TOWN OF PLAISTOW
NEW HAMPSHIRE

2016

SITE PLAN REVIEW REGULATIONS

Chapter 230

SITE PLAN REVIEW

[HISTORY: Adopted by the Planning Board of the Town of Plaistow as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 31.
Numbering of buildings — See Ch. 34.
Zoning — See Ch. 220.
Planning Board rules of procedure — See Ch. 225.
Subdivision of land — See Ch. 235.

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ARTICLE I

Nonresidential and Multifamily Site Plans
[As revised 3-1-2000]

§ 230-1. Authority.

Pursuant to the authority vested in the Plaistow Planning Board by the voters of the Town of Plaistow in accordance with the provisions of Chapter 674:43 and 44 of the New Hampshire Revised Statutes Annotated, 1983, the Plaistow Planning Board adopts the following rules governing the review of nonresidential and multifamily site development plans in the Town of Plaistow, New Hampshire.

§ 230-2. Duties of the Planning Board.

A. General.

(1) The Planning Board shall review and approve or disapprove site plans for the development or change or expansion of use of tracts for nonresidential uses or for multifamily dwelling units, which are defined as any structures containing more than two dwelling units, whether or not such development includes a subdivision or resubdivision of the site.

(2) The Planning Board shall ensure that site development plans granted approval shall comply with the requirements set forth in all sections of the land subdivision control regulations of the Town of Plaistow,[1] as applicable, and all sections of these nonresidential and multifamily site development plan regulations.

(3) In addition to recognizing the intent and purposes expressed in § 235-2B of the town's land subdivision control regulations as a basis for approval of site development plans, the Planning Board shall also assure that such plans provide for:

(a) The aesthetically pleasing development of the municipality and its environs; and

(b) Green spaces of adequate proportions.

B. Particular. In addition to recognizing the intent and purposes expressed in § 235-2B of the town's land subdivision control regulations as a basis for approval of site development plans, the Planning Board shall also assure that such plans provide for:

(1) Maximum safety of traffic access and egress, sufficient parking areas to ensure off-street parking, and applicable handicapped accommodations;

(2) A site layout, including the location, power, direction, and time of any outdoor lighting of the site which would have no adverse effect upon any properties within the district and in adjoining districts by impairing the established character or the potential use of properties in such districts;

(3) The reasonable screening, at all seasons of the year, of all commercial and industrial

1. **Editor's Note: See Ch. 235, Subdivision of Land.**

uses, playgrounds, parking, and service areas, as well as other nonresidential uses, from the view of adjacent residential properties and streets;

(4) Conformance of the proposed plan with such portions of the Master Plan of the Town as may be in existence at the time;

(5) In applicable cases, a drainage system and layout which will afford the best solution to any drainage problems; and

(6) Installation of public improvements and amenities, at the expense of the applicant, to assist in the establishment of a sound environment. Such improvements may include, but not be limited to, curbing, paved sidewalks, streets, trees and/or shrubs.

§ 230-3. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ABUTTER – As defined in RSA 672:3. (Added 4-1-15)

DIRECT LIGHT — Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire. [Added 2-6-2002]

EMPLOYEE — Any person performing service related to the particular facility.

FIXTURE — The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens. [Added 2-6-2002]

FLOOD or SPOTLIGHT — Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction. [Added 2-6-2002]

GLARE — Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness. [Added 2-6-2002]

HEIGHT OF LUMINAIRE — The vertical distance from the ground directly below the center line of the luminaire to the lowest direct-light-emitting part of the luminaire. [Added 2-6-2002]

IESNA — Illuminating Engineering Society of North America. [Added 2-6-2002]

INDIRECT LIGHT — Direct light that has been reflected or has scattered off of other surfaces. [Added 2-6-2002]

LAMP — The component of a luminaire that produces the actual light. [Added 2-6-2002]

LIGHT TRESPASS — The shining of light produced by a luminaire beyond the boundaries of the property on which it is located. [Added 2-6-2002]

LOADING OR UNLOADING BAY — An area of not less than 12 feet in width and 50 feet in length, exclusive of traffic lanes and maneuvering space.

LUMEN — A unit of luminous flux. One foot candle is one lumen per square foot. For the purposes of this chapter, the lumen-output values shall be the initial lumen output ratings of a

lamp. [Added 2-6-2002]

LUMINAIRE — A complete lighting system, and includes a lamp or lamps and a fixture. [Added 2-6-2002]

MOTOR VEHICLE — Any self-propelled vehicle designed for operation on a public street, whether or not requiring registration with the State of New Hampshire.

OUTDOOR LIGHTING — The nighttime illumination of an outside area or object by any man-made device located outdoors that produces light by any means. [Added 2-6-2002]

PARKING SPACE (EXTERIOR) — An area of sufficient dimension to accommodate a parked vehicle, exclusive of maneuvering space and traffic lanes.

SITE PLAN — A map, drawing, or chart, accompanied by related data, which defines the developer's plan and which presents it to the Planning Board for approval.

STREET — All Town, state, and federal highways and the land on either side of the same as covered by statutes and/or deeds to the width of the rights-of-way.

