



Town of Enfield
Planning Board
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**SITE PLAN REVIEW
REGULATIONS
TOWN OF
ENFIELD, NEW HAMPSHIRE
Planning Board**

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ARTICLE 1. GENERAL PROVISIONS**1.1 Authority:**

Pursuant to the authority vested in the Enfield Planning Board by the voters of the Town of Enfield, New Hampshire, at the annual Town Meeting in March 1975 (Nonresidential Use) and March 1985 (Multi-Family Use) and in accordance with the provisions of RSA 674:43 the Enfield Planning Board adopts the following regulations for Site Plan Review.

1.2 Purpose and Scope:

The general purpose of this regulation is to guide the character of non-residential and multi-family development, re-development, expansion, and change of use in order to visit. No site plan review shall be required for a one-family or a two-family dwelling per lot and their associated accessory uses. In keeping with this general purpose, the following are specific objectives:

- 1.2.1 Promote the harmonious and aesthetically pleasing development of the Town, ensuring visual harmony of the sites with their surrounding neighborhoods, establishing site designs consistent with and/or complimentary to traditional New England designs, providing adequate green space and open space, providing for proper building location to ensure adequate sunlight and air circulation, and protecting the natural beauty of the Town.
- 1.2.2 Enhance the downtown village area and riverfront by providing an appropriate mix of uses, improving appearance, maintaining traditional New England character, enhancing pedestrian accessibility, and promoting mixed use mill re-development.
- 1.2.3 Protect the public from undue hazards, disturbances, and nuisances.
- 1.2.4 Promote commercial development, including opportunity for home-based work, to broaden the tax base and employ residents.
- 1.2.5 Protect environmental quality by means such as controlling erosion and site runoff.
- 1.2.6 Ensure that land is of sufficient character to be used for building purposes without danger to health, and additionally ensuring that development does not exceed the capability of the land to safely provide on-site water supply and sewage disposal in areas not served by municipal water and sewer systems.
- 1.2.7 Guard against such conditions as would involve danger or injury to health, safety, or prosperity by reason any one or more of the following:
 - inadequate drainage;
 - conditions conducive to flooding;
 - inadequate protection for the quality of groundwater;
 - undesirable and preventable elements of pollution such as noise, smoke, light, soot, particulates, or any other discharge into the environment

which might prove harmful to persons, structures, or adjacent or neighboring properties;

- Inadequate provision of fire safety, prevention and control.

1.2.8 Facilitate adequate provision of public facilities, utilities and services; and

1.2.9 Provide for adequate transportation by requiring appropriate provision and arrangement of roads, driveways, sidewalks, traffic aisles, parking, loading areas, bicycle facilities, emergency vehicle accesses, transit amenities, and off-site connections.

1.3 Compliance with Other Regulations:

The Site Plan Review process shall in no way relieve an applicant from compliance with the Enfield Zoning Ordinance, Enfield Subdivision Regulations, or any other local or State ordinances, regulations or bylaws which pertain to the proposed development. No Site Plan Application shall be approved unless such plan complies with all applicable ordinances and regulations. If, for some reason, there is a conflict in regulations, the more restrictive provisions shall apply.

1.4 Definitions:

For the purposes of these Regulations, certain words and terms are defined as provided in the Enfield Zoning Ordinance.

1.5 Applicability:

There are three possible applications of this Regulation to the development or change of a non-residential or multi-family site. The following criteria specify the level of review necessary:

1.5.1 Not Applicable. Upon receipt of a written letter of acknowledgment from the Code Enforcement Officer, this Regulation is not applicable for the following:

- Temporary Events which require no permanent alterations to the site and which function safely within the approved configuration of the site, as determined by the Code Enforcement Officer;
- Special Events approved by the Board of Selectmen;
- Home Occupations with no regular interaction with the public;
- Commercial excavations as regulated pursuant to RSA 155-E and the Enfield Excavation Regulations.

1.5.2 Minor Review. A Minor Review by the Planning Board shall be required for the following:

- Change of use of a non-residential site, for which no change in floor area is proposed, and which either maintains or decreases the intensity of use on the site with respect to parking demand and traffic generation or for a site with 2,500 square feet or less of gross floor area;
- Expansion of non-residential floor space by 500 square feet or less, with no change of use;
- Site improvement alterations without new development, re-development, expansion or change of use;
- Other minor amendments to existing site plans or non-conforming uses that the Board decides not to require Major Review;
- Home Occupations with regular interaction with the public.

1.5.3 Major Review. A Major Review by the Planning Board shall be required for the following:

- Establishment of non-residential uses where no non-residential use currently exists;
- Establishment of multi-family use where no multi-family use currently exists;
- Any other development, re-development, change of use or expansion of a multi-family or non-residential site, and not addressed in Sections 1.5.2 or 1.5.3.

1.6 **Communications between Town and Applicant:**

There are many people involved in the processing of each application, and communication problems develop quickly if great care is not taken from the start. To prevent communication problems from developing, it is important for both the Town and the applicant to designate one person each to coordinate all communications. This prevents repetition of questions, prevents two people from giving different answers to the same question, and should help to keep interpretation of opinions consistent.

1.6.2 Applicant's Authorized Representative. The application form shall designate one person to act as the "authorized representative." All communication to the applicant shall be made through this person, and this person shall be present at all meetings with the Board. In the text of these Regulations, references to the applicant shall also imply the authorized representative.

1.6.3 Town

1.6.3.1 All communications to the Town shall be directed to the Community Development Director in writing unless otherwise directed by the Chairman of the Board. This may be more likely during larger applications, such as when an engineer reviewing the road design needs to talk to the design engineer to clarify issues.

1.6.3.2 Individual Board members must exercise care when discussing application matters with the applicant, abutters, or other parties outside the forum of the Board's meetings. An individual Board member has no authority to bind the Board. Care must be taken to keep an open mind throughout the entire process, not drawing conclusions until all relevant information has been received at the public hearing. Additionally, Board members should tell the Board and the public the substance of any information they have received from the applicant, abutters or other parties so that all can benefit from this knowledge, and to provide an opportunity to challenge any information provided.

1.6.3.3 RSA 673:14 Disqualification of Member

- I. No member of a zoning board of adjustment, building code board of appeals, planning board, heritage commission, historic district commission, agricultural commission, or housing commission shall participate in deciding or shall sit upon the hearing of any question which the board is to decide in a judicial capacity if that member has a direct personal or pecuniary interest in the outcome which differs from the interest of other citizens, or if that member would be disqualified for any cause to act as a juror upon the trial of the same matter in any action at law. Reasons for disqualification do not include exemption from service as a juror or knowledge of the facts involved gained in the performance of the member's official duties.
- II. When uncertainty arises as to the application of paragraph I to a board member in particular circumstances, the board shall, upon the request of that member or another member of the board, vote on the question of whether that member should be disqualified. Any such request and vote shall be made prior to or at the commencement of any required public hearing. Such a vote shall be advisory and non-binding, and may not be requested by persons other than board members, except as provided by local ordinance or by a procedural rule adopted under RSA 676:1.
- III. If a member is disqualified or unable to act in any particular case pending before the board, the chairperson shall designate an alternate to act in the member's place, as provided in RSA 673:11.

