SITE PLAN REVIEW REGULATIONS
&
APPLICATION

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Article I. Authority and Purpose

§ 173-1. Authority

Pursuant to the authority vested in the Wolfeboro Planning Board, by the legislative body of the Town of Wolfeboro, in accordance with previously adopted subdivision regulations under RSA 674:36, the Wolfeboro Planning Board is empowered under RSA 674:43 to review and approve or disapprove site plans. This review authority shall be applied to the development of land, lots, or tracts for nonresidential uses and for multifamily dwelling units (which are defined as any structure containing more than two dwelling units per structure), or changes or expansion of use, whether or not such development includes a subdivision or resubdivision of a site.

§ 173-2. Purpose

The purpose of the Wolfeboro Site Plan Review Regulations, as authorized by RSA 674:44, II, is to:

A. Provide for the safe and attractive development of the site and guard against such conditions as would involve danger or injury to health, safety, or prosperity by reason of:

(1) Inadequate drainage or conditions conducive to flooding of the property or that of another;

(2) Inadequate protection for the quality of surface and groundwater;

(3) Undesirable and preventable elements of pollution such as noise, smoke, soot, particulates or any other discharge into structures or adjacent properties;

(4) Inadequate provisions for fire safety, prevention and control; and

(5) Inadequate pedestrian and traffic plans.

B. Provide for the harmonious and aesthetically pleasing development of the municipality and its environs;

C. Provide for open spaces and green spaces of adequate proportions;

D. Require the proper arrangement and coordination of streets within the site in relation to other existing or planned streets or with features of the official map of the municipality. All roads shall be laid out and constructed in compliance with the Town of Wolfeboro's Road Construction Regulations;

E. Require suitably located streets to be of sufficient width and design to accommodate existing and prospective traffic and to afford adequate light, air and access for fire-fighting apparatus and equipment to buildings and be coordinated so as to compose a convenient system for use by the public;

F. Require, in appropriate cases, that plats showing new streets or narrowing or widening of such streets be submitted to the Planning Board for approval;

G. Require that the land indicated on plats submitted to the Planning Board shall be of such character that it can be used for building purposes without danger to health;

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

I. Prevent scattered and/or premature development.

Article II. Title

§ 173-3. Title; supersession of prior regulations

These regulations shall be known and cited as the "Site Plan Review Regulations of Wolfeboro, New Hampshire," and supersede the Site Plan Regulations, Town of Wolfeboro, New Hampshire, *Editor's Note: Former Ch. 172, Multifamily Site Plan Review, was adopted 5-1-1984; and former Ch. 173, Nonresidential Site Plan Review, was adopted 11-1983, as amended through 9-10-1991.* as amended prior hereto, and such prior regulations are hereby rescinded.

Article III. Words and Phrases

§ 173-4. Word usage

Words used in the present tense shall include the future; the singular includes the plural and the plural includes the singular; the word "building" shall include the word "structure"; the word "shall" is mandatory; the word "may" is permissive. The word "person" includes an individual, partnership, firm, association, corporation, organization, or institution.

§ 173-5. Definitions

For the purpose of these regulations, the terms used herein are defined in the Wolfeboro Planning and Zoning Ordinance *Editor's Note: See Ch. 175, Zoning.* and in the Wolfeboro Subdivision Regulations. *Editor's Note: See Ch. 174, Subdivision of Land.*

Article IV. Interpretation

§ 173-6. Applicability of other regulations

A. These Site Plan Review Regulations in no way relieve the developer or his/her agent from compliance with the Zoning Ordinance, Subdivision Regulations or any other ordinance which pertains to the proposed development.

B. The standards contained in these regulations shall be interpreted as minimum requirements, and compliance with said minimum requirements shall in no instance obligate the Planning Board to approve any particular application solely on that basis. Only after the Planning Board is fully satisfied that a proposed application is in accordance with the Master Plan and Town ordinances will the application be approved.

Article V. Application Procedures

§ 173-7. Preapplication review phases (RSA 676:4, II)

An applicant may elect to forego or engage in preapplication review or either phase thereof.

A. Preliminary conceptual consultation phase.

(1) The applicant may request a meeting with the Board to discuss a proposal in conceptual form and in general terms. Such preapplication consultation shall be informal and directed toward:

(a) Reviewing the basic concepts of the proposal;

(b) Reviewing the proposal with regard to the Master Plan and Zoning Ordinance;

(c) Explaining the local regulations that may apply to the proposal; and

(d) Guiding the applicant relative to state and local requirements.

(2) Preliminary conceptual consultation shall not bind the applicant or the Board. Such discussion may occur without formal public notice, but must occur only at a posted meeting of the Board.

B. Optional preapplication review.

(1) Prior to submission of a completed application for Planning Board action, an applicant may request to meet with the Board for nonbinding discussions beyond the conceptual and general, involving more specific design and engineering details of the potential application.

(2) The optional preapplication review phase may proceed only after identification of and notice to abutters and the general public as required by RSA 676:4, I(d).

(3) Persons wishing to engage in optional preapplication review phase shall submit a Request for Pre-Application Review (Attachment 2) *Editor's Note: Attachment 2 is included at the end of this chapter.* and associated fees not less than 20 days before the regularly scheduled meeting of the Board. The request shall include:

(a) A list of abutters and their addresses from municipal records not more than five days before submission; and

(b) A check or cash to cover mailing and advertising costs.