TEMPORARY OUTDOOR LIGHTING — The specific illumination of an outside area or object by any man-made device located outdoors that produces light by any means for a period of less than seven days, with at least 180 days passing before being used again. [Added 2-6-2002]

WETLAND – As defined in the Zoning Ordinance, Article IV Wetlands.

§ 230-4. Compliance with regulations required.

A. Site development plans shall conform to all regulations of the Planning Board, the zoning regulations, the Health Ordinance, and other applicable bylaws, ordinances, and regulations at both state and local levels.

B. Applications and plans submitted for site plan review approval shall follow the same process as prescribed in the Town of Plaistow Subdivision Regulations, Article III, Procedures for Subdivision Approval. [Amended 2-19-2003]

C. Applications and plans submitted for site plan review approval shall be subject to any applicable fees, references, requirements and/or specifications as prescribed in the Subdivision Regulations, Articles II, IV, V and VI. [Amended 2-19-2003]

§ 230-5. (Reserved) [2]

§ 230-6. (Reserved) [3]

§ 230-7. (Reserved) [4]

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2. **Editor's Note: Former § 230-5, Building permit, was repealed 12-7-2005. See now Ch. 235, Subdivision of Land, § 235-15.**
3. **Editor's Note: Former § 230-6, Certificate of occupancy, was repealed 12-7-2005. See now Ch. 235, Subdivision of Land, § 235-16.**
4. **Editor's Note: Former § 230-7, Waivers, was repealed 12-7-2005. See now Ch. 235, Subdivision of Land, § 235-11.**

§ 230-8. Pollution prevention.

A. Monitoring wells. Monitoring wells shall be required in cases where industries may discharge wastes in leach fields, fuel or chemicals are stored on site, large quantities of water are to be used, or in other cases in which the Board makes a determination that the potential for adverse effects on groundwater exists.

B. Subsurface sewage disposal facilities.

(1) Existing subsurface sewage disposal facilities, as a minimum, shall meet current construction design regulations as set by the New Hampshire Water Supply and Pollution Control Commission. The Board may impose additional requirements to protect the present and future health and welfare of the Town if, in its judgment, the topography and soils characteristics within the area and/or the nature and complexity of the plan for expansion or conversion in use indicate such a need.

(2) An inspection of the existing sewage disposal system and a detailed diagram showing type, extent, and location of the system, certified by a registered/licensed professional sanitary engineer indicating that the system is adequate for its proposed use, shall be furnished to the Board.

C. Drinking water supplies.

(1) The water supply shall be designed in accordance with the standards and requirements of the New Hampshire Water Supply and Pollution Control Commission. [Amended 3-2-2005]

(2) No sewer, sewage, or waste disposal system shall be permitted within the protective radius described in Subsection C(1) above.

§ 230-9. Road damage.

Whenever building takes place on an accepted Town road, the developer and/or landowner shall be responsible for any damage to the road resulting from development.

§ 230-10. (Reserved) [5]

§ 230-11. Design and construction considerations.

A. Traffic. Traffic access to the site from Town streets shall be designed to ensure the safety of vehicles and pedestrians.

(1) Improvement of existing streets shall include installation of signal devices if necessary because of increased traffic generated by development of the site.

(2) A circulation plan of the interior of the site showing provisions for auto and pedestrian circulation, as well as truck loading and unloading capability, shall be provided.

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5. **Editor's Note: Former § 230-10, Conversion to condominiums, was repealed 4-21-2004. For current provisions, see § 235-15.1.**

B. Storm control.

(1) Provision shall be made for snow storage during winter months. Snow shall not be stored in the front yard or in an area that will result in run-off from the site. [Amended 11-20-2002]

(2) Storm drainage of the site shall be designed for a twenty-five-year flood, and, if the existing drainage system to which the site drainage system will be connected is inadequate, provisions shall be made for retention and gradual release of stormwater from roof and ground surfaces in order to meet the twenty-five-year flood demand.

C. Utilities.

(1) Provision shall be made for the site to be serviced by necessary utilities, which may include water for fire and domestic use, sanitary sewer, electricity, and gas.

(2) Provision shall be made for outdoor lighting.

D. Natural features. Provision shall be made for protection of natural features such as large trees, ravines, wetlands, and streams.

E. Fire protection. See § 235-35. [Added 2-19-2003]

§ 230-12. Off-street parking.

In all districts, there shall be provided at such time as any building or structure is erected, externally enlarged, increased in capacity or changed in intensity of use off-street parking spaces in accordance with the requirements of this section. All parking required by this section shall be provided on the same lot as the principal use.

A. Off-street parking existing at the effective date of these regulations in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or use.

B. The required off-street parking shall be for occupants, employees, visitors and patrons and shall be limited in use to motor vehicles and bicycles. The storage of merchandise, motor vehicles for sale, or the repair of motor vehicles is prohibited in the required parking spaces.

C. In addition to all other space requirements, every car, truck, tractor, trailer or other vehicle normally stored at any site shall be provided with off-street parking space in an area reserved for no other use.

D. Where the computation of the off-street parking requirements results in a fractional number, the fraction shall be counted as one.

E. Where one building is used for more than one use, off-street parking space requirements shall be computed for each use.

F. The pavement of parking lots or the expanding of pavement of parking lots requires an approval from the Planning Board.

