

NONRESIDENTIAL SITE PLAN REVIEW REGULATIONS
EPSOM, NEW HAMPSHIRE
05/06/92

Section 1 Authority

Pursuant to the authority vested in the Epsom Planning board by the voters of the Town in accordance with the provisions of Chapter 36:Section 19-a New Hampshire RSA, 1955, the Board adopts the following rules governing the review of nonresidential site plans in the Town of Epsom. These rules shall be entitled "Nonresidential Site Plan Review Regulations, Town of Epsom, New Hampshire."

Section 2 Definitions

- 2.1 Development – the construction of improvements on a tract or tracts of land for nonresidential use; the construction of improvements on a tract or tracts of land for the purpose other than Residence – Dwelling as defined by the Epsom Zoning Ordinance.
- 2.2 Zoning and Subdivision Regulations – the definitions and general provisions contained in these regulations shall, where applicable, apply to the Nonresidential Site Plan Review Regulations.

Section 3 Submission Items

Prior to the submission of the site development plan, owner may submit a preliminary sketch showing any preliminary information to the Planning Board for discussion purposes only.

On the formal submission of the site development plan the owner or his / her authorized agent shall submit three (3) sets of site plan maps and supporting data to the Planning Board, which shall include the following:

- 3.1 Existing Data and Information
 - A. Location of site, names and addresses of owners of record and abutting land owners.
 - B. Name and address of persons or firms preparing the map, the scale of the map, north arrow and date. Such map shall be prepared by a registered land surveyor or registered land surveyor or registered professional engineer. Name and address of persons or firm preparing other data and information, if different from the preparer of the map, shall be included.
 - C. The boundary lines of the area included in the site, including angles or bearings of the lines, dimensions and lot area.
 - D. The scale of the map shall be 1-inch equals 40-feet. Existing grades, drainage systems, structures, and topographic contours at intervals not exceeding 2-feet with spot evaluations where grade is less than 5-percent, otherwise not exceeding 5-foot contour intervals.
 - E. The shape, size, height, and location of existing structures located on the site and within 200-feet of the site.
 - F. Natural features such as streams, marches, lakes, and ponds. Manmade features such as, but not limited to, existing roads and structures. Such map shall indicate which of all such features are to be retained and which are to be removed or altered.

- G. Use of abutting properties shall be identified. Approximate location of structures and their access roads shall be indicated.
- H. The size and location of all existing public and private utilities and all existing landscaping. This shall include the location and size of existing public utilities which are located off-site and with which connection is planned, or which are located within 100-feet of the site.
- I. A vicinity ketch at 1-inch equals 500-feet showing the location of the site in relation to the surrounding street system. The 100-year flood elevation line shall be included where applicable.

3.2 Proposed Plan and Information

- A. The proposed grades, drainage systems, structures and topographic contours at intervals not exceeding 2-feet with spot elevations where grade is less than 5-percent, otherwise not exceeding a 5-foot contour interval.
- B. The shape, size, height, and location of the proposed structures including expansion of existing buildings.
- C. Proposed streets, driveways, parking spaces, sidewalks, with indication of direction of travel for one way streets and drives and inside radii of all curves. The width of streets, driveways, and sidewalks and the total number of parking spaces shall be shown. In additions, loading spaces and facilitates associated with the structures on the site shall be shown.
- D. The size and location of all proposed public and private utilities.
- E. The location, type and size of all proposed landscaping and screening.
- F. Exterior lighting plan and proposed signs to be located on the site.
- G. A storm drainage plan including plans for retention and slow release of storm water where necessary and plans for snow removal and storage.
- H. A circulation plan of the interior of the lot showing provisions for both auto and pedestrian circulations. An access plan showing means of access to the site and proposed changes to existing public streets including any traffic control devices necessary in conjunction with the site development plan.
- I. Construction drawings including, but not limited to pavements, walks, steps, curbing, and drainage structures.

3.3 Additional Information

The Planning Board may require such additional, other information as it deems necessary in order to apply these regulations.

Section 4 Design and Construction Requirements

- 4.1 Access to the site shall be designed to ensure the safety of vehicles and pedestrians.
- 4.2 Improvements to existing streets shall include signal devices if necessary because of increased traffic generated by the development.
- 4.3 Circulation and parking including loading facilities shall be designed to ensure the safety of vehicles and pedestrians on the site.
- 4.4 Landscaping and screening shall be provided with regard to adjacent properties, the public highway and within the site including interior landscaping of large (over three double rows) parking areas.
- 4.5 Storm drainage of the site shall be designed to retain and release storm water in order to meet the demands for a 25-year flood.
- 4.6 Provisions shall be made for snow storage during winter months.