1.7 **General Guidance:** The following advice is offered to assist the applicant, especially if the applicant is unfamiliar with land development processes.

1.7.2 All applicants will need to hire professionals to prepare part or all of the application. A NH Licensed Land Surveyor and/or licensed Professional Engineer are required. In some cases, other specialists will be needed, possibly including an attorney, a certified soil scientist (CSS), certified wetland scientist (CWS), Permitted Septic Designer (PSD) or others. While such assistance does cost money, their skills and abilities are essential to ensure that the Town and applicant have sound information on which to base their decisions.

1.7.3 The Board's goal is to process all applications fairly and quickly. To accomplish this, the applicant shares certain responsibilities. The applicant must be properly

prepared. This includes reading these Regulations to understand the issues that must be addressed, and includes dealing with all the significant issues up front. Incomplete submittals, poorly drafted plans, or failure to properly address issues will result in unnecessary delays in obtaining a final decision from the Board. If a potential conflict of interest arises between a Board Member and Applicant due to a personal, professional or other relationship between a Board Member and an applicant, unfair bias, etc. The party claiming bias on the part of a Planning Board member must raise the issue before the Board at the earliest possible time. The Board member may volunteer or be asked by the Board and/or applicant to recuse themselves from discussions or formal voting related to review of the application. This disqualified individual may still be counted as “present” as necessary to provide a quorum.

1.7.4 The application process is similar for all applications, although the amount of work and time to obtain an approval vary widely.

1.7.4.1 **Process.** All applications follow this basic process:

- **Preparation.** The applicant prepares the application, usually done by hired professionals. This may involve some discussion with the Board through a Phase I nonbinding conceptual consultation or Phase II design review meetings.
- **Application Acceptance.** Upon submittal of the application materials to the Town and the payment of all fees, the application is placed on the next available Planning Board agenda for consideration. By State law, there is a minimum requirement for posting and notification of hearings. Because of this applications are due at least 21 calendar days prior to next scheduled hearing date in which an application must be submitted for consideration on the agenda.
- **Public Hearing.** All applications will have a public hearing. This is the official opportunity for the public to ask questions about the application, to raise issues, offer suggestions, or indicate their support or opposition. The Hearing may be interspersed with periods of deliberation by the Board, and may be continued to future dates.
- **Decision.** In the end, the Board must decide whether to approve or deny the application. In the majority of cases, the Board approves the application with conditions, which means that there are additional administrative or technical requirements, which must be satisfied to obtaining the final approval.

1.7.4.2 **Timing.** The Planning Board meets 1-2 times per month on the second and/or fourth Wednesday of the month. At a minimum, there must be a meeting with the Board, and this alone requires at least 21 calendar day’s lead-time between when application is submitted to the hearing date. Simple applications are often approved at a single meeting, while more complex applications may take two or three months to complete.

However, this is all based on the assumptions that the applicant is properly prepared, and that no unusual circumstances arise. Without the applicant's consent, it is very unlikely that an application process can take longer than three months.

ARTICLE 2. PROCEDURE FOR SITE PLAN REVIEW

2.1 General:

There are three phases in the site plan review process: Non-binding Consultation and Conceptual Consultation (Phase I), Design Review (Phase II), and Final Application Review (Phase III). Phase I, which involves a discussion of the proposed concept only in general terms, is optional and does not require a public hearing. Phase II involves a more detailed discussion and review of the site plan proposed. This phase is also optional, although a public hearing is required by state law. Phase I and Phase II are intended to help the applicant by providing the applicant with guidance and feedback prior to submission of the final application, thereby helping to avoid major alteration of the final drawings. The last phase, Phase III, is submission and review of the final application. This phase is required for all developments and modifications subject to site plan review. A public hearing is required for Phase III. A single hearing for Phase II and Phase III may be held if the hearing notice indicates the Board will be considering both phases at the one hearing.

2.1.1 Phase I - Nonbinding Consultation and Conceptual Consultation: In order to save expense and unnecessary changes later on, an applicant may request to be on the agenda of a formal meeting of the Board for discussion of their proposed concept in general terms and for a review of applicable Site Plan Review Regulations, application forms, necessary supporting maps, and documents. There is no application fee or time limit for this nor is this consultation and review binding in any way on either the applicant or the Board.

2.1.2 Phase II - Design Review: If an applicant wishes a review of their project which goes beyond discussion of the proposed site plan in conceptual form, the applicant shall apply to the Board in writing on the designated Application Form and pay the required fees. The Board shall then give public notice (and notify the abutters and the applicant) of the Design Review application and review hearing in accordance RSA 676:4 and these regulations. Submission requirements are listed in Article IV and V. The review shall be conducted only at formal meetings of the Board.

2.1.3 Phase III - Final Application Review: Any applicant desiring final approval for site plans, as defined in these regulations and RSA 676:4, shall apply to the Board in writing on the designated Application Form and pay the required fees. The Board shall give public notice of the final site plan review application and hearing in accordance with these regulations. The final review shall be conducted only at formal meetings of the Board. The Board may review the proposal in detail and receive testimony in person or in writing from any

applicant, any abutter or any other person as permitted by the Board. The Board shall give a formal response to the applicant with respect to the proposal by informing the applicant in writing of approval or disapproval within 65 days of the submission and acceptance of the final application. A formal meeting on a particular final review may be adjourned to continue on a specific date with no further notice of the reconvened meeting required. Submission requirements are listed in Articles IV and V. The Board shall give the applicant a receipt certifying acceptance of the application BUT ONLY IF the application is complete and all fees have been paid. Only after such acceptance will the legal time limits take effect. Applicant may voluntarily request an extension from the Board during final review if the applicant wishes to present additional information to the Board that may be pertinent to the Board's determination, or wishes to provide the Board with additional time for completing its review.

- 2.2 Application for Site Plan Review Approval:** The completed application shall be on the form designated by the Board and conform to the requirements and specification outlined in these Regulations.
- 2.3 Filing of Application:** The applicant shall file the application by delivering the application to the designated agent of the Board at least twenty one (21) calendar days prior to the regularly scheduled public meeting of the Board at which the applicant will formally submit the application to the Board. The application shall include the names and addresses of the applicant, any licensed professional whose stamp appears on the plans and each abutter (as shown in the Town records not more than five (5) days before the filing date).
- 2.4 Notice of Application:** The Board shall notify the abutters, easement holders on the subject property, licensed professionals whose stamps appear on any portion of the submitted application, and the applicant by certified mail of the date, time and location upon which the completed application will be formally submitted to the Board in accordance with RSA 676:4. Such notice shall be given at least ten (10) calendar days prior to the hearing. Notice required shall not include the day notice is posted or the day of the public hearing. At the same time the notice is mailed to the applicant and abutters, such notice shall also be given to the general public by publication of the notice in a newspaper of general circulation and by posting a copy of the notice in two public places in the Town. The notice shall include a general description of the proposal, which is the subject of the application and shall identify the applicant and the location of the property, which is the subject of the application. The Board may also give notice by regular mail to other landowners in the vicinity of the tract.
- 2.5 Fees:** The applications for Preliminary and Final Site Plan Review shall be accompanied by the application fee (which is based on building and/or site development or improvement costs) and additional fees to pay for mailings, advertising, hearing clerk and tax mapping costs, as set forth in the Board's current fee schedule. Failure to pay such costs shall constitute valid grounds for the Board to terminate further consideration and to disapprove the plat without a public hearing. The application will not be accepted for review until the fees set forth in the Board's current fee schedule are paid. The current Planning board Fee Schedule is located on the Town Website. Additional fees may be imposed by the Board during the review

process and to cover fees and disbursement to consultants to the Board including, but not limited to, engineers, surveyors, lawyers, and community planners.