G. Parking shall be based on the largest number of employees on any shift. The minimum

number of required parking spaces shall be computed in accordance with the following table:

Minimum Parking Spaces Required

Use	Parking Spaces Required
Business/professional offices/banks/financial institutions	1 space per each 300 square feet of gross floor area, plus 1 space for each employee
Barbershops/beauty parlors	2 spaces per barber and 3 spaces per beautician based on the design capacity of the structure or 1 space per each 200 square feet of gross floor area, whichever is greater
Bowling alleys	4 spaces per alley and 1 space per each employee
Church/chapel/funeral home and other places of assembly with fixed seats (based on maximum capacity)	1 space per 3 seats and 1 space per 55 inches of permanent bench or bleacher seating space and 1 space per 150 square feet of gross floor area without permanent seating facilities that is devoted regularly to public assembly and one 1 space per each employee
Dwelling unit (1 or 2)	2 spaces per dwelling unit plus 1 additional space per each bedroom over 3
Affordable elderly housing community (AEHC) [Amended 11-20-2002]	Per the Americans with Disabilities Act accessibility guidelines and/or the Architectural Barrier Free Design Code of the State of New Hampshire
Garages/gasoline stations with/without repair service	1 space per each 1,000 square feet of gross floor area used for repairing vehicles and 1 space per each employee and 2 spaces per each lube pit and service bay. Lube pit and service bay areas are excluded from gross floor area.
Function halls and all similar places of assembly	3 spaces per each 200 square feet of gross floor area available for meetings or functions and 1 space per each employee
Hospitals/nursing homes/ convalescent homes/extended care facilities	1 space per each 2 beds and 1 space per each employee or staff member
Medical/dental offices and medical office buildings	2 spaces per each examining room or chair and 1 space per each employee
Hotels and motels	3 spaces per each 2 rental units and 1 space per each employee
Kennels/veterinary hospitals	1 space per each employee and 1 space per every 5 animals otherwise maintained/treated simultaneously
Membership clubs	1 space per 150 square feet of gross floor area and 1 space per 3 seats for ancillary restaurant and 1 space per each employee

Restaurants/cafeterias/ taverns/lounges/similar uses for serving food and beverages	
Sit-down (food/beverages consumed inside building)	1 space per 3 seats and 1 space per each employee
Carry-out (no food or beverages consumed on premises)	1 space per 50 square feet of customer floor area and 1 space per each employee
Combination sit-down and carry-out	Aggregate of the combined requirements above
Recreation areas	4 spaces per each hole of golf course; 1 space per every picnic table and outdoor fireplace and 30 square feet of water in a public swimming pool/skating rink; 1 space per each employee
Recreation: billiards/arcades	1 space per 150 square feet of gross floor area and 1 space per each employee
Retail stores/service establishments [Amended 11-20-2002]	1 space per 250 square feet of gross floor area
Retail stores involving relation to customer traffic (e.g., furniture, automobile, etc.)	1 space per 500 square feet of extensive display areas in gross floor area
Schools	
Nursery/preschool	1 space per each employee and 1 space for each 10 students
All other institutions of learning	1 space per each employee, plus designated student parking (see "church/chapel/funeral home and other places of assembly")
Wholesale, warehouse/storage	1 space per each employee and 1 space per vehicle operating from the premises and 1 space per 2,000 square feet of gross floor area
Uses permitted or specially permitted in the Industrial District not specifically provided for hereinabove	1 space per each employee and 1 space per 1,000 square feet of floor area for up to 20,000 square feet gross floor area and 1 space per each additional 10,000 square feet of gross floor area and 1 space per vehicle operating from the premises
Theater	1 space per 4 seats

H. Parking space dimensions and design. Parking shall be angle parking to promote one-way traffic circulation where possible. [Amended 11-20-2002]

(1) Parking space and aisle dimensions for parking areas shall be as follows:

Angle of Parking	Width of Parking Space (feet)	Depth of Parking Space (feet)	Width of Maneuvering Aisle (feet)
61° to 90°	9	18	24
46° to 60°	9	18	18
45°	9	18	15
Parallel*	8	22	14 (1-way) 20 (2-way)

NOTES:

*To be counted as a required parking space, a parallel parking space shall have a maneuvering space at least 20 feet deep adjacent in an aisle parallel to and abutting such parking space.

(2) Layout of the parking space area shall address the following considerations:

(a) Access to and egress from all parking areas shall be only via driveways approved by the Planning Board.

(b) There shall be a minimum front buffer of 12 feet from the front property line. [Amended 11-20-2002; 3-2-2005]

(c) Barriers such as curbs, wheel stops, screening, or similar type barriers should be installed to keep vehicles out of the required buffer areas. [Added 3-2-2005[6]]

(d) Parking spaces and loading areas shall be designed in a manner that allows motor vehicles to proceed to and from parking spaces or loading areas without requiring the movement of any other vehicle or passage over any other parking space or loading area.

(e) Each parking area shall be designed to provide a circulation system which permits vehicles to exit and enter into the adjacent roadway by being driven in a forward direction, and no vehicle shall be allowed to enter or leave by backing up.

(f) All off-street parking areas and driveways, loading and unloading areas and fire lanes shall be surfaced with two inches of binder and one inch finish of bituminous concrete pavement or four inches of concrete. Parking spaces shall be clearly marked on the parking lot surface.

