

TOWN OF SPRINGFIELD, NH

SITE PLAN REVIEW REGULATIONS



May 18, 2023

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Section I: Authority

Pursuant to the authority vested in the Springfield Planning Board by the voters of the Town on March 14, 1989 and pursuant to Chapter 674:43 and 44 of the NH Revised Statutes Annotated, the Springfield Planning Board, consistent with RSA 675:1, 6-9 adopts the following regulations governing the development or change or expansion of use of tracts for nonresidential uses or multi-family dwelling units, whether or not such development includes a subdivision or resubdivision of the site.

Section II: Purpose

The purpose of the Site Plan Review process is to protect the public health, safety and welfare; to promote balanced growth; to promote the timing of development to prevent premature and uncoordinated development of land without the adequate provision of public services and facilities; to ensure sound site utilization; to avoid development that may result in negative environmental impacts; and to guide the character of development. Maintenance of existing neighborhood property values will be a primary concern of the Planning Board. And, finally, these regulations shall be used to assist in implementing the policies and achieving the goals and objectives of the Springfield Town Plan.

Section III: Projects Subject To Site Plan Review

A. Non-residential and Multi-family The purpose of these regulations is to provide for Planning Board review and approval or disapproval of all proposed site plans for all new construction, expansion, or change of use resulting in non-residential uses including home businesses (See Zoning Ordinance), for multi-family dwelling units, which are defined as structures containing more than two (2) dwelling units, for short term rentals, which are defined as a type of accommodation that is rented out for a brief period, typically for a few days or weeks, but not longer than one hundred eighty five (185) days, to transient occupants, lodgers, or guests, and where the dwelling unit does not otherwise constitute a hotel, motel, bed-and-breakfast, cottage colony, boarding house, campground, or other similar uses, and for accessory buildings including garages with over two bays.

B. Single and Two-Family Residences Excluded The construction of a residential single or two-family dwelling shall not be covered by these regulations, provided the dwellings are not part of a planned residential development or a continuing care retirement community that includes a multi-family dwelling.

C. Home Occupations Excluded See the Zoning Ordinance Section 5.1 for a definition to distinguish from a "Home Business", which does require site plan review.

Section IV: Compliance

The site plan review procedure shall not relieve an applicant from compliance with the Springfield Zoning Ordinance, the Springfield Subdivision Regulations, or any other regulation, ordinance or by-law which pertains to the proposed project. No site plan shall be approved unless such plan complies with all applicable local ordinances and regulations.

Section V: General Standards

In the review of any site plan conducted under these regulations, the Planning Board shall ascertain that adequate provisions have been made by the owner or his authorized agent for the following:

- A. Design of development should fit the existing natural and human-made environments with the least stress:
 - 1. Site preparation is to be conducted with minimal disturbance to existing vegetation. Stripped topsoil is to be piled and reused on the site where needed. A minimum of 4 inches of topsoil is to be placed on the disturbed area. The site shall be adequately landscaped, as delineated in a landscape plan.
 - 2. Landscape treatment shall consist of natural, undisturbed vegetation or features, or newly installed ground cover, shrubs or trees where appropriate.
 - 3. Grading and filling must be conducted to minimize the alteration of surface and subsurface drainage to, toward or across abutting properties, unless the written consent of the abutting landowner is obtained.

- B. Access to public roads and emergency vehicle access will meet the requirements of the NH Department of Transportation and/or the Town of Springfield. Any new road construction shall conform to the road standards as specified in the Springfield Subdivision Regulations. The internal traffic pattern will accommodate the proposed use, as well as providing easy, unimpeded access for emergency vehicles.

- C. Safe pedestrian access. A plan for adequate and safe arrangements for pedestrian travel, including separation of pedestrians from vehicular traffic may, in the judgment of the Planning Board, be required on the site plan.

- D. Off-street parking and loading
 - 1. Space must be provided, including off-street areas for maneuvering of anticipated trucks or other vehicles. Maneuvers for parking and /or loading or unloading must not take place from a public road.

 - 2. Access, parking and loading areas are to be constructed so as to minimize dust, erosion, and runoff conditions that would have a detrimental effect on abutting or neighboring properties.

