling unit; plus 1 per 2 employees
Elderly Housing Assisted Living	0.4 per dwelling unit; plus 1 per 2 employees
Group, Convalescent, and Nursing Homes	1 per room; plus 1 per 2 employees
Day Care Center	0.35 per person (licensed capacity)
Hospital/Medical Center	0.4 per employee; plus 1 per 3 beds, plus 1 per 5 average daily outpatient treatments; plus 1 per medical staff; plus 1 per student/faculty/staff

Retail/Service	
Grocery (Freestanding)	6.0 per 1,000 SF GFA
Discount Superstore/Clubs (Freestanding)	6.0 per 1,000 SF GFA
Home Improvement Superstores	5.0 per 1,000 SF GFA
Other Heavy/Hard Good (Furniture, Appliances, Building Materials, etc.)	3.0 per 1,000 SF GFA
Personal Care Facilities	2 per treatment station, but not less than 4 per 1,000 SF GFA
Coin-Operated Laundries	1 per 2 washing and drying machines
Motor Vehicle Sales and Service	2.5 per 1,000 SF GFA interior sales area, plus 1.5 per 1,000 SF GFA interior or storage/display area, plus 2 per service bay
Motor Vehicle Laundries / Car Wash	2, plus 1 per each 2 peak shift employees
Other Retail Not Otherwise Listed Above	3.5 per 1,000 SF GFA

Food and Beverage	
Restaurant - No Lounge	1 per 3 seats
Restaurant - With Lounge	1 per 2 seats
Fast Food – No Drive Through Facility	14.0 per 1,000 SF GFA
Fast Foot – With Drive Through Facility	12.0 per 1,000 SF GFA

Office and Business Services	
Medical Offices (multi-tenant)	4.5 per 1,000 SF GFA
Clinic (medical offices with outpatient treatment: no overnight stays)	5.5 per 1,000 SF GFA
Veterinary Establishment, Kennel or Pet Shop or Similar Establishments	0.3 per 1,000 SF GFA
Bank Branch with Drive Though	3 per 1,000 SF GFA
Funeral or Undertaking Establishment	0.05 per 1,000 SF GFA
Other Business or Office Uses Not Otherwise Listed Above	3.0 per 1,000 SF GFA

Industrial	
R&D establishment, manufacturing, industrial services, or extractive industry	0.5 per 1,000 SF GFA
Industrial	2.0 per 1,000 SF GFA
Manufacturing/Light Industrial (Single-Use)	1.5 per 1,000 SF GFA
Industrial Park (Multi-tenant or mix of service, warehouse)	2.0 per 1,000 SF GFA
Warehouse	0.5 per 1,000 SF GFA
Storage	0.25 per 1,000 SF GFA
Other Industrial and Transportation Uses Not Otherwise Listed	As determined by the Planning Board, but not less than 0.25 per 1,000 SF GFA
Governmental and Educational	
Elementary, and Secondary Schools	0.35 per student; plus 1 per 2 employees
Government Offices	1 per 200 SF
College or University	Determined by parking study specific to subject institution

Cultural/Recreational/Entertainment	
Public Assembly	0.25 per person in permitted capacity
Museum	1.5 per 1,000 annual visitors
Library	4.5 per 1,000 SF GFA
Religious Centers	0.5 per seat
Cinemas	Single-Screen: 0.5 per seat; Up to 5 screens: 0.33 per seat; 5 to 10 screens: 0.3 per seat, plus 1 per 2 employees
Theaters (live performance)	0.4 per seat
Arenas and Stadiums	0.33 per seat
Health Clubs and Recreational Facilities	2 per player or 1 per 3 persons permitted capacity

Accessory Uses	
Home Occupation or Home Office	1 per room used for office, or occupation space; plus 1 per non-resident employee; plus 1 per dwelling unit

Notes:

1. When the computation of required parking or loading spaces results in the requirement of a fractional space, any fraction over one-half shall require one space.
2. Where development of a site results in the loss of on-street parking spaces, the number of on-street parking spaces lost shall be provided on the site, in addition to the number of spaces required for the use unless otherwise stated herein.
3. In appropriate circumstances, where the provision of adequate off-street parking is not otherwise feasible, the Planning Board may include on-street parking within the determination of adequate parking arrangements for a particular use, most notably in the Town Center, General Commercial District, and Gateway Commercial Business Overlay District.

3. <u>Dimensional Requirements</u>
   a. Parking Spaces:
      i. Each required off-street parking space shall be a minimum of the following:

	Width (feet)	Length (feet)
Minimum	9’	18’
Parallel	8’	22’

ii. Except on lots occupied by one and two-family dwellings, each off street parking shall open directly upon an aisle or driveway width as follows:

Parking Angle (degrees)	Aisle Width (feet)
45	16’
60	20’
90	24’

iii. The aisle or driveway shall be unobstructed and allow for the passage of emergency vehicles at all times. The angle shall be measured between the centerline of the parking space and the centerline of the aisle.

b. ADA Compliance:

i. Parking lots shall be in compliance with the Americans With Disabilities Act of 1990 (ADA)

ii. Wheelchair Accessible Parking Spaces. All sites which provide on-site parking shall provide wheelchair accessible parking spaces and accompanying access aisles as specified herein (in accordance with Federal law, in particular 23 CFR Part 36, Appendix A, Section 4.1.2(5); see: Federal Register, Volume 56, #144, July 26, 1991).

iii. The following number of wheelchair accessible parking spaces are required. For larger lots, refer to the Federal Register for requirements.

Table of Wheelchair Accessible Parking Spaces

Total Parking Spaces	Minimum # Required
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9

iv. At least one in every eight wheelchair accessible spaces shall be designated as "Van Accessible”, or as otherwise provided for in ADA.

v. Each wheelchair accessible space shall be identified with appropriate pavement marking and a sign. For van accessible spaces signage shall indicate that they are van accessible. Signs shall be mounted such that they are not obscured by other parked vehicles.

vi. Handicap parking stalls shall be large enough to fully contain a rectangle 8' wide by 20' long.
vii. Parked vehicle overhangs shall not reduce the clear width of an accessible route. All handicap parking spaces shall be served by a parallel access aisle, which shall be a minimum of 5' wide for standard handicap spaces, and 8' wide for van accessible spaces. Adjacent spaces may share an access aisle.
viii. Access aisles adjoining wheelchair accessible parking spaces shall be paved flush to the ground, and the pavement shall extend all the way to the nearest wheelchair accessible entrance. Such parking spaces shall be located in close proximity to wheelchair accessible entrances. Wherever practicable, the main entrance shall be wheelchair accessible.
ix. The slope of wheelchair accessible parking spaces and adjoining access aisles shall not exceed one foot of rise per 50 feet of run.
x. Curb ramps shall be provided as necessary.
xi. Where appropriate, wheelchair ramps shall be provided, with a slope not exceeding one foot of rise per 12 feet of run.
xii. It is recommended, though not required, that a drop-off area be located at wheelchair accessible entrances

c. Loading Facility Requirements.
i. All non-residential sites shall provide off-street loading facilities. These facilities shall be located and designed to minimize traffic flow disruptions of entering and exiting vehicles.
ii. In all districts, unless otherwise stated herein, off-street loading spaces shall be provided and maintained in connection with the construction, conversion, or increase in units or dimensions of buildings, structures or use, such spaces to be provided in at least the following minimum amounts provided below.

Table of Off-Street Loading Regulations

Principal Use	First Loading Facility Required For Area Shown Below	One Additional Loading Facility Required For Area Shown Below
Dormitory and Hotel/Motel	10,000	50,000
Institutional Uses		
Recreation and Entertainment		
Restaurant and Fast Food		
Office Uses	15,000	50,000
Retail Services	5,000	20,000
Personal and Consumer Services	5,000	25,000
Vehicular Services	10,000	25,000
Industrial Uses		
Wholesale and Storage Uses		

iii. Unless waived by the Planning Board, the required loading facilities shall have a minimum dimensions of twelve (12) feet wide by twenty-five (25) feet in length by fourteen (14) feet in height, located, arranged, and of sufficient number to allow service by the type of vehicle customarily excepted for the use while such vehicle is parked completely clear of any public way or sidewalk.