(4) All discussion in the optional preapplication review phase shall be informal and nonbinding. Statements made by Board members shall not be the basis for disqualifying said members or invalidating any action eventually taken on the application.

(5) The Board shall not accept any formal submissions by the applicant at this time.

§ 173-8. Formal application

A. A formal application shall consist of the forms and data as shown in Articles VII, IX and X of these regulations. It shall also include all fees required by the Town under the provisions of RSA 676:4, I (g).

B. Upon receipt of a formal application, the Planning staff will review it using the Site Plan Application Checklist. When all requirements have been met, the application will be scheduled for submission to the Planning Board by placing it on the Board's agenda.

C. A formal application shall only be submitted to the Planning Board at a regular meeting after notification has been given as required by RSA 676:4, I(d). The Planning Board shall consider the application, and act to accept, reject or continue consideration of the application within 30 days of the meeting at which it is submitted. Such action shall be by a majority vote of those Board members present.

§ 173-9. Action on formal application

A. Once a formal application is accepted; the Planning Board must act on the application within 90 days and shall consider it at its regular meetings or at workshop meetings if required. A site visit may be scheduled. Additional reports or studies may be required by the Board, including, but not limited to, high-intensity soil survey, traffic, school, fiscal and environmental impact analyses, to allow the Board to make an informed and educated decision concerning the application.

B. Prior to the approval of a site plan application, a public hearing shall be held as required by RSA 676:4, I(d), with notice given to the applicant, abutters, and the public.

C. The Board may apply to the Board of Selectmen for an extension of the ninety-day time period, not to exceed an additional 90 days, before acting to approve, conditionally approve, or disapprove an application. An applicant may waive the requirement for Board action within the time period specified in these regulations and consent to such an extension as may be mutually agreeable.

D. If the Board has not taken action on the formal application within 90 days of its acceptance, and has not obtained an extension, the applicant may obtain from the Board of Selectmen an order directing the Planning Board to act within 15 days. Failure of the Board to act on the order shall constitute grounds for the applicant to petition the Superior Court as provided in RSA 676:4, I(c).

E. The Board shall act to approve, conditionally approve, or disapprove the formal application within 90 days of acceptance. (See Attachment 4a.) *Editor's Note: Attachment 4 is included at the end of this chapter.* All conditions of approval will be stated in the form of "Notice of Action."

F. Approval of the application shall be certified by written endorsement on the plat and signed and dated by two members of the Board, one being the Chairman or Vice Chairman.

G. A financial surety, adequate to cover the cost of site stabilization and the cost of landscaping improvements approved as part of the site plan application, shall be posted with the Town prior to signing the plan. The following financial sureties are acceptable to the Town: cash, passbook savings account in the Town's name, or a bond. Any interest accrued from the financial surety shall accrue to the applicant.

H. If any application is disapproved, the grounds for such disapproval shall be adequately stated in the minutes of the Board and in the Notice of Action given to the applicant within 72 hours. (See Attachment 4b.) *Editor's Note: Attachment 4 is included at the end of this chapter.* Applications may be disapproved by the Board without public hearing on the grounds of failure by the applicant to supply information or to pay fees as required by these regulations.

§ 173-10. Notices

A. Notice of an optional preapplication review, submission of a formal application, or of a public hearing, shall be given by the Board to the abutters and the applicant by certified mail, and mailed at least 10 days prior to the meeting. (See Attachment 3a.) *Editor's Note: Attachment 3 is included at the end of this chapter.*

B. The public shall be given notice at the same time, by posting in two public places and in a newspaper of general circulation in the Town.

C. The notice shall give the date, time, and place of the Planning Board meeting at which the application or other item(s) will be formally submitted to the Board, shall include a general description of the proposal which is to be considered, and shall identify the applicant and the location of the proposal. (See Attachment 3b.) *Editor's Note: Attachment 3 is included at the end of this chapter.*

D. If the notice for the public hearing was included in the notice of submission or any prior notice, additional notice of the public hearing is not required. Additional notice is not required of an adjourned session of a public hearing, provided that the date, time and place of the adjourned session was made known at the prior public hearing.

Article VI. Fees

§ 173-11. Required fees

A. A formal application for site plan approval shall be accompanied by an initial filing fee.

B. Pursuant to RSA 676:4, I(g), it shall be the responsibility of the applicant, if the Board deems it necessary, to pay reasonable fees for special investigative studies, environmental assessments, legal review of documents, administrative expenses, and other matters which may be required to make an informed decision on a particular application.

C. The application submittal fees are adopted by reference as part of these regulations.

Article VII. Application Submission Requirements

§ 173-12. Guide to process

The Planning Board has developed a "Guide to the Permit & Land Use Approval Process" in order to assist the applicant through the site plan review process. This guide is available at the Planning Office.

§ 173-13. Review by Technical Review Committee

All proposals shall be submitted to, reviewed, and signed off by the Technical Review Committee prior to a formal submittal to the Planning Board. (See Attachment 3c.) *Editor's Note: Attachment 3 is included at the end of this chapter.*

§ 173-14. Filing of formal application

A. A formal application shall be filed with the Planning Board or its designated agent at least 20 calendar days prior to a regularly scheduled meeting of the Board. The applicant shall be informed if the application is not complete within five days of receipt of the application.