(g) All parking areas shall be graded and drained so as not to cause puddling or water accumulation within the parking area.

I. Parking for the physically handicapped shall be provided as follows:

(1) Specially designated parking spaces for the handicapped shall be located closest to

6. **Editor's Note: This enactment also redesignated former Subsection H(2)(c) through (f) as (d) through (g), respectively.**

the designated accessible primary entrances with neither a roadway nor traffic lane crossing required wherever such location is possible.

(2) Parking spaces which are perpendicular or diagonal to the parking roadway shall provide a debarking area which is a minimum of 12 feet wide.

(3) Spaces shall be identified by a sign at each space or pair of spaces stating that these spaces are reserved for the physically handicapped. Such sign shall be affixed and located at a height not less than five feet and not more than eight feet and shall bear the international symbol of access icon.

(4) Parking surfaces shall be uniform in their suitability for wheeling or walking, shall not slope more than one in 20, and shall be marked with the international symbol of access icon.

(5) Catch basins and drainage patterns shall not interfere with travel for handicapped persons.

(6) Walks and ramps shall be required as a means of access to and from sidewalks and primary entrances wherever locomotion might otherwise be impaired.

(7) The number of spaces required shall be in accordance with the following table:

Total Spaces	**Handicapped Parking Spaces Required**
1 to 25	1 space
26 to 40	5% but not fewer than 2 spaces
41 to 100	4% but not fewer than 3 spaces
101 to 200	3% but not fewer than 4 spaces
201 to 500	2% but not fewer than 6 spaces
501 to 1,000	1.5% but not fewer than 10 spaces
1,001 to 2,000	1% but not fewer than 15 spaces
2,001 to 5,000	.75% but not fewer than 20 spaces
5,001 and over	.50% but not fewer than 30 spaces

§ 230-13. Standing, loading and unloading requirements.

A. In all districts, in addition to off-street parking requirements, and on the same premises with every building, structure, or part thereof erected and occupied for manufacturing, storage, warehouse goods, display, a department store, a market, a hotel, a hospital, or other uses similarly involving the receipt or distribution of vehicles, materials, or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading in order to avoid undue interference with public use of the streets or alleys.

B. Off-street loading and unloading space shall be provided as follows:

(1) One off-street loading and unloading bay shall be provided for buildings up to and including 20,000 square feet of floor area, plus one additional off-street loading and unloading bay for each additional 20,000 square feet of floor area up to and including 100,000 square feet.

(2) There shall be provided an additional off-street loading and unloading bay for each additional 40,000 square feet of floor area in excess of 100,000 square feet.

(3) Where trailer trucks are involved, such loading/unloading bay shall have a fourteen-foot height clearance and shall be designed with appropriate means of truck access to a street or alley as well as adequate maneuvering area.

(4) All areas devoted to permanent off-street loading and unloading as required under this section shall be of a sealed surface construction and maintained in such a manner that no dust will result from continuous use.

C. Where the computation of a loading bay space requirement results in a fractional number, the fraction shall be counted as one.

D. Loading bays shall be located at the sides or rear of the building with direct access to the building to be served.

§ 230-14. Procedure on plats. [Added 12-7-2005[7]]

For Board's procedures on plats, see Subdivision Regulations § 235-12.

§ 230-14.1. Data requirements for all districts. [Amended 11-20-2002; 4-21-2004; 3-2-2005; 12-7-2005; 4-6-2016]

In addition to meeting the same information requirements defined in Articles III and V of the Subdivision Regulations,[8] the following information shall be provided and/or shown on a plat before the application will be considered complete. In addition, the Town of Plaistow checklist may contain additional requirements that are not mandated for acceptance of the application.

A. Completed application form.

B. Payment of all application fees.

C. Owner authorization letter and signature (including condominium owners).

D. Copy of deed and any deed restrictions and if in condominium ownership.

E. Current abutters' list and three sets of labels with the abutters' names and legal mailing addresses.

F. Escrow account established.

G. Location of any easements or rights-of-way.

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7. **Editor's Note: This enactment also redesignated former § 230-14 as § 230-14.1.**

8. **Editor's Note: See Ch. 235, Subdivision of Land.**

H. Waivers in writing and listed on plan, including regulation numbers.

I. Name and address of firm preparing plan.

J. Title block with description of project.

K. Title block with address and map and lot number.

L. Lot size(s) in square feet and acreage.

M. Signature block.

N. North arrow.

O. List of ZBA requirements for Planning Board to review and refer to ZBA.

P. All information submitted to NHDES for site-specific application.

Q. Separate sheet showing all areas of disturbance associated with the project, including trees to be removed, any excavation and amounts of materials to be redistributed or removed. Note: No materials may be removed from the site unless it is approved on the plan.

R. Building setback and frontage (dimensions in feet) shown.

S. Scale of plans; no specific scale is required. However, plans must be generated at a scale which is easily readable and understandable.

T. Vicinity sketch or locus showing the location of the site in relation to the surrounding street system, scale not to exceed one inch equals 1,000 feet.

