



Site Plan Review Regulations

Milton, New Hampshire

Adopted by the Planning Board
February 21, 1995

Revisions

August 7, 2007

August 7, 2012

December 6, 2016

April 17, 2018

February 16, 2021

May 3, 2022

SITE PLAN REVIEW REGULATIONS MILTON, NEW HAMPSHIRE

1. Authority

Pursuant to the authority vested in the Milton Planning Board by the voters of the Town of Milton on March 12, 1994, in accordance with chapter 674:43 & 44 of the New Hampshire Revised Statutes Annotated, the Milton Planning Board adopts the following Regulations for the Submission of Site Plans for Review under Non-Residential or Multi-Family Site Plan Review procedure.

No development, material change in use or material expansion of existing use for non-residential properties, or for multi-family dwelling units other than one or two family dwellings, whether or not such development, change in use or expansion and/or intensification of existing use include a subdivision or re- subdivision of the site shall be established, nor shall any building (including its footprint) or other structure be erected, expanded or enlarged and no area for parking, loading, vehicle services or driveway access, shall be established, expanded or changed except in conformity with a Site Plan approved by the Planning Board .

No tree cutting or site work shall occur in advance of site plan review; such activity shall only occur after final approval by the Planning Board.

2. Purpose

The intent of these Site Plan Review Regulations is to protect the public health, safety and welfare; to ensure the adequacy of traffic access, circulation and parking; to ensure the provision of adequate buffers, landscaping and screening to protect adjoining properties against any possible detrimental or offensive uses on the site, including but not limited to, unsightly or obnoxious appearance, smoke, and noise; and to protect against adverse environmental impacts from a proposed development , including inadequate sewage disposal, refuse and other waste and/or inadequate surface drainage.

These Regulations recognize that certain developments and uses of land, because of their complexity, size or possible impact, may adversely affect the public health, safety and welfare unless careful consideration has been given to certain critical design elements. It is the intent of these regulations to provide a vehicle for the review of such critical design elements within the development subject to Site Plan Review, and to allow the Milton Planning Board to approve with or without conditions, or to disapprove, applications pursuant to these regulations.

3. Jurisdiction

A Site Plan submitted to the Planning Board for review must be in compliance with the Town of Milton Zoning Ordinance, Site Plan Regulations and any other Ordinance which pertains to the proposed development. All plans shall be prepared in accordance with these Site Plan Regulations.

Applicants, who may from time to time seek to change or amend the use of or minimally alter or expand existing non-residential or multi-family buildings or sites, may apply for site plan determination. The Planning Board may, after submittal of an executed application for site plan determination, conduct a duly noticed public hearing and grant approval to such applications without benefit of formal site plan review. For any proposal to be eligible for approval through site plan determination, the site or building to be modified or expanded must have previously received site plan approval from the Planning Board. Proposals eligible for approval through site plan determination shall be similar in nature to those involving one or more of the following activities: (1) change of use of an existing building or site from one permitted use to another permitted use; (2) additions to and/or renovations of existing structures such that the gross floor area of any existing structure does not increase by more than 10-percent or 2,000 square feet, whichever is less; (3) proposed site improvements or modifications which alter not more than 15,000 square feet of terrain or the addition of ten (10) or fewer parking spaces; and (4) other minor site plan proposals which the Planning Board may elect to consider. Larger site plan revisions, and intensification of use shall require formal site plan amendment submission to the Board.

4. Certificate of Use and Occupancy

Upon completion of construction and prior to the occupancy of the premises, a Certificate of Use and Occupancy shall be obtained from the Town Code Enforcement Officer/Building Inspector, pursuant to the State of New Hampshire Building Code, as revised from time to time, and must be in compliance with all applicable Ordinances of the Town of Milton and with any conditions set by the Milton Planning Board and/or the Zoning Board of Adjustment.

5. Site Plan Application and Review Procedure

A. Applicability

The following activities shall be subject to site plan review:

- a. Any development activity or combination of activities that, within any four (4) year period, results in the construction of the following:
 - i. 5,000 square feet or more of new gross floor area;
 - ii. 10,000 square feet or more of new impervious surface; or
 - iii. A cumulative total of 10,000 square feet or more of gross floor area and impervious surface.
- b. Construction of a multifamily development containing three (3) or more dwelling units.
- c. Changes of use that affect 5,000 square feet or more of gross floor area.
- d. Construction of accessory buildings and structures of 2,500 square feet or more of gross floor area.
- e. Any use that results in the construction of a drive-through window.
- f. Any development with a potential for regional impact.

B. Discussion/Applications Requirements

Prior to submission of an application for either site plan determination or site plan review by the Planning Board, the Applicant shall meet with the Town Planner to review initial compliance with all land use regulations, zoning and state and federal requirements and to determine permit needs and plan requirements. After this preliminary consultation and prior to formal submission, the Applicant shall meet with the Technical Review Committee (TRC). The Planner shall schedule a TRC meeting at the request of the applicant after plans have been developed to at least 60 percent design stage. Said meeting(s) shall serve to assist the Applicant in preparing a development proposal that is technically conforming to the regulations contained herein. The Technical Review Committee shall make no decisions regarding land use as their role is simply an advisory one to the Planning Board and applicant.

The Technical Review Committee (TRC) shall be comprised of the Public Works Director/Road Agent, Town Engineer (as required), Fire Chief, Police Chief, Code Enforcement Officer, and Town Planner, who shall act as chairperson. All Committee members shall have a designated alternate available in their absence.