2.6 Submission of Completed Application and Application Acceptance: The completed application shall be submitted to and accepted for review by the Board at the public hearing of the Board specified in the notice. The Board shall give the applicant a receipt certifying acceptance of the application but only if the application is complete and all costs of notice of the application have been paid.

2.7 Formal Consideration: Time Limits: The board shall begin formal consideration of the final application within thirty (30) calendar days after the date of the public hearing at which the completed application is submitted to and accepted by the Board. The Board shall act to approve, approve with conditions or disapprove the application within sixty five (65) calendar days after submission provided, however, in accordance with RSA 676: I (f), the Board may apply to the Selectmen of the Town for an extension not to exceed an additional ninety (90) calendar days before acting to approve or disapprove the application and, provided further, that the applicant may waive the requirement for Planning Board action within the foregoing time periods and consent to such extension as may be mutually agreeable. Upon failure of the Board to approve or disapprove the application within the foregoing time periods, the applicant may obtain from the Selectmen an order directing the Board to act within thirty (30) calendar days. Failure of the Board to act upon such order of the Selectmen, the matter shall be considered by the Selectmen and the Selectmen have forty (40) days to identify in writing specific regulations or ordinances with which the application does not comply. If the Selectmen fail to act the matter may be referred to the Superior Court, upon petition of the applicant, to issue an order approving the application, if the Court determines that the proposal complies with existing site plan review and subdivision regulations and zoning and other ordinances. If the Court determines that the failure to act within the time specified was the fault of the Board and was not justified, the Court may order the Board to pay the applicants reasonable costs, including attorney's fees, incurred in securing such order.

2.8 Public Hearings: Notice of Public Hearing: No complete application may be denied or approved without a public hearing on the application. Notice of the hearing shall be given in the same way and with the same time limits as notice of submission of the application under these Regulations. The Board may give notice of submission and notice of the public hearing in the same notice. Additional notice of an adjourned session of a public hearing is not required if the date, time and place of the adjourned session is made known at the prior hearing. At the hearing, the applicant, any abutter or any person with a demonstrable interest in the matter may testify in person or in writing. Other persons may testify as permitted by the Board at each hearing. Additional public hearings may be held at the discretion of the Planning Board.

2.9 Regional Notice. In accordance with RSA 36:54-58, applications which might have a potential regional impact shall require additional public notices and additional posting time.

2.9.1 Determination of potential regional impact may be found only for applications which qualify for Major Review and which also meet one or more of the following criteria:

- Any portion of the property is located within 500 feet of the border of the Town of Enfield;
- The application involves 10,000 square feet or more of new non-residential (commercial or industrial) floor space adjacent to a neighboring municipality;
- The proposal involves 20 or more residential units adjacent to a neighboring municipality;
- Other as the Board may reasonably determine, including but not limited to:
 - Generation of greater than 100 peak hour vehicle trips that extend outside of the municipal boundaries
 - Potential effect on groundwater, surface water and wetlands that may affect a municipal water source.
 - Potential to disturb or destroy a regionally significant or important natural environment, habitat or historical resource.
 - Anticipated emissions such as light, noise, smoke, odors, or particulates.
 - Potential impact to the municipal services in another town.

2.9.2 Notice of findings including minutes of meeting at which finding of potential regional impact was made shall be sent by certified mail 14 calendar days in advance of the scheduled public hearing to the Upper Valley Lake Sunapee Regional Planning Commission and to each town reasonably likely to be affected, with each governmental entity to be considered an abutter for purposes of listing on the Abutters List, offering testimony, and computing public notice fees.

2.10 Notice of Decision: The Board shall issue a written final decision on all applications for Site Plan Review. If the application is approved, the Board shall issue a written decision, which includes any and all conditions, which have been required by the Board as a part of the approval decision. If the application is denied, the Board shall state the reasons for denial. The decision of the Board (approval or denial) shall be mailed to the applicant and be available at the Planning/Zoning office for public inspection within 72 hours after the decision is made.

2.11 Appeals: Any person aggrieved by any decision made in the course of applications pursuant to this chapter may appeal as follows:

2.11.1 Decisions by the Planning Board based solely upon interpretation of the Zoning Ordinance may be appealed first to the Zoning Board of Adjustment or, as determined by the provisions of RSA 676:5,III. Appeals to the ZBA must be filed within thirty (30) days from the date of the vote to approve, approve with conditions or disapprove the application. Appeals made to Superior Court must be filed as specified in §2.17(B).

2.11.2 All other decisions by the Planning Board may be appealed to Grafton County Superior Court per the provisions of RSA 677:15. The appeal shall be presented to the Court within 30 days after the vote to approve, approve with conditions or disapprove the application.

2.11.3 The minutes of the meeting at which the Board voted, including written decision, shall be filed in the Planning Board Office within 144 hours of the decision.

2.12 Revocation of Approval. The Board may act to revoke an approval per the requirements of RSA 676:4-a.

ARTICLE 3. PROCEDURE WHEN SPECIAL EXEMPTION, VARIANCE OR SUBDIVISION APPROVAL IS REQUIRED

When a special exception or variance is required by the Enfield Zoning Ordinance, the applicant shall first obtain the special exception or variance before applying for site plan approval. The planning board as a part of site plan approval may require additional conditions. When both subdivision and site plan approval are required for a proposed development, the Board may hold the Site Plan Review hearing at the same time as the hearing required by the subdivision regulations.

ARTICLE 4. APPLICATION REQUIREMENTS

4.1 Major Review Submission Requirements:

4.1.1 Seven sets of full sized prints and twelve 11" x 17" copies of the Site Plan Map shall be submitted. The Site Plan Map shall be drawn to a scale of 1" = 20'. If the plan drawn to this scale will not fit on a 22" by 34" sheet of paper, the Board may authorize an appropriately smaller scale. The Site Plan Map shall be prepared by a registered land surveyor or registered professional engineer. Applicant shall submit a completed application form accompanied by a Site Plan Map or other appropriate submittal such as report, calculations, etc. with the following items unless a written request for waiver (s) is provided and granted by the Board:

- The boundary lines of the area included in the site including angles or bearings of lines, dimensions and the lot area (in acres);
- Locations of all existing and proposed easements (utility, well, etc.), deed restrictions (conservation, preservation, agricultural preservation or

other restrictions) and covenants as well as names and addresses of all holders;

