

**SITE PLAN REVIEW REGULATIONS  
TOWN OF THORNTON**

Adopted: June 8, 1988

Amended 2004

Amended July 20, 2023

Amended December 21, 2023

**I. AUTHORITY**

Pursuant to the authority vested in the Thornton Planning Board by the voters of the Town Thornton (March 8, 1988) in accordance with the provisions of New Hampshire revised status Annotated. Chapter 674:43-44 the Thornton Planning Board adopts the following rules governing the review, and approval or disapproval of site plans for the development of tracts for nonresidential uses, for multi-family dwellings, for mobile home parks, or for condominium developments, whether or not such development includes a subdivision or re-subdivision of the site. These regulations shall be entitled “Site Plan Review Regulations, Town of Thornton, New Hampshire.”

**II. PURPOSE**

The purpose of the site plan review procedure is to protect the public health, safety and welfare; to protect property values; to prevent premature and uncoordinated development of land without the adequate provision of public services and facilities; to avoid unnecessary and adverse impacts on neighboring property and uses; and to guide the character of development.

The following are the purposes and standards which, according to the state RSA 674:4411, may be included in site plan review:

- provide for the safe and attractive development of change or expansion of the 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 provisions for fire safety, prevention and control.
  
- provide for the harmonious and aesthetically pleasing development the municipality and its environs.
  
- provide for open spaces and green spaces of adequate proportions.

- require the proper arrangement and coordination of streets within the site in relation to other existing or planned streets or with features of the official map of the municipality:
- require suitable 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.
- require in proper cases, that plats showing new streets or narrowing or widening of such streets be submitted to the planning board for approval;
- require that the land be indicated on plate submitted to the planning board shall be of such character that it can be used for building purposes without danger to health;
- include such provisions as will tend to create conditions favorable for health, safety, convenience and prosperity.

### **III. DEFINITIONS**

- A. Development; the construction of a building, structure, or improvements on a lot, parcel, or tract of land for a nonresidential use or for a multifamily use, more than 2 units in a single structure, including additions or alterations to existing structures, and changes of use as further defined below.

Development shall include the following activities:

1. the erection, alteration or demolition of buildings or structures for the purpose of expanding or changing an existing use or creating a new use:
2. the expansion, change of use or intensification of an existing use, including an increase in the area of a lot, building or structure to be used, an increase in the residential density, or a change in the scope of business operations, even though no improvements may be required to the lot, building or structure.
3. improvements made to lots covered within the scope of these regulations, including but not limited to parking areas, pavement, grading of earth, curbing, utility installation, lighting, walkways, and loading areas.

Development shall not include the erection, alteration or demolition of any sign or routine repairs and maintenance to lots, buildings, or structures. Definitions contained in the Town Zoning Ordinance and the Subdivision Regulations shall apply to the Site Plan Review Regulations, where applicable.

#### **IV. REVIEW PROCEDURE**

An application for Site Plan Review will not be noticed for public hearing until the Planning Board reviews and makes a determination regarding the completeness of the application materials. The determination of completeness will be limited to the review of the application checklist items only. Any discussion regarding the merits of the application will not begin until the application is accepted as complete, the application is noticed in accordance with RSA 676:4, I(d), and the public hearing is formally opened.

##### **A. General Procedure**

Whenever any development of a site regulated by this regulation is proposed; before any construction, land clearing or building development is begun; and before any permit for the erection of any building or authorization for development on such site shall be granted, the developer or his authorized agent shall apply for and secure approval of such proposed site development.

##### **B. Preliminary Consultation and Review**

1. The applicant may appear at a regular meeting of the Planning Board to discuss a proposal in conceptual form and in general terms. Such preliminary consultation shall be informal and directed toward:
  - a) Reviewing the basic concepts of the proposal.
  - b) Reviewing the proposal with regard to the Town Master Plan, Zoning Ordinance and Subdivision Regulations, and
  - c) Guiding the applicant relative to necessary state and local requirements.
2. 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.
3. This informal stage may involve a site visit by Board Members, the Board Assistant, and/or other town department's staff in order to guide the applicant in preparing an application and to identify review consideration for the Board.

