

Site Plan Review Regulations

Article IX Traffic Impact Analysis

All proposed development subject to these regulations shall be reviewed by the Planning Board to ascertain that adequate provisions have been made to ensure traffic safety. To facilitate this review, the Planning Board may require the applicant to submit a Traffic Impact Analysis, as deemed necessary by the Board due to the proposal's size, location or traffic generating characteristics. Traffic Impact Analyses shall address the following:

- A. Traffic circulation and access, including adequacy of nearby streets and intersections, entrances and exits, traffic flow, sight distances, curb cuts, turning lanes, and existing or recommended traffic signalization;
- B. Pedestrian safety and access;
- C. Off-street parking and loading;
- D. Emergency vehicle access

Article X Special Studies

In addition to the application fee, the Planning Board, at its discretion, may require the applicant to reimburse the Town for the cost of special investigations, the review of documents and traffic studies, as authorized by NH RSA 674:44V. No plan shall be approved until such fees are paid in full.

Article XI Construction Bonds

Before approval of a site plan by the Planning Board, the applicant shall submit a bond in an amount deemed sufficient by the Planning board to cover the cost of all required improvements, both on-site and off-site, including those related to highways, access ways, stormwater and erosion control facilities, utilities and landscaping. This bond shall be approved as to form and sureties by Town Counsel, and shall be conditioned on the completion of all improvements within 2 years of the date of the Planning Board's approval.

Article XII Administrative Provisions

Section 1. Recording of Final Site Plan

Upon a vote by a majority of the Planning Board to approve a site plan, the application shall be deemed to have final approval and the site plan shall be signed by the Chairman of the Board. The signed plan shall be recorded in the Strafford County Registry of Deeds (SCRD) within thirty days of the signing of the plan. The Planning Board, by vote, may extend the filing period for good cause.

Section 2. Site Plan Conditions of Approval

All terms of a conditional approval shall be completed to the satisfaction of the Chairman prior to signing of the plan by the Chairman and within six months of the Planning Board's

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affirmative vote of conditional approval. Plans, which have not satisfied the conditions of approval within this time period, shall be null and void. In addition to local approvals, the applicant shall be responsible for showing evidence of having obtained such state and federal permits as may be applicable.

Section 3. Waivers

The proposed development shall conform to the Zoning Ordinance of the Town of Madbury. Where strict conformity to these Site Plan Review Regulations would cause undue hardship or injustice to the applicant, a plan substantially in conformity with regulations may be approved by the Board provided that:

- A. the spirit of the regulations and public convenience and welfare will not be adversely affected;
- B. the waiver shall achieve the purpose of the regulations;
- C. the waiver is requested in writing;
- D. the Planning Board formally votes on such waiver; and
- E. the waiver is noted on the approved plan.

Section 4. Expiration of Approved Site Plans

Site Plan approvals become vested from subsequent changes to the Zoning Ordinance and Non-Residential Site Plan Review Regulations in accordance with RSA 674:39, I.

Section 5. Revocation of Approved Site Plans

In accordance with RSA 676:4-a, *Revocation of Recorded Approval*, a plat, street plat, site plan or other approval which has been filed with the appropriate recording official, under RSA 674:37, *Recording of Plats*, may not be revoked by the Planning Board in whole or in part except as detailed in the statute.

Section 6. Amendments

These regulations may be amended or rescinded by the Planning Board but only following a public hearing on the proposed change.

Section 7. Validity

If any Article, section, subsection, sentence, clause or phrase of these Regulations is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portion of these Regulations.

Section 8. Effective Date

These Regulations shall take effect after passage by the Planning Board.

Article XIII

Special Flood Hazard Area Requirements

The Special Flood Area Requirements of the Subdivision Regulations apply to the Site Plan Review.