

**SITE PLAN REVIEW REGULATIONS
TOWN OF BETHLEHEM, NEW HAMPSHIRE**

AMENDED AUGUST 24, 2022

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ARTICLE I. AUTHORITY

Pursuant to the authority vested in the Bethlehem Planning Board by the voters of the Town of Bethlehem in accordance with the provisions of New Hampshire Revised Statutes Annotated, 674:43 and 44, as amended, the Bethlehem Planning Board adopts the following regulations governing the review, and approval or disapproval, of site plans for the development or change or expansion of use of tracts for nonresidential uses or for multifamily dwellings, whether or not such development includes a subdivision or resubdivision of the site. These regulations shall be entitled "Site Plan Review Regulations, Town of Bethlehem, New Hampshire" and hereinafter referred to as "these Regulations."

ARTICLE II. PURPOSE

The purpose of the Site Plan Review Regulations is to:

- A. Provide for the safe and attractive development or change or expansion of use 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 groundwater;
 - 3. Undesirable and preventable elements of pollution such as noise, smoke, soot, particulates, or any other discharge into the environment which might prove harmful to persons, structures, or adjacent properties; and
 - 4. Inadequate provision for fire safety, prevention, and control.
- 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.
- E. Require suitably located streets of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air, and access for firefighting apparatus and equipment to buildings, and be coordinated so as to compose a convenient system.
- F. Require, in proper 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.

ARTICLE III. COMPLIANCE

The site plan review procedure does not relieve an applicant from complying with the Bethlehem Zoning Ordinance, the Bethlehem Subdivision Regulations, or any other regulation or bylaw which pertains to the proposed development. No site plan shall receive final approval until it complies with all pertinent ordinances and regulations and receives all required federal, state and local permits/approvals.

ARTICLE IV. TYPES OF DEVELOPMENT REQUIRING SITE PLAN APPROVAL

4.01 Site Plan Review Requirement

Whenever any development of a site associated with a nonresidential use or multifamily dwelling is proposed, before any construction, land clearing or building development is begun, before any permit for the erection or placement of any building or authorization for development on such site shall be granted, and before any site plan may be filed with the Grafton County Registry of Deeds, the owner or their authorized agent shall apply for and secure approval of such proposed site development in accordance with the procedure contained herein.

4.02 Exempt from Site Plan Review

Site plan review is NOT required for the following:

- A. The construction or enlargement of any single or two-family dwelling or building accessory to such dwelling.
- B. Governmental land uses. It is requested that governmental land uses appear before the Planning Board to discuss the town standards contained herein and opportunities to increase conformance if appropriate.
- C. Farmstands not involving new permanent structures or new access or parking, for products produced on the farm or farms of the stand owner.
- D. Incidental installations such as bike racks, bus shelters, benches, satellite dishes (whether on the building or free-standing) or fences not providing a required screening or noise buffer function.
- E. Addition of roof-mounted solar panels.
- F. Minor changes to landscaping, i.e., that do not change the overall amount of green space, overall plant type composition, or reduce required buffers.
- G. Minor changes to pedestrian circulation.
- H. Changes to exterior design of the building that do not change the building footprint, height or mass.
- I. Addition of an accessory structure up to 200 sq. ft. in size.

- J. Other activities or changes of use which the Planning Board determines at its discretion to be similar to those listed above in nature and in its potential impacts on the public and on neighboring properties.

4.03 Minor Site Plan Review

When development activities associated with a nonresidential use or multi-family development are limited to the following, Minor Site Plan application requirements contained in Article VII may be followed instead of those listed in Section 6.02.c:

- A. Business activities taking place entirely within an existing home or accessory building on the same lot, conducted by the resident of the home.
- B. Farm and agricultural buildings and structures up to 5,000 sq.ft. not for the raising or keeping of animals.
- C. Addition of an accessory structure of 201 to 400 sq. ft. in size.
- D. Addition of a deck, porch, or entry of up to 200 sq. ft.
- E. Addition of outdoor use area such as for dining, recreation or entertainment of up to 400 sq.ft.
- F. Outdoor event venue utilized for no more than 7 consecutive days.
- G. Changes to location of outdoor fuel storage.
- H. Addition or relocation of a sign.
- I. Addition, relocation or change to outdoor lighting.
- J. Addition of free-standing solar panels and small wind energy systems for on-site use.
- K. Addition of outdoor wood boiler.
- L. Changes to the type or amount of screening or buffer.
- M. Major changes to landscaping, i.e., that reduce the overall amount of green space or change the overall plant composition.
- N. Changes in loading/unloading areas.
- O. Changes in outdoor waste storage areas.
- P. Major changes to pedestrian circulation.
- Q. Minor changes to vehicular circulation.
- R. Addition of up to 4 parking spaces, or reduction of up to 4 parking spaces unless needed in order to comply with a prior approval or current requirements.
- S. Changes from one permitted nonresidential use to another, or from a nonresidential use allowed by Special Exception to a permitted use, provided that the change in use does not involve any of the following:
 - 1. Increase in the number of dwelling or lodging units
 - 2. Increase in storage or use of heavy equipment
 - 3. Substantial increase in noise, odor or vibration
 - 4. Increase required parking by more than 4 spaces