4. Construction Requirements.
   a. All parking spaces shall be striped with white or yellow traffic paint (4" minimum line width).
   b. The minimum grade for parking areas shall be one percent (1%) and the maximum grade shall be five percent (5%).
   a. Loam and/or yielding material must be removed to a depth of no less than fourteen (14) inches below finished grade;
   c. A bank run gravel sub-base of six (6) inches must be applied or compacted, followed by a six (6) inch base of crushed gravel, then compacted and rolled true to grade lines with a roller weighing not less than 12 tons.
   d. A one and one half (1.5) inch rolled binder course and a one (1) inch rolled wearing surface of bituminous concrete pavement.
   e. Design and choice of paving materials used in pedestrian areas shall consider such factors as function, climate, characteristics of users, availability, cost maintenance, glare, drainage, noise, appearance, and compatibility with surroundings.
   f. If approved by the Board, permeable pavement may be used which might minimize dust, erosion, and runoff conditions that could have detrimental effect on abutting or neighboring properties
   g. The Planning Board may also allow for graveled parking and aisle surfaces in certain cases when considering the unique characteristics of the land, the proposed use, drainage, dust control, and if a graveled parking surface would promote and/or preserve the rural character of Stratham.
   h. Snow removal shall be considered for all sites, and the general plan for snow removal shall be indicated in a note. Locations for snow storage shall be designated on the plat, or there shall be a note indicating that all snow shall be removed from site. In no case shall snow be stored on a landscaped area in which the snow pile could destroy the landscaping or be allowed within a designated wetland area.

5. Pedestrian and Bicycle Circulation.
   a. Insofar as practical, pedestrian and bicycle circulation shall be separated from motor vehicle circulation. Safe and convenient pedestrian circulation, including appropriate sidewalks, shall be provided on the site and its approaches.
   b. All sites shall provide for safe pedestrian access and circulation and shall include sidewalk access to existing street side sidewalks if applicable, pedestrian aisles through parking lots and other facilities as are appropriate for the site.

6. Bicycle Parking.
   a. Off-street bicycle parking may be required by the Planning Board in the General Commercial, Gateway Commercial Business District, and Town Center Zoning Districts whenever any new use is established or any existing use is enlarged for which more than ten (10) automobile parking spaces are required. If required by the Planning Board, the quantity of required bicycle stalls will be determined as shown in Table below:

Tabular Bicycle Parking Requirements

Auto Spaces Required	Bicycle Stalls Required
10 - 50	10% of vehicles
51 - 100	5% of vehicles
100+	3% of vehicles

b. Requirements are additive. Once a threshold is met the previously existing requirement shall be maintained and additional stalls shall be provided at the new level until the next threshold is met.
c. A minimum of two (2) and a maximum of twenty (20) stalls shall be provided
d. In calculating stall requirements all decimals and fractions shall be rounded up to the nearest whole number.
e. All bicycle parking stalls shall be located within one-hundred (100) feet of the primary use or as close as the closest auto space.
f. A bicycle "stall' shall include a delineated and safe parking area and an appropriate structure to which bicycles can be locked.
g. Appropriate structure means a stand or other device constructed so as to enable the user to secure by locking the frame and one wheel of each bicycle parked therein.
h. Racks must be easily usable with both U-locks and cable locks. Racks should support the bikes in a stable upright position so that a bike, if bumped, will not fall or roll down.
i. Racks that support a bike primarily by a wheel, such as standard 'wire racks' are damaging to wheels and thus are not acceptable.
j. Bicycle parking racks, shelters or lockers must be securely anchored to the ground or to a structure.
k. Outdoor bicycle parking areas shall be surfaced with hard-surfacing material having a minimum depth of two inches, such as pavers, asphalt or concrete, unless otherwise permitted by the Planning Board.

7. Walls and Fences.
   a. Walls and fences shall be erected where required for privacy, screening, separation, security, erosion control, or to serve other necessary and reasonable function.
   b. The design and materials used shall be functional and compatible with existing and proposed site architecture.
   c. No fence or wall shall be so constructed or installed as to constitute a hazard to traffic or safety.

8. Lighting.
   a. All parking area lighting shall be subject to the lighting standards of Section 5.8.1 as most recently amended.
   b. All artificial lighting used to illuminate a parking lot shall be so arranged that all direct rays from lighting fall entirely within such parking lot or accessory walkways.
   c. The maximum mounting height of a lighting fixture above the ground shall be twenty (20) feet in a residential district and twenty-five (25) feet in a nonresidential.
9. Signage
   a. Adequate directional signage shall be provided, per the Manual on Uniform Traffic Control Devices for Streets and Highways, as most recently published.

10. Mitigating the Impacts of Parking Lots.
    a. As a supplement to the parking lot landscaping standards contained in the Section 5.2, a minimum percentage of the overall interior area of a parking lot (as measured by the exterior perimeter) shall be dedicated to landscaped areas (to be included on the landscape plans) with ground cover, shrubbery, and trees, as appropriate, as follows:
        i. 10% on parking lots located in front of the principal building or on otherwise vacant lots.
        ii. 8% on parking lots located on the side of the principal building, set back from the front boundary line at least even with the front of the principal building.
        iii. 5% on parking lots which are located at the rear of the principal building and largely obscured from the road.
    b. Landscaping within parking areas shall provide visual and climatic relief from broad expanses of pavement and shall be designed to channel and define logical areas for pedestrian and vehicular circulation.
    c. Internal parking lot landscaping, as required by item "a", above, shall contain one deciduous shade tree for every 15 parking spaces. Trees shall be distributed throughout the parking lot as evenly as possible. Trees shall be set back at least 5 feet minimum from the face of the curb. Tree placement and parking lot lighting shall not conflict. Interior parking lot landscaping may be waived in truck parking areas provided they are screened and perimeter plantings, as described in items e-g below, are provided.
    d. All landscaped areas shall be protected from encroachment by vehicles by curbing, landscaping timbers, curb stops, or other acceptable means.
    e. Shade trees shall be provided around the perimeter of all parking areas at a minimum ratio of 1 tree per 20 feet of parking lot perimeter. In portions of parking areas where screening is required, shade trees shall be provided along the perimeter at a minimum ration of 1 tree per 50 feet of parking lot perimeter in addition to the required screening.
    f. All off-street parking areas located at the front or side of principal buildings or on vacant lots shall be screened from the public right-of-way with appropriate screening.
    g. Screening from Residences: All off-street parking areas shall be screened from abutting residences or vacant lots in residential zoning districts located at the side or rear of the property with a wall, fence, vegetation or other means deemed appropriate.

11. Alternative Parking Standards.
    a. To encourage better overall site design, improve the management and efficient use of parking facilities, and reduce the dependency upon automobiles, the Planning Board may allow deviations from the parking requirements set forth in Section 5.9.2 The Planning Board will make a determination that the relief does not cause detriment to the surrounding neighborhood and/or roadway system based upon any of the following applicable criteria:
        i. Increase in traffic volumes;
        ii. Increased traffic congestion or queuing of vehicles;
        iii. Change in the type(s) of traffic;
        iv. Change in traffic patterns and access to the site;

v. Reduction in on-street parking; and/or,
vi. Unsafe conflict of motor vehicle and pedestrian traffic.