- Names and addresses of owners of record of subject property;
- Names and addresses of developer, holding corporation or other if different from owners of record;
- Names and addresses of all abutting landowners and those within 200 ft of the subject property, updated from Town records not more than five (5) days before the date of filing;
- A site Location Map, shown as an inset on the Site Plan Map, which shall show the proposed development in relation to major roads of the town (site boundary overlay on a USGS map is acceptable);
- North point, bar scale, date of preparation and dates of any revisions;
- The shape, size and location of existing and proposed structures including building elevations;
- Existing and proposed grades, base flood elevations and Special Flood Hazard areas (if applicable), drainage systems, structures, and topographic contours at intervals not exceeding 2 feet and spot elevations where appropriate;
- Any existing streams (intermittent and perennial) or wetlands, marshes, lakes or ponds, drainage ways, whether natural or man-made, rock or stone walls, retaining walls, ledge outcrops, existing landscaping areas, existing and proposed foliage lines, and proposed open space for preservation;
- Surface waters identified and delineated in accordance with RSA 485-A: 2, XIV, NH Water Pollution and Waste Disposal and NH Code of Administrative Rules.
- Soil boundaries delineated over entire site area with description of soil complex and all data pertinent to proposed development. This can be mapped from NRCS County Soil Survey, but depending on nature and intensity of development, Board may require Site Specific Soil Map for site. Percolation test information should be provided with soil data for all developments utilizing proposed infiltration or detention drainage measures.
- Existing and proposed streets, driveways, parking spaces and sidewalks with indication of direction of travel for one-way streets or driveways. The location and dimensions of streets, driveways, access entrances, sidewalks, layout of parking spaces, turnarounds, and facilities associated with any structure on the site shall be shown. Road alignment profiles and cross sections at 50 foot stations should be provided for all proposed roads or modifications to existing roadways;

- Layout of sewage collection and/or disposal system, including sewer service lines, curb stops and building connections, septic tanks, leach field, control panels and associated piping;
- Proposed landscaping plan including buffering plans along adjacent properties and public highways;
- Existing and proposed utility service and infrastructure including water supply system, power, telephone, gas or other utility infrastructure (poles, lines, transformers), fire protection and suppression systems (if applicable) fire hydrants, location of wells on property or abutting property that have protective radius overlapping onto subject property, water supply pipes, and water sources available for fire suppression;
- Existing and proposed exterior lighting and signage on the site;
- Watershed delineation and maps depicting pre-development and post-development conditions including all contributing areas and drainage features.
- Drainage design showing location and size of existing and proposed drainage structures including culverts, pipes, catch basins, manholes, ditches, holding basins, etc. This shall be supported by copies of the design computations based on a 50 year design frequency for all major culverts and brooks that affect any Town or State highway;
- Right-of-Way and travel surface of all fronting streets.
- The amount of existing and proposed impervious surface located within the fifty (50) foot setback of any river, stream, wetland, lake or public pond.

4.1.2 One copy of each of the following shall be submitted:

- A cover letter declaring the intent and outlining the details of the proposed use.
- All material submitted to the New Hampshire Water Supply and Pollution Control Commission for sewage disposal system approval;
- New Hampshire Department of Environmental Services - Subsurface Bureau approval of proposed sewage disposal system (State Subdivision and/or Individual Sewage Disposal System approval) or a Town of Enfield sewer system hook up approval.
- Approvals from the New Hampshire Department of Transportation for access driveway approval for any access onto a State Highway or Approval from the Town of Enfield Public Works Department granting driveway access onto a Town Road.
- Approvals from the New Hampshire Department of Environmental Services - Site Specific Bureau if applicable or letter of intent.

- Approvals from New Hampshire Department of Environmental Services – Wetland Bureau for any proposed wetland or stream impacts.
 - Copy of any local zoning variances obtained for the project.
 - A Town water hook up approval if the project will be on the Municipal water system.
 - Any other State or Federal Permits.
 - One copy of a boundary survey map of the property
 - One Copy of the deed of the property
 - A statement of proposed hours and days of operation;
 - An estimate of peak period traffic generated by the development, and an assessment of peak period traffic impacts at all adjacent intersections;
- 4.1.3 The Planning Board may require other information it deems necessary in order to evaluate the proposal. This might include but is not limited to traffic studies, fiscal impact studies, title search, and discussion of natural and historical resource impacts and preservation.

4.2 Minor Review Submission Requirements:

- 4.2.1 Twelve sets of the Site Sketch no smaller than 11” x 17” shall be submitted. The Site sketch shall be drawn to scale and shall show:
- The boundary lines of the area included in the site including angles or bearings of lines, dimensions and the lot area (in acres);
 - A site Location Map, shown as an inset on the Site Sketch, which shall show the proposed development in relation to major roads of the town;
 - North point, bar scale, date of preparation and dates of any revisions;
 - The shape, size and location of existing and proposed structures;
 - Name, address of property owner and person or firm preparing the Sketch;
 - The key elements of the site including but not limited to parking spaces, driveways, wells, septic systems, surface water, wetlands, pedestrian facilities, sign locations, lighting and utilities.
- 4.2.2 One copy of each of the following shall be submitted:
- A cover letter declaring the intent and outlining the details of the proposed use.
 - New Hampshire Department of Environmental Services - Subsurface Bureau approval of proposed sewage disposal system or a Town of Enfield sewer system hook up approval.
 - Approvals from the New Hampshire Department of Transportation for access driveway approval for any access onto a State Highway or

Approval from the Town of Enfield Public Works Department granting driveway access onto a Town Road.

- Approvals from New Hampshire Department of Environmental Services – Wetland Bureau for any proposed wetland or stream impacts.
 - One copy of a boundary survey map of the property.
 - One copy of the deed of the property
 - A statement of proposed hours and days of operation;
 - An estimate of peak period traffic generated by the development, and an assessment of peak period traffic impacts at all adjacent intersections;
- 4.2.3 The Planning Board may require other information it deems necessary in order to evaluate the proposal.

ARTICLE 5. STANDARDS AND REQUIREMENTS

The Planning Board shall approve the proposed Site Plan only upon determination that the following requirements have been met:

- 5.1 All information** required for a completed application, as defined in Article IV, has been submitted to the Planning Board.
- 5.2 Site Characteristics.** The development shall conform to the extent appropriate to the natural topography of the site. Major cut and fill proposals shall not be considered to be appropriate. Site clearing shall be kept at the minimum required for the construction of buildings and improvements, taking into consideration the need for pedestrian and vehicular safety and the need for light and air. Natural cover shall be retained to supplement required landscaping to the extent possible and reasonable. Landscaping shall be provided which is in keeping with the character of the area where the site is located, the purpose of the development, and the location of buildings and improvements.
- 5.3 Perimeter.** A landscaped buffer shall be provided to assure that the development of the project conforms at its boundaries with the character of the adjoining land and its uses. These buffer areas shall be of sufficient width to provide privacy and noise protection, but in no case shall the width of such buffer be less than the setbacks otherwise required in that zoning district.
- 5.4 Screening.** Storage areas, waste collection areas, and service areas shall be fenced or screened from on-site and adjoining parking areas and from neighboring properties.
- 5.5 Traffic, Parking, Loading and Safety:**
- 5.5.1** Parking and loading areas shall conform to Article IV, Section 409 of the Enfield Zoning Ordinance.
 - 5.5.2** To minimize the likelihood that public safety will be endangered by the extensive use of internal roads and parking areas for recreation, a Site