5. Increase vehicular traffic generation by more than 10%
6. Additions or reconfigured building footprint, height or mass
7. Increases in the number of seats, e.g., for a restaurant or theater
- T. Other new or expanded activities or changes of use which the Planning Board determines at its discretion to be similar to those listed above in nature and in its potential impacts on the public and on neighboring properties.

ARTICLE V. DEFINITIONS

The definitions contained in the Zoning Ordinance and Subdivision Regulations shall apply to the Site Plan Review Regulations where applicable. The term “Board” when used herein shall refer to the Planning Board.

ARTICLE VI. PROCEDURES

6.01 Preliminary Consultation and Review

- A. The applicant may appear at a regular meeting of the Planning Board to discuss a proposal in conceptual form and in general terms. Preliminary consultation is highly recommended as it can help prevent delays and redesign costs by making sure requirements are understood prior to preparing a final application. Such preliminary consultation shall be informal and directed towards:
 1. Reviewing the basic concepts of the proposal;
 2. Reviewing the proposal with regard to these Regulations and the Zoning Ordinance, and;
 3. Guiding the applicant relative to necessary state and local requirements.
- B. Preliminary consultation and review shall not bind the applicant or the Board. No discussions beyond the conceptual and general review shall take place without identification of and notice to abutters and the general public as described hereinafter.

6.02 Completed Final Application

The following requirements shall constitute a Completed Site Plan Review Application sufficient to involve Board jurisdiction and to obtain Board approval or disapproval:

- A. Application for Site Plan Review properly filled out, which includes the names and addresses of the owner(s), applicant if different than the owner, easement holders, any professional whose seal appears on the plan, and all abutters as indicated in Town records not more than five (5) days before the day of filing the application with the Board.

- B. Application and abutters fees as shown on the fee schedule in the form of a check made payable to the Town of Bethlehem shall accompany the application. Any and all costs in excess of the above-mentioned fees incurred by the Town in the review of the Site Plan shall be paid by the applicant.
- C. A Site Plan on one or more sheets and supporting data which shall include the following information and meet the following requirements, when deemed necessary by the Board:
 - 1. Sheet size: Not to exceed 34" x 22" with a border on all four sides.
 - 2. Scale: Maximum scale – 1" = 40'.
 - 3. Match lines when needed.
 - 4. Three (3) prints of each plan sheet and a PDF.
 - 5. Title block in lower right corner giving name and location of development; tax map and lot number; applicant and owner(s) if not applicant; scale; contour interval; name and seal of the surveyor; name, address and seal of the Licensed Professional Engineer and/or Licensed Land Surveyor who prepared the plan; name and address of any other professional responsible for the plans presented to the Board; legend; date and dates of any revisions.
 - 6. North arrow.
 - 7. Proximity map at a scale no smaller than one inch to 2,000 feet showing site in relation to surrounding public street system.
 - 8. Surveyed boundary lines of the area included in the site including angles or bearing of lines, dimensions, monuments, street frontage and lot area. Names and tax map and lot number of all abutters. Precinct and zoning boundaries shall be shown, if applicable. Include required zoning setbacks.
 - 9. Existing and proposed grades with contour lines at 2-foot intervals.
 - 10. Soil type map.
 - 11. Location and boundaries of existing man-made and natural features. Natural features include streams, lakes, ponds, wetlands, vegetative cover and ledge

outcrops. Man-made features include existing roads and structures. All man-made and natural features within 50 feet of the lot shall also be shown. Map shall indicate which features are to be removed or altered and which are to be retained.