b. The following additional guidelines and standards are offered:
   i. Modification of Parking Requirements for Non-Conforming Structures and Lots. Where the total number of parking spaces required by this regulation is five (5) or fewer for lots or sites that are determined by the Building Inspector to be nonconforming with respect to parking.
   ii. Municipal Parking Facility.
   To allow the substitution of space on a particular lot with parking spaces located within a municipal parking lot to satisfy the parking requirements of this Section, provided the municipal parking lot where such parking spaces are located is within a distance of four hundred (400) feet of the building or use (measured from property line to property line), which is intended to be served and demonstration that doing so will not exceed the cumulative peak demand of said municipal parking lot in a manner which is inconsistent with the objectives of this Section.
   iii. Parking on a Separate Lot / Satellite Parking.
      1. Required off-street parking facilities shall be provided on the same lot or premises as the principal use they are intended to serve, or on a lot in the same ownership adjacent to such use. When practical difficulties, as determined by the Planning Board, preclude the establishment of the required parking spaces on such lot or premises (or lot or premises adjacent thereto), the Planning Board may allow the establishment of parking on such other lot upon such terms and conditions as the Planning Board may deem necessary to ensure the continued availability of such spaces.
      2. Where the applicant does not own such other lot, the applicant shall provide executed instruments establishing to the satisfaction of the Planning Board that sufficient legal interest has been acquired in such premises to assure their availability for required parking as long as the use served is in existence. The provision of satellite (remote) parking areas, provided that:
         a. The satellite parking spaces will be used solely by the employees and, where practicable, the clientele of the non-residential use;
         b. The off-site parking spaces shall be located to adequately serve the proposed use and shall be within four hundred (400) feet of the property served for clientele of the commercial use as measured from property line to property line;
   iv. Common Parking Areas and Multiple Use Facilities.
      a. Notwithstanding the normal provisions of this Section, where two or more activities or uses provide the required parking or loading in a common parking facility or loading area, the number of parking spaces or loading bays ordinarily required may be reduced below the sum of the spaces or bays required for separate activities or uses, if it can be determined that the hours, days, or peak parking or loading demand for the uses are so different that a lower total will provide adequately for all uses or activities served by the parking facility or loading bay, and that the location of the parking facility in relation to the uses proposed to be served by it is appropriate.

b. Deviation from the normal standard shall only be granted upon submission of calculated parking demand for combined land uses based on methodologies and indices of the Institute of Transportation Engineers, Urban Land Institute, or other recognized methodology approved in writing by the Planning Board. A formal parking demand study may be waived by the Planning Board for small developments where there is established experience with the land use mix and its impact is expected to be minimal.
c. Where such facilities are shared by more than two (2) owners, the applicant shall provide executed and filed instruments with the Registry of Deeds establishing to the satisfaction of the Planning Board that sufficient legal interest has been acquired in such premises to assure that the property(s) have a shared parking arrangement or peak hour parking arrangement and the availability for required parking as long as the uses served are in existence.

v. Land Banked Parking.
   a. To reduce the area of impervious surface, encourage open space, accommodate future changes in land use and/or ownership, and shifts in shared parking demand, up to forty percent (40%) of the land area that would otherwise be needed to provide the required amount of parking may be land banked or set aside on the site to provide for the future construction of a parking area.
   b. The parking facility shall be designed/engineered to enable the site to satisfy the requirements of this Section to meet the peak demands of the project(s) or use(s). Where it can be demonstrated by the applicant in the future that there is a need to convert all or a portion of the land-banked parking facilities because parking demand is in excess of 80% of parking supply on the property, then the applicant may convert the requisite number of land banked parking spaces to functioning parking spaces.
   c. For purposes hereof, parking demand shall be demonstrated through a report of the applicant's (or the then current owner's traffic engineering consultant), as the case may be, certifying that at any time during the four-hour peak demand period on a weekday or Saturday, the actual parking demand and utilization is in excess of 80% of parking supply on the property, with actual field site observations being conducted on two separate days during any consecutive 45-day period.
   d. Upon the Planning Board's determination the applicant has established the requisite parking need, and upon submission of the report to the Planning Board, the Planning Board may allow the conversion of all or a portion of the land-banked parking.

vi. Reduction in Parking.
   a. Where it can be demonstrated that a use or establishment needs a lesser number of parking spaces or loading bays than is required by this Section, such as housing for persons with disabilities, low rate of vehicle ownership, the availability and implementation of transportation demand management alternatives, or other such circumstances as may be deemed appropriate by the Planning Board, the number of such parking spaces or bays may be reduced by not more than thirty percent (30%).

b. An applicant shall submit documentary evidence satisfactory to the Planning Board that the parking or loading experience of the specific use justifies a lesser number of spaces or bays.
c. This allowance shall lapse upon change to a different type of use unless otherwise determined by the Planning Board, and shall not be considered to constitute a legal nonconformity with respect to parking for any new use.

5.10 WATER AND SEWER SERVICE:

Water supplies and sewage disposal systems must be sized to meet the needs of the proposed use. Percolation test and design of sewage disposal systems shall comply with the Town of Stratham Zoning Ordinance Section XX **(Rev. 8/99)** and applicable State standards as outlined in the New Hampshire Code of Administrative Rules. Newly proposed public water systems, as defined by RSA 485:1, shall be designed by a professional engineer licensed in New Hampshire. **(Rev. 11/93)** All septic vents shall be screened from view by use of appropriately sized plantings. **(Rev. 11/95)**

5.11 FIRE PROTECTION:

a. Fire alarms, fire hydrants, cisterns and fire ponds shall be provided as specified by the Stratham Fire Department. These items shall be shown on the site plan and installed by the applicant. Above ground storage tanks having capacities of forty (40) gallons or more shall have their contents clearly marked on the outside of the tank(s) in order to aid fire-fighting efforts. Tanks shall be marked according to the most recent Hazard Identification Code as developed by the National Fire Protection Association (NFPA). **(Rev. 11/93) (Rev. 8/99) (Rev. 5/04)**

b. Where required, it is recommended that cisterns be designed and installed according to the Specifications for 30,000 Gallon Single-Wall FRP Tank For Fire Cistern as amended to these regulations and provided as Addendum "A" of the Stratham Site Plan Review Regulations. **(Rev. 5/04)**

5.12 UTILITIES:

a. All utilities serving the property shall be placed underground;

b. Propane tanks, and other tanks used to store fuels, gases or liquids must be buried underground in accordance with environmental regulations and sound engineering practices, except as otherwise noted. If tanks must be located above ground, tanks, tank pads, and any related appurtenances must be adequately screened with fencing and landscaping.

5.13 STORMWATER MANAGEMENT AND EROSION CONTROL: **(Rev. 11/93)**

The purpose of this regulation is to control runoff as well as erosion and sedimentation resulting from development. Subdivision and site plans shall include plans for managing stormwater and controlling erosion and sedimentation as provided below.

a. Definitions:

Best Management Practice (BMP): A proven and accepted structural, non-structural, or vegetative measure, the application of which reduces erosion, sedimentation, or peak storm discharge.

Critical Areas: Disturbed areas of any size within 50 feet of a water-course, waterbody, poorly drained soil or very poorly drained soil; disturbed areas exceeding 2,000 square feet in highly erodible soils; or, disturbed areas containing slope lengths exceeding 25 feet on slopes greater than 15 percent.

Disturbed Area: An area where the natural vegetation has been removed exposing the underlying soil.

Highly Erodible Soils: Any soil with an erodibility class (K factor) greater than or equal to .43 in any layer as found in Table 3-1 of the "Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas of New Hampshire".

b. Where Required:

The applicant shall submit pursuant to Addendum C.

5.14 STREET CONSTRUCTION:

Streets or access ways in non-residential and multi-family developments shall be constructed to Town specifications as set forth in the Subdivision Regulations.