§ 173-15. Formal application content

A formal application shall be submitted using the form available from the Planning Office (Attachment 1), *Editor's Note: Attachment 1 is included at the end of this chapter.* and shall be accompanied by:

A. A letter of intent detailing the proposal;

B. A letter/certification of compliance with the requirements of the Americans with Disabilities Act signed by an architect or engineer. The letter/certification shall outline the elements of compliance.

[Added 11-1-2005]

C. A list of the names and addresses of all the abutters, as shown in Town records not more than five days before the day of filing;

D. Additional documents, as requested by the Planning Office; and

E. Three copies, 24 inches by 36 inches, and 10 additional copies, 11 inches by 17 inches, of the plat. The plat shall be prepared by a land surveyor or engineer, using a scale of one inch equals 100 feet or larger (i.e., one inch equals 50 feet, one inch equals 20 feet, etc.), and shall include:

(1) A Title Block, including:

(a) Title of plan;

(b) Owner's name and address, and name of agent, if any;

(c) The date the plan was prepared and date of subsequent revisions;

(d) Scale of the plan; and

(e) Name, address and seal of the preparer of the plan.

(2) North arrow and bar scale.

(3) A location plan at a minimum scale of one inch equals 1,000 feet, showing:

(a) Property lines of the parcel being developed in relation to the surrounding area within a radius of 2,000 feet;

(b) Names and locations of existing Town streets, including the nearest intersection of said streets;

(c) Names and locations of streets within the proposed development;

(d) Names and location of watercourses and water bodies on and adjacent to the site;

(e) Area of entire parcel in acres and square feet.

(4) The plan of the site itself shall show:

(a) Surveyed property lines of the parcel showing their bearings;

(b) Names of all abutting property owners;

(c) Location and layout of existing and proposed structures and buildings;

(d) Existing and proposed contours at two-foot intervals for the entire site. Where a change in grade is proposed, existing contours shall be dotted lines and finished elevations solid;

(e) Area of entire parcel in acres and square feet;

(f) Zoning and special district boundaries;

(g) Deed reference and tax map number;

(h) Location width, curbing and paving of access ways, egress ways and streets within the site;

(i) Location and layout of all on-site parking and loading facilities;

(j) Location and size of all municipal and nonmunicipal utilities and appurtenances, including: water, sewer, electric, telephone, gas lines and fire alarm connections, indicating whether overhead or underground, and the location of wells and septic systems;

(k) Type and location of solid waste disposal facilities;

(l) Location, elevation and layout of catch basin and other surface drainage features;

(m) Location of all physical/natural features, including: water bodies, watercourses, wetlands, vegetation/foliage lines, soil types, railroads, rock outcroppings and stone walls;

(n) Dimensions and area of all property to be dedicated for public use of common ownership;

(o) Location of one-hundred-year flood hazard boundaries;

(p) Date and permit numbers of all required state and federal permits;

(q) Location of all buildings, wells and leach fields within l50 feet of the parcel;

(r) Dimensions, area and minimum setback requirements on all existing and proposed lots;

(s) Proposed landscaping plan, including size and type of plant material;

(t) Pedestrian walks providing circulation through the site;

(u) Location and size of proposed and existing signs, walls and fences;

(v) Location and type of lighting for outdoor activities;

(w) Location, widths and purposes of any easements or rights-of-way;

(x) Total on-site square footage of impervious surfaces; and

(y) Snow storage requirements.

§ 173-15.1 For site plans that involve land designated as "Special Flood Hazard Areas" (SFHA) by National Flood Insurance Program (NFIP)

A. The applicant shall submit, to the Planning Board for its review, all copies of all necessary permits that have been received from those government 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.

B. The Planning Board shall require that all proposals 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 determination that:

(i) all such proposals are consistent with the need to minimize flood damage;

(ii) all public utilities and facilities, such as sewer, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and

(iii) adequate drainage is provided so as to reduce exposure to flood hazards.

Article VIII. Construction Guarantee

§ 173-16. Surety required; amount; term

The applicant shall post an acceptable financial surety prior to final sign-off of the plan approved by the Planning Board. The financial surety shall be in an amount sufficient to ensure the completion of all roads (public or private) drainage, and landscaping. The financial surety shall be effective for a period mutually agreed upon by the Planning Board and the applicant.

§ 173-17. Form

The financial surety shall be approved as to the form and type by the Board. The Town will accept cash, pass book savings in the Town's name, letter of credit, or a construction surety bond. At its discretion, the Planning Board may require approval of the construction guarantee by the Town Attorney. A sample construction guarantee contract is included as Attachment 5. *Editor's Note: Attachment 5 is included at the end of this chapter.*

§ 173-18. Release

The construction guarantee shall be released in phases as portions of the secured improvements or installations are final in accordance with the plan approved by the Board.

Article IX. Design Standards and Required Improvements

§ 173-19. General requirements

A. Conformance to applicable laws, rules and regulations. In addition to the requirements established herein, all developments shall comply with the applicable provisions of the Zoning Ordinance, *Editor's Note: See Ch. 175, Zoning.* Subdivision Regulations, *Editor's Note: See Ch. 174, Subdivision of Land.* and all other applicable Town ordinances.