3. Permeable pavement may be used that may reduce the need for installation of drainage facilities to accommodate runoff; however, the Board may require that access, parking and loading areas be conventionally paved, if deemed appropriate.
- E. Water Supply and Sewage Disposal systems must be sized to adequately meet the needs of the proposed use under the regulations of the NH Department of Environmental Services and/or the Town of Springfield regulations. It shall be the responsibility of the applicant to provide adequate information to prove that the area of the lot is adequate to permit the installation and operation of an individual sewerage disposal system, and that existing systems are adequate to serve the needs of the proposed development.
- F. Storm water management and erosion control plans described in the Zoning Ordinance, utilizing on-site absorption wherever practical and taking into account the land contours.
- G. Protection against elements of pollution such as noise, smoke, soot, particulates or any other discharge into the environment that might prove obnoxious or harmful to persons, groundwater, structures, or adjacent properties. See Zoning Ordinance
- H. Signs for a “Home Business” will be as allowed according to the Zoning Ordinance. All other uses subject to Site Plan Review are allowed to have a sign no greater than 12 square feet. Lighting for new or newly lit signs will project zero light rays above the horizon from the lamp, its lens structure or any associated reflector. Signs may be illuminated only by continuous indirect white light, with illumination from above, and with light sources shielded so that they will not constitute a nuisance or hazard caused by glare to neighbors, pedestrians, or drivers. An exception to overhead sign lighting can be made if the illumination is confined to the area of the sign.
- I. Open and green spaces, landscaping, protection of natural land features and similar elements that provide for an aesthetically pleasing site which is in keeping with the general character of the surrounding area.
- J. Screening or buffers are to be maintained or installed to provide privacy and noise reduction to residential areas abutting nonresidential sites:
 1. Buffer strips (10 feet minimum – distance largely dependent upon the density of development in the area) must be maintained between proposed use and residential uses. Buffer strip between nonresidential and residential uses must contain vegetation that will screen nonresidential uses from sight of the residential uses during winter months. The use of either fencing or hedges may be permitted.
 2. Storage areas must be fenced or screened from on-site or adjoining parking and neighboring properties.
 3. Garbage collection areas must be screened.

- K. Fire Protection must be addressed as delineated in the Springfield Subdivision Regulations.
- L. Underground Fuel Storage Tanks shall comply with the standards of the NH Department of Environmental Services.
- M. Compliance with these Regulations, the Town of Springfield Zoning Ordinance, Subdivision Regulations, and consistency with the Springfield Town Plan, and any other applicable State laws and regulations or local ordinances.

Section VI: Additional Standards for Short-Term Rentals

In the review of a site plan for short-term rentals conducted under these regulations, the Planning Board shall ascertain that adequate provisions have been made by the owner or his authorized agent for the following additional standards:

A: Water Testing. At a minimum, water testing must include an analysis of:

- 1. Total Coliform Bacteria
- 2. E. coli Bacteria
- 3. Arsenic
- 4. Lead
- 5. Copper

B: Life Safety Checklist.

- 1. Compliance verification of the Life Safety Checklist by Springfield Fire Department or Planning Board as part of the initial or amended site plan review
- 2. Compliance verification of the Life Safety Checklist by property owner/applicant annually after obtaining site plan approval

C: Septic System functionality.

- 1. Documentation of NHDES approved design. If not a NHDES approved design, submit:
 - (a) a map (showing location of components) with a description of the current system and
 - (b) a new system design, approved by NHDES, to be held on file
- 2. Documentation of septic system servicing: pumping, inspection, and scoping (with a camera) to confirm that the system is functional

Section VII: General Site Plan Submission and Review Procedures

A. Preliminary Conference An applicant may appear before the Planning Board to discuss the proposed development prior to the formal submission of a site plan. A rough drawn preliminary sketch may be reviewed at this time. The purpose is to anticipate and discuss any site development problems that may be encountered. Any discussion under this paragraph is non-binding.

B. Formal Site Plan Submission The owner, or his/her agent, shall file an application with the Planning Board not fewer than 21 calendar days prior to a regularly scheduled meeting of the Board (the third (3rd) Thursday of each month at 7:00pm at the Town offices). The Board will only consider a completed application, as required by these regulations, which consists of the following:

1. A properly completed application form obtained from the Planning Board. Only the Planning Board has the authority to decide if an application meets the site plan requirements for a completed application.
2. The application shall include the names and addresses of the applicant, all holders of conservation, preservation, or agricultural preservation restrictions as defined in RSA 477:45, and all abutters. Abutters shall also be identified on any plat submitted to the board. The application shall also include the name and business address of every engineer, architect, land surveyor, or soil scientist whose professional seal appears on any plat submitted to the board.
3. An application fee of \$100.00 plus \$10 for each abutter, presented by check made payable to the Town of Springfield. Additional reasonable fees may be imposed by the Board to cover its administrative expense and costs of any special analyses, if necessary.
4. Four (4) copies of the site plan and all other plans and documents required by these regulations as well as an electronic copy, if possible. Additional copies may be required by the Planning Board when deemed necessary.
5. Copies of all applicable legal documents including, but not limited to deeds, easements, and rights-of-way.
6. Copies of all applicable state approvals and permits including, but not limited to, those required by the NH Department of Environmental Services (such as a septic permit) and the NH Department of Transportation; also state approval, if applicable, for underground storage tanks.
7. The Planning Board may require such additional information as it deems reasonably necessary, including but not limited to professionally performed impact analyses, in order to effectively apply the regulations contained herein.