- Plan for multi-family structures shall make adequate provision for on-site recreational needs of the residents of the proposed development.
- 5.5.3** There shall be adequate access to each structure for fire, school, police, and medical emergency vehicles and personnel.
- 5.5.4** Through traffic on fronting streets shall not be significantly impeded or endangered by vehicles entering or leaving the site.
- 5.5.5** Provision shall be made for the safe accommodation of pedestrian traffic along fronting streets in the vicinity of the development.
- 5.5.6** There shall be adequate circulation and parking including loading facilities to ensure the safety of vehicles and pedestrians on the site.
- 5.5.7** Speed limits reductions will be recommended where deemed necessary to address potential safety issues such as limited sight distance, inadequate roadway geometry, etc. All speed limit changes are subject to review by the Director of Public Works and approval by the Selectboard.
- 5.5.8** In cases where the Planning Board has determined that entry lanes, turning lanes, traffic signal(s), signs, lights, and/or road improvements/upgrading are needed and are necessitated by the proposed site plan, the improvements shall be constructed at the expense of the applicant as a condition of the permit.
- 5.5.9** All parking and facility accessibility requirements shall be consistent with the requirements of the Americans with Disabilities Act – Accessibility Guidelines for Buildings and Facilities (ADAAG).
- 5.5.10** The centerlines of all new driveways should be aligned with driveways, and road intersections on the opposing side of the highway, if they exist.
- 5.5.11** All streets and parking facilities shall conform to the standards and requirements in Article IV, Section 409 of the Enfield Zoning Ordinance and Section 4:10 of the Subdivision Regulations.
- 5.5.12** Commercial driveways shall not exceed 36 feet in width, measured perpendicular to the driveway at its narrowest point. The driveway shall be flared at the property line with minimum radii of 25' in rural areas and 10' in village areas. All commercial driveway entrances (regardless of the presence of curbing on the highway) shall be curbed from the edge of the highway to at least the end of the radii at the driveway throat.
- 5.5.13** Lots which have frontage on one highway only shall be allowed a single driveway, except that two, one-way driveways may be substituted for a single driveway, provided that the minimum required distance between driveways can be met.
- 5.5.14** In order to minimize the number of driveways along highways, shared driveways shall be encouraged for adjacent sites.
- 5.5.15** All projects subject to Site Plan Review shall provide interconnecting driveways or easements for future construction of driveways that will

provide and promote vehicular and pedestrian access between adjacent lots, without accessing the highway to all property lines, and shall be designed to provide safe and controlled access to adjacent developments where they exist. Every effort should be made by the Planning Board to require construction of these driveways in anticipation of future developments.

- 5.5.16** Lots with frontage on both an arterial highway and an adjacent or intersecting road of lower functional classification (i.e. collector or local) shall not be permitted to access the arterial highway, except where it can be proven that other potential access points would cause greater environmental or traffic impacts.
- 5.5.17** The minimum throat length of a driveway shall be of adequate length to accommodate the queuing of the maximum number of vehicles, as defined by the peak period of operation identified in the traffic study accompanying the site plan. The design of the driveway shall, to the maximum extent possible, result in no spillback of entering cars onto the highway.
- 5.5.18** Lots with frontage on an arterial highway and an adjacent or intersecting road, which, due to environmental or traffic impacts, cannot access the adjacent or intersecting streets shall comply with the access and street design standards in the Enfield Subdivision Regulations:
- 5.5.19** Adequate aisle widths, raised medians, tractor-trailer access, and number of parking spaces promote safe and efficient movement into and out-of the site.
- 5.5.20** Landscaping and buffering is especially important along road frontages, and within parking lots. Adequate buffers and properly designed landscaping assists in the identification of driveway entrances and necessary signage, in addition to controlling light diffusion onto abutting properties. Landscaping located within raised medians, separating aisles of parking spaces, controls internal lot circulation and establishes safe and efficient traffic patterns.

5.6 Water Drainage.

- 5.6.1** Provisions for handling surface and subsurface waters and storm drainage will be adequate and will not adversely affect abutting properties or Town facilities or groundwater sources.
- 5.6.2** Drainage onto other properties shall not be increased. Applicant shall obtain and provide for consideration a drainage easement from abutting property owner for any increase in stormwater flow deemed necessary onto adjacent properties.
- 5.6.3** No stream, brook, river, wetland, lake, pond, reservoir, groundwater source, aquifer or public or private groundwater supply shall be affected adversely.

- 5.6.4** Projects under major review shall be designed to State of New Hampshire Site Specific Standards.

5.7 Exterior Lighting and Signs.

- 5.7.1** Exterior lighting shall conform with Article IV, Section 409 Item 12 of the Enfield Zoning Ordinance and shall conform to the Outdoor Lighting Design Standards, See Appendix (B)
- 5.7.2** Signs shall conform with Article IV, Section 408 of the Enfield Zoning Ordinance with light sources so placed that they will not constitute a hazard to street or highway driving.

5.8 Dimensional Guidelines. Dimensional guidelines will comply with all applicable New Hampshire Department of Environmental Services regulations including, but not limited to, the following:

- 5.8.1** The maximum height of structures shall conform to the Zoning Regulations.
- 5.8.2** The minimum distance between septic leach fields and water bodies (lakes, ponds, rivers and brooks) shall be 75 feet.
- 5.8.3** The minimum distance between septic system leach fields and community water supply sources shall be 400 feet.
- 5.8.4** The minimum distance between septic leach fields and wetlands shall be 75 feet.
- 5.8.5** No structure, signs, planting, or embankment shall impair safe sight distance at an intersection. All season safe sight distance is defined as a line which encounters no visual obstruction between all combinations of 2 points, between 3 feet and 10 feet, inclusive above the pavement, and so located as to represent the critical line of sight between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction and shall maintain the minimum stopping sight distances shown in the table below.

| Design Speed (mph) | Stopping Sight Distance (feet) | Intersection Sight Distance (feet) |
|--------------------|--------------------------------|------------------------------------|
| 15 | 80 | 170 |
| 20 | 115 | 225 |
| 25 | 155 | 280 |
| 30 | 200 | 335 |
| 35 | 250 | 390 |
| 40 | 305 | 445 |
| 45 | 360 | 500 |
| 50 | 425 | 555 |

- 5.8.6** All structures shall comply with the appropriate setback requirements of the Zoning District in which they are to be located.

5.9 Water Supply.

- 5.9.1** All sites shall provide adequate water supply for consumption and fire protection.
- 5.9.2** All projects using municipal water shall comply with the Enfield Water Ordinance.
- 5.9.3** Connection requirements shall be established by the Public Works Director.
- 5.9.4** Users to be served by the municipal water shall be reviewed in terms of the planned long-term capacity of the system and shall not be permitted when the additional demands will overload the municipal system.
- 5.9.5** Public Works and Water and Sewer Department may require as-built plans depicting location of all proposed water supply systems and related appurtenances with survey ties to permanent property monumentation.