B. Design review guidelines.

(1) Compliance with the Town of Wolfeboro Design Guidelines is a voluntary component of the site review. These guidelines do not replace current zoning, subdivision, or site review regulations that exist primarily to protect public health and safety. They are intended to enhance existing regulations and should be used as a tool to address the important visual and design aspects of your residential and commercial building and renovation projects. Those who are required to participate in the site review process are required to meet with the Town Planner to review these guidelines.

(2) Although compliance with the guidelines is strongly encouraged, it is not mandatory. If, after meeting with the Town Planner, the applicant decides that he or she does not wish to participate further in the process, the applicant will be asked to provide the Planner with a written rationale for his decision.

C. Self-imposed restrictions. If the owner places restrictions on any of the land contained in the development greater than those required by the Zoning Ordinance or these regulations, such restrictions or reference thereto shall be required to be indicated on the site plan, or the Planning Board shall require that

restrictive covenants be recorded with the Carroll County Registry of Deeds in form to be approved by the Board.

D. Specification references

(1) Reference to state specifications shall mean Standard Specifications for Road and Bridge Construction of the New Hampshire Department of Transportation, approved and adopted 1992 as amended.

(2) Reference to Uniform Traffic Control Devices shall mean the Manual on Uniform Traffic Control Devices for Streets and Highways, published by the U.S. Department of Commerce, Bureau of Public Roads.

§ 173-20. Streets and access

All other roadway related regulations are contained in: Road Construction Regulations of the Town of Wolfeboro, New Hampshire, adopted by the Wolfeboro Planning Board.

§ 173-21. Stormwater drainage

A. General requirements. All developments shall make adequate provision for stormwater facilities which shall be designed to handle one-year, ten-year and twenty-five-year storm events, containing all increase in drainage on site and stamped by a licensed professional engineer. Stormwater drainage systems shall be constructed within specified easements to carry stormwater to existing watercourses or existing storm drains. If the stormwater drainage system creates any additional flow over other properties, the developer shall obtain easements therefore from the owners of said properties.

B. Design standards.

(1) Stormwater systems. Stormwater runoff shall be carried away in a stormwater system designed in accordance with the standards established in the Standard Specifications for Roadway and Bridge Construction, NHDOT, 1990. Such drainage facilities shall be located in the road right-of-way where feasible. Where topography or other conditions are such as to make impractical the inclusion of drainage facilities within road rights-of-way, perpetual unobstructed easements at least 25 feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities.

(2) Natural watercourses. Where a development is traversed by a natural watercourse, drainage way, channel, or stream, a stormwater easement or

drainage right-of-way shall be provided conforming substantially to the lines of such watercourse, and of such width and construction or both as will be adequate for the purpose. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow.

(3) Accommodation of upstream drainage area. A stormwater drainage system shall be large enough to accommodate existing runoff from its entire upstream drainage area, whether inside or outside the development permitted by the Zoning Ordinance. The Board shall require on-site retention or detention facilities to prevent the overloading of existing downstream facilities.

(4) Floodplain areas. Any development in floodplain areas shall be in compliance with the standards for special flood hazard areas contained in § 173-27 of these regulations.

(5) Areas of poor drainage. The Planning Board may restrict the development of any portion of the property having poorly or very poorly drained soils in accordance with the wetland conservation provisions in the Wolfeboro Planning and Zoning Ordinance.

§ 173-22. Water supply

A. General Requirements. All developments in the State of New Hampshire shall make adequate provision for a water supply of potable water for domestic consumption and for water supply for fire protection purposes. All water supply systems and facilities shall be designed and stamped by a registered engineer.

B. Required improvements.

(1) The location of individual private wells shall comply with all standards of the New Hampshire Water Supply and Pollution Control Commission.

(2) A private central water system, serving two or more lots or users, shall conform with and meet all standards set for community water services as established by the New Hampshire Water Supply and Pollution Control Commission (WSPCC) even though the WSPCC may not invoke jurisdiction in all cases.

§ 173-23. Sewerage

A. General requirements. All developments shall make adequate provision for sanitary sewage disposal facilities. The facilities shall be designed and stamped by a NH registered engineer. Sanitary sewage disposal shall be accomplished through the provision of individual waste disposal systems or a private central sewerage system.

B. Design standards. Sanitary waste disposal may be accomplished by either of the following methods:

(1) Individual disposal systems, the design and location of which shall be approved by the State of New Hampshire Water Supply and Pollution Control Commission. The systems shall be located on private property, no closer than 75 horizontal feet to a watercourse, a water body, a wetland, or a well that is being used as a source of individual water supply.

(2) A private central sewerage system, the design and location of which shall be approved by the State of New Hampshire Water Supply and Pollution Control Commission. Maintenance and operating costs of the system shall be borne by the developer.

§ 173-24. Utilities

The applicant is responsible for all coordination with utility providers to assure that all utilities are installed in accordance with plans approved by the Board pursuant to these regulations.

§ 173-25. Signs

A. General requirements. Signs are intended for the identification of the use on the site on which they are located. Signs shall not be a hazard or nuisance by virtue of their location or illumination.

B. Design standards. Sign size, type, location, height, and illumination shall conform to the requirements of Wolfeboro Planning and Zoning Ordinance. *Editor's Note: See Ch. 175, Zoning.*

§ 173-26. Preservation of natural features and amenities

A. General requirements.

(1) Grading and clearing should be minimized so as to avoid creating undue erosion or interruption of natural drainage ways. Grading and clearing along

the shorefront shall be performed in compliance with the NH Shoreland Protection Act. Particular attention should be given to natural features suitable as buffer strips between residential subdivisions abutting commercial or industrial areas. Similar natural features that provide buffers between lots, or sections of a development should be preserved to enhance privacy and attractiveness. Provision for clearing may be made for southerly exposure for solar access to dwellings or buildings.