- 4.7 Provisions shall be made for the site to be serviced by the necessary utilities, which may include water for fire as well as domestic use, sanitary sewer, electrical and gas.
- 4.8 Provisions shall be made for the protection of natural features.
- 4.9 Provision shall be made for adequate and harmonious outdoor lighting.
- 4.10 All development shall meet the standard requirements included in the Zoning Ordinance and Subdivision Regulations.
- 4.11 Construction requirements shall be in accordance with Standard Specifications for Road and Bridge Construction as published by the State of New Hampshire Department of Public Works and Highways provided that alternative provision may be considered by the Planning Board if submitted by the developer.
- 4.12 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, gas, electrical, and water systems are constructed and that adequate drainage is provided so as to reduce exposure to flood hazards. Design provisions shall be made to minimize or eliminate infiltration of flood waters into new or replacement water 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 of them or contamination from them during flooding.

Section 5 Occupancy and Bonding

The Planning Board may require a performance bond before any work commences on a development for that portion of the development that, if not properly completed, will have an adverse effect on adjoining property or has potential for erosion. The steps for issuing and releasing a performance bond shall be the same as required in the Subdivision Regulations including but not limited to determining the amount, sufficiency, term and form of the bond.

No development may be occupied or used unless a Certificate of Occupancy has been issued by the Zoning Compliance Officer. The Zoning Compliance Officer shall not issue such Certificate of Occupancy until these regulations have been complied with and the improvements made or a performance bond provided to the Town for unfinished improvements.

Section 6 Procedure for Planning Board Review

- 6.1 A completed application shall fulfill all requirements of Sections 3 and 4 of these Regulations. Provided an application is submitted at least five (5) days before a Planning Board meeting, determination as to its completeness shall be made at that meeting. The application shall be accepted and a receipt shall be provided by the Board after it has been determined that the application meets the requirements of these regulations. Within 30 days the Planning Board shall place consideration of such proposed site plan on its agenda and shall act to approve or disapprove it within 90 days of accepting the completed application, provided that the Planning Board may apply to the Selectmen for an extension not to exceed an additional 90 days before acting to approve or disapprove. Otherwise, such proposed site plan shall be deemed to have been approved and the Certificate of the Town as to the date of submission of the site plan for approval and failure to take action thereon within such time shall be issued on demand and shall be sufficient in lieu of the written endorsement or other evidence of approval herein required. The applicant may waive this requirement and consent to an extension of such period. When necessary, the Zoning Compliance Officer shall issue in behalf of the Town a Certificate of Failure on the part of the Planning Board to take action.

- 6.2 The Planning Board may approve or disapprove all or part of the plan. Grounds for such disapproval shall be adequately stated on the records of the Planning Board and the applicant notified.
- 6.3 Before taking action on a nonresidential site plan, the Planning Board shall hold a public hearing. The applicant and abutters shall be notified of the public hearing and the time and place of such hearing by certified or registered mail, no less than five (5) days before the date fixed for the hearing. Public notice of the hearing shall be by advertisement in a newspaper of general circulation in the Town. Such notice shall state the time and place of the hearing and a brief description of the location of the proposed site plan. The publication of such notice shall be not less than five (5) days before the date fixed for hearing. The costs of any such required publications, postings and mailings shall be paid by the applicant prior to the hearing.

Section 7 Concurrent and Joint Hearings

The Planning Board may hold a hearing on site plan review in conjunction with a subdivision hearing if both are required for a project. A hearing or site plan review by the Planning board may be held at the same time and place that a hearing for a special exception is held for the project by the Board of Adjustments.

Section 8 Waiver Procedure

When a proposed site plan is submitted for approval with regard to an expansion of an existing use the owner may submit a proposed site plan request the Planning Board to waive specific requirements for the Plan and supporting data. The Planning Board may agree to such requests provided that the Board has determined that such waiver of any requirement will not affect the purpose and intent of these regulations. This shall not apply to design and construction standards.

Section 9 Amendments

Amendments to these site plan review regulation shall be made in the same manner in which amendments to subdivision regulations are made.

