

MINOR SITE COMMITTEE
Amendments to the Site Plan Regulations
ADOPTED by Planning Board on April 24, 2019

- ❖ Add a new **Article 7. Minor Site Committee** in **Part II. Site Plan Review Process** of the Site Plan Regulations, as follows.

Article 7. Minor Site Committee

- Section 7.1 Establishment
- Section 7.2 Membership
- Section 7.3 Application
- Section 7.4 Public Hearing
- Section 7.5 Final Action
- Section 7.6 Referral to Planning Board
- Section 7.7 Appeal to Planning Board
- Section 7.8 Threshold for Minor Site Review
- Section 7.9 Submission Materials
- Section 7.10 Site Plan Regulations

Section 7.1 Establishment

A minor site committee is established in accordance with RSA 674:43 III for the purpose of reviewing minor site plan applications, as specified in Section 175-17 of the Durham Zoning Ordinance.

Section 7.2 Membership

The Minor Site Committee consists of one representative from the Planning Board and one representative from each of the following Town departments: Building/Code Enforcement, Economic Development, Fire, Planning, Police, and Public Works. The Town Planner shall serve as chair and may use his or her reasonable discretion in coordinating the activity of the committee in an efficient and effective manner.

Section 7.3 Application

When a proposed project qualifies (See section on Threshold for Minor Site Review, below), the applicant may apply for minor site review. Upon receipt of an application for minor site review the Town Planner shall review the application to determine if it meets the requirements for minor site review. The Town Planner shall coordinate with the applicant to obtain any additional necessary information, documentation, or clarifications to understand the proposal and to help determine if it qualifies for minor site review. The Town Planner shall present the proposal to the Planning Board at the first available meeting. If there is sufficient time, the proposal may be included on the Planning Board agenda for consideration. If not, it may be presented at a meeting, as deemed appropriate by the Town Planner. If the Planning Board approves treating the proposal as a minor site plan – at the

board's sole discretion – then it will be reviewed as such. If not, the proposal will be presented to the Planning Board for regular site plan review.

Section 7.4 Public Hearing

- 1) If the proposal is approved for minor site review, the Town Planner shall set a date for a public hearing at the subject property (or elsewhere) allowing sufficient time for the required notifications.
- 2) The Planning Department shall send notices to abutters and other parties in accordance with RSA 676:4 I.(d)(1) and post the public notice(s) at least 10 days in advance of the public hearing, as specified in RSA 676:4 I.(d)(1).
- 3) The Town Planner shall inform the applicant, the Minor Site Committee, and the Planning Board about the public hearing.

Section 7.5 Final Action

The Minor Site Committee may include any appropriate conditions with an approval. Within five working days after the public hearing, the Minor Site Committee shall:

- 1) approve the application as submitted;
 - 2) approve the application with conditions;
 - 3) deny the application;
 - 4) decline to make a final decision itself and refer the application to the Planning Board for review;
- or
- 5) request an extension of time from the applicant if needed.

The Town Planner shall provide the Planning Board with a copy of the decision made by the Minor Site Committee and minutes from the public hearing.

Section 7.6 Referral to Planning Board

When an application is referred to the Planning Board for review it shall be treated as a regular site plan application with new notices and a new public hearing. However, no additional application fees shall be charged other than for notices, and the materials submitted for the minor site review shall be adequate unless the Planning Board determines that other materials are needed. The three-week site plan application deadline shall not apply and the application shall be placed on the next available Planning Board agenda.

Section 7.7 Appeal to Planning Board

A decision of the Minor Site Committee may be appealed to the Planning Board in accordance with RSA 674:43 III provided the notice of appeal is filed within 20 days of the committee's decision. The Planning Board shall hold a public hearing on any appeal. Any additional fees for notices shall be paid by the applicant. No new application fee shall be charged.

Section 7.8 Threshold for Minor Site Review

The following types of projects may be eligible for review as minor site plans where there are no apparent significant changes proposed to the site nor apparent significant impacts anticipated:

- 1) A change of use or new use.
- 2) The addition of five or fewer new parking spaces.
- 3) Building additions or accessory structures up to 500 gross square feet.
- 4) Minor changes to the site with a footprint on the ground up to 500 square feet.
- 5) Minor changes to road access, traffic circulation, or pedestrian circulation on a site.
- 6) Installation of small non-habitable structures such as light fixtures, accessible ramps, utilities, and trash facilities.
- 7) Outside activity that would include few changes to the site.
- 8) Minor changes to drainage patterns or drainage structures.
- 9) Changes to landscaping or topography.
- 10) Any other changes to the building or site which appear:
 - a) to be small in scale and scope;
 - b) to be straightforward;
 - c) to not have any adverse impact; and
 - d) to be consistent with the intent of this section

Where the proposal could reasonably be expected to generate any type of significant impact(s) regarding traffic or congestion; noise, odors, glare or other such elements; natural resources; visual features; Town services; or the health, safety, or welfare of the public, or where review by the Historic District Commission or the Zoning Board of Adjustment is involved, it is appropriate for the application to be reviewed by the Planning Board.

Section 7.9 Submission Materials

The applicant shall submit the following:

- 1) a completed minor site application;
- 2) a drawing clearly illustrating the proposal;
- 3) a letter of intent describing the proposal;
- 4) the application fee;
- 5) fees for notices; and
- 6) any additional materials and documentation which the Minor Site Committee needs to fully understand the proposal.

The Town Planner or Minor Site Committee may postpone action on an application that is not complete.

Section 7.10 Site Plan Regulations

All standards and provisions of the Site Plan Regulations shall apply except where superseded by this article or where not applicable. The Minor Site Committee may grant waivers as provided in Part I, Article V of the regulations.