U. Identify all zoning districts and boundaries.

V. Note indicating if in the Aquifer Protection District.

W. Location of flood zone or note indicating if in the flood zone.

X. Identify the one-hundred-year flood elevation line.

Y. Boundary lines, including angles or bearings of the lines and dimensions

Z. Topography contours at intervals not exceeding two feet, with spot elevations where grade is less than 5%. Datum shall be North American Vertical Datum of 1988 (NAVD88).

AA. Existing and proposed grades, drainage systems, structures and/or features.

BB. Existing and proposed structures located on the site and for abutting properties.

CC. Existing and proposed septic systems (and proposed replacement area), wells (with protective radius for proposed) located on the site, and septic and wells located on abutting properties that are within 100 linear feet of the subject property.

<u>Exceptions</u>:

a) Wells located on abutting properties do not need to be located on site plans if septic systems and replacement areas on the subject site are at least 100 linear feet from all lot-lines.

b) Septic systems and replacement areas on abutting properties do not need to be located on site

plans if said septic systems and replacement areas are at least 100 linear feet from all lot-lines.

DD. Public or private utilities information, including size and location of existing and proposed utilities with which connection is planned and which are lying within 100 feet of the site.

EE. Existing and proposed roads, driveways, pavement, walks, steps, or curbing, including the inside radii of all curves.

FF. Loading and unloading information, including bay size, locations and access to.

GG. Existing natural and man-made features and indications of which will be retained and which are to be removed or altered

HH. Landscaping plan that complies with all requirements of the Town's landscaping regulations except for condominium conversions.

II. Lighting plan that complies with all requirements of the Town's lighting regulations except for condominium conversions.

JJ. Proposed fire protection features (cisterns, etc.).

KK. Parking requirements with calculations (paved), including width, length, and total number of proposed parking spaces and handicapped parking shown.

LL. On-site circulation information for vehicles and pedestrians, including arrows, signs or other indicators.

MM. Access and egress points.

NN. Location of fire lanes.

OO. Location of snow storage.

PP. All information submitted to NHDOT for driveway permit and copies of all correspondence and permits.

QQ. NHDES wetlands dredge and fill approval (if applicable).

RR. Cross section of proposed driveways/streets.

SS. Test pit location with data.

TT. Size, type and location of fences.

UU. Location, names and widths of existing streets abutting site.

VV. Note stating: "Change of use requires review and/or approval of the Planning Board."

WW. Lot coverage:

(1) Square feet (building, pavement, total).

(2) Percentage (building, pavement, total).

XX. Location of dumpsters(s) (on pad).

YY. Architectural rendering/elevations of building.

ZZ. All licensed professionals on the project team must place their contact information and respective NH certified professional stamps on the plan. Said professionals include, but are not limited to, surveyors, engineers, soil and wetland scientists.

||. Wetlands boundaries/buffers.

§ 230-15. Waivers (Added 4-1-15)

When a proposed site plan is submitted for approval, the applicant may request the Planning Board waive specific requirements of these regulations. All request for waivers shall be provided in writing at the time of application to the Planning Board. The basis for any waivers granted by the Planning Board shall be recorded in the minutes of the board. The planning board may only grant a waiver if the board finds, by majority vote, that:

(1) Strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations; or

(2) Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations.

§ 230-16. (Reserved) [9]

§ 230-17. (Reserved) [10]

§ 230-18. Relationship between state and local regulations.

Where both state and local regulations are applicable, the more stringent regulation shall take effect. If the state regulation addresses an issue not included in the local regulation or if the local regulation addresses an issue not included in the state regulation, that regulation shall automatically apply.

§ 230-19. Severability.

Where any provision included within these regulations is found to be unenforceable by law, it shall be considered severable from the remainder of the regulation and shall not be construed to invalidate any other provision in these regulations.

§ 230-20. Amendments.

These regulations may be amended or rescinded by the Planning Board, but only following public hearing on the proposed change. The Chairman or Secretary of the Planning Board shall transmit copies of any such regulations, revisions, or amendments, certified by a majority of the members of the Planning Board, to the Town Clerk.

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9. **Editor's Note: Former § 230-16, Commercial II District, as amended, was repealed 3-2-2005. Former § 230-16, Bonding requirements and preconstruction meeting, added 3-2-2005, was repealed 12-7-2005.**

10. **Editor's Note: Former § 230-17, Affordable Elderly Housing Community (AEHC) District, as amended 11-20-2002, was moved to § 220-53G, H and I 3-11-2003 ATM by Art. P-21.**

ARTICLE II
Lighting Requirements
[Adopted 2-6-2002]

§ 230-21. Purpose.

These regulations are intended to reduce the problems created by improperly designed and installed outdoor lighting; eliminate problems of glare, minimize light trespass, and help reduce the energy and financial costs of outdoor lighting; limit the area that certain kinds of outdoor lighting fixtures can illuminate; require the use of high-efficiency lamps in public areas; and limit the total allowable illumination of lots located in the Town of Plaistow.

§ 230-22. Requirements.

All public and private outdoor lighting installed in the Town of Plaistow shall be in conformance with the requirements as specified below:

A. Luminaire design factors.

(1) Any luminaire with a lamp or lamps rated at a total of more than 1,800 lumens, and all flood or spot luminaires with a lamp or lamps rated at a total of more than 900 lumens shall not emit any direct light above a horizontal plane through the lowest direct-light-emitting part of the luminaire.