C. Notification of Public Hearing The Planning Board, before considering or taking final action upon a completed site plan submission, shall hold a public hearing as required by RSA 676:4 to provide an opportunity for public testimony.

The applicant, abutters, or any person with a direct interest in the matter may testify in person or in writing. Notice to the applicant and the abutters shall be sent by verified mail, as defined in RSA 21:53, and notice to the public shall be provided by a prominent posting of the Notice in two public places within the Town.

Such Notices shall contain a statement of the time and place of the hearing, a general description of the site plan proposal and location, and shall be mailed and posted not less than 10 days prior to the date fixed for the hearing.

D. Board Action on Completed Application

1. Time Frames: The Board shall consider an application within 30 days of its submission to the Board and acceptance by the Board as complete; and shall act to approve, modify, and approve or disapprove the application within 65 days, as provided by RSA 676:4. The applicant may waive the requirement for Planning Board action within the time periods specified in RSA 674:4 and consent to such extension as may be mutually agreeable. The Board may also provide for an expedited review of site plans, such as for a Home Business, but in no event shall final approval be granted by the Board without notice to the abutters and the public.
2. The Planning Board shall issue a final written decision which either approves or disapproves an application and make a copy of the decision available to the applicant. The decision shall include specific written findings of fact that support the decision. If the application is not approved, the Board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.
3. Whenever the Planning Board votes to approve or disapprove an application or deny a motion for rehearing, the minutes of the meeting at which such vote is taken, including the written decision containing the reasons therefore and all conditions of approval, shall be placed on file in the Board's office and shall be made available for public inspection within 5 business days of such vote.
4. Whenever a plat is recorded to memorialize an approval issued by the Planning Board, the final written decision, including all conditions of approval, shall be recorded with or on the plat.
5. Approval of the final site plan shall be indicated by written endorsement on the plan and signed by a majority of the voting members.
6. Compliance with Conditions: Whenever the Planning Board approves a site plan placing a condition or conditions precedent on the approval, all such conditions must be met

- within a reasonable specified time as determine by the Board, at which time a hearing shall be held, with notice to abutters provided, to review compliance with conditions.
7. Planning Board approval of a site plan shall be valid for 18 months from the date of approval and, if a building permit has not been issued within that time period or if one has been issued but not substantially acted upon as determined by the Planning Board within that period, then the Site Plan approval shall automatically become null and void.
 8. In lieu of the completion of street work and utility installations prior to the final approval of a plat, the Board and the Selectmen shall accept a performance bond or escrow agreement as security for the completion of such items. The Board, at its discretion, shall prescribe the type and amount of the bond or agreement, require satisfactory evidence of the financial ability of any surety or financial institution to pay such bond or agreement, and specify the period for the completion of the street work and utility installations in order to secure to the Town the actual completion of such work and installations. Such bonds or agreements shall be enforced by the Town pursuant to RSA 674:44 IV. (b).
 9. Amendments to Plan/Waivers: The Planning Board shall have the power to modify or amend its approval of a site plan on application of the owner or on its own motions. All original approvals shall reserve to the Board the power to modify or amend such approvals. Such modifications or amendments shall be placed on the agenda and posted in the normal manner and, if the Board deems necessary, verified mail (as defined in RSA 21:53) Notice to the abutters shall be required at the expense of the applicant.
 10. When, in the judgment of the Planning Board, special circumstances exist where strict conformity with any specific requirements of these regulations would cause undue hardship or injustice to the owner of the site being reviewed, where the review procedures have been in general conformity with the spirit and intent of these regulations, and where the public health, safety, and prosperity will be served, the Planning Board may waive or modify specific requirements of these regulations.
 11. Building Permit/Limitations on Approval: No building permit shall be issued for projects covered by these regulations unless the application therefore is accompanied by a site plan approval issued by the Planning Board.

Section VIII: Specific Site Plan Submission Items

A. Existing Data

1. Location of site tax map and lot number, names and addresses of owners of record and abutting land owners within 200 feet.
2. Name and address of persons or firm preparing the map, the size of the map is to be 34" x 22" minimum, the scale of the map (1 inch equals 20 feet suggested), north arrow, and date. The Board may require that the map shall be prepared by a registered land surveyor or registered professional engineer. Also required are

the names and addresses of persons or firms preparing other data and information if different than preparer of the map. The Planning Board shall determine if a survey is required.