##### **C. Design Review Phase:**

1. The applicant may appear at a regular meeting of the Planning Board to engage in nonbinding discussions with the Board which involve more specific design and engineering details; provided, however, that the design review phase may proceed only after identification of and notice to abutters, holders of conservation, preservation, or agricultural preservation restrictions, and the general public as required by RSA 676:4, I(d).
2. Design Review is subject to the following:
  - a) Applications for a Design Review Phase (676:4, II (b)) meeting with the Board shall be made on forms provided by the Board and shall be presented to the Secretary of the Board or the Board's agent who shall sign and record the date of receipt.

- b) Notice shall be given as required in RSA 676:4, I (d) 10 days before such application is submitted to the Board.
- c) The plan shall include at a minimum the following items:
  - a) A site location map placing the parcel in the larger context of the community;
  - b) A site survey showing pertinent features of the site;
  - c) An indication of any future subdivisions contemplated in or adjacent to the proposal;
  - d) A topographic map of the area;
  - e) Any soils information, such as permeability or boring data, that has been gathered; and
  - f) A sketch showing the proposed layout of lots, structures, parking, streets, and recreation areas; watercourses; natural features and easements, as applicable.
- 3. The board shall determine the conclusion of the Design Review Phase process and inform the applicant of such determination in writing.
- 4. Statements made by planning board members during Design Review shall not be the basis for disqualifying said members or invalidating any action taken.

**D. Waiver Producers**

The Planning Board may, in its discretions, waive any or all of these requirements for Site Plan Review, and shall so notify the applicant and Zoning Officer of that action. Before granting such a waiver, the Board must find that the imposition of a full Site Plan Review procedure in a particular case is inconsistent with the intent of these regulations and would, in fact, place an unnecessary burden on the applicant or owner. The following cases will be considered for waivers:

- 1. A minor addition to an existing development that will not result in a significant increase in the use of the site nor place a significantly greater burden on existing town services.
- 2. A proposed development involving an existing site and buildings and change of use is being requested. The new use is being accommodated with no physical changes to the site or buildings except for the purposes of identification.
- 3. Such other instances which the Planning Board may conclude are beyond the intent of these regulations or those in which these regulations are judged not to apply to the proposed development.

The Planning Board shall not waive the requirements for public hearing except in such instances when all the requirements for Site Plan Review are waived.

The Planning Board may appoint a Site Plan Review Committee consisting of a Planning Board Member, Selectmen and such other Town Department staff that may be appropriate. This Committee shall review all requests for exemption and may recommend to the Board. If the Committee finds that a proposal involving any one of the three possible waiver situations will not be substantially different or represent a substantial

change from the current use, or that the proposal will not have substantial impact on the immediate and surrounding area, the Committee may determine that no site plan is needed and will communicate the decision and reasons in writing to the Planning Board and applicant. An appeal of any decision of the Committee may be made to the Planning Board for final determination.

#### **E. Completed Application**

1. Completed application sufficient to invoke jurisdiction of the Board, must include sufficient information to all the Board to proceed with consideration and to make an informed decision.
  
2. The following shall be required for and shall constitute application. An application for Site Plan Approval properly filled out and executed by the applicant and filed with the Board in accordance with Article V, Section D. together with the following:
  - a) The names and addresses of the applicant and all abutters as indicted in town records not more than (5) five days before the day of the filing.
  - b) A check payable to the Board to cover filing fees, mailing, advertising, recording, and other costs provided in Article IV, Section H.
  - c) Five paper print copies of the Site Plan Layout in accordance with and accompanied by the information required in Article V.
  - d) Filing and Submission of Completed Application.
    - a) The completed application shall be filed with the Board or its agent at least fifteen (15) days prior to scheduled public meeting of the Board.
    - b) The completed application shall be formally submitted to and accepted by the board only a regularly scheduled public meeting after due notification to applicants, abutters, and the general public of the date of completed application will be submitted and received by the Board.
    - c) An incomplete application filed by the applicant will not be formally accepted by the board, nor will notices of public meeting be mailed, posted or published as provided under Article IV Section G.
    - 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:
      - a) Abutters' identification and information required for Preliminary layout.
      - b) Failure to pay costs of notices or other costs and fees required by these regulations.

- e) When a completed application is accepted by the Board, the Board shall provide a receipt to the applicant indicating the date of formal acceptance.