Streets serving non-residential (unless a public roadway such as in an industrial park) shall remain in private ownership, and the applicant shall execute and provide legal instruments to insure their continued maintenance and ownership, any such instruments being subject to approval by the Town Attorney and Board of Selectmen. **(Rev. 7/89)**

5.15 ARCHITECTURAL PLANS:

No building permit shall be granted for a commercial building unless architectural elevations and a building footprint depicting exterior features drawn to scale meet all of the requirements of the Planning Board. Specifications shall have been filed with and approved by the Planning Board. **(Rev. 8/99)**

As documented in the 1985 and subsequent Stratham Master Plans, a majority of the residents of Stratham prefer that the character of the town maintain a rural, residential, countrified flavor. This preference is represented in the scale of commercial development to residential/agricultural development desired, and in the aesthetic characteristics of the buildings and structures that have been developed. To this end, the Site Plan Review Regulations have been amended to require building design that incorporates significant features representing a rural New England colonial design theme. **(Rev. 11/95)**

The Stratham Planning Board strongly believes that by reviewing the building design and holding the applicant to stringent design standards, the integrity and character of the

community will be preserved, the property values will be maintained and the community will benefit from aesthetically pleasing, high quality development along major transportation corridors within Stratham. **(Rev. 11/95)**

The features in the design of buildings, structures and outbuildings noted below shall be required in the Professional/Residential (PRE), Town Center (TC), General Commercial (GCM), Commercial Light Industrial Office (CLIO) and Retirement Planned Community (RPC) - all districts located along Portsmouth Avenue corridor and extremely visible to the general public. The Planning Board strongly encourages applicants to consider and include these design features within the Industrial (IND) district however, due to the lack of visibility by the general public, these standards are not mandatory within the Industrial District. **(Rev. 11/95) (Rev. 8/99)** The design features shall include:

a. Pitched roofs of at least a 4:12 pitch; **(Rev. 11/95) (Rev. 8/99)**

b. Roofing materials and roofing colors in keeping with the New England theme; **(Rev. 11/95)**

c. Building components, such as windows, doors, and eaves that are adequately proportioned. Use of multiple paned windows is encouraged; **(Rev. 11/95)**

d. Exterior cladding materials allowed are clapboard, shakes, brick, plaster, stone or other similar materials or similar fabricated materials. Disallowed is the use of prefabricated metal, concrete blocks, T-111 plywood, or other similar materials; **(Rev. 11/95)**

e. Exterior colors in muted tones, with no more than 15% of any exterior face of the buildings(s), including the roof, in an overly bright color. Colors to be implemented in the design will be specified on the architect's drawing, and a color board shall be submitted to the Planning Board prior to site plan approval; **(Rev. 11/95)**

f. All buildings and outbuildings shall be designed by a professional, registered architect; **(Rev. 11/95)**

g. No mechanical equipment incorporated on or in the building, including electrical, plumbing, heating, ventilation, and air conditioning equipment and antennas shall be exposed to view. **(Rev. 11/95)** Such elements shall be appropriately screened by incorporation in the building design;

h. Whether attached to the building or freestanding from the building, the following items shall be completely architecturally screened and clad with materials similar to the building(s):

   i. Trash dumpsters and compactors;

   ii. Surface mounted mechanical equipment;

   iii. Material storage areas;

   iv. Above ground storage tanks **(Rev. 11/95)**

i. Vehicle entry doors will not be located on the front or side faces of the building(s). Where these vehicle entry doors face to residential property, these doors shall be screened, taking into account the proximity and exposure to the residential property; **(Rev. 11/95)**

j. The front, sides, and rear of the building(s) shall be attractively designed and articulated to eliminate large spans of blank exterior wall. **(Rev. 11/95)**

The Architectural Plan shall indicate:

i. The architectural design of the exterior of the building;

ii. The type of windows and doors to be installed on the building;

iii. The type of building material to be used on the exterior walls of the building.

5.16 OPEN SPACE SETBACK: (Rev. 11/95)

Furthermore, it should be noted that in addition to the building setbacks contained in the Stratham Zoning Ordinance, all paving, except for walks and approved drive entries, shall be set back a minimum of 35 feet from the front property line, with an average setback no less than 50 feet from the front property line. Setbacks shall be measured along a line parallel to the front property line, with said line beginning 25 feet from side property lines.

SECTION VI: SUPPLEMENTARY PROVISIONS

The site plans shall also comply with the following provisions.

6.1 CONSTRUCTION STANDARDS:

Construction of improvements shall also comply with, and be inspected pursuant to, the requirements of "Building Ordinance - Town of Stratham."

Unless otherwise specified on the site plan and approved by the Planning Board, roadway and ancillary improvements shall comply with the State of New Hampshire Department of Public Work and Highways' manual, "Standard Specifications for Road and Bridge Construction," dated 1990, as amended. **(Rev. 8/99)**

6.2 AS-BUILT DRAWINGS:

Prior to the issuance of a Certificate of Occupancy, the applicant shall have prepared by licensed land surveyor or engineer an "as-built plan" showing the accurate location, invert and top grade of all drainage structures, all sewer structures, water mains and appurtenances and ties thereto, and profiles, centerline street and ditch grades on 100-foot stations to the nearest .1 feet. Three prints of this information shall be submitted to the Planning Board, or its agent, for approval. **(Rev. 8/99)**

In the event that the Planning Board or its agent shall determine that the as-built plans shall differ in any respect from the plans previously approved by the Planning Board, the Board shall decide whether such differences are sufficiently material as to require a resubmission of portions or all of the project plans to the Planning Board under these Regulations or any part thereof.

6.3 SITE INSPECTIONS AND FEE: **(deleted 11/93)**

SECTION VII: AGREEMENTS & BONDING

7.1 SITE REVIEW AGREEMENT:

As a condition of the Planning Board's approval, the applicant must execute a legal agreement, which specifies the terms and conditions, and the understandings between the parties with respect to these Regulations. Terms and conditions of the Site Review Agreement shall indicate any stipulation or condition which may be necessary to secure the public health, safety, and welfare and insure compliance with all the Ordinances of the Town of Stratham, requirements of the Town's Building Code, and including the posting of a performance and/or guaranty bond to insure that all site development and construction is completed according to the plan approved. No building permit shall be issued until the Site Review Agreement is executed by both parties.

7.2 FINANCIAL GUARANTY:

The Planning Board may require a performance surety (in the form of a bond, passbook, or cash only) for such facilities that it believes should be guaranteed before any work commences on the development. **(Rev. 8/91)** The steps for issuing and releasing a performance bond (or other surety) shall be the same as required in the pertinent Zoning Ordinance and Subdivision Regulations, including but not limited to determining the amount, the sufficiency, term, and form of the bond (or other surety).

7.2.1 Certificate of Occupancy:

No dwelling unit or building may be occupied or used unless a certificate of occupancy has been issued by the Building Inspector. If any corrections, changes, or other stipulations are required by the Building Inspector prior to issuance of a Certificate of Occupancy, the Building Inspector shall keep a copy of said required actions in his office.

7. 3 MAINTENANCE BOND:

The Planning Board may require a performance surety (in the form of a bond, passbook, or cash only) covering maintenance of roads and improvements for a period of one (1) year from the date of completion, in an amount not to exceed 10% of said cost of improvements. **(Rev. 8/91)** If repair or unusual maintenance is needed or additional improvements required, then such costs as necessary shall be borne by the applicant or sought from said surety.

SECTION VIII: WAIVERS

8.1 WAIVERS:

The requirements of the foregoing Regulations may be waived or modified by the Planning Board where appropriate hardship exists or specific circumstances warrant. The applicant shall write to the Planning Board describing the requested term to be waived. The granting of said waiver shall not impair nor diminish the public health, safety, and welfare, and shall conform to and carry out the purpose and intent of these Regulations and the Master Plan.

SECTION IX: ENFORCEMENT

9.1 ENFORCEMENT PROVISIONS:

These Regulations shall be enforced by the Board or its duly authorized representative. In the event that the Board, or its representative shall determine that these Regulations have not been complied with, or that the terms of any approval given under these Regulations has not been met or satisfied in a timely fashion, the Board shall have the authority to take such action as it shall deem lawful or necessary, including but not limited to the revocation of any approval(s) granted, the withdrawal of any building permits which may have been issued, or the withholding of any building permit by request of the Selectmen.

The Board shall notify any offending person, firm, or organization by certified mail which notice shall contain the specifics of the Board's findings and if necessary shall contain a cease and desist order.

SECTION X: VALIDITY

10.1 DECLARATION:

If any section, clause, provision, or portion of these Regulations is held to be invalid or unconstitutional by any court of competent jurisdiction, such holdings shall not affect or impair any other section, clause, provision, or portion of these Regulations.

10.2 EFFECTIVE DATE:

These Regulations are effective as of February 3, 1987, on which day they were filed with the Stratham Town Clerk and Board of Selectmen.