(2) Developers shall use construction methods which cause the least disturbance to the environment possible. No cut trees, stumps, debris, junk, rubbish, or other waste materials of any kind shall be buried in any land, or left or deposited on any lot or street at the time of issuance of a certificate of occupancy, and removal of same shall be required prior to issuance of any certificate of occupancy; nor shall any debris be left or deposited in any area of development at the time of expiration of the performance bond or dedications of public improvements, whichever is sooner.

§ 173-27. Special flood hazard areas

All site plan proposals governed by these regulations having lands identified as special flood hazard areas in the Flood Insurance Study for the Town of Wolfeboro, NH together with the associated Flood Insurance Rate Maps and Flood boundary and Floodway Maps of the Town of Wolfeboro shall meet the following requirements:

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

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

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

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

(2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.

D. Within the altered or relocated portion of any watercourse, the applicant shall submit to the Planning Board certification provided by a registered professional engineer assuring that the one-hundred-year flood-carrying capacity of the watercourse has been maintained.

E. All site plan proposals shall include one-hundred-year flood elevation data.

§ 173-27.1. Pedestrian and bicycle circulation and bicycle storage facilities

[Added 3-8-2011]

A. General provisions.

(1) The site plan shall provide for a system of pedestrian or bicycle paths and bicycle storage facilities, or a combination of the above, as appropriate to the type and scale of development. This system shall connect the major building entrances/exits, parking areas and any existing or proposed sidewalks within or adjacent to the project.

(2) Any paths shall be located within the lot lines of the site, unless it is determined by the Planning Board that it would be more appropriate to locate these in the public right-of-way.

(3) The system shall also be designed to link the project with residential, recreational, commercial facilities, schools, bus stops and existing bicycle or pedestrian facilities in the neighborhood.

(4) The system shall minimize conflicts between pedestrians, bicycles and motor vehicles.

B. Sidewalks and pedestrian pathways.

(1) Accessibility. Sidewalks and pedestrian pathways shall be easily accessible to all users, whatever their level of physical ability, and comply at a minimum with the standards provided by Accessible and Usable Buildings and Facilities (ICC/ANSI A117.1, latest edition).

(2) Travel width. The sidewalk or pedestrian pathway shall be at least five feet wide. If anticipated pedestrian volumes warrant, the Planning Board may require a wider pathway.

(3) Continuity.

(a) A sidewalk or pedestrian pathway shall connect destinations and shall not require pedestrians to travel out of their way unnecessarily.

(b) Pedestrian areas shall be clearly distinguished from vehicular and bicycle traffic areas through the use of paving materials, landscaping buffers, or other means.

(4) Location. At a minimum, sidewalks shall be located along the front of the site and along the front of buildings and shall connect to building entrances.

(5) Pedestrian amenities.

(a) Sidewalks and pedestrian pathways longer than 500 feet shall provide areas for standing and sitting and may include pedestrian amenities such as benches, tables, shade trees or grassy areas.

(b) Such pedestrian areas shall be a minimum of 100 square feet in area and shall be provided at regular intervals of 300 feet along the sidewalk or pedestrian pathway.

(6) Surfacing materials. Any off-site improvements to public sidewalks that are required as part of the project shall use surfacing materials specified by the Planning Board.

C. Bicycle facilities.

(1) General.

(a) Bicycle facilities (including routes and racks) may be combined with pedestrian facilities when designed according to shared path standards of AASHTO, but not on Town sidewalks.

(b) Bicycle facilities shall be designed in accordance with AASHTO, Guide for the Development of Bicycle Facilities, as amended.

(2) Bicycle routes. Bicycle routes may be required by the Planning Board in the form of a separate off-street path or on-street marked bicycle lanes.

(3) Bicycle racks. Bicycle racks, when required by the Planning Board, shall meet the following requirements:

(a) All racks shall be located in a convenient and secure location.

(b) Where bicycle racks are placed near trees, trees shall be protected with tree guards to prevent the securing of bicycles to trees.

(c) All racks shall be designed to allow the frame and one wheel to be locked to the rack with a high security, U-shaped shackle lock if both wheels are left on the bicycle.

(d) All racks shall be securely anchored to a durable, hard-paved (preferably concrete) permanent surface.

Article X. Independent Studies and Investigations

§ 173-28. Additional studies authorized

The Planning Board reserves the right to require additional studies to determine the potential impact of the proposed site development. Studies may include, but are not limited to, traffic impact analysis, fiscal impact analysis, and environmental impact analysis.

A. All traffic impact analysis shall be presented in accordance with the Regional Planning Commission's Guidelines for Traffic Impact Analysis, incorporated into these regulations by reference. The Planning Board reserves the right to retain the services of an outside agency for the purposes of reviewing any traffic impact analysis submitted.

B. All fiscal impact analysis shall be presented in accordance with the Regional Planning Commission's Guidelines for Fiscal Impact Analysis incorporated into these regulations by reference. The Planning Board reserves the right to retain the services of an outside agency for the purposes of reviewing any fiscal impact analysis submitted.