(2) Any luminaire with a lamp or lamps rated at a total of more than 1,800 lumens, and all flood or spot luminaires with a lamp or lamps rated at a total of more than 900 lumens, shall be mounted at a height equal to or less than the value 3 + (D/3), where D is the distance in feet to the nearest property boundary. The maximum height of the luminaire may not exceed 25 feet.

(3) Any luminaire used to illuminate a public area such as a street or walkway will utilize an energy-efficient lamp such as a low-pressure sodium lamp, high-pressure sodium lamp or metal halide lamp. Mercury vapor lamps shall not be used due to their inefficiency and high operating costs. Luminaires used in public areas such as roadway lighting shall be designed to provide the minimum illumination recommended by IESNA in the most current edition of the "IESNA Lighting Handbook."

B. Exceptions.

(1) Any luminaire with a lamp or lamps rated at a total of 1,800 lumens or less, and all flood or spot luminaires with a lamp or lamps rated at 900 lumens or less, may be used without restriction to light distribution or mounting height, except that if any spot or flood luminaire rated 900 lumens or less is aimed, directed, or focused such as to cause direct light from the luminaire to be directed toward residential buildings on adjacent or nearby land, or to create glare perceptible to persons operating motor vehicles on public ways, the luminaire shall be redirected or its light output controlled as necessary to eliminate such conditions.

(2) Luminaires used for public roadway illumination may be installed at a maximum height of 25 feet and may be positioned at that height up to the edge of any bordering

property.

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

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

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

C. Temporary outdoor lighting. Any temporary outdoor lighting that conforms to the requirements of these regulations shall be allowed. Nonconforming temporary outdoor lighting may be permitted by the Planning Board after considering: the public and/or private benefits that will result from the temporary lighting; any annoyance or safety problems that may result from the use of the temporary lighting; and the duration of the temporary nonconforming lighting. The applicant shall submit a detailed description of the proposed temporary nonconforming lighting to the Planning Board, which shall consider the request at a duly called meeting. Prior notice of the meeting of the Planning Board shall be given to the applicant.[11] The Planning Board shall render its decision on the temporary lighting request within two weeks of the date of the meeting. A failure by the Planning Board to act on a request within the time allowed shall constitute an approval of the request.

D. All proposed public and private roadways will be required to provide adequate street lighting and meet the following minimum requirements.

(1) Installation of any new public area and roadway lighting fixtures, other than for traffic control, shall be specifically approved by the Plaistow Planning Board and Highway Safety Committee.

(2) All requests for new public area and roadway lighting fixtures shall be made in writing to the Plaistow Planning Board.

(3) (Reserved)[12]

[11] References to Highway Safety Committee removed
[12] References to Highway Safety Committee and requirement for a public hearing removed

ARTICLE III
Landscaping
[Added 1-7-2004]

§ 230-23. Open space, screening and buffering.

A. Screening and buffering dimensions. Screening and buffer areas shall be provided as follows:[13]

Buffer Area, Including the Screened Area

Where land used industrially abuts residential	75 feet
Where land used industrially abuts commercial	25 feet
Where industrial use abuts industrial use	10 feet
Where Commercial I land abuts industrial land use	10 feet
Where Commercial II land abuts industrial land use	10 feet
Where land used commercially abuts a residential usage	25 feet
Where Commercial I land use abuts other commercial land use	10 feet
Where Commercial II land use abuts any other commercial land use	10 feet
Where manufactured housing subdivision land use abuts any other land use	25 feet

B. General landscape provisions.

(1) Planting requirements. All plantings required by this section shall be installed according to accepted horticultural standards and shall be regularly maintained. Required plantings shall be replaced as necessary in order to maintain compliance with these standards.

(2) Waivers for public safety. None of the landscape requirements contained within this section shall be construed as to require installation of improper planting where safe site distance at drives or along public streets may be inhibited by such plantings. The Planning Board may waive any landscape requirements of this section when deemed to be necessary for reasons of public safety.

(3) Landscaped buffer areas/landscape strips.

(a) Types.

[1] Open space.

[2] Front buffer strip.

[3] Side and rear buffer strip.

[13] References to AEHC removed from this table

[4] Interior pavement landscape strip,

[5] Screening of unsightly features.

(b) Implementation.

[1] Open space. All areas disturbed by construction shall be covered with a minimum thickness of six inches of suitable topsoil and subsequently planted with grass seed, sod or other vegetative ground cover.

[2] Front buffer strip. The front buffer strip is intended to promote the aesthetic quality of tree-lined streets in all districts. This strip shall be a twelve-foot-wide strip running parallel to the frontage along any public right-of-way, and shall be continuous along the entire length of said right-of-way, excepting areas reserved for approved curb cuts. It shall be planted with a minimum of one indigenous shade tree for every 25 feet of right-of-way frontage. Examples of indigenous shade trees are maple, oak, and ash. The size of the trees to be planted within this area shall be a minimum of 2 1/2 inches in caliper at the time of planting. Branching height shall not be less than six feet above grade when planted.

[3] Side and rear buffer strips.