ADDENDUM A: CISTERN SPECIFICATIONS (05/04)

These standards currently are **not** available in digital format. Please contact the Stratham Planning Office for a hard copy of the document at:

Planning Department
Town of Stratham
10 Bunker Hill Avenue
Stratham, NH 03885
(603) 772-7391

ADDENDUM B: DIGITAL SUBMISSION REQUIRMENTS (added07/06)

With the submission of any new application for Site Plan Review and prior to the recording of a Mylar, an Applicant shall submit a complete electronic file of all of the drawings in the plan set for the Town of Stratham's records, in accordance with the following:

1. All submitted plans shall be submitted to the Town Planner in a format compatible with the town's ArcGIS (Shapefile .shp) format.
2. All digital files shall be projected in NH State Plane feet, NAD83.
3. All digital Files shall be submitted on a CD-ROM or 3.5" floppy disk (note that files compressed and spanned with multiple floppy disks will not be accepted). Arrangements may be made to send digital data via FTP, email, or on other media on a case-by-case basis by approval of the Town Planner;
4. If submitted via disk the following information shall be labeled on the disk: file name; property owner name; parcel identification number (tax map and lot number); and name of submitting consultant;
5. Horizontal control points shall have an adjusted accuracy of 1:10,000 (Third Order, Class I);
6. Entities and their data layer properties shall correspond to the following:
   a. Property lines entities shall be created on a " Lot Line" layer.
   b. Parking lots shall be created on a "Parking" layer.
   c. Driveways shall be created on a "Driveway" layer.
   d. Building outlines shall be created on a "Structure" layer.
   e. Location of wetlands, streams and ponds shall be created on a "Hydro" layer.
   f. Distance and bearing annotation shall be created on a "Dimtxt" layer.
   g. The digital file shall have a layer named "NHSPCS". NH State Plane NAD83 referenced points and the easting, northing and vertical descriptions of at least 2 referenced points shall be annotated on this layer.
7. All lines representing property lines shall consist of continuous line work snapped to endpoints. Stonewall representations, unless created using a line type will not be accepted.

ADDENDUM C
TOWN OF STRATHAM STORMWATER REGULATIONS

Provisions and Standards for Construction Stormwater Management

1. These provisions and standards shall apply to all development activities including but not limited to construction of roads, drainage infrastructure, utilities and other structures or development that support the subdivision.

2. Development on residential lots shall incorporate best management practices from the *NHDES Homeowners Guide to Stormwater Management (2011, as amended), NH Stormwater Manual. Volumes 1 and 2, December 2008 as amended (or most current version), and the 2017 NH Small MS4 General Permit* to manage and treat runoff.

3. The provisions and standards of this Addendum are implemented for the purpose of:
   - Managing stormwater runoff to protect water quality and quantity.
   - Causing no increase in contribution of a pollutant for which a water body is impaired.
   - Treating new runoff discharged to a municipal drainage system, surface water body or wetland.
   - Resulting in no discharge of runoff to properties in excess of runoff discharged in the existing developed or undeveloped condition.

A. APPLICABILITY STANDARDS

i. These standards apply to all projects subject to Site Plan Review Regulations or Subdivision Regulations. Additionally, all applications will be required to include a post-construction stormwater management plan prepared by a NH licensed engineer.

ii. All projects under review by the Planning Board of such magnitude as to require a stormwater permit from EPA Construction General Permit (CGP) program or NH Department of Environmental Services (NHDES) Alteration of Terrain (AOT) program shall comply with the standards of EPA and/or NHDES permits and this section, whereas the stricter standards shall apply.

B. MINIMUM THRESHOLDS FOR APPICABILITY

i. Minimum Thresholds for Applicability: These stormwater management standards apply to all projects requiring Planning Board review and approval under the Subdivision or Site Plan Review Regulations. For smaller projects that disturb less than **43,560** square feet an applicant may request a waiver of the full standards providing minimum protections and management are implemented. For the purpose of these standards, disturbance is defined as any alteration of the land surface or permanent removal of vegetation or trees associated with a development activity (refer to the *Definitions, below).*

ii. Waiver Option for Small Development Projects: At the request of an applicant,

the Planning Board may grant a waiver to any or all stormwater standards for projects that: disturb less than **43,560** square feet; create less than **20,000** square feet of new impervious surface; and do not disturb land within 100 feet of a surface water body or wetland comprised of less than 5,000 square feet based on wetland delineation.

iii. Conditions for Granting of Waivers: In order for the Planning Board to issue a waiver, the applicant must demonstrate and board must find the application meets the minimum criteria listed below and, if granted, will be considered conditions of approval:

i. Runoff from new impervious surfaces shall be directed to a filtration and/or infiltration device.

ii. Impervious surfaces for parking areas and roads should be minimized to the extent possible (including minimum parking requirements for proposed uses and minimum road widths).

iii. Runoff generated from new impervious surfaces should be retained on the development site and mimic natural hydrology.

iv. Compliance with standards 3.a-3.c above will be determined by the Planning Board on a case by case basis as site conditions and constraints will differ greatly between various redevelopment proposals.

C. BEST MANAGEMENT PRACTICES

i. Performance Specifications: Stormwater management will meet or exceed requirements for the 2017 NH Small MS4 General Permit. All proposed stormwater practices and measures shall be installed and maintained in accordance with manufacturers' specifications and performance specifications in the NH Stormwater Management Manual Volume 2 (December 2008 or current revision) a copy of which is available from the NHDES website at www.des.nh.gov/organization/divisions/water/stormwater/manual.htm

ii. Water Quality Protection: All aspects of the application shall be designed to protect the quality of surface waters and groundwater of the Town of Stratham as follows:

iii. All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials shall meet the regulations of the New Hampshire Department of Environmental Services (NHDES) including but not limited to those involving Underground Storage Tanks (UST), Above Ground Storage Tanks, hazardous Waste and Best Management Practices for Groundwater Protection (Env-Wa 401).

iv. Stormwater Management for New Development: All proposed stormwater management and treatment systems shall meet the following performance standards.

i. Existing surface waters, including lakes, ponds, rivers, perennial and intermittent streams (natural or channelized), and wetlands (including vernal pools) shall be protected by the minimum buffer setback distances

(as specified in the Zoning and Regulations). Stormwater and erosion and sediment control BMPs shall be located outside the specified buffer zone unless otherwise approved by the Planning Board. Alternatives to stream and wetland crossings that eliminate or minimize environmental impacts shall be considered whenever possible. When necessary, as determined by the Planning Board or their representative, stream and wetland crossings shall comply with state recommended design standards to minimize impacts to flow and enhance animal passage (see the University of New Hampshire Stream Crossing Guidelines (May 2009, as amended) available from the UNH Environmental Research Group website at http://www.unh.edu/erg/stream_restoration/nh_stream_crossing_guidelines_unh_web_rev_2. pdf)

ii. Low Impact Development (LID) site planning and design strategies should be used in order to reduce the generation of the stormwater runoff volume for both new development and redevelopment projects (see Element D for redevelopment standards). An applicant must document in writing why LID strategies are not appropriate if not used to manage stormwater.

iii. All stormwater treatment areas should be planted with native plantings appropriate for the site conditions: grasses, shrubs and/or other native plants in sufficient numbers and density to prevent soil erosion and to achieve the water quality treatment requirements of this section.

iv. All areas that receive rainfall runoff should be designed to drain within a maximum of 72 hours.

v. Salt storage areas should be covered and loading/offloading areas shall be designed and maintained in accordance with NH DES published guidance such that no untreated discharge to receiving waters results. Snow storage areas shall be located in accordance with NH DES published guidance such that no direct untreated discharges to receiving waters should be possible. Runoff from snow and salt storage areas shall enter treatment areas as specified above before being discharged to receiving waters or allowed to infiltrate into the groundwater. See NHDES published guidance fact sheets on road salt and water quality, and snow disposal at http://des.nh.gov/organization/commissioner/pip/factsheets/wmb/index.htm.

vi. Runoff should be directed into recessed vegetated and landscape areas designed for treatment and/or filtration to minimize Effective Impervious Cover (EIC) and reduce the need for irrigation systems.

vii. Newly generated stormwater, whether from new development or expansion of existing development (redevelopment), should be treated on the development site. Runoff should not be discharged to surface water bodies or wetlands in excess of volumes discharged under existing conditions (developed condition or undeveloped condition).