C. The environmental impact statement specifications will be dictated on a case-by-case basis.

§ 173-29. Street improvements

Wherever, in the opinion of the Board, traffic generated by a development will adversely impact existing public streets, the Board may require improvements to be made to such streets and intersections in an effort to mitigate such impacts.

§ 173-30. Inspections during construction

Wherever, in the opinion of the Board, the project warrants construction observation because of the scope of the development, the Board shall require an independent engineer, hired by the Town and paid for by the developer, to perform scheduled inspections during the construction of the project.

Article XI. Post-Construction Requirements

§ 173-31. Form of deeds

All deeds covering land to be used for public purposes, easements, and rights-of-way over property to remain in private ownership, and rights of drainage across private property, shall be submitted in a form satisfactory to the Town Attorney.

§ 173-32. As-built drawings

As-built construction drawings, plan and profile, of all infrastructure improvements, buildings and structure footprints shall be prepared at a scale of one inch to 20 feet, including, but not limited to:

A. Underground utilities (sewer lines, storm drains, water lines, electrical, phone, cable, natural gas lines, etc.).

B. Drainageways, ditching, impoundments, swales, etc.

C. Road construction.

§ 173-33. Maintenance guarantee

A financial surety shall be in an amount equal to 10% of the cost for completion of all roads (public or private) drainage, and landscaping. The financial surety shall be effective for a period two years after site improvements are completed. If such repairs are needed and are not satisfactorily installed by the developer, then such guarantee shall be used to complete and/or install such improvements.

Article XII. Administration and Enforcement

§ 173-34. Administration

These regulations shall be administered by the Planning Board. The enforcement of these regulations is vested in the Board of Selectmen.

§ 173-35. Waivers

A. When the Planning Board finds that unusual difficulty or unnecessary hardship may result from strict compliance with these regulations, the Board may, by a two-thirds vote of its voting members present at the meeting, vary the regulations so that substantial justice may be done. The relief of the hardship or difficulty may be granted to the developer, and public interest secured; provided such waiver

will not have the effect of nullifying the spirit and intent of the Master Plan and these regulations.

B. In reviewing a request for a waiver, the Planning Board may consider such factors as the shape and topography of the land, innovative building design, and use of on-site materials and natural features. In granting waivers, the Planning Board may require such conditions as will, in its judgment, secure the objectives of the regulations. A request form (See Attachment 3d. *Editor's Note: Attachment 3 is included at the end of this chapter.*) and a written justification of the waivers must be submitted with the application.

§ 173-36. Penalties and fines

Any violation of these regulations may be subject to a civil fine as provided in RSA 676:16 and 676:17, as amended. The Board of Selectmen and the Code Enforcement Officer are designated as the local authorities to institute appropriate action under the provisions of RSA 676:17.

Article XIII. Conflicting Provisions

§ 173-37. Conflict with other rules and regulations

Where these regulations are in conflict with other local, state, or federal ordinances, the more stringent shall apply.

Article XIV. Validity

§ 173-38. Severability

If any section or part of section or paragraph shall be declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or sections or part of a section or paragraph of these regulations.

Article XV. Amendments

§ 173-39. Procedure

These regulations may be amended by the Planning Board following a public hearing on the proposed changes. Such changes shall not take effect until a copy of said changes, as approved by a majority of the Board, is filed with the Town Clerk.

TOWN OF WOLFEBORO

SITE PLAN REVIEW

GUIDELINES FOR APPLICANTS

Purchase and review a copy of the Wolfeboro Planning and Zoning Ordinances along with a copy of the Site Plan Review regulations. Copies of such can be found on the Town of Wolfeboro web site www.wolfeboronh.org.

Schedule a meeting with the Technical Review Committee (TRC) to review your project.

Complete all appropriate forms.

Submit copy of the attached application along with (15) fifteen copies of 11" x 17" and (5) five copies of a full size plans.

Follow the procedures below for Abutter Notification:

1. Compile an abutters list from the Tax Warrant and the Tax Map with names, addresses and Tax Map numbers of each Abutter. (*Both warrants are located at the Planning Office; a more updated Tax Warrant can be found at the Tax Assessor's Office*)

2. If the Town is an abutter, identify The Town of Wolfeboro on the Abutter list. **Do not address an envelope or certified mail slip for the Town as they are notified by the submission of your application.**

3. Address and submit a #10 envelope and a certified mail receipt for each abutter. *Include your name and address and the name and address or your agent, land surveyor, engineer, architect, and/or soil scientist if any of the above has placed their professional seal or name on the plan.*
   *** **Current Certified Postage must be affixed to each envelope. (See attached example)***

4. Keep the Certified mail slips with the envelopes, but be sure to either address the slips or provide labels for office staff to assemble.

   ***Note that there may be an additional fee of $25.00 if your project is continued or you are required to have 2 meetings due to re-noticing in the newspaper.*

When you have received your approval from the Planning Board, recording fees may apply. This will require a separate check made payable to *Carroll County Registry of Deeds* and this will be stated in the Notice of Decision.

There may be fees for a Construction Observation Agreement or you may be required to post some form of Financial Security to ensure completion of your project. The amount(s) will be determined by the scope of the project.

Please feel free to call 569-5970 or stop by the Office of Planning and Development between the hours of 8am and 4pm for assistance.

