

DRAFT - MINOR SITE COMMITTEE
Proposed Amendments to the Site Plan Regulations

- ❖ 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 Three-Day Period
- Section 7.5 Public Hearing
- Section 7.6 Final Action
- Section 7.7 Elevation to Board
- Section 7.8 Appeal to Board
- Section 7.9 Threshold for Minor Site Review
- Section 7.10 Submission Materials
- Section 7.11 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 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

Where 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 determine if it qualifies for minor site review.

Section 7.4 Three-Day Period

Once the Town Planner determines that the application meets the requirements for minor site review, he or she shall inform the Minor Site Committee and Planning Board about the nature and details of the application. Any member of the Minor Site Committee or Planning Board may elevate a minor site application to the Planning Board for review provided a request is made in writing within three working days from the day on which the Town Planner notifies them of the application. Any such request shall include the reason for requesting the application be elevated.

Section 7.5 Public Hearing

At the expiration of the three-day period, the Town Planner shall:

- 1) Set a date for a public hearing at the subject property (or elsewhere) allowing sufficient time for the required notifications.
- 2) Send notices to abutters and other parties and post public notice(s) at least 10 days in advance of the public hearing, as specified in RSA 676:4 I. (d)(1).
- 3) Inform the applicant, the Minor Site Committee, and the Planning Board about the public hearing.

Section 7.6 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) elevate 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.

Section 7.7 Elevation to Board

When an application is elevated to the Planning Board 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 7.8 Appeal to Board

A decision of the Minor Site Committee may be appealed to the Planning Board provided the notice of appeal is filed within 20 days of the committee's decision. The Planning Board may

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 7.9 Threshold for Minor Site Review

The following types of projects shall be eligible for review as minor site plans where there are no significant proposed changes to the site nor 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 1,000 square feet, such as the addition of decks and patios.
- 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, handicap ramps, utilities, and trash facilities.
- 7) Outside activity that would include few changes to the site, such as outdoor dining.
- 8) Minor changes to drainage patterns or drainage structures.
- 9) Changes to landscaping or topography.
- 10) Establishment of a bed and breakfast
- 11) 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, it is appropriate for the application to be elevated to the Planning Board.

Section 7.10 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 7.11 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.