12. The use of abutting properties within 100 feet of the site boundary, roads, streets and driveways within 200 feet of the site boundary.
13. Location of all existing and proposed easements; copies of any existing and proposed deed restrictions, articles of association or covenants.
14. Circulation plan, including planned roads and driveways with road names, width and curve data, typical cross-section; means of access and egress, direction of travel, traffic control devices. Include estimated trip generation and basis for calculation and any proposed changes to existing public streets, sidewalks or curbs. Also include loading areas.
15. Proposed parking facilities, showing location with overall dimensions, parking method, capacity, type of surface and parking space size. Show ADA-compliant spaces. Include calculations used to determine the required number of spaces.
16. Size, shape, height and location of proposed structures, including expansion or changes to existing structures. Include finished grade at foundation, and an elevation view of all buildings indicating their height and surface treatment.
17. Proposed and existing water lines, wells with protective radii, sewage lines, sewage systems, surface drainage systems, and utility lines, tanks, drains, pipes (with size), poles, service areas, and waste storage facilities.
18. Location of existing and proposed fire hydrants and fire access lanes and other provisions for fire protection, including water supply.
19. A stormwater management plan providing adequate detail to demonstrate compliance with the appropriate applicable best management practices identified in Volumes 1, 2 and 3 of the New Hampshire Stormwater Manual, current edition, published by NHDES. This shall include, for example, a storm drainage plan, including plans for retention and slow release of stormwater where necessary, including the location, elevation and size of all catch basins, dry wells, drainage ditches, swales, culverts, retention basins, and storm sewers. Indicate direction of flow through the use of arrows. Show the engineering calculations used to determine drainage requirements, as well as the date and source for precipitation

data. A plan for long-term maintenance of the stormwater facilities must be included.

20. Location of all wetlands, mapped flood hazard areas and mapped fluvial erosion hazard areas if applicable.
21. Areas where toxic or hazardous materials may be stored, handled or utilized with best management practices to be followed.
22. Plan for pedestrian circulation including location of any proposed sidewalks or crosswalks. Show ADA-compliant facilities.
23. Exterior lighting plan demonstrating that the lighting conforms to these Regulations, including the location of and description of all existing and proposed exterior lighting fixtures, including those associated with buildings, landscaping, signs and parking areas; and a designation of which lighting fixtures are considered necessary for safety or security purposes. The lighting plan shall include:
 - a. Location, type, proposed mounting height, aiming points for any flood or spot lighting fixtures, color temperature, lumens output, and shielding planned.
 - b. Manufacturer's specification information and illustrations, such as contained in a manufacturer's catalog cuts, for all existing and proposed light fixtures and lamps.
24. A plan for the location of free-standing or building-mounted signs, including the size, location, mounting, aiming and shielding of any associated light fixtures.
25. Noise that can reasonably be expected to be heard beyond the property lines, including hours and duration of impact. Applicants may be required to provide a noise study report including decibels, noise level contours, and list of remedies to reduce impacts to neighboring property and public areas.
26. Landscaping and screening plan, showing natural vegetation to be retained; proposed lawn areas; location, age, size and type of plantings; and any other screening proposed.
27. Plan for snow removal indicating location for snow storage.

28. Construction drawings such as pavements, walks, steps, curbing and drainage structures.
29. Permits as required, e.g., for on-lot sewage systems (from the New Hampshire Department of Environmental Services), driveways (from the New Hampshire Department of Transportation or the Town Road Agent), and any other permits which may be required from state or local regulating bodies.
30. Any other information the Board may require including environmental and economic impact assessments, to be provided at the expense of the applicant.

6.03 Filing and Submission of Final Application

- A. An application for Site Plan Approval properly filled out and executed by the applicant must be filed with the Board's designee at the Town Offices at least twenty-one days prior to a scheduled public meeting of the Planning Board.
- B. The application shall be formally submitted to and considered by the Board for completeness only at a regularly scheduled public meeting after due notification to owner(s), applicant if different than owner, abutters, easement holders, any professional whose seal appears on the plan, and the general public, of the date the application will be submitted to and considered by the Board for acceptance as a complete application.
- C. An incomplete application filed by the applicant will not be formally accepted by the Board, nor will notices of a public hearing be mailed, posted, or published.
- D. Applications may be disapproved by the Board without public hearing on grounds of failure of the applicant to supply information required by these Regulations, including:
 1. Abutters' identification and required information;
 2. Failure to pay costs of the notices or other costs and fees required by these Regulations; or
 3. Failure to meet any reasonable deadline established by these Regulations.
- E. The Board shall, at the next regular meeting or within 30 days following the delivery of the application, for which notice can be given, determine the completeness of a final submission.
- F. When an application is accepted by the Board as complete, the Board shall provide a receipt to the applicant indicating the date of formal acceptance.