Sample

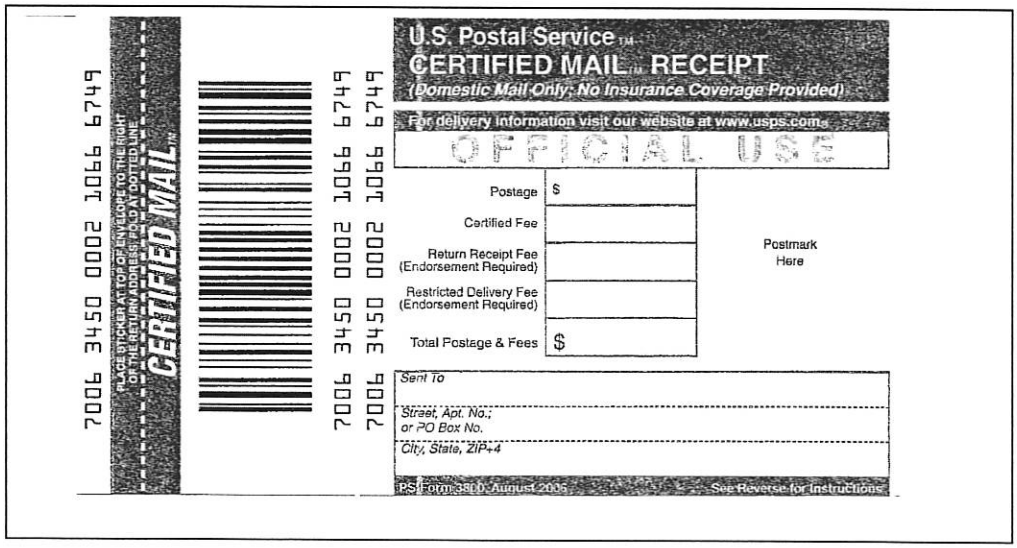
Submission for abutters requires #10 (legal size) envelopes with the abutter names and addresses and the **current certified mail postage affixed to each**. The certified mail slips should be filled out with the names & addresses (mailing labels can be used).

Town of Wolfeboro
Planning Board
P.O. Box 629
Wolfeboro, NH 03894

Current Certified Postage

Abutter Name
Abutter's Address
City, State Zip Code

Current Certified Mail Postage Required



TOWN OF WOLFEBORO

APPLICATION FOR SITE PLAN REVIEW

Tax Map _____ Lot Number _____ Sub Lot _____ Case # _____

Name & Location of Proposed Site Plan _____

_____

This form and all required information must be filed at least 20 days before the date of the meeting at which it is to be submitted at the Planning & Development Office, Wolfeboro Town Hall, 9 Union Street or by mail to the
Wolfeboro Planning & Development Office, P.O. Box 629, Wolfeboro, NH 03894

Name, mailing address, telephone number & e-mail address of applicant

Name: _____
Address: _____
Phone#_____ E-Mail: _____

Name, mailing address, telephone number & e-mail address of owner of record (if other than applicant, a letter of authorization from the property owner must be attached)
Name: _____
Address: _____
Phone#_____ E-Mail: _____

Name, mailing address, telephone number & e-mail address of surveyor and/or agent

Name: _____
Address: _____
Phone#_____ E-Mail: _____

Abutters:

Attach a separate sheet listing the Wolfeboro Tax Map number, Lot number, name, mailing address of all abutters, including those across a street, brook or stream. Names should be those of current owners as recorded in the tax records five (5) days prior to the submission of this application.

Note: No application shall be heard unless all abutters as described herein have been notified.

APPLICATION FOR SITE PLAN REVIEW

1. Payment of all applicable fees:

Submittal fees	$_____
Administrative and Technical review fees	$_____
Total	$_____

The applicant and/or owner or agent, certifies that this application is complete and includes all required attachments and documents, and that any additional cost for engineering or professional services incurred by the Planning Board or the Town of Wolfeboro in the final site plan review process of this property, shall be borne by the applicant and /or owner.

"I hereby authorize the Wolfeboro Planning Board and its agent(s) to access my land for the purpose of reviewing the proposed site plan, and perform any inspections deemed necessary by the Board or its agent(s), to ensure compliance of the on site improvements in accordance with the plan(s) and all Town of Wolfeboro Ordinances and Regulations."

_____ _____

Applicant/Owner/Agent Signature Date

_____ _____

Applicant/Owner/Agent Signature Date

PRE-APPLICATION SITE PLAN REVIEW (OPTIONAL)

Tax Map _____ Lot Number _____ Sub Lot _____

Conceptual Consultation _____ Design Review _____

Note: If this is a request for Design Review, per the Wolfeboro Site Plan Review Regulation, Section 5.04 the applicant and the public must be notified, see below.

Name & Location of Proposed Site Plan _____

_____

Name, mailing address, telephone number and e-mail address of applicant

Name: _____
Address: _____
Phone#_____ E-Mail: _____

Name, mailing address, telephone number & e-mail address of owner of record (if other than applicant, a letter of authorization from the property owner must be attached)

Name: _____
Address: _____
Phone#_____ E-Mail: _____

Abutters:

Attach a separate sheet listing the Wolfeboro Tax Map number, Lot number, Name, Mailing address of all abutters, including those across a street, brook or stream. Names should be those of current owners as recorded in the tax records five (5) days prior to the submission of this application.