#### **F. BOARD ACTION ON COMPLETED APPLICATION**

1. The Board shall consider the completed application within thirty (30) days of its submission. Where appropriate, the board may submit copies of an application to any or all of the following Town Departments: Fire, Police, Highway and or Selectmen's Office, before any decision is made, the Planning Board may require that the applicant obtain written statements that the proposed site plan is satisfactory to the Town Departments.
2. After review of the completed application, and after a duly noticed public hearing as provided for in Article IV Section F. the Board may grant a conditional approval or final approval of the completed application within ninety days after the submission of the completed application, subject to waiver as provided in accordance with RSA 676:4.
3. Approval of the site plan shall be certified by written endorsement on the site plan and signed by the Chairman or Secretary of the Board. The Board or its Agent shall transmit a copy of the site plan with such approval endorsed in writing to the Zoning Enforcement Officer/Selectmen's designee of the Town of Thornton. In case of any disapproval of a site plan, the grounds for the denial shall be stated in the records of the Planning Board and written notice given to the applicant.
4. If the Planning Board has not obtained an extension above and has not taken action to approve or disapprove the completed application within ninety (90) days of its acceptance, the applicant may obtain from the Selectmen an order directing the Board to act within fifteen (15) days. Failure of the Board to act upon such order of the Selectmen shall constitute grounds for the applicant to petition the Superior Court as provided in NH RSA 676:4.

#### **G. Public Hearing**

Prior to approval of a Site Plan, a public hearing may be held at the request of the applicant, an abutter, or the Planning Board, as prescribed in RSA 676:4 and notice to applicant and abutters and the public shall be given in accordance with Article III Section G.

The public hearing shall be held within ninety (90) days after submission of the completed application. The Planning Board may hold a hearing on Site Plan Review in conjunction with a subdivision hearing if both are required for a project.

A hearing for Site Plan Review by the Planning Board may be held at the same time and place that a hearing for a special exception or variance is held for the project by the Zoning Board of Adjustment.

#### **H. Notices**

1. Notice of the submission of a completed application shall be given by the Board to the abutters and the applicant by certified mail at least (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, or publication in a newspaper of general circulation.

The notices shall give the date, time and place of the Board Meeting at which the application or other item (s) 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.

2. For any public hearing on the completed application, the same notices as required for notice of submission of the completed application shall be given. If the notice of public hearing has been included in the notice of submission or any prior notice, additional notice of the public hearing is not required, nor shall additional notice be required of any adjourned session was made known at the prior meeting prior notice, additional notice be 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 meeting.

#### **I. Fees**

1. A completed application shall be accompanied by a filing fee of \$25.00 minimum.
2. All costs of notices, and recording fees, 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 plat without a public hearing.
3. The board may require special investigative studies, environmental assessments, traffic studies, economic impact studies, a legal 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.
4. A site Plan Review fee is not required when the site plan application carried out in conjunction with a subdivision application.
  - a) Procedure when a special exception or variance is required.  
When a special exception or variance is required by the Thornton Zoning Ordinance, the applicant shall first obtain the required permission before the hearing for the site plan. A hearing for Site

Plan. Review by the Planning Board may be held jointly with the Zoning Board of Adjustment.

## **V. SUBMISSION REQUIREMENTS**

### **A. General Requirements**

Site plan with the following general characteristics:

- a) Plan size ranging from 8.5 x 11" to 22" x 34"
- b) Suggested scale: 1" = 40'
- c) Submit seven copies of blue or black line prints.
- d) Date, title, north point, scale
- e) Names and addresses of owner and developer.
- f) Name, address and stamp of the Registered Professional

Engineer and/or Registered Land Surveyor who prepared the plan if required.

### **B. Site Plan Requirements**

1. Property lines showing bearing, distance, monuments, and the lot area of the entire parcel for which the site plan is proposed, and the source of the information. In some situations, the Board may require a property survey and certification of the survey by a Land Surveyor.
2. Names and addresses of all abutters (any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from parcel)
3. The tax map and parcel numbers, the zoning district, and street address of the parcel.
4. The location of all building setbacks as required by the Thornton Zoning Ordinance.
5. The location of all buildings with 50 feet of the property lines and the location of all intersecting roads or driveways within 20 feet.
6. A vicinity sketch (at a suggested scale of 1"=400) showing the location the site in relation to the surrounding public street system.
7. Existing and proposed grades with topographic contours where the grade is less than 5 percent at intervals not exceeding 2 feet with spot elevations; and where the grade is greater than 5 percent, the contours must be a 5-foot intervals.
8. Natural features such as streams, wetlands, lakes or ponds, trees, open space, and ledge outcrops. Man made features such as, but not limited to existing roads, structures, and landscaping. The map shall indicate which of such features are to be retained and which are to be removed or altered.
9. A soils classification map with descriptive information for each soil type (available from the Grafton County Soil Conservation Services)
10. Where applicable, the one-hundred-year flood elevation line shall be shown as well as the proposed elevations of the first and second stories of any proposed building.