6.04 Notices

- A. Notice of the submission of a completed application shall be given by the Board to the abutters, owner(s), applicant if not the owner, easement holders, and any professional whose seal appears on the plan, by certified mail, mailed at least ten (10) days prior to the submission, and to the public at the same time by posting in at least two public places in the town and publicizing the hearing in a newspaper of general circulation. The notice shall give the date, time, and place of the Board meeting at which the application will be formally submitted to the Board, and shall include a general description of the proposal which is the subject of the application or of the item to be considered, and shall identify the applicant and location of the proposed site development.
- B. For any public hearing on the completed application, the same notices as required for notice of submission of the completed application shall be given.
- C. For an application for a Minor Site Plan, the notice of the public hearing may be included in the same notice as the notice of submission, with language conveying that the public hearing will be held as noticed if the submission is accepted as complete by the Board.
- D. Additional notice is not required of any adjourned session of a hearing with proper notice if the date, time and place of the adjourned session was made known at the prior hearing.

6.05 Fees

- A. A completed application shall be accompanied by the required filing fee as provided by the Town Office.
- B. All costs of notices, whether mailed, posted or published, shall be paid in advance by the applicant. Failure to pay costs shall constitute valid grounds for the Board to terminate further consideration and to disapprove the application without a public hearing.
- C. The Board may require special investigative studies, environmental assessments, traffic studies, economic impact studies, review of documents, administrative expenses, and other matters necessary to make an informed decision. The cost of such studies and investigations shall be paid by the applicant prior to the approval or disapproval of the Site Plan pursuant to RSA 674:44 and 676:4-b.

6.06 Developments with Potential Regional Impact

Pursuant to RSA 36:54-58, upon receipt of an application for site plan review, the Board shall review the application and determine whether or not the development, if approved,

could reasonably be construed as having the potential for impact beyond the boundaries of the town of Bethlehem. This regional impact could result from a number of factors, such as, but not limited to, the following:

- A. Relative size or number of units compared with existing stock.
- B. Transportation networks.
- C. Proximity to the borders of a neighboring community.
- D. Anticipated emissions such as light, noise, smoke, odors or particles.
- E. Proximity to aquifers or surface waters which transcend municipal boundaries.
- F. Shared facilities such as schools and solid waste disposal facilities.

Doubt concerning regional impact shall be resolved in a determination that the development has a potential regional impact. Upon determination that a proposed development has a potential regional impact, the Board shall follow the required procedures accordingly.

6.07 Public Hearing

Prior to approval of any Site Plan, a public hearing shall be held as prescribed by RSA 676:4, and notice to applicant, owner(s) if not applicant, easement holders, any professional whose seal appears on the plan, abutters and the public shall be given in accordance with Section 6.04 Notices. The Planning Board may hold a hearing on Site Plan Review in conjunction with a subdivision hearing if required for a project. A hearing for Site Plan Review may be held jointly with a Board of Adjustment hearing for a Special Exception.

6.08 Board Action on Completed Application

- A. After review of the completed application, and after a duly-noticed public hearing as provided in Section 6.07 Public Hearing, the Board shall grant a conditional approval, final approval or disapproval of the application within sixty-five (65) days after acceptance of the completed application, subject to any waiver from the applicant as provided in accordance with RSA 676:4, as amended.
- B. In case of disapproval of any plans submitted, the grounds for such disapproval shall be adequately stated in the Board records and written notice given to the applicant.
- C. If the Planning Board has not obtained a waiver as provided in Section 6.08(A) above, and has not taken action to approve or disapprove the completed application within sixty-five (65) days of its acceptance, the applicant may seek relief as provided by RSA 676:4, as amended.

ARTICLE VII. REVIEW AND APPROVAL OF MINOR SITE PLANS

7.01 Minor Site Plan Application Requirements

In lieu of the application requirements listed in Section 6.02(C) above, an applicant for a Minor Site Plan may submit 3 copies of a self-prepared drawing illustrating the proposed alterations. Size can be from 8.5 in. x 11 in. to 24 in. x 36 in. A PDF is helpful but not required. Drawings must contain an approximate scale and arrow indicating the general direction of north. The site plan must be drawn reasonably to scale and contain enough detail to enable the Board to determine compliance with these Regulations. Setbacks must be indicated, along with features surrounding the proposed alteration sufficient to provide the Board with an understanding of the context of the proposed alteration. The Planning Board may require such additional other information as it deems necessary in order to apply the regulations contained herein.

7.02 Public Hearing

For Minor Site Plan applications, a public hearing may be held at the same meeting as the submission of the application, provided the application is accepted as a complete application by the Board.

7.03 Approval of Minor Site Plans

Documentation of approval of Minor Site Plans may be limited to the meeting minutes, provided the minutes contain all of the information required by RSA 676:3, as amended, and the signature of the Planning Board Chair on any submitted drawings, maps or other materials showing the details of the approved development activity.