viii. A development plan should include provisions to retain stormwater on the site by using the natural flow patterns of the site. Runoff from impervious surfaces shall be treated with BMPs AND optimized for Total Nitrogen (TN) generated from the total post-construction impervious area as per the 2017 NH Small MS4 Section 2.3.6 Stormwater Management in New Development and Redevelopment (Post Construction Stormwater Management Section a.ii.d)1)b., and as specified in the NH Stormwater Manual. Volumes 1 and 2, December 2008 as amended (or most current version) (refer to Volume 2, page 6, Table 2.1 Summary of Design Criteria, Water Quality Volume for treatment criteria) or other equivalent means. Where practical, the use of natural, vegetated filtration and/or infiltration BMPs or subsurface gravel wetlands for water quality treatment is preferred given its relatively high nitrogen removal efficiency. Note: The Anti-Degradation provisions of the State Water Quality Standards require that runoff from new development shall not lower water quality or contribute to existing water body impairments.

ix. Measures shall be taken to control the post-development peak rate runoff so that it does not exceed pre-development runoff for the 2-year, 10-year and 25-year, 24-hour storm events. Similar measures shall be taken to control the post-development runoff volume to infiltrate the groundwater recharge volume GR_V according to the current AOT guidelines unless demonstrated for sites where infiltration is limited or not practicable. Infiltration structures should be in locations with the highest permeability on the site.

x. The design of the stormwater drainage system should provide for the disposal of stormwater without flooding or functional impairment to streets, adjacent properties, downstream properties, soils, or vegetation.

xi. The design of the stormwater management systems should take into account upstream and upgradient runoff that flows onto, over, or through the site to be developed or re-developed, and provide for this contribution of runoff.

xii. Appropriate erosion and sediment control measures should be installed prior to any soil disturbance, the area of disturbance shall be kept to a minimum, and any sediment in runoff shall be retained within the project area. Wetland areas and surface waters should be protected from sediment. Disturbed soil areas shall be either temporarily or permanently stabilized consistent with the NHDES Stormwater Manual Volume 3 guidelines. In areas where final grading has not occurred, temporary stabilization measures should be in place within 7 days for exposed soil areas within 100 feet of a surface water body or wetland and no more than fourteen (14) days for all other areas. Permanent stabilization should be in place no more than 14 days following the completion of final grading of exposed soil areas.

xiii. All temporary control measures should be removed after final site

stabilization. Trapped sediment and other disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized prior to removal of temporary control measures.

xiv. Porous pavements should be considered for feasibility for commercial and industrial applications for general and overflow parking areas. Construction quality assurance during installation and production of porous pavements, and long term operations and maintenance will be required to ensure success. Pervious pavement shall be appropriately sited and designed for traffic and vehicle loading conditions. Porous pavement will generally not be included in the calculation of impervious surface areas for site development.

xv. Whenever practicable, native site vegetation shall be retained, protected, or supplemented. Any stripping of vegetation shall be done in a manner that minimizes soil erosion.

D. REDEVELOPMENT CRITERIA

i. Criteria

1. In order to determine the stormwater requirements for redevelopment projects, the percentage of the site covered by existing impervious areas must be calculated. Stormwater requirements for redevelopment will vary based upon the amount of site surface area that is covered by existing impervious surfaces.
2. For sites meeting the definition of a redevelopment project and having less than 40% existing impervious surface coverage, the stormwater management requirements will be the same as other new development projects with the important distinction that the applicant can meet those requirements either on-site or at an approved off-site location**.** The applicant should satisfactorily demonstrate that impervious area reduction, LID strategies and BMPs have been implemented on-site.
3. For sites meeting the definition of a redevelopment project and having more than 40% existing impervious surface coverage, stormwater should be managed for water quality in accordance with one or more of the following techniques, listed in order of preference:
    a. Implement measures onsite that result in disconnection or treatment of at least 30% of the existing impervious cover as well as 50% of the additional proposed impervious surfaces and pavement areas through the application of filtration media; or
    b. Implement other LID techniques onsite to the maximum extent practicable to provide treatment for at least 50% of the entire site area.
    c. Runoff from impervious surfaces shall be treated with BMPs as per the NH Stormwater Manual or equivalent, AND for Total Nitrogen (TN) removal, as per MS4 2.3.6 Stormwater Management in New Development and Redevelopment (Post Construction Stormwater Management Section a.ii.e)1)b.

ii. Off-Site Mitigation:

1. In cases where the applicant demonstrates, to the satisfaction of the planning board, that on- site treatment has been implemented or is not feasible, off-site

mitigation will be an acceptable alternative if implemented within the same subwatershed, within the project's drainage area or within the drainage area of the receiving water body. To comply with local watershed objectives the mitigation site would be preferably situated in the same subwatershed as the development and impact/benefit the same receiving water.

2. Off-site mitigation should be equivalent to no less than the total area of impervious cover NOT treated on-site.
3. An approved off-site location must be identified, the specific management measures identified, and an implementation schedule developed in accordance with planning board review. The applicant must also demonstrate that there is no downstream drainage or flooding impacts as a result of not providing on-site management for large storm events.

E. STORMWATER MANAGEMENT PLAN APPROVAL AND RECORDATION

Plan Approval and Review. The Planning Board shall approve the Stormwater Management Plan if it complies with the requirements of these regulations and other requirements as provided by law. At the discretion of the Planning Board, a technical review by a third party may be required of any stormwater management and erosion control plan prepared under these regulations. The technical review shall be performed by a qualified professional consultant, as determined by the Planning Board, and the expense of which shall be the full responsibility of the applicant.

F. OPERATIONS AND MAINTENANCE CRITERIA

Stormwater management and sediment and erosion control plans shall be incorporated as part of any approved site plan or subdivision plan. The Notice of Decision shall reference the requirements for maintenance pursuant to the stormwater management and erosion and sediment control plans as approved by the Planning Board.

G. POST-CONSTRUCTION STORMWATER INFRASTRUCTURE – INSPECTION AND RESPONSIBILITY

Municipal staff or their designated agent shall have site access to complete routine inspections to ensure compliance with the approved stormwater management and sediment and erosion control plans. Expenses associated with inspections shall be the responsibility of the applicant/property owner. Routine inspections, cleaning, and maintenance will be conducted as per requirements of the 2017 NH Small MS4 General Permit, Section 2.3.7.1 Operations and Maintenance Programs including annual inspection reports.

The applicant shall bear final responsibility for the installation, construction, inspection, reporting, and disposition of all stormwater management and erosion control measures required by the Planning Board. Site development shall not begin before the Stormwater Management Plan receives written approval by the Planning Board.

The municipality retains the right, though accepts no responsibility, to repair or maintain stormwater infrastructure if: a property is abandoned or becomes vacant; and in the event a property owner refuses to repair infrastructure that is damaged or is not functioning properly.

H. DEFINITIONS

a) *ADAPTIVE MANAGEMENT* – Management of resources that is a structured, iterative process of robust decision making in the face of uncertainty, with an aim to reducing uncertainty over time via system monitoring. In this way, decision making simultaneously meets one or more resource management objectives and, either passively or actively, accrues information needed to improve future management.

b) *BEST MANAGEMENT PRACTICES (BMPs)* - A structural or non-structural device designed to temporarily store or treat urban stormwater runoff in order to mitigate flooding, reduce pollution and provide other amenities.

c) *BIORETENTION* – A water quality practice that utilizes vegetation and soils to treat urban stormwater runoff by collecting it in shallow depressions, before filtering through an engineered bioretention planting soil media.

d) *BUFFER* – A special type of preserved area along a watercourse or wetland where development is restricted or prohibited. Buffers protect and physically separate a resource from development. Buffers also provide stormwater control flood storage and habitat values. Wherever possible, riparian buffers should be sized to include the 100- year floodplain as well as steep banks and freshwater wetlands.

e) *DISTURBED AREA* – An area in which the natural vegetative soil cover has been removed or altered and, therefore, is susceptible to erosion.