3. The boundary lines of the area included in the site including angles or bearings of the lines, dimensions, and the lot area, if appropriate.
4. The existing grades, drainage systems, structures, and topographic contours at intervals not exceeding two (2) feet with spot elevations where grade is less than five (5) percent, otherwise not exceeding five (5) foot contour intervals.
5. The shape, size, height, and location of existing structures located on the site and within 200 feet of the site.
6. Natural features such as streams, marshes, lakes, or ponds and flood hazard areas. Human-made features such as, but not limited to, water supply, sewage disposal, existing roads and structures. Such map shall indicate which of such features are to be retained and which are to be removed or altered.
7. Use of abutting properties shall be identified with approximate location of the structures thereon including access roads.
8. 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 that are located off-site, with which connection is planned or located within 100 feet of the site.
9. A vicinity sketch (suggested scale 1 inch equals 200 feet) showing the location of the site in relation to the surrounding public street system and the zoning districts, distance to fire hydrant or fire pond.

B. Proposed Plan and Information

1. A narrative to describe the property and existing and proposed structures and how they will be used. Include proposed numbers of people to be served and seasonal hours of operation.
2. The proposed grades, drainage systems, structures, and topographic contours at intervals not exceeding two (2) feet with spot elevations where grade is less than five (5) percent, otherwise not exceeding a five (5) foot contour interval.
3. The shape, size, height, and location of the proposed structures including expansion of existing buildings.

4. Proposed streets, driveways, loading areas, 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. Additional facilities associated with the structures on the site shall be shown.
5. The description and location of all proposed public and private utilities.
6. The locations, type, and size of all proposed landscaping and screening and buffering.
7. Exterior lighting plan and proposed signs to be located on the site.
8. A storm drainage plan including plans for retention and slow release of storm water where necessary and plans for snow removal and storage.
9. A circulation plan of the interior of the lot showing provisions for both auto and pedestrian circulation, and a plan showing means of access to the site and proposed changes to existing public roads including any traffic control devices necessary in conjunction with the site development plan.
10. Construction drawings including but not limited to pavements, walks, steps, curbing, and drainage structures.

Section IX: Special Flood Hazard Areas

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

- A. The applicant shall provide for review by the Planning Board all necessary permits 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, as amended.
- B. The Planning Board shall require that all proposals for development greater than 50 lots or 5 acres, whichever is the lesser, include Base Flood Elevation (BFE) data within such proposals (i.e. floodplain boundary and 100-year flood elevation).
- C. The Planning Board shall require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a determination that:
 1. all such proposals are consistent with the need to minimize flood damage;
 2. all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
 3. adequate drainage is provided so as to reduce exposure to flood hazards.

Section X: Other Town Approvals and Hearings

- A. When a Special Exception or Variance is required by the Zoning Ordinance, the applicant shall first obtain the Special Exception or Variance before applying for Site Plan approval. Additional conditions may be required by the Planning Board as part of the Site Plan approval. Where appropriate, the Planning Board may hold a joint hearing with the Zoning Board of Adjustment.
- B. When both Subdivision and Site Plan approvals are required on a proposed development, the Board may hold the Site Plan Review at the same time as the hearing required for the final plan by the Subdivision Regulations. The Planning Board will typically address the Subdivision first.

Section XI: Performance Bond

The Planning Board may require the applicant to post a bond or file an escrow agreement with the Selectmen in an amount approved by the Board to guarantee conformity with elements such as, but not limited to street, sewer, water, drainage, or utility improvements of the site plan. Where an applicant is required to post a bond or engage an escrow, it shall be posted prior to the start of any construction, improvement, or issuance of a building permit.

Section XII: Enforcement

Responsibility for enforcement of Site Plan Review regulations shall reside with the Selectmen.

Section XIII: Amendments

The regulations may be amended or rescinded by the Board, but only following public hearing on the proposed change, and in accordance with the provisions of RSA 675:6. The Board shall transmit a record of any changes so enacted to the Town Clerk, the Selectmen, Office of Energy and Planning and appropriate regional planning agency.

Section XIV: Severability

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.

Section XV: Application of Higher Standard

Whenever these regulations differ from those prescribed by any statute, ordinance, or other applicable regulations, that provision which imposed the higher standard shall govern, to the extent not contrary to State law.

Section XVI: Effective Date

Approved by the Springfield Planning Board on May 18, 2023

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