Section 10 Separability

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

PROPOSED AMENDMENT TO NON-RESIDENTIAL SITE PLAN REVIEW REGULATIONS
DRAFT PREPARED FOR JUNE 25, 1991

4.3 Junkyard Regulation

The purpose of this Section is to address design requirements in addition to the general requirements of these regulations relative to site planning of a junkyard, where such use poses and increased possibility of degradation of the environment by customary conduct of operations or associated vehicular traffic.

A. Screening

1. All junkyards shall be effectively screened on all sides by appropriate natural, topographic, or artificial screening methods so as to afford visual barriers to the area of the premises where junk is kept. No materials, junk, or reconditioned vehicles or equipment shall be located outside of the screened areas.
2. A minimum of 50 (fifty) foot buffer zone shall be provided from the property line of the site to the designated junkyard operations and storage area within the site. This buffer may be sufficient as screening required above. Customer parking may be allowed within the 50 (fifty) foot buffer if adequate screening can still be provided.
3. The entrance to the junkyard operation and storage area shall be effectively gated and screened to provide both a secure and visual barrier. Access shall be designed to allow such as tractor-trailers, wreckers, and retail sales traffic. The salvage area shall be separate from customer parking locations.

B. Operational Features

In addition to general requirements of this Regulation, the site plan of a junkyard shall include the following:

1. Initial receiving area where vehicles / junk are uploaded and temporarily stored, which shall be separate from any customer parking and not restrict or impede the flow of traffic onto or within the site. Surface runoff shall be directed around the designated receiving area so as to not allow concentrated flow through the receiving area.
2. Vehicle / junk preparation area to prepare vehicles / junk for storage by removing appropriate fluids or contents on an impervious surface under cover of a roof so as to minimize runoff and facilitate the control and recovery of accidental spills or leaks.
3. Storage area for the interim placement of fluid-free vehicles, or parts, or other junk.
4. Crushing area to crush, package, or otherwise prepare vehicles / junk for removal from the junkyard site on an impervious surface with appropriate fluid collection capabilities and natural runoff diversion and treatment.
5. The above four components may be combined in both function and location provided such use is consistent with the intent and spirit of this section. Diversity or peculiarity of a junkyard operation relative to the Epsom Zoning Ordinance may require that unique terms and conditions of operation be established by the Zoning Board of Adjustment in granting a Special Use Permit for a junkyard.

C. Storage and Crushing Area

1. Access to all areas a circulation within the site by emergency vehicles shall be maintained at all times.
2. Storage yard shall be kept in an orderly fashion until removal of the junk from the site. Vehicles may not be stacked on one another or in such a way as to create a hazard.
3. The designated crushing area shall have an impervious concrete or bituminous surface with side walls or berms to allow leaks for the containment and control of anticipated spills or leaks of fluids as the vehicle / junk is crushed or packaged. Contaminated soils shall be treated as required by State and Federal regulations.
4. Tires shall be stored in piles no bigger than twenty-five (25) feet in diameter, and at a maximum height of twenty (20) feet provided that such height does not expose the pile above the visual barrier screening. A minimum of fifty (50) feet shall be maintained between a tire pile and any other tire pile, junk storage, or structure. To avoid becoming a public health hazard, tires may not be stored for more than one year.

D. Fluid Recovery and Spill Prevention

1. All fluids shall be drained before storage of junk. Fluids shall be removed in the vehicles / junk preparation area on an impervious surface such as asphalt or concrete under cover of a roof to reduce the possibility of runoff in rainwater. Once drained, fluids shall be stored in appropriate non-leaking containers under cover in a containment area equal to or greater than the volume of fluids stored.
2. If the applicant propose to receive, store, distribute, or dispose of used or waste fluids in addition to the salvage operation, then other applicable requirements may be established as deemed necessary by the Planning Board.
3. All fluids shall be disposed of in accordance with all applicable State and Federal laws. Records of fluid disposal shall be maintained to include but not be limited to who the waste fluids were given for disposal.
4. Fuel tanks removed from vehicles shall be stored separately from other junk and shall be covered.
5. Prior to storage of junk, refrigerants from auto air conditioner, refrigerators, and the like shall be removed, stored and disposed of in accordance with State and Federal regulations.
6. All batteries shall be removed from vehicles before storage or crushing and shall be stored in an enclosed leak-proof structure.

E. Other Requirements

1. All applicable State and Federal permits for transport, storage, distribution, disposal, or use of waste oil products, or any other fluids, metals or materials shall be obtained if required by the specific activity proposed.
2. Any variation to the Site Plan shall be reviewed by the Planning Board prior to issuance of the annual junkyard permit.