f) *ECOSYSTEM SERVICES* - The benefits of natural systems to individuals, communities, and economies. These benefits include provisioning services such as food and water; regulating services such as flood and disease control; cultural services such as spiritual, recreational, and cultural benefits; and supporting services such as nutrient cycling that maintain the conditions for life on Earth.

g) *EFFECTIVE IMPERVIOUS COVER (EIC)* – The total impervious surface areas less the area of disconnected impervious cover (areas where runoff is captured and infiltrated or otherwise treated).

h) *ENVIRONMENTAL (NATURAL RESOURCE) PROTECTION* - Policies and procedures aimed at conserving natural resources, preserving the current state of natural environments and, where possible, reversing degradation. Any activity to maintain or restore environmental quality through preventing the emission of pollutants or reducing the presence of polluting substances in environmental media, and preventing physical removal or degradation of natural resources.

i) *FILTRATION* – The process of physically or chemically removing pollutants from runoff. Practices that capture and store stormwater runoff and pass it through a filtering media such as sand, organic material, or the native soil for pollutant removal. Stormwater filters are primarily water quality control devices designed to remove particulate pollutants and, to a lesser degree, bacteria and nutrients.

j) *GROUNDWATER RECHARGE* – The process by which water that seeps into the ground, eventually replenishing groundwater aquifers and surface waters such as lakes, streams, and the oceans. This process helps maintain water flow in streams and wetlands and

preserves water table levels that support drinking water supplies.

k) *GROUNDWATER RECHARGE VOLUME* – The post-development design recharge volume (i.e., on a storm event basis) required to minimize the loss of annual pre-development groundwater recharge. The Rev is determined as a function of annual pre-development recharge for site-specific soils or surficial materials, average annual rainfall volume, and amount of impervious cover on a site.

l) *IMPAIRED WATERS* – Those waterbodies not meeting water quality standards. Pursuant to Section 303(d) of the federal Clean Water Act, each state prepares a list of impaired waters (known as the 303(d) list) which is presented in the state's Integrated Water Report as Category 5 waters. Those impaired waters for which a TMDL has been approved by US EPA and is not otherwise impaired, are listed in Category 4A.

m) *IMPERVIOUS COVER* – Those surfaces that cannot effectively infiltrate rainfall consisting of surfaces such as building rooftops, pavement, sidewalks, driveways, compacted gravel (e.g., driveways and parking lots).

n) *INFILTRATION* – the process of runoff percolating into the ground (subsurface materials). Stormwater treatment practices designed to capture stormwater runoff and infiltrate it into the ground over a period of days.

o) *LOW IMPACT DEVELOPMENT (LID)* - Low impact development is a site planning and design strategy intended to maintain or replicate predevelopment hydrology through the use of site planning, source control, and small-scale practices integrated throughout the site to prevent, infiltrate and manage runoff as close to its source as possible. Examples of LID strategies are pervious pavement, rain gardens, green roofs, bioretention basins and swales, filtration trenches, and other functionally similar BMPs located near the runoff source.

p) *MAXIMUM EXTENT PRACTICABLE (MEP)* - To show that a proposed development has met a standard to the maximum extent practicable, the applicant must demonstrate the following: (1) all reasonable efforts have been made to meet the standard, (2) a complete evaluation of all possible management measures has been performed, and (3) if full compliance cannot be achieved, the highest practicable level of management is being implemented.

q) *MITIGATION* – Activities, strategies, policies, programs, actions that, over time, will serve to avoid, minimize, or compensate for (by treating or removing pollution sources) the impacts to or disruption of water quality and water resources.

r) *MS4* – Refers to the *Small Municipal Separate Storm Sewer System General Permit* - the MS4 General Permit - issued by the EPA under the Clean Water Act. MS4 applies to municipalities that contain any portion of an urbanized area as defined by the Census. It applies to stormwater conveyances owned by a State, city, town, or other public entity that discharge to 'Waters of the United States'. The MS4 Permit requires that operators of small MS4s develop a Storm Water Management Program that uses appropriate Best Management Practices (BMPs) for each of the six minimum control measures required in the MS4 permit.

s) *NATIVE VEGETATION AND PLANTINGS* - Plants that are indigenous to the region, adapted to the local soil and rainfall conditions, and require minimal

supplemental watering, fertilizer, and pesticide application.

t) *POLLUTANT LOAD* – means an amount of pollutants that is introduced into a receiving waterbody measured in units of concentration or mass per time (i.e. concentration (mg/l) or mass (lbs/day)).

u) *REDEVELOPMENT* - Any construction, alteration, or improvement that disturbs a total of 20,000 square feet or more of existing impervious area where the existing land use is commercial, industrial, institutional, governmental, recreational, or multifamily residential. Building demolition is included as an activity defined as "redevelopment", but building renovation is not. Similarly, removing of roadway materials down to the erodible soil surface is an activity defined as "redevelopment," but simply resurfacing of a roadway surface is not. Pavement excavation and patching that is incidental to the primary project purpose, such as replacement of a collapsed storm drain, is not classified as redevelopment. In general, the requirements in this manual do not apply to projects or portions of projects when the total existing impervious area disturbed is less than 20,000 square feet. However, specific regulatory programs may impose additional requirements. Any creation of new impervious area over portions of the site that are currently pervious is required to comply fully with the requirements of this manual, with the exception of infill projects.

v) *RETENTION* – The amount of precipitation on a drainage area that does not escape as runoff. It can be expressed as the difference between total precipitation and total runoff from an area.

w) *TOTAL SUSPENDED SOLIDS (TSS)* – The total amount of soils particulate matter which is suspended in the water column.

x) *WATER QUALITY VOLUME* - The storage needed to capture and treat 90% of the average annual stormwater runoff volume. In Rhode Island, this equates to 1-inch of runoff from impervious surfaces.

y) *WATERSHED* – All land and water area from which runoff may run to a common (design) discharge point.

APPENDIX A: RECORD OF AMENDMENTS

(Most recently amended on 4/2021 back to adoption of revamped Site Plan Regulations on 2/3/1987)

April 7, 2021

Section 4.1.1: Application Procedures & Requirements
To amend the deadline for Preliminary Consultation applications from seven days to 14 days in advance of the Planning Board meeting.

Section 5.2.O: Vegetated Non-Disturbance Buffer Areas subsection added in its entirety

May 15, 2019

Addendum C: *Stormwater Regulations* added; editorial revisions throughout SPR as required for compliance with the addition.

July 21, 2010

Section 5.9: Parking Requirements
- To replace Section 5.9 Parking Requirements in its entirety with an updated table of parking requirements, establishing design standards, and creating flexible regulations to improve the overall parking design, function, and safety of parking facilities within all zoning districts.

October 3, 2007

Section 2.3.6: Fees and Charges

- To amend section 2.3.6 of the subdivision regulations and section 4.2.7 of the site plan review regulations pertaining to fees & charges to increase the fees to reflect the current cost of services.

September 19, 2007

Section 4.3: Soils-Based Lot Size Determination
- Conservation Land Exception . Any portion of a lot or other land which was protected by recorded conservation easement or shown as intended or dedication on any plan conditionally approved and not revoked by the Planning Board at the time of application, shall not be included in the calculation of minimum lot size or in the calculation of any Yield Plan as defined under Section 4.6.4 (OPEN SPACE CLUSTER SUBDIVISION).

September 6, 2006

Section 5.2: Landscaping Design Standards

- To amend the Site Plan Review Regulations Section 5.2 Landscaping Design Standards to replace the entire section with new standards for landscaping requirements for all Site Review applications brought before the Planning Board.

July 19, 2006

Section 4.3.2: Proposed Plans

- To amend section 4.3.2 to add a new subsection g as follows:
  A copy of the plans submitted in a digital format as provided for in Addendum D: Digital Submission Requirements.
- Also add a new ADDENDEM B to the end of the Site Review regulations.

June 7, 2006

Section 4.5: Board Action

- Amend Section 4.5 Board Action of the Site Review Regulations to replace the section with a new Section 4.5 providing for a definition of "Active and Substantial Development" and providing conditions for the vesting of subdivisions and setting time limits for the completion of conditions when a project is approved.