ARTICLE VIII. NATIONAL FLOOD INSURANCE REQUIREMENTS

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

- A. The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State Law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- B. The Planning Board shall require that all proposals for developments greater than 50 lots or 5 acres, whichever is the lesser, include Base Flood Elevation (BFE) data within such proposals (i.e. floodplain boundary and 100-year flood elevation).
- C. The Planning Board shall require the applicant to submit sufficient evidence

(construction drawings, grading and land treatment plans) so as to allow a determination that:

1. All such proposals are consistent with the need to minimize flood damage;
2. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
3. Adequate drainage is provided so as to reduce exposure to flood hazards.

ARTICLE IX. FINAL PLAN APPROVAL

9.01 Notice of Action

The Board shall notify the applicant, by notice in writing signed by the Chair, of its actions on the Final Site Plan. The Notice of Action shall include findings of fact as required by RSA 676:3, as amended, and be on file with the meeting minutes within five (5) business days of the vote and available for public inspection. In the case of disapproval, the grounds for such disapproval shall be set forth in the Notice. In the case of approval, the Notice shall set forth the following as applicable:

1. The language of any deed restrictions, covenants or articles of association submitted by the applicant and accepted by the Board.
2. Any waivers granted by the Board from the requirements of these Regulations.
3. Conditions of approval, if any, such as:
 - a) Requirements for off-site improvements.
 - b) Any conditions required prior to signing and recording the final plan (conditions precedent), for example, approval of the Fire Chief, required state and local permits.
 - c) Any conditions of approval that must appear on the final plan, e.g., long-term responsibility for maintenance of roads, stormwater and other utilities and facilities, restrictions on the use of the property, or safeguards that must be observed during development of the property or once the project is in use (conditions subsequent).
 - d) A description of land, if any, to be dedicated to widen existing streets or accomplish some other purpose.
 - e) Requirements regarding utilities.
4. A statement that all improvements required by the Planning Board shall be completed and constructed at the sole expense of the applicant or the successors and assigns of the applicant.
5. A reference to the security to be provided by the applicant as guarantee of performance in construction of the required improvements.

6. A statement of responsibility for possible damage to existing streets during construction.
7. All agreements, if any, between the applicant and Board concerning matters not required by these Regulations, but to be performed by the applicant.
8. Criteria established by the Board for determining “active and substantial development” and “substantial completion” pursuant to RSA 674:39 Five-Year Exemption.

Unless all of the above information appears on the final plan to be signed and recorded, the Notice of Action shall be recorded at the Grafton County Registry of Deeds along with the final plan.

9.02 Performance Guaranty

As a condition precedent to approval of any Site Plan, the applicant may be required to file with the Board a performance bond, an irrevocable letter of credit, or other type or types of security acceptable to the Selectmen, in an amount of money equal to the total cost of construction of all streets, utilities, and improvements, as specified in the approved Site Plan.

9.03 Inspection Fees

Where so required by the Planning Board, prior to the approval endorsement of the Planning Board Chair on the final plan, the applicant shall pay the Town an amount of money estimated by the Planning Board to fully compensate the Town for all inspections and testing charges deemed necessary by the Planning Board relating to such improvements required as conditions of approval. All inspection and testing shall conform in quality and quantity to accepted engineering and construction practices.

9.04 Approved Plan

Upon final approval, the applicant shall supply one mylar, two paper prints and a PDF of the approved plan showing any conditions of approval. Final approval of the Site Plan shall be certified by written endorsement on the approved plan by the Planning Board Chair. The Board or its designee shall transmit a mylar copy of the Site Plan with such approval endorsed in writing therein, along with Notice of Action, to the Register of Deeds of Grafton County within thirty days. The applicant shall be responsible for the payment of all recording fees.

9.05 Two Years to Complete

Planning Board approval of a Site Plan shall be valid for 2 years from the date of the final approval. If the site plan improvements are not completed within 2 years, an application for extension must be filed with the Planning Board. As a condition of granting an extension, the Board will review and make any necessary adjustments to the amount of the performance guaranty, if one was required.

ARTICLE X. STANDARDS

In a review of any Site Plan application conducted under these Regulations, in order to grant approval, the Planning Board shall ascertain that adequate provisions have been made by the owner or their authorized agent for each of the following, as applicable:

10.01 Standards and Requirements

All development shall meet all of the standards and requirements included in the Town of Bethlehem Zoning Ordinance and Subdivision Regulations.

10.02 Safety of Vehicles and Pedestrians

Adequate traffic access, circulation and parking must be provided to ensure the safety of vehicles and pedestrians and easy, unimpeded access for emergency vehicles. Criteria for such a determination shall include, but need not be limited to, the following:

- A. Access to public streets must meet the requirements of the New Hampshire Department of Transportation and/or the Town Road Agent.
- B. New roads proposed for public use shall be constructed to the standards contained in the Bethlehem Subdivision Regulations.
- C. In the event that the public and/or employees are anticipated to require pedestrian access from the street, provision shall be made for sidewalks running from the street side to the establishment. Sidewalks shall be provided for pedestrian traffic to provide connection between the main entrances of businesses, housing or industrial establishments and parking areas.
- D. Access management and/or traffic calming strategies shall be included as appropriate.