11. The location, dimensions, shape, number of stories, and height of proposed structures, including expansion of existing structures; the proposed use(s) of the structure(s) and the square feet of floor area to be dedicated to the proposed use(s); and the location of building entrances.
12. The location of all existing and proposed deed restrictions, easements, covenants, right-of-way, etc. along with a draft copy of the full legal description of proposed rights and restrictions.
13. For projects which will connect with existing public or private water and sewerage utilities, the location and size of the existing utilities and proposed connections shall be shown, along with all necessary engineering data.
14. For projects which will have on-site water and sewerage facilities, the size and locations of these facilities ( and provisions for future expansion) shall be shown, along with all necessary engineering data. Existing on-site water and sewerage facilities and such facilities shall all be shown. For such projects, the location of all soil test pits, test borings, and percolation test pits, and the date shall be shown or otherwise provided.
15. A storm drainage plan, showing the existing and proposed methods of handling normal and storm runoff, including the location, elevation and size of all catch basins, dry wells, drainage ditches, swales, culverts, retention basins, and storm sewers. The engineering calculations used to determine the drainage requirements shall be provided. The direction of flow should be indicated through the use of arrows. Provisions for snow removal and storage shall be indicated.

If the proposed development is required by the State Water Supply and Pollution Control Commission to submit an application for “Alteration of existing Terrain” under RSA 149-8:a, then the plans and information provided to the State shall also be provided as part of the Site Plan Review Application and shall satisfy this requirement.

16. Proposed means of access to the site and proposed changes to existing public streets, sidewalks or curbs, including any traffic control devices or signs necessary in conjunction with the plan; and proposed vehicular and pedestrian circulation within the interior of the site.
17. Proposed streets with street names, driveways, parking spaces, sidewalks, with indication the direction of travel, and inside radii of all curves. The width of streets, driveways and sidewalks, and the total number of parking spaces shall be shown. In addition, loading spaces and facilities associated with the structures on the site shall be shown. The features shall also be indicated.
18. Provisions for fire protection, including fire lanes, hydrants, ponds, etc.
19. The location, type and size of all proposed landscaping or screening.
20. Exterior lighting as signs to be located on the site.
21. The type and location proposed solid waste disposal facilities.
22. Construction drawings including but not limited to buildings walks, steps, curbing and drainage structures.
23. Copies of all applicable state approvals and permits, such as:

- a) State Water Supply and Pollution Control Commission water supply approval, sewage approval, alteration of existing terrain approval, or groundwater discharge approval;
  - b) Special Board Approval for the relocation, filling, dredging, or re-channeling of any man-made or natural drainage way.
  - c) State Department of Public Works and Approval for and required driveway or curb cut.
24. The Planning Board may require that utilities be installed underground to preserve natural features.
25. The Planning Board may require such additional regulations contained within.

**C. Minor Site Plan**

The Planning Board may waive any of the above plan requirements if they are inappropriate or unnecessary to a particular application. Though it is difficult to specify in these regulations the list of map, or information needs for a site plan which is minor in character and impact, the following list may be used as a guideline:

- 1. Names and addresses of owner and applicant.
- 2. Street address, and tax map and parcel number of property.
- 3. Date of plan, scale, north arrow.
- 4. Property lines from available survey or tax map.
- 5. Acreage of property.
- 6. Names and addresses of all abutters.
- 7. Existing structures, roads, landscaping, and other man made features.
- 8. Existing and proposed property deed restrictions, easements, etc.
- 9. Existing and proposed uses of the property, including the number of square feet devoted to the uses.
- 10. Any changes in utilities and driveway entrances.
- 11. Existing and proposed parking, loading and circulation.
- 12. Location of landscaping, screening, exterior lighting, and signs.
- 13. Any applicable State Approvals.
- 14. Any other additional information specifically warranted by the particular application.