_____ _____
Applicant/Owner/Agent Signature Date

_____ _____
Applicant/Owner/Agent Signature Date

SITE PLAN REVIEW WAIVER FORM

Tax Map _____ Lot Number ____ Sub Lot ___ Case # _____

On the _____ day of _____, 20____, an application was submitted to the Planning Board for approval for land located at:

_____

Application was accompanied by a plan entitled _____

The plan was prepared by _____
(Engineer/Surveyor/Applicant)

and dated _____.

Pursuant to the Site Plan Review Regulations, the following requirement(s) is (are) imposed:

Section # Description

(1)_____

(2)_____

(3)_____

It is respectfully requested that the Board grant a waiver from this requirement for the following reasons:

(1)_____

(2)_____

(3)_____

The Criteria for a waiver are:

1. *That the specific waiver does not compromise the review of the application for the compliance with all applicable regulation.*
2. *That adequate and appropriate information has been provided to address the concerns of the abutters and the Planning Board.*
3. *That the proposed waiver does not seek to deviate from the spirit of the Ordinance, Regulations and the intent of the master Plan*

Respectfully submitted,

_____ _____
(Engineer/Surveyor/Applicant) Date

TOWN OF WOLFEBORO

TECHNICIAL REVIEW COMMITTEE SIGN OFF SHEET

Tax Map _____ Lot Number _____ Sub Lot _____

Owner's Name: _____

Project proposal: _____

Staff reviewer: _____ Department: _____

Signature: _____ Date: _____

_____ recommend approval

_____ do not recommend approval

Staff reviewer: _____ Department: _____

Signature: _____ Date: _____

_____ recommend approval

_____ do not recommend approval

Staff reviewer: _____ Department: _____

Signature: _____ Date: _____

_____ recommend approval

_____ do not recommend approval

Staff reviewer: _____ Department: _____

Signature: _____ Date: _____

_____ recommend approval

_____ do not recommend approval

Staff reviewer: _____ Department: _____

Signature: _____ Date: _____

_____ recommend approval

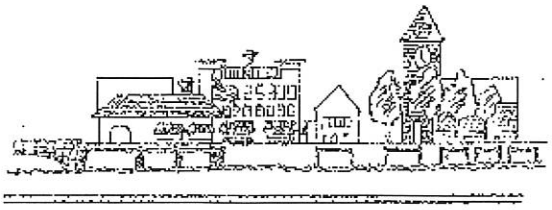
_____ do not recommend approval

Town of Wolfeboro
Planning Board &
Technical Review Committee

APPLICATION FEE SCHEDULE

SUBDIVISION		FEE
a.	2 Lot Subdivision	$ 50.00/Lot
b.	Conventional, Cluster/ Lot or Dwelling Unit	$100.00/Lot
c.	Condominium Subdivision	$100.00/Unit
d.	Boundary Line Adjustment	$ 25.00/Lot
e.	Revocation	None
Site Plan		
a.	*Minor	$ 50.00
b.	Major – First 20,000 sq. ft. of disturbance	$ 100.00
c.	Major – each additional 20,000 gross sq. ft. or portion thereof	$ 25.00
Administrative		
a.	Submission	$ 50.00
b.	Public Hearing	$ 50.00
c.	Notification	Materials as required
d.	Recording	Fee is required

*Minor Site Plan – Development or change of use which utilizes existing structures and for which there are no site improvements necessary which cause physical alteration to the existing site conditions, including storm drainage, surfacing with impervious materials or access alterations, either on or off-site. Refer to minor Site Plan Review application.



Town of Wolfeboro

Application and Approval Process

Planning Board

Contact: Planning Director

Applications Include:

- Boundary Line Adjustment
- Subdivision of Land
- Special Use Permit
- Nonresidential and Multifamily Site Plan Review
- Condominium Conversion of property

Overview Only

Pre-Application Review
Meet with Planning Staff

(Meet with staff as soon possible and as frequently as needed)

Attend the Technical Review Committee (TRC) Meeting

(TRC sign-off - proceed with full Planning Board application.
Or return to TRC to address outstanding issues.)

Revise plans if incomplete or deficient

Prepare and submit completed application
(At least 20 days prior to Planning Board Meeting)

Revise plans if necessary to address input from Planning Board

Planning Board Hearing and Action on Application
(30 Days to accept application and up to 45 days to take final action on the application.)
(Proceed to Building Permit Process)

CARROLL COUNTY REGISTRY OF DEEDS
ADMINISTRATION BUILDING — ROUTE 171 — P. O. BOX 163
OSSIPEE, NEW HAMPSHIRE 03864-0163

REGISTER OF DEEDS

TELEPHONE: (603) 539-4872
(603) 539-4265
FAX: (603) 539-5239

NOTICE

RE: PRINT SIZE ON ALL DOCUMENTS FOR RECORDING

We need your help in maintaining the quality of the images produced at the Registry of Deeds. We take great pride in producing the best image possible for your viewing. However, because many of the documents being recorded have such small print, this is becoming increasingly difficult. It has therefore become necessary for us to take a firm stand on this issue. Effective January 1, 1999 all documents must have the following:

Computers: with a font of no less than 12pt.
Example of how the print will appear with a font of 12pt

Typewriters: with a font of no less than 10pt.
Example of how the print will appear with a font of 10pt. on a typewriter.

Your cooperation in this matter would be much appreciated.

Register of Deeds