10.03 Parking Plan

- A. A parking plan shall be submitted as part of Site Plan Review including adequate documentation to support the proposed number and location of spaces and demonstrate adequate parking for the number and type of vehicles which are expected as part of the operation of the facility, including all commercial vehicles required for the normal operation of the facility and any oversized vehicles such as tour buses, trailers and ramps for loading and unloading.
- B. A parking space means a usable, unobstructed area of at least the required minimum dimensions with proper access for the parking of motor vehicles. Perpendicular parking spaces shall be nine (9) feet wide by eighteen (18) feet long when outdoors and ten (10) feet wide by twenty (20) feet long when in an enclosed garage. Parallel parking spaces shall be nine (9) feet wide by twenty-two (22) feet long. The Planning Board may approve smaller spaces or require larger spaces when designated for specific parking uses requiring a smaller or larger size.
- C. Parking shall be in compliance with the most recent standards published by the Department of Justice pursuant to the Americans with Disability Act.
- D. The following are guidelines for required parking. The required number of parking spaces may be higher than indicated below when judged by the Planning Board to be necessary for public safety. When a use is not indicated below, the Parking Board may establish parking standards on an individual basis as the public safety shall require. Requests for a reduction in the parking requirements may be approved by the Planning Board upon receipt of a parking study deemed by the Board to adequately document the reduced need.

USE	NUMBER OF PARKING SPACES
Nursing Home/Assisted Living	1 per 2 beds
Inn, Motel, Hotel, Overnight Cabin, Boarding House	1 per unit plus 1 for each employee on largest shift
Light Manufacturing and Warehouse	Greater of 1 per employee on largest shift or per 1,000 sq.ft. of principal use
Medical Office Building	1 per 200 sq.ft. of gross floor area
Office Buildings, Banks and Professional Services (lawyer, doctor, accountant, real estate or insurance office, etc.)	1 per 400 sq.ft. of gross floor area

Multi-Family Dwelling	1.5 per unit
Public, Commercial or Professional office	1 per 400 sq.ft. of gross floor area
Multi-Family Housing for the Elderly	1 per unit
Theater, Restaurant, Church	1 per 3 seats
Community Building, Club, Hall	1 per 200 sq.ft. of principal use area
Retail	1 per 200 sq.ft. of principal use area
Public/Private Schools: Preschool age Centers Elementary and Junior High Senior High	1 per staff member plus 2 per 10 children 1 per staff member plus 2 per classroom 1 per staff member plus 1 per 8 students

- E. Flexible Parking - The Planning Board may allow the following types of flexibility from the parking requirements described above when supported by the parking plan:
1. Parking provided by public lots, designated on-street parking, or other off-site parking may be utilized to fulfill some or all of the parking requirements when provided within a distance appropriate to the proposed use and there is a sidewalk or other facility for the safe passage for patrons between the parking and other activities. In the case of an off-site private lot, the lot or right to use such separate lots for the purposes herein required shall be held under unified ownership or control.
 2. Shared parking arrangements may be utilized.
- F. The Planning Board may impose conditions, such as, but not limited to: monitoring of parking usage to ensure that the need for parking does not exceed projections with the excess number, size or type of vehicles leading to unsafe conditions, or to parking on roadsides in locations other than legally designated parking areas; and identification of a reserve area which will be set aside for the construction of additional parking if needed in the future.
- G. Provisions may be made for temporary parking areas, which may be grass or gravel, for events or other uses that are expected to occur no more than twelve times per year and no more than twice in any given month. These parking areas may include a combination of on-premises, off-premises with the owner's written permission, or public parking areas. In the case of off-premises or public parking areas, documentation of the means of passage of event participants from the parking area to the premises shall be required, e.g., sidewalk or other pedestrian way, or shuttle bus.

- H. Pervious surfaces will be encouraged to reduce disturbance of natural vegetation and increased stormwater runoff.
- I. Sufficient off-street loading and/or unloading space must be provided. These facilities must be located so that delivery vehicles maneuver and park outside of the street right-of-way.
- J. Access, parking and loading areas shall be constructed so as to minimize dust and other conditions that would have a detrimental effect on abutting properties or public facilities.

10.04 Utilities

Provisions shall be made for the site to be served by electric, telephone, broadband if available, and any other public utility as appropriate. A letter of intent to provide service from the utility company(s) must accompany the application.