5.10 Sewage Disposal.

- 5.10.1** All sites shall provide adequate and sanitary disposal of sewage.
- 5.10.2** All projects using municipal sewer shall comply with the Enfield Sewer Ordinance.
- 5.10.3** Connection requirements shall be established by the Public Works Director.
- 5.10.4** In areas outside of the municipal sewer service area, provisions shall be made for on-site sewage disposal. A State approved disposal system design is required prior to final approval, and the approval number shall be indicated on the plat. The system shall be installed and functioning prior to the issuance of the Certificate of Occupancy.
- 5.10.5** Public Works and Water and Sewer Department may require as-built plans depicting location of all proposed water supply systems and related appurtenances with survey ties to permanent property monumentation.

5.11 Snow Removal.

- 5.11.1** Snow removal shall be reviewed for all sites, and the general plan for snow removal shall be indicated as a note on the plan or addressed in the Letter of Intent.
- 5.11.2** Areas suitable for snow storage shall be designated on the plan and shall be located such that no direct discharge discharges to receiving waters are possible from the site.
- 5.11.3** A plan for snow removal from the site may be required if insufficient storage areas exist.

5.11.4 Landscaping of snow storage areas shall be such that it can withstand a snow pile.

5.11.5 Snow shall not be pushed onto adjacent lots or right-of-ways without the owner's written consent.

5.12 ADA Compliance.

5.12.1 Adequate provisions shall be made to ensure compliance of sites with the Americans with Disabilities Act – Accessibility Guidelines for Buildings and Facilities (ADAAG).

5.12.2 An appropriate number of ADA compliant parking spaces, based on use, shall be shown on the site plan.

5.13 Floodplain.

5.13.1 Floodplains are identified as Special Flood Hazard Areas in the "Flood Insurance Study for the Town of Enfield, N.H." together with the associated Flood Insurance Rate Maps and other maps on file in the Town of Enfield.

5.13.2 The application shall comply with the Floodplain Development Ordinance.

5.13.3 The 100-year flood elevation shall be shown on the plan.

5.13.4 Site plan proposals, including their utilities and drainage, shall be located and designed to be consistent with the need to minimize flood damage.

5.13.5 All public utilities and facilities, such as sewer, electrical and water systems, shall be located and constructed to minimize or eliminate potential flood damage.

5.13.5.1 New and replacement water systems (including on-site systems) shall be located, designed and constructed to minimize infiltration of flood waters and avoid impairment.

5.13.5.2 New and replacement sanitary sewer systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.

5.13.6 Adequate drainage shall be provided to reduce exposure to flood hazards.

5.13.7 Within the altered or relocated portion of any watercourse, the applicant shall submit to the Board, certification, prepared by a NH licensed Professional Engineer specializing in Civil Engineering, demonstrating that the flood carrying capacity of the watercourse has been maintained.

5.14 Solid Waste Disposal and Recycling.

5.14.1 All sites shall provide adequate facilities for both recycling and disposal of solid waste and shall be designed to prevent contamination of groundwater and the surrounding environment.

5.14.2 The types of facilities and their enclosure shall be adequately detailed on the plat.

5.14.3 All such facilities shall be screened from sight from abutting properties and streets to the extent reasonably possible by means of a fenced or landscaped enclosure.

5.15 Safety Review.

5.15.1 A letter describing each application shall be sent by the Applicant to the Police Chief and to the Fire Chief, alerting them of the pending application. Approval of the chiefs is not required, except as provided below. The Board may require modification of the site design to enhance public safety or provide suitable fire protection system as warranted.

5.15.2 For a site, which will receive, handle, store, process, sell or discharge hazardous or toxic materials, written approval of the Fire Chief shall be required. Further, no interior floor drain shall be directed to any stream, storm drain or septic system, or directed into a sanitary sewer without sufficient on-site treatment.

5.16 As Built Plans.

5.16.1 As built plans will be submitted to the Town prior to the issuance of a Certificate of Occupancy.

5.16.2 If as-built plans and survey ties are required by Public Works and/or Water and Sewer Department for all proposed utilities and/or roads, these shall be submitted prior to issuance of a Certificate of Occupancy.

5.17 Protection of Natural and Historic Features.

5.17.1 All significant natural and historic features on the site, such as large or unusual trees, natural stone outcroppings, cellar holes, rock lined wells, stonewalls, etc. shall be shown on the plan. Board approval shall be obtained for removal of such features.

5.17.2 If a historic building is to be demolished as part of the project, proper documentation of the buildings existence shall be given to the Town and/or State Historian and Board approval shall be obtained prior to demolition.

5.17.3 Architectural features of the site should be consistent with the character of the neighborhood and the Town, in terms of size, scale and design.

5.18 General Standards.

5.18.1 The land shown on the plan shall be of the character as to be used for building purposes without danger to the health, safety and welfare of the community.

5.18.2 The plans shall be consistent with and enhance the appearance of the neighborhood.

- 5.18.3** The plan must provide for the harmonious and aesthetically pleasing development of the neighborhood and the Town, and provide adequate open space.

ARTICLE 6. GENERAL REGULATIONS

- 6.1** No building permit required under the Enfield Building Code shall be issued for the development of tracts for multi-family or non-residential uses whether or not such development includes a subdivision or re-subdivision of the site until the Planning Board grants site plan approval as provided herein.
- 6.2** No site preparation work, nor any road, driveway or building construction, shall be undertaken until the Planning Board grants site plan approval as provided herein and all other necessary State and local permits have been obtained.
- 6.3** The threshold defining “active and substantial development” under NH RSA 674:39 shall be referred to as the construction of footings and foundation, and the extension of utilities to the site or as stated as a condition in the final approval granted by the Planning Board.
- 6.4** No change in use coming under the authority of these regulations shall be effected until the Planning Board grants site plan approval as provided herein.
- 6.5** Site Plans must be in conformance with the Enfield Master Plan, all applicable requirements of the Enfield Zoning Ordinance and all other State and local by-laws, ordinances and regulations.

ARTICLE 7. INSPECTIONS AND COMPLIANCE HEARINGS

- 7.1** In order to confirm that various items and features delineated on plans presented to the Planning Board for approval (or which are otherwise required in connections with the development) are, in fact, constructed in accordance with those plans and/or in accordance with applicable codes and standards, the Planning Board may, at the time of approval, require the applicant to establish an appropriate escrow account, or other security, in addition to the security for completion of improvements, acceptable to the Planning Board, which will be used by the Town of Enfield to underwrite the costs of retention of appropriate engineers or other consultants to conform the construction is in conformance with the approved plans and/or applicable codes and standards.
- 7.2** In accordance with RSA 676:4 I (i) a planning board may grant conditional approval of a plat or application, which approval shall become final without further public hearing, upon certification to the board by its designee or based upon evidence submitted by the applicant of satisfactory compliance with the conditions imposed. Such conditions may include a statement notifying the applicant that an approval is conditioned upon the receipt of state or federal permits relating to a project, however, a planning board may not refuse to process an application solely for lack of said permits. Final approval of a plat or

application may occur in the foregoing manner only when the conditions are:

(1) Minor plan changes whether or not imposed by the board as a result of a public hearing, compliance with which is administrative and which does not involve discretionary judgment; or

(2) Conditions which are in themselves administrative and which involve no discretionary judgment on the part of the board; or

(3) Conditions with regard to the applicant's possession of permits and approvals granted by other boards or agencies or approvals granted by other boards or agencies, including state and federal permits.