[a] The side and rear buffer strips are intended to promote visual separation and adequate buffering between adjoining properties. Parking, drives and buildings shall not be located within any required side and rear buffer strips.

[b] Required side and rear buffer strips shall begin at the inner limits of the front buffer strip and run parallel to side and rear property lines. They shall be constructed so as to provide a dense visual four-season screen by using one or a combination of any of the options provided in the following table of side and rear buffer options. Healthy, existing woodland may be retained in order to fulfill planting requirements within side and rear buffer strips. In no case shall the required width of retained woodland be less than the required buffer width.

[4] Interior pavement landscape strip. This strip is intended to break up large expanses of pavement, provide summer shade on pavement areas and reduce wind velocity across exposed surface areas. The required interior pavement landscape strips shall be calculated as a minimum of 5% of the total area of paved drives, parking areas, etc, Interior landscape strips shall be required for all parking lots with more than 20 parking spaces. The required minimum interior landscape strips must be provided within the limits of parking and/or drive pavements. The landscaped island size usable for satisfaction if these requirements shall not be less than 250 square feet on total area. Parking lots which have multiple parking aisles, which are approximately parallel, shall be required to have planting strips not less that 10 feet wide, spaced not further than 180 feet apart. Islands

and planting strips shall be planted with indigenous shade trees, evergreen shrubs, and deciduous shrubs. The required number of shade trees shall be calculated as one deciduous tree (minimum caliper of 2 1/2 inches) per 300 square feet or required interior landscape area. The number of shrubs shall be equal to one shrub (minimum two feet high) per 100 square feet of required interior landscape strips. Required shrubs shall be 40% deciduous and 60% evergreen species.

[5] Screening of unsightly features. This subsection is intended to preserve the visual aesthetics of Plaistow by blocking or minimizing the view of refuse, materials storage, loading/unloading docks and utility installations. Refuse storage areas, stockpiled materials for packaging and commercial/industrial by-products and other materials stockpile areas shall be located so as to be out of view from any abutting property and/or public right-of-way. In cases where this is not possible, these items shall be properly located within a secured area which has been effectively screened. As a minimum, all such areas shall be contained within a stockade, chain link or similar enclosure which is at least as tall as the object(s) to be screened. Further, the perimeter of any enclosure shall be subject to the landscape screening requirements outlined herein.

Table of Landscape Options

Landscape Options	Number of Trees Required (measured along the center line of side and rear landscape areas)	Number of Shrubs Required (measured along the center line of side and rear landscape areas)	Required Size (at time of planting)	Maximum Separation of Plantings		
				Trees	Orna-mentals	Shrubs
Screen	40% shall be deciduous 60% shall be evergreen	40% shall be deciduous 60% shall be evergreen	See Footnote (1)	D-25 feet O.C. E-15 feet O.C.	N/A	N/A
Trees and Shrubs With A Berm (2)	40% shall be deciduous 60% shall be evergreen	40% shall be deciduous 60% shall be evergreen	See Footnote (3)	D-25 feet O.C. E-15 feet O.C.	5 feet O.C.	N/A
Trees With a 4-Foot High Wall(4)	40% shall be deciduous 60% shall be evergreen	N/A	N/A	D-25 feet O.C. E-15 feet O.C.	N/A	N/A

Footnotes:

(1) The size of trees at the time of planting shall be:

(a) Deciduous: 12 feet high, minimum two-and-one-half inch caliper.

(b) Evergreen: 6 feet high, minimum two-and-one-half inch caliper.

(c) Ornamental (shrubs): 2 feet high.

(2) The side slopes of any earthen berm shall not exceed 25%.

(3) The required size of a shrub (ornamental) is dependent upon the height of the berm: the combination of the berm height and the shrub height must be equal to or greater than five feet.

(4) The wall is required to run the entire length of the required side and rear landscape strip; however, staggering and bending the wall is permitted and encouraged.

ARTICLE IV
Fire Protection
[Added 4-21-2004]

§ 230-24. Water sources required.

A. Residential development.

(1) Any new residential development of three or more dwelling units shall be provided a credible (not subject to drought or drainage) water source for fire protection. This water source shall be required if any of the dwellings exceed 3,000 feet of travel distance or extend beyond 3,500 feet of travel distance from an existing functional water source (either pressurized hydrant or dry hydrant). (NOTE: A functional water source will be determined by the Plaistow Fire Department (PH)). The existence of a dry hydrant pipe does not necessarily constitute a functional water hole. Due to the drought conditions, many former water holes have been deemed unusable by the PFD.)

(2) Exception: All dwelling units are protected throughout by an approved automatic sprinkler system installed in accordance with NFPA 13D.

B. Nonresidential development.

(1) Any new nonresidential development shall be provided a credible (not subject to drought or drainage) water source for fire protection commensurate with the proposed hazards associated with the development. This water source shall be approved by the Plaistow Fire Department.

(2) Exception: All units are protected throughout by an approved automatic sprinkler system installed in accordance with NFPA 13.

(3) All parcels located in the CI District shall provide a connection to the street for future tie-in with the fire suppression water line, location to be determined by the Fire Chief. [Added 12-7-2005]

C. Water sources for fire protection shall be built in accordance with the Plaistow Code and approved by the Plaistow Fire Department.