10.05 Landscaping and Screening

Appropriate buffer, screening, and landscaping shall be provided to provide privacy and noise reduction to adjoining properties and to ensure a visually pleasing development will result that will protect and enhance the appearance of the neighborhood. Criteria for such a determination shall include, but need not be limited to, the following:

- A. Due regard shall be given to the preservation of existing natural vegetation such as large trees and attractive tree stands.
- B. Sufficient buffer strips shall be provided to reduce noise and provide privacy between the proposed development and abutting residential areas or other incompatible uses. Buffer strips shall contain vegetation to screen the site during winter months.
- C. Adequate landscaping shall be provided between the site and public streets.
- D. Adequate interior landscaping shall be provided in parking areas with twenty (20) or more spaces.
- E. Landscaping should be designed and species chosen that will be cold, salt and drought tolerant and noninvasive; and which shall not interfere with pedestrian and vehicular movement, underground and overhead utilities, and snow storage when the plantings have matured.

- F. Refuse, dumpsters, compactors and outdoor storage areas shall be fenced or screened from abutting property and public rights-of-way.

10.06 Outdoor Lighting

- A. Outdoor lighting shall not cause light trespass, glare, sky glow, or excessive lighting. Outdoor lighting fixtures shall be sufficiently shielded and aimed such that spillage of light onto adjacent properties is minimized and glare from light emitting and/or reflecting parts of a luminaire is not visible from an adjacent property.

- B. The following definitions shall apply only to Section 10.06 Outdoor Lighting:

Glare: Lighting entering the eye directly from luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

Light Trespass: Unwanted light falling on public or private property from any location external to that property; generally caused by a light on a property that shines on the property of others.

Lumen: A unit of measure that identifies the amount of light emitted per second into a solid angle of one steradian from a uniform source of one candela.

Luminaire: The complete lighting unit (fixture) consisting of a lamp, or lamps and ballasts, together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps and to connect the lamps to the power supply.

Sky Glow: The brightening of the nighttime sky caused by the scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Sky glow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.

- C. All outdoor lighting installed for multi-family housing and nonresidential uses shall conform to the following standards:

1. Any luminaire with a lamp or lamps rated at a total of more than 1800 lumens shall be fully-shielded so as to produce no 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 1800 lumens, and all flood or spot lights 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 shall not exceed twenty (20) feet.

3. Any luminaire with a lamp or lamps rated at 1800 lumens or less, and all flood or spot lights with a lamp or lamps rated at 900 lumens or less, may be used without restriction to light distribution or mounting height, except that, to prevent light trespass and glare, if any spot or flood luminaire is aimed, directed, or focused so as to cause light trespass to be a nuisance for neighboring properties, or to create glare for persons operating motor vehicles on public ways, the luminaire shall be redirected or its light output reduced or shielded as necessary to eliminate such conditions.
4. Luminaires mounted on a canopy such as for a gas station, bus shelter, or portico, shall be recessed in the ceiling of the canopy so that the lens cover is recessed or mounted flush with the canopy and fully shielded.
5. Only lamps with a Correlated Color Temperature of 3000 Kelvin (3000k) or less shall be utilized.
6. Moving, fluttering, blinking or flashing lights shall be prohibited.

10.07 Signs

Signs shall be designed and placed so as to avoid undue distraction, confusion or hazard to the surrounding area or vehicular traffic; or undue adverse impact on the aesthetics or scenic beauty of the community. This means:

- A. Signs shall not project over street rights-of-way or be placed in a location which may interfere with the line of sight or visibility or passage of drivers, bicyclists or pedestrians.
- B. Signs involving movement, whether mechanical or air activated, shall not be sited in a manner in which they would cause a distraction for drivers.
- C. Blinking or fluttering sign content is prohibited.
- D. Lighting must be located, aimed and shielded so as to minimize glare perceptible to drivers, pedestrians, bicyclists, and other passersby on adjacent streets and properties.
- E. Lighting must be aimed and shielded so that light is directed only upon the sign face and does not trespass onto adjacent streets, properties or into the night sky.
- F. Lighting must be continuous, uninterrupted illumination designed primarily for night-time informational purposes.
- G. All signs intended for use for more than 4 weeks shall be of solid, durable construction.