All conditions not specified within this subparagraph as minor, administrative, or relating to issuance of other approvals shall require a hearing, and notice as provided in subparagraph I(d), except that additional notice shall not be required of an adjourned session of a hearing with proper notice if the date, time, and place of the adjourned session were made known at the prior hearing.

ARTICLE 8. SECURITY FOR COMPLETION OF IMPROVEMENTS

Before any site plan is signed by the Planning Board, the applicant must file a performance guaranty, in an amount and form acceptable to the Town (cash, performance bond and letter of credit (see Appendix C)) to serve as surety that all proposed improvements, such as lighting, landscaping, paving, along with necessary erosion and sedimentation control measures and site restoration, are completed in accordance with the approved plans. Any performance guaranty shall be approved as to form and amount by the Planning board, and conditioned on the completion of such improvements within the period specified therein, unless released earlier by the Planning Board, upon request of the applicant. If improvements for which security is given are not completed within the period specified in the performance security, or in proper conformance with the approved plans, the Town of Enfield may draw such funds as may be necessary from the security, in accordance with its terms.

ARTICLE 9. REVOCATION OF PLANNING BOARD APPROVAL

An approved site plan may be revoked by the Board in whole or in part, by the Planning Board according to RSA 676:4a, only under the following circumstances: (1) at the request of or by agreement with the applicant or successor-in-interest; (2) when the applicant or successor-in-interest to the applicant has performed work, erected a structure or structures, or established the use of the land, which fails to conform to the statements, plans or specifications upon which the approval was based, or has materially violated any requirement or condition of such approval; (3) when the applicant or successor-in-interest has failed to perform any condition of the approval within the time specified or four years; (4) when four years have elapsed without any vesting of rights and the plan no longer conforms to applicable regulations; or (5) when the applicant or successor-in-interest has failed to provide for the continuation of adequate security.

ARTICLE 10. WAIVER OF STANDARDS

The Board may waive any portion of the standards contained in these regulations in such cases where, in the opinion of the Board, strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of these regulations, other state and local rules and regulations and the town's master plan.

Applicant may request a waiver for any standards contained in these regulations and shall do so by submitting a written request to the Board with initial application, or at the appropriate time during the review process.

ARTICLE 11. PENALTIES

- 11.1 Any violation of these regulations may be made punishable, as determined by the Board of Selectmen, by either:
- 11.1.1 Civil fines as stated in RSA 676:17 if the violations are found by a court to continue after the conviction date or after the date on which the violator receives written notice from the Town that the applicant is in violation of these regulations, whichever date is earlier, or
 - 11.1.2 A criminal penalty as stated in RSA 676:17, which shall be:
 - 1.1.1.1.A misdemeanor if the violation is committed by a natural person; or
 - 1.1.1.2.A felony if the violation is committed by any other person.
- 11.2 In any legal action brought by the Town to enforce, by way of injunctive relief as provided by RSA 676:15 or otherwise, these regulations, or to enforce any decision made by the Planning Board, or to seek the payment of any fine levied under Article 11, the Town shall recover its costs and reasonable attorney's fees actually expended in pursuing the legal action if it is found to be a prevailing party in the action. Recoverable costs shall include all out-of-pocket expenses actually incurred, including but not limited to, inspection fees, expert fees, and investigatory expenses.
- 11.3 If any violation of these regulations, or any decision of the Planning Board, results in the expenditure of public funds by the Town which are not reimbursed, the court in its discretion may order, as an additional civil penalty, that a violator make restitution to the Town for such funds so expended.
- 11.4 The Superior Court may, upon a petition by the Town and after notice and a preliminary hearing as in the case of prejudgment attachments under RSA 511-A, require an alleged violator to post a bond with the court to secure payment of any penalty or remedy or the performance of any injunctive relief, which may be ordered, or both. At the hearing, the burden shall be on the Town to show that there is a strong likelihood that it will prevail on the merits that the penalties or remedies sought are reasonably likely to be awarded by the court in an amount of the projected expense of compliance with the injunctive relief sought.

ARTICLE 12. AMENDMENTS

These regulations may be amended, changed, altered, added to, or rescinded from time to time whenever this action is deemed necessary or advisable by the Board, but not until public hearing on the proposed amendment, change, alteration, or rescission. A majority vote of those present and voting will prevail. The Town Planner shall transmit a record of any changes so enacted to the Register of Deeds of Grafton County.

No site plan review regulations or amendment or exception thereto shall be legal or have any force and effect until copies of such, certified by a majority of the Board members, are filed with the Town Clerk and the Board of Selectmen.

ARTICLE 13. SEPARABILITY

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

Amended and Adopted by the Enfield Planning Board on October 11, 2017.

Dan Kiley, Chair

Paula Rowe Stone - Alternate

David Fracht, Vice Chair

Jim Bonner - Alternate

John Kluge, ex-officio Selectboard Representative

Tim Taylor

Nancy Scovner

Kurt Gotthardt

Rita Seto

APPENDIX A**DEFINITIONS**

The definitions for these regulations are found in the Enfield Zoning Ordinance Appendix Definitions.

APPENDIX B**OUTDOOR LIGHTING DESIGN STANDARDS****Definitions**

The following words and terms related to outdoor lighting are defined as follows:

Disability Glare: The eye's Line-of-Sight contact with a direct light source, which causes a partial blindness.

Foot-candle: A unit of measure for luminance. A unit of luminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

Full cut off type fixture: A luminaire or light fixture that; by design of the housing, does not allow any light dispersion or direct glare to shine above 90 degree, horizontal plane from the base of the fixture.

Horizontal Luminance: The measurement of brightness from a light source, usually measured in foot-candles or lumens, which is taken through a light meter's sensor at a horizontal position.

Light Trespass: Light from an artificial light source that is intruding into an area where it is not wanted or does not belong.

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

Uniformity Ratio: (U. Ratio) Describes the average level of illumination in relation to the lowest level of illumination for a given area. Example: U. Ratio =4:1 for the given area, the lowest level of illumination (1) should be no less than 25% or "4 time less" than the average (4) level of illumination.

Sky glow: Light from a luminaire that is emitted above the horizontal plane that passes through the lowest part of the luminaire.

Purpose

It is the goal of this section to provide further guidance to developers in implementing minimum requirements for lighting for all non-residential projects (non-residential projects include multi-family proposals). Recognizing that inappropriate and poorly designed or installed outdoor lighting causes unsafe and unpleasant conditions, limits residents' ability to enjoy the nighttime sky, and results in unnecessary use of electric power. Conversely, it is also recognized that some outdoor lighting is appropriate in areas such as civic, commercial and industrial centers. To ensure appropriate lighting while minimizing its undesirable side effects, the following regulations are established.