**VI. GENERAL STANDARDS**

The Site Plan Review Procedures in no way relieves the developer from compliance with the Zoning Ordinance, Subdivision Regulations or any other ordinance which pertains to the proposed development. No site plan will be approved until it complies in all respects to any and all pertinent ordinances and regulations.

- 1. Traffic access and circulation to the site from the public or private road.
- 2. On site vehicular and pedestrian circulation.
- 3. Off-Street parking and loading facilities.
- 4. Emergency vehicle access.

- A. Improvement to existing streets, traffic access to the site from town streets, on site vehicular and pedestrian circulation, parking, loading facilities, emergency vehicle access, shall be designed to ensure the safety of vehicles and pedestrians. Signal devices shall be included if necessitated because of increased traffic generated by the development.
1. Parking Space Requirements  
Off -street parking space shall be provided in any district in accordance with specifications set forth in this section whenever any new use is established or any existing use enlarged. Parking provided by public lots in lieu of on-site parking may be utilized to fulfill some or all of the parking requirements when provided within a distance appropriate to the proposed use but not exceeding 400 feet, upon approval of the Planning Board. Minimum standards for parking lot construction are outlined in the following tables:  
  
Minimum and maximum access widths for nonresidential site plans: 20 to 50 feet.
    1. Adequate parking shall be provided for all commercial vehicles which are required for the ordinary operation of the facility.
    2. Off-street loading facilities shall be provided for all institutional, commercial and industrial uses. These facilities shall be located so that delivery vehicles are parked outside of the street right-of-way.
- B. Landscaping and screening shall be provided with regard to the impact on the adjacent properties, the public highway and the site itself.
1. Large parking areas (over three double rows) shall be landscaped. Signs shall be properly placed.
  2. Buffer Zones are required for all commercial, industrial, and multifamily uses in the extent they are necessary to reduce noise, and for visual considerations. A minimum buffer zone of five feet shall be maintained; a wider buffer zone may be required where impact of development is not compatible with abutting uses.
- C. Storm drainage of the site shall be designed for at least a 25-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 storm water in order to meet the minimum 25-year flood demand.
- a) For sites within the flood plain, provisions shall be made to minimize flood damage and exposure to flood hazards on and off site in accordance with the Zoning Ordinance.
  - b) Drainage designs for all new developments that will create more than ½ acre of impervious surfaces (including gravel roads) shall demonstrate that the following requirements are met.

## **VII. GENERAL REQUIREMENTS FOR FLOOD HAZARD AREAS**

All site plan proposals governed by these regulations having lands identified as special flood hazard areas on FEMA's Flood Insurance Rate Maps for the Town of Thornton shall meet the following requirements.

- A. Site plan proposals and other proposals for other developments shall be located and designed to assure that all public utilities and facilities such as sewer, gas, electrical, and water systems are located and constructed to minimize/eliminate flood damage and adequate drainage is provided to reduce exposure flood hazard.
- B. Subdivision proposals and other proposed new developments greater than five (5) acres shall include base flood elevation data.
- C. 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.

## **1. FLOOD ATTENUATION Amended 07/15/04**

Storm water run off generated from a developed property shall be detained such that post development peak flows at the property line for the 2 and 10 years storm event in a pre-developed condition.

- a. Calculations shall include run off from adjacent up properties, where applicable.
- b. Any combinations of detention or retention may be used to meet the flood attenuation requirements.
- c. All detention or retention pond structures shall be designed according to standard engineering practices and shall include the following:
  1. A sediment forebay equal to 10% of the pond's volume
  2. Vegetated side slopes that are no steeper than 4:1
  3. Suitable access and easement for cleaning and maintained the pond.
  4. The preservation or installation of shade trees shall have an expected mature height that is equal to at least 50% of the ponds north-south diameter.
  5. For any pond with a length and width that is greater than 40 feet.
    - a. A pond drain shall be provided to facilitate draining of the pond for maintenance or clean out.
    - b. A crushed gravel maintenance ramp for access to the floor of the structure with a slope of no steeper than 6:1.

## **2. STORM TREATMENT**

Drainage designs shall demonstrate features that provide 80% removal of total solids and 40% removal of phosphorus.