10.08 Environmental Impacts

Adequate measures shall be provided to protect against adverse environmental impacts. Criteria for such a determination include, but are not limited to, the following:

- A. Sewage disposal and water supply systems shall be adequately sized to meet the needs of the proposed use under the regulations of the N.H. Department of Environmental Services (NHDES) or the Bethlehem Village Precinct.
- B. Adequate provisions shall be made for safe storage and handling of hazardous materials and/or waste to protect against environmental pollution, negative effects on neighboring properties and danger to users or residents of the site.
- C. Provisions shall be made to ensure adequate drainage of stormwater away from buildings and parking areas and off of streets, and prevent erosion and the resulting sedimentation, including:
 - 1. Storm drainage shall be designed to handle adequately a 50-year frequency 24-hour rainfall amount as determined by the National Weather Service or other source based on current data and trends acceptable to the Planning Board, with emergency overflow structures based on assessment of the 100-year 24-hour frequency storm discharge rate.
 - 2. All site plans shall be developed in accordance with the NHDES New Hampshire Stormwater Manual, latest edition, to the extent practicable.
 - 3. Flow volume, velocity, and pollutant loading shall not be higher at the property line post-development when compared with pre-development conditions.
 - 4. The applicant shall bear final responsibility for the installation, construction, and establishment of provisions for ongoing maintenance of all stormwater and erosion control measures required by the Planning Board. Final approval will not be granted until the plan and a mechanism for ensuring ongoing maintenance are approved by the Planning Board.

10.09 Floodplain or Riverbank Sites

For sites subject to flooding and/or riverbank erosion, provision shall be made to minimize flood damage and exposure to flood hazards and erosion on and off the site.

10.10 Snow Storage

Adequate provision shall be made for snow storage during winter months.

10.11 Fire Protection

All site plans shall meet the approval of the Bethlehem Fire Department, documented by the Fire Chief or designee, relative to emergency access and fire prevention, protection, and water supply. Installation of cisterns or fire ponds may be required by the Planning Board if recommended by the Fire Chief or designee.

10.12 Construction Standards

Construction requirements shall be in accordance with the *NHDOT Standard Specifications for Road and Bridge Construction*, as amended, including Supplemental Specifications if any, and the Town of Bethlehem Subdivision Regulations. Where alternative construction specifications are given, the Planning Board shall determine which shall be applicable.

10.13 Off-Site Improvements

The Planning Board may require the applicant to extend or improve, or contribute to the cost of the extension or improvement of, highway, drainage, water or sewer facilities serving the site, where such extensions or improvements are required to adequately serve the proposed development. The amount of the applicant's required contribution shall be reasonably and proportionately related to the needs created by the development and to the benefits accruing to the development from the improvements.

10.14 Regulations are Minimum Standards

The Planning Board may set more stringent requirements with respect to any of the foregoing specifications if conditions warrant such action in the opinion of the Board. Topography and natural features of the site, as well as the density of development, are examples of such conditions.

ARTICLE XI. WAIVER OF REQUIREMENTS

11.01 Waiver of Application Requirement

Upon written request by the applicant, or upon the motion of any regular member, the Board may vote to waive, in whole or in part, any application requirement contained in Section 6.02(C) when, in the majority opinion of the Board, such provision(s) would be inappropriate or superfluous to informed evaluation of the site in question.

11.02 Waiver of Standards

Pursuant to RSA 674:44 III.(e), upon written request by the applicant, the Board may vote to waive, in whole or in part, any provision(s) of Article X Standards, when, in the majority opinion of the Board:

- A. 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
- B. 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.

The basis for any waiver granted shall be recorded in the minutes of the Planning Board.

ARTICLE XII. ENFORCEMENT AND PENALTIES

These Regulations shall be considered to be a part of each approved site plan. These Regulations shall be enforced by the Selectboard. The Selectboard shall undertake such enforcement in a manner similar to that of enforcing the Zoning Ordinance, including the delegation of prosecution of specific enforcement actions to such other qualified individuals as may be appropriate from time to time. Any and all penalties available to the appropriate enforcement official per RSA 676:15-18, as amended, are hereby incorporated into these Regulations by reference.

ARTICLE XIII. APPEALS

Any person aggrieved by any decision of the Planning Board concerning site plan review may appeal within 30 days as provided in RSA 677:15.

ARTICLE XIV. AMENDMENTS

Amendment to these Site Plan Review Regulations shall be made in the manner described in RSA 675:6.

ARTICLE XV. SEPARABILITY

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


Amended August 24, 2022


ARTICLE XVI. EFFECTIVE DATE

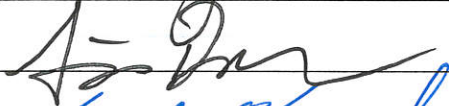
These Site Plan Review Regulations shall take effect upon a vote by the Planning Board, and the filing of the Regulations with the Town Clerk.


ADOPTION STATEMENT

We the undersigned members of the Town of Bethlehem Planning Board do hereby certify that these Site Plan Review Regulations were adopted on August 24, 2022 pursuant to RSA 675:6.









Received by Town Clerk:



Signature



Date