D. All plans relative to fire protection (both residential and commercial developments) shall bear the stamp of a qualified licensed engineer or architect.

§ 230-25. Fire cisterns. [14]

A fire cistern is a self-contained system to store and provide a large volume of water, on a year-round basis, for fire protection. Cisterns typically consist of a base pad/anchoring blocks, tank, tie-down cables/straps, fill and vent piping, draft connections and a level indication system. All components are the responsibility of the installer and will meet the criteria established in this regulation.

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14. **Editor's Note: Fire cistern diagrams are included at the end of this chapter.**

A. Design. The cistern shall be of sound engineering design and have an estimated life expectancy to last 50 years.

B. Capacity. The minimum capacity shall be 15,000 gallons usable water. Due to the configuration of the cistern, it is assumed the water in the lowest 12 inches will not be available for fire apparatus suction due to cavitation. The size will be increased (in ten-thousand-gallon increments) proportionately based on the distance from the nearest pressurized hydrant.

C. Tank construction. Cisterns may be constructed of fiberglass, concrete or polypropylene (i.e. material shall be of a noncorrosive material to prevent premature failure due to rusting).

D. Installation. The cistern shall be placed below the frost line to prevent freezing (typically 48 inches). Appropriate tie-downs/anchors will be provided to secure the tank in place.

E. Piping. All piping will be compatible with the tank and be minimum ASTM Schedule 40. PVC piping is acceptable below the frost line and shall be made up with glued joints. Non-PVC piping is acceptable as long as it is approved in advance by the Plaistow Fire Department. All horizontal piping will be supported below the frost line and shall slope slightly back towards the tank to prevent freezing. Suction piping shall be capable of supporting a design flow of 1,000 gpm for 75% of the total cistern's volume.

F. Fire Department connections. Suction piping will be six-inch nominal I.D. terminating with a four-and-one-half-inch (six-inch) female National Standard Hose Thread (NH) with cap and tether (final size to be determined by PFD). The suction line shall be located approximately 24 to 36 inches above final grade and between 10 and 14 feet off of the edge of the roadway. It shall be protected by a minimum of two cement-filled bollards, each extending a minimum of four feet above finish grade and anchored in concrete footings. In addition, bollards or other suitable devices shall be placed as directed by the Plaistow Fire Department to prevent vehicular traffic from driving over cistern.

G. Fill and vent connections. Fill pipe will be minimum six-inch pipe with a four-inch Stortz connection. Vent piping shall be sized to allow design outflow without inducing a negative pressure (vacuum) inside the tank.

H. Tank level indication. A level indication system shall be provided that meets the approval of the Plaistow Fire Department. The system shall provide reliable level indication regardless of weather conditions (i.e., it will not be subject to freezing) and shall not be of such a design as to be easily compromised.

I. Finish grade. An approach area shall be designated and posted as a fire lane with appropriate signage provided by the developer. This area shall be approximately 40 feet long by 10 feet wide (minimum). The area may be paved or hardpacked gravel such that it is accessible 365 days per year regardless of weather conditions and graded to promote proper drainage of the area. After acceptance by the Town, maintenance will be the responsibility of the Town.

J. Inspection port. A thirty-inch manway (minimum) will be located on the top of the tank to allow periodic inspection and/or cleaning of the tank.

K. Painting. All exterior piping, bollards, etc., shall be painted with a quality commercial paint, suitable for the materials. Colors will be high-gloss red and bright yellow. Pattern to be provided by Plaistow Fire Department.

L. Signage. Signs shall be installed marking the area as a "fire lane." All signs will be reflective and conform to existing Town ordinances or as specified by PFD or PHD.

M. Inspection. The Plaistow Fire Department shall be notified by the contractor to observe the following points of installation:

(1) Excavation complete.

(2) Anchoring in place.

(3) Tank placed/tie downs attached.

(4) Start/finish of leak testing, begin partial tank fill by PFD.

(5) Backfilling complete.

(6) Piping/bollards in place.

(7) Approach area graded/paved.

(8) Signs posted, piping painted and all other work 100% complete (tank ready for complete filling).

(9) After the tank is filled, the water will be tested (contractors responsibility) and appropriate materials added to prevent algae/bacteria growth. After initial fill, this will be the responsibility of the Town of Plaistow.

N. Maintenance and access. It shall be the responsibility of the private property owner to maintain accessibility to cisterns, hydrants and all other components of the fire protection system 365 days a year regardless of weather conditions and also to maintain proper drainage of the area.

§ 230-26. Waterline fire suppression system. [Added 12-6-2006]

For all new site plans and for those showing major renovations or improvements and that have frontage on Route 125, the Planning Board shall require that the applicant tie into the existing fire suppression system or make provisions for such tie-in at a future date. All plans for such tie-in shall be reviewed and approved by the Water Superintendent and/or Fire Chief. All such improvements must also be consistent with the New Hampshire Department of Transportation, NHDOT, Route 125 improvement plan. The NHDOT Route 125 improvement plan is available at the Planning Board Office. Improvements may include, but not be limited to, the following:

A. Installation of waterline along the frontage of Route 125.

B. Installation of a fire hydrant.

C. Cross over -- waterline installed under Route 125 such that a connection to an active or proposed waterline can be made on the opposite side of Route 125.