May 3, 2006

Section 4.1: Preliminary Consultations

- Amendment to the site plan review regulations Section 4.1 Preliminary Consultation, to require a preliminary site plan review on certain site plans prior to submission to the planning board.

May 19, 2004

Section 5.11: Fire Protection

- Amend the Stratham Site Review Regulations to provide for a specification for the installation or Fire Cisterns within projects as may be required. Add a new Section 5.11 (b).

August 6th, 2003

Section 4.2.4: Public Hearing and Notice

- Amended section by reinserting provision that was inadvertently deleted on January 31st, 2001.

May 1, 2002

Section 4.2.1: Submission Period

- Amended advance submittal requirement from 15 to 20 days in (a).
- Added provision regarding 10-day advance submittal for continued applications in (b).
- Added provision that Planning Board review of tardy submittals will be delayed in (c).
- Added provision regarding Town Planner issuing an advisory determination of complete application.

August 1, 2001

- Adopted detailed lighting regulations for non-residential development (see Appendix A).

June 6, 2001

Section 5.9: Parking Areas and Access Drives

- Amended section generally and included a new subsection (f) relating to parking lots and spaces which was formally contained in Section VI of the Stratham Zoning Ordinance.

January 31, 2001

Section 4.2.6: Submission Deadline

- Deleted section entirety due to duplication elsewhere in the regulation.

Section 4.2.4: Public Hearing and Notice

- Deleted section entirety due to duplication elsewhere in the regulation.

Section 4.2.5: Concurrent and Joint Hearings

- Amended first sentence in this section to reference a hearing on both site plans or for a subdivision plat.

Section 4.3.1: Existing Data

- Amend subsection (d) to added the words "…of significant or unique species…"

Section 4.4.1: Public Hearing and Notice

- Deleted section entirely due to duplication elsewhere in the regulation.

Section 4.4: Formal Review Procedure

- Amended section generally to reflect the time requirements and procedures established by current state statute.

June 21, 2000

Section 3.2.1: Compliance with Other Regulations

- Removed reference to special exceptions and added a second paragraph which outlines a waiver procedure.

Section 5.1: Access Design

- Amended Section 5.1(d) to clarify the need for granite curbing.

August 18, 1999

Section 2.1: Definitions

- Amended Section 2.1.11 to correct cross-reference
- Amended Section 2.1.13 to correct cross-reference

Section 3.2.1: Compliance with Other Regulations:

- Amended language to clarify Planning Board procedure for variances and special exceptions

Section 4.1: Preliminary Consultation

- Amended language to mirror subdivision procedures

Section 4.2: Formal Application Review Process

- Amended Section 4.2 language to mirror subdivision procedures
- Amended Section 4.2.2 (c) to require additional plans sets at time of submission
- Amended Section 4.2.7 to modify fees and charges

Section 4.3: Data Required

- Amended Section 4.3.1 (d) to allow an inventory of standing timber to be provided
- Amended Section 4.3.2 (a) to change the spot elevations grade requirement from 5% to 3% and to require trees affected by grading be shown on the plan

Section 4.5.4: Disapproval

- Amended to change the word MAY to SHALL
- Added paragraph three to direct an applicant to the Zoning Board of Adjustment upon denial based on the need for a variance.

Section 5.1 (d): Access Design

- Amended to add CLIO and RPC zones in paragraph four.

Section 5.3 (b): Storm Drainage

- Amended to change cross-reference from Section 4.5.2 to Addendum C

Section 5.5: Snow Storage

- Amend to prohibit snow storage in wetland and shoreland protection areas.

Section 5.10: Water & Sewer Service

- Added language stipulating compliance with Section XX of the Zoning Ordinance

Section 5.11: Fire Protection

- Amended language to require fire protection sources to be approved by the Fire Department.

August 18, 1999 (continued)

Section 5.15: Architectural Plans

- Amended to add the word "building" before "permit" in the first sentence.
- Added CLIO & RPC zones to section

Section 6.1: Construction Standards

- Amended to change year of referenced publication

Section 6.2: As-Built Drawings

- Amended to change the word "competent" with "licensed land"

December 4, 1996

Section 4.2.3: Fees and Charges

- Added section 4.2.3 (e) 4 (reimbursement for services)

November 1, 1995

Section 1.2: Purpose

- Added language to subsection (b) regarding maintaining rural character of Stratham
- Added language to subsection (c) regarding providing adequate open space visible from public ways

Section 4.3.1 (f): Existing Data

- Combined subsection f. and subsection j. into one subsection

Section 4.3.2: Proposed Plans

- Added language in (a) for measurement of existing and proposed elevations at base of existing trees
- Added a new subsection (h) which requires language be placed on the plan that the landscape design is compatible to the building and hardscape.
- Added language in newly designated (i) that requires a sign permit be obtained from the Code Enforcement Officer prior to the submission of the site plan and requires sign area calculations, colors, standards or supports and other information relative to the sign is provided to the Board.

Section 5.1: Access Design

- Added language regarding installation of granite curbing within State right-of-way and/or bonding of granite installation work when improvements are scheduled for State rights-of-way

Section 5.2: Landscaping and Screening

- Added language regarding berming and mounding to obscure parking
- Added language on screening of residential property from the site
- Added language regarding color, style, and location of fencing

November 1, 1995 (continued)

Section 5.7: Sidewalks

- Add setbacks for open space along Portsmouth Avenue and provisions which excludes walks and drive entries from the setback requirements

Section 5.8: Illumination and Noise Emissions

- Added in (a) language that all lighting will be confined to the property
- Added in (c) language which indicates that outside lighting must be to a level for security purposes
- Added in (d) language which specifies height and location of light standards
- Added a new subsection (e) regarding loudspeaker/enunciation systems
- Added a new subsection (f) which limits noise to buildings and limits decibel levels on abutting properties

Section 5.10: Water and Sewer Service

- Added language to require screening of septic vents.

Section 5.15: Architectural Plans

- Added reference to Master Plan and desire to retain the rural, agricultural character of the community. Includes language regarding required improvements to various zoning districts, and provisions for stringent design standards
- Added requirements for design features including roof slopes, roof materials and colors, building components, cladding materials, building colors, locations of mechanical equipment, and other building design and site standards

Section 5.16 (Open Space Setback)

- Added new dimensional requirement for open space setbacks from front property line

November 17, 1993

Section 4.2: Formal Application Review Process

- Amended Section 4.2.3 to add a new Item (d) and (e)

Section 4.3: Data Required

- Amended Section 4.3.2, Item (e) to add new language

Section 4.5: Board Action

- Replaced Section 4.5.1 with new language

Section 5.10: Water and Sewer Service

- Revised Section 5.10 to delete old language

Section 5.11: Fire Protection

- Added a new sentence to Section 5.11

Section 5.12: Erosion and Sedimentation Plans

- Changed the name and replace the text of Section 5.12

November 17, 1993 (continued)

Section 6.3: Site Inspection Fee

- Deleted Section 6.3

August 21, 1991

Section 4.2.3: Fees and Charges

- Amended Section 4.2.3 (a)

Section 4.5.1: Approval With or Without Conditions

- Amended Section 4.5.1 (a)

Section 5.12: Erosion and Sedimentation Plans

- Replaced Section 5.12 in its entirety

Section 7.2: Financial Guarantee

- Amended second sentence of Section 7.2

Section 7.3: Maintenance Bond

- Amended first sentence of Section 7.3

July 26, 1989

Section 2.1: Definitions

- Amended Section 2.1.11 (Street)
- Amended Section 2.1.13 (Wetlands)

Section 3.2.1: Compliance with Other Regulations

- Added second paragraph

Section 4.2.2: Exhibits Required at Time of Submission

- Inserted Sections 4.2.2(d) and (e)

Section 4.3.1: Existing Data

- Added Section 4.3.1(n) and (o)

Section 5.3: Storm Drainage

- Amended Section 5.3(b)

Section 5.13: Street Construction

- Amended second paragraph

Section 5.14: Design and Construction Requirements

- Added Section 5.14 (Architectural Plan)

February 3rd, 1987

- Adoption of Revamped Site Plan Regulations. The Town of Stratham originally adopted Site Plan Regulations on March 6th, 1973.