- a. Flexibility in meeting this standard is encouraged, however the following will implicitly be considered to have met the treatment standards for total suspended solids, phosphorous and groundwater recharge (specified below):
  1. providing a mechanism for infiltrating 3600 cubic feet of run off (one acre inch) per acre of impervious surface (or increments there of), consistent with 3.c and 3.d below.
- b. Applicants not wishing to employ 2. A must be able to provide suitable documentation that the total suspended solids and phosphorus treatment standards have met.

## **3. GROUNDWATER RECHARGE**

Drainage designs shall demonstrate that the average annual recharge rate for the major hydrologic soil groups found on site are maintained in order to preserve existing groundwater table elevations.

- a. This standard shall be waived if the applicant chooses to meet the stormwater treatment standard in 2.a (1) above.

- b. For all areas covered by man impervious surfaces the total volume of recharge that must be maintained shall be calculated as follows:

$$\text{REQUIRED RECHARGE VOLUME (ft}^3\text{)} = (\text{soil Recharge Factor}) \times (\text{Area})$$

Where: SOIL RECHARGE FACTOR is expressed as follows:

NRCS Hydrologic Soil Group to be covered by proposed man made impervious surfaces

- A. = 0.40
- B. = 0.25
- C. = 0.10
- D. = 0.00

Where: AREA is square footage of proposed man made impervious cover

#### EXAMPLE

Applicant proposes 30,000 square foot parking lot over C soils.

$$\text{REQUIRED RECHARGE VOLUME} = 0.10 \times 30,000$$

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$$\text{REQUIRED RECHARGE VOLUME} = 250 \text{ FT}^3$$

- c. All non-rooftop run off must be pretreated prior to its entrance into the groundwater recharge device by:
1. first routing it over a durable level spreader to encourage sheet flow and than down a vegetated slope of less than 3%; or
  2. by routing it through a vegetated swale with a two year peak velocity of less than one foot per second; or
  3. by some other alternative method, acceptable to the Planning Board, that will remove materials that would clog the soils receiving the recharge water.
- d. The floor of the recharge device shall be at least 2 feet above the seasonal high water table, or ledge.

D. Storm drainage of Provisions shall be made for snow storage during winter months.

E. Provisions shall be made for the site to be serviced by necessary utilities which may include water for fire and domestic use, sanitary sewer, and gas.

F. Night Sky Lighting (amended 01/15/2004)

1. Purpose

It is in the interest of the Town of Thornton to maintain its historic character, prevent further reduction of visibility of the night sky, insure efficient use of lighting, and

reduce unsafe or annoying lighting conditions, while providing adequate and appropriate outdoor lighting.

2. General Requirements

- a. Any proposed outside lighting whether for area illumination, sign illumination, building illumination, or other purpose, will project no more than 3 percent of its light rays above the horizon from the lamp, its lens structure or any associated reflector.
- b. Building façade lighting should be done from above rather than from below in order to limit skyglow.
- c. In no case shall the shining of light produced by a luminaire project beyond the subject parcel's boundaries.

3. Exceptions

- a. All temporary lighting required for construction projects, related to road construction and repair, installation of sewer and water facilities, and other public infrastructure.
- b. 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 this section.
- c. All hazard warning luminaires required by Federal regulatory agencies are exempt from the requirements of this section, except that all luminaires used must be red and must be shown to be as close as possible to the Federally required minimum lumen requirement for the specific task.
- d. Seasonal/decorative lighting displays using multiple low wattage bulbs are exempted from this ordinance.

4. Studies

- a. The Planning Board shall reserve the right to require a study by a party Competent in the field of lighting to demonstrate that the proposed lighting layout will not cause illumination beyond the property line of the subject parcel. An appropriately scaled isolux (isofootcandle) diagram with property lines shall be deemed as appropriate evidence.
- b. All costs for such study shall be borne by the applicant.

5. Powers Reserved

In no way shall the provision of these regulations limit the authority granted in RSA 236:55 to have any unsafe light removed.

G. Provisions shall be made for protection of natural features.

H. All developments shall meet the standards and requirements included in the Town Zoning Ordinance and subdivision regulations.

I. Construction requirements shall be in accordance with "Standard Specifications for Road and Bridge Construction" as published by the State of New Hampshire Department of Public Works and Highways. Where alternative construction specifications are given, the Planning Board shall determine which shall be applicable.