General Requirements

1. That all exterior lights and illuminated signs shall be designed, located, installed and directed in such a manner as to prevent objectionable light trespass, and glare across, the property lines and or disability glare at any location on or off the property.
The "maintained horizontal luminance recommendation" set by the Illuminating Engineers Society of North America (IES) shall be observed. (See "LIGHTING TABLE")
2. All street lighting shall be full cut off fixtures.
3. All parking area lighting shall be full cut-off type fixtures.
4. Full cut-off fixtures must be installed in a horizontal position as designed, or the purpose of the design is defeated, and disability glare will result.
5. Uplighting is prohibited. Externally lit signs, display, building and aesthetic lighting must be shielded to prevent direct glare and/or light trespass in excess of 0.2 foot-candles. The lighting must also be, as much as physically possible, contained to the target area.
6. All building lighting for security or aesthetics will be full cut-off or a shielded type, not allowing any upward distribution of light. Flood lighting is discouraged, and if used, must be shielded to prevent:
 - a. Disability glare for drivers or pedestrians;
 - b. Light trespass beyond the property line; and
 - c. Light above a 90 degree, horizontal plane. Unshielded wallpack type fixtures are not acceptable.
7. Adjacent to residential property, no direct light source will be visible at the property line at ground level or above.
8. All non-essential lighting will be required to be turned off after business hours, leaving only the necessary lighting for security. ("Non-essential" can apply to: display, aesthetic, parking, and sign lighting).

9. When outdoor lighting installation or replacement is part of a development proposal for which site plan approval is required under these regulations, the Planning Board shall review and approve the lighting installation as part of its site plan approval.
10. The applicant shall submit to the Town sufficient information, in the form of an overall exterior lighting plan, to enable the Town to determine that the applicable provisions will be satisfied. The lighting plan shall include at least the following:
- a. A site plan, drawn to the required scale, showing all buildings, landscaping, parking areas, all proposed exterior lighting fixtures;
 - b. Specification (details) for all proposed lighting fixtures including photometric data, designation as IESNA “cut-off” fixtures, Color Rendering Index (CRI) of all lamps (bulbs), and other descriptive information on the fixtures;
 - c. Proposed mounting height of all exterior lighting fixtures;
 - d. Analyses and luminance level diagrams showing that the proposed installation conforms to the lighting level standards in this section. Off-site lighting should be considered in the analyses; and
 - e. Drawing of all relevant building elevations showing the fixtures, the portions of the walls to be illuminated, the luminance levels of the walls, and the aiming points for any remote light fixtures.
11. Gas Station type canopy luminaires mounted on a canopy shall be recessed in the ceiling of the canopy so that the lens cover is recessed or mounted flush with the ceiling of the canopy and fully shielded. Luminaires shall not be mounted on the sides or top of the canopy, and the sides or fascias of the canopy shall not be illuminated.
12. When an outdoor lighting installation is being modified, extended, expanded, or added to, the entire outdoor lighting installation shall be subject to the requirements of this section.
13. Expansion, additions, or replacements to outdoor lighting installations shall be designed to avoid harsh contrast in color and or lighting levels.
14. Moving, fluttering, blinking, or flashing lights or signs and electronic message signs are prohibited.
15. The outdoor operation of searchlights, lasers, or other high-intensity beams for advertising purposes is prohibited.
16. Any luminaire that replaces a non-conforming, pre-existing luminaire, or any luminaire that is moved, shall meet the standards of this Ordinance.
17. Pre-existing luminaires that cause glare on any public roadways shall fully comply with this Ordinance immediately.

18. Proposed lighting installations that are not covered in this section may be approved if the Planning Board finds that they are designed to minimize glare, do not direct light beyond the boundaries in excess of 0.2 foot-candles of the area being illuminated or onto adjacent properties or streets, and do not result in excessive lighting levels.

19. For the purposes of these regulations, the mounting height of a lighting fixture shall be defined as the vertical distance from the grade elevation of the surface being illuminated to the bottom of the lighting fixture (i.e. luminaire).

20. The following are exempt from this Ordinance:

- a. Temporary luminaires required for construction projects (not to exceed 30 days);
- b. Luminaires related to police, fire, or other emergency services;
- c. Hazard warning luminaries required by federal regulatory agencies; and
- d. Low intensity temporary seasonal lighting.

21. The Planning Board may modify or waive the requirements of this section if it determines that in so doing, it will not jeopardize the intent of these regulations.

 Illuminating Engineering Society of North America (IESNA, or IES)

Lighting Table

| Levels of activity (Examples) | Recommendations (Foot-candles) | | | |
|---|---------------------------------|---------|---------------|----------|
| | General Parking & Pedestrian | | Vehicles Only | |
| | Min. | U Ratio | Min. | U. Ratio |
| Parking Lot | | | | |
| High | .9 | 4:1 | .67 | 3:1 |
| Civic Recreational Facilities Regional Shopping Centers Fast Food Facilities Gas/Convenience Store | | | | |
| | Min. | U Ratio | Min. | U. Ratio |
| Medium | .6 | 4:1 | .33 | 3:1 |
| Community Shopping Ctr. Office Parks Hospital Parking Transportation Parking (Commuter Lots, Etc.) Residential Complex Parking | | | | |
| | Min. | U Ratio | Min. | U. Ratio |
| Low | .2 | 4:1 | .13 | 4:1 |
| Neighborhood Shopping Industrial Employee Parking Educational Facility Parking Church Parking | | | | |

IES States: "This recommendation is based on the requirement to maintain security at any time where there is low level of nighttime activity."

APPENDIX C

Date

Town of Enfield
Board of Selectmen
PO Box 373
Enfield, NH 03748

Re:

Dear Town Officials:

By this document the _____ Bank (hereinafter "Issuer") hereby issues an irrevocable Letter of Credit in the amount of \$_____ to the Town of Enfield on behalf of _____ (hereinafter "Developer"). This irrevocable Letter of Credit is issued to guarantee completion of all improvements required by the Enfield Planning Board and the town of Enfield subdivision regulations in conjunction with a subdivision plan entitled "_____", dated _____, prepared by _____ and approved by the Planning Board on _____.

It is understood that the improvements guaranteed by this irrevocable Letter of Credit include, but are not limited to the following:

1. Construction of _____ linear feet of roadway along with all associated utilities. Said roadway being shown on the above referenced plan as _____.
2. Restoration of the site and control of erosion.
- 3.

It is agreed and understood by the issuer of this Letter of Credit that it shall be issued for a period of _____ months. If all improvements guaranteed by this Letter of Credit are not completed by _____ (Date) and if a certificate indicating completion of all improvements has not been issued by the Town Building Inspector, then this Letter of Credit shall be automatically considered to have been called and without further action of the Town of Enfield or its Planning Board, the _____ Bank shall forthwith forward a check in the amount of \$_____ to the Treasurer of the Town of Enfield. The funds so forwarded to the Town treasurer shall be used exclusively for the purpose of completing the improvements, which are guaranteed by this Letter of Credit. Any funds not needed by the Town to complete improvements

required by the subdivision plan referred to above shall be returned to the _____ Bank.

Upon receipt of written approval of the Town, the issuer may reduce (“draw down”) the amount of this Letter of Credit in accordance with the authorization of the Town. Provided, however, that 10% of the principal amount held for the constructed portion of the project shall be retained for one year after completion of the improvements to cover any latent defects appearing during the year and shall thereafter be returned to the issuer or become the property of the Town of Enfield, if necessary to remedy any such latent defects.

Dated: _____

Signature of Bank Official

I have read this Letter of Credit and agree to its terms.

Dated: _____

Signature of Developer

Sincerely,