- J. Road construction standards
1. minimum width of right-of-way 50 ft.
  2. minimum width of roadway 22 ft.
  3. generally grade 0.5%
  4. generally grades shall not exceed 10% however, a short pitch not to exceed 12% may be accepted.
  5. maximum grade within 100 ft of an intersection 5%.
  6. minimum angle of intersection 5%
  7. minimum center line radii on curves 100 ft.
  8. all dead-end streets shall have a curricular turnaround at the closed end with a minimum radii of 60 ft. from the center to the outside edge of the right-of-way.
  9. profiles and cross-sections may be required
  10. sloping and seeding of ditches will be done as necessary to prevent erosion and runoff problems.
  11. the board may reject the location of a proposed street intersection if in the opinion of the board the location creates a safety hazard due to poor line of sight or excessive grades of the street or road being entered.
  12. trees and stumps will be removed from the roadway area and all material leveled to grade excavation and the use of good fill material.
  13. good quality gravel shall be placed and compacted to a minimum depth of 12 inches but effort should be made to obtain greater depths to 18 inches.
  14. asphalt surfaces shall be approved by the road agent prior to actual construction
  15. names of new streets shall not duplicate nor bear phonetic resemblance to the names of existing streets within the town.
- K. All site developments will provide fire fighting water for over ten lots, condos, apartments, dwellings, or motel units. Fire fighting water may be provided by
1. Twenty thousand gallon fiberglass tank installed below the freeze point serviced by a dry hydrant
  2. Man made or natural ponds
    - a) that have been cleared of all debris
    - b) accessible to all fire equipment
    - c) must be at least eight feet deep.
    - d) 2 - dry hydrants installed outside fence.
  3. no unit may be more than 2000 feet from a fire fighting water supply.

The Planning Board may set more stringent requirements with respect to any of the foregoing specifications if conditions warrants 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.

## **VIII. CONSTRUCTION OF REQUIRED IMPROVEMENT**

### **A. Period of Construction**

The applicant shall construct and complete all improvements required by the approved Site Plan within two years from the date of approval. Both the approval and construction timetable may be extended by the Board for a period not to exceed an additional six months. Further extensions may be made by the board only formal request for extension, the Site Plan approval shall automatically become null and void.

### **B. Performance Guarantee**

As a condition percent to the approval of any Site Plan, the applicant shall file with the Board of Selectmen a certified check payable to the Town of Thornton or a letter of credit from a New Hampshire bank, or a faithful performance bond in the Town's name issued by a surety company acceptable to the Selectmen, in an amount equal to the total cost of construction of all streets, utilities and other required improvements, as specified on the approved Site Plan, or such other surety acceptable to the Selectmen. The Planning Board may waive the requirement to post bond or other surety, and grant final approval of the Plan with conditions acceptable to the Planning Board and applicant.

### **C. Construction Review**

The building inspector or too their designated agent of the Selectmen may visit the site during construction to insure that the work is being done in compliance with the approved Site Plan and any other applicable Town Regulations.

### **D. Changes in an Approved Site Plan**

The Planning Board shall have the power to modify or amend its approval of a Site Plan upon application of the owner, lessee, or mortgage of the premises or upon its original approval. Depending upon the extent of the extent of the modification of the property. The Board shall determine the information requirements and procedure, consistent with the intent of the regulations.

## **IX. CERTIFICATE OF OCCUPANCY**

No development may be occupied or used unless a Certificate of Occupancy has been issued by the Zoning Officer. The Certificate shall not be issued until these regulations have been complied with and the improvements made or a performance bond provided to the Town as required in the Planning Board decision.

## **X. AMENDMENTS**

Amendments to these Site Plan Review Regulations shall be made in the same manner in which amendments to Subdivision Regulations are made.

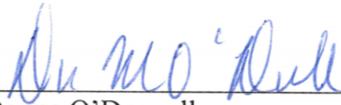
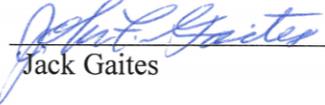
**XI. SEPARABILITY**

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.

**XII. EFFECTIVE DATE**

This ordinance shall take effect upon a vote by the Planning Board, filing of the Regulation with the Town Clerk, the Board of Selectmen, and the Registry of Deeds of Grafton County.

Thornton Planning Board:

 _____ Nancy Decoteau	 _____ Donna O'Donnell	_____ Steve Babin
 _____ Frank Freeman	_____ David Levin	_____ Cynthia Schofield
 _____ Jack Gaites		