An applicant may informally appear before the Planning Board for concept review to discuss a proposal with the Board and receive information from it on the requirements for submitted Site Plans, however, applicants must meet with the Technical Review Committee to ensure the Planning Board receives the required TRC evaluation report on technical compliance and completeness of the proposal, regardless of whether an informal review occurs or not. A "rough drawn" preliminary sketch may be submitted to the Planning Board should the applicant choose to meet informally for concept review to aid in the discussion.

An optional Design Review Phase conducted in accordance with NH RSA 674:4, II(b) may be requested by the applicant. This phase is a non-binding review of the proposal beyond conceptual which may involve more specific design and engineering details.

C. Application Procedure and Requirements

An owner or a designated agent shall file an application to the Land Use Office to be date stamped no later than thirty (30) calendar days prior to the scheduled Planning Board meeting in which the application will be heard.

The Board shall only consider a completed application which consists of the following:

- 1) A properly completed application form obtained from the Land Use Office, including eight (8) copies, and one (1) PDF copy.
- 2) An application fee payable to the Town of Milton.
- 3) Eight (8) half-size (11" x17") and three (3) full-size hard copies and one (1) PDF copy of the Site Plan and all other plans and documents required in Section 12.

D. Notification and Public Hearing Procedure

The board, before considering or taking formal action upon a Site Plan Review Application, shall hold a Public Hearing in accordance with the procedure specified in RSA 676:4, to provide an opportunity for public testimony relative to the consequences of the proposed Site Plan.

At the hearing, the applicant, any abutter or any person with a direct interest in the matter may testify in person or in writing. Other persons may testify subject to Board approval at the hearing.

The applicant and all abutters shall be notified of the hearing by certified mail, return receipt requested, stating the time and place of such hearing and a general description of the Site Plan proposal and its location before the date fixed for the hearing.

Hearing notice to the general public shall also be given at least ten (10) days before the date fixed for the hearing by posting in 2 public places in the town and by publication in a newspaper of general circulation therein.

E. Board Action on Completed Application

The Planning Board shall take no action on an Applicant's development proposal until it has received a report from the Technical Review Committee evaluating said proposal on compliance and completeness.

The Board shall consider a completed application within thirty (30) days of its submission and acknowledgment, and shall act to approve, conditionally approve, or disapprove the application within sixty-five (65) days, subject to an additional ninety (90) day extension approved by the Selectmen as provided in accordance with RSA 676:4, I. (f). Additionally, the applicant may waiver the requirement and consent to a mutually agreeable extension of the period for action.

Approval of the Final Site Plan shall be demonstrated by the issuance of a Notice of Decision and written endorsement on the plan signed by the Chairman of the Board. In case of disapproval of any part of the plan, the grounds for such disapproval shall be stated in the records of the Board and notice given to the applicant. If the Board requests modification of the plan, the applicant shall submit a revised plan showing all modifications which will become the final plat used for filing with the Town.

No Building Permits shall be issued on any plan acted upon by the Planning Board until such time as the Selectmen or their authorized agent has received a copy of the approved Site Plan, any required approval from the Zoning Board of Adjustment and the Building Permit Application.

6. Amendment of Approval

The Planning Board shall have the power to modify or amend its approval of a Site Plan on application of the owner, lessee, or mortgagee of the premises, or upon its own motion, if such power is reserved by the Board in its original approval. Any Site Plan coming before the Board for modification or amendment shall be placed on the agenda and posted in the usual manner. The Board reserves the right to require certified mail, return receipt requested, notification to abutters in which case the applicant shall then submit a list of abutter's names and addresses and letters ready for mailing. Notification shall be as set forth in these Regulations under Section 5.d.

7. Performance Bond

- A. The Planning Board may require the applicant to post a performance guarantee in the form of bond or an escrow agreement (surety) in an amount approved by the Board to guarantee that improvements

intended to insure access, adequate streets and roads, sewer and water disposal, drainage or any other requirements and conditions of the Planning Board in accordance with Site Plan Review Regulations to reduce impact upon the abutters and/or the public are performed. When an acceptable surety is required, the Town's Engineer shall calculate said surety amount for review and approval by the Board that secures for the Town the satisfactory construction and installation of required site improvements. This calculation work shall be at the expense of the applicant.

- B.** Construction and installation of required improvements must be satisfactorily executed within the imposed time constraints, or the applicant shall forfeit said surety, and it shall be used to complete and/or install said improvement in accordance with the approved site plan and Town specifications. Where an applicant is required to post a surety, it shall be posted prior to the start of any construction or improvement and prior to the issuance of a Building Permit.

8. Statute of Limitations

Planning Board approval of a Site Plan shall be valid for two (2) years from the date of approval. If substantial site work has not commenced or a Building Permit has not been issued or if a Building Permit has been issued but not substantially acted upon within a two (2) year period (which acts substantiate vesting), the Site Plan shall lapse unless a request for extension for an additional one (1) year time period is applied for by the applicant, prior to the date of lapsing. If such a request is received by the Board, the Board may, for cause, extend the valid time period of the Site Plan approval for one (1) year, one (1) time only. The applicant shall appear before the Planning Board and document that the following criteria are met:

- (1) The proposed project remains consistent with the Town's Master Plan.
- (2) Surrounding conditions (i.e., traffic flow, school capacity, utility demand) have not changed to the point of requiring reanalyzing of the proposed project.
- (3) The proposed project complies with current Town, State and Federal regulations, ordinances and statutes.
- (4) Notification of abutters shall be required of all first-time extension requests. Said notification shall be by certified mail and shall be at the expense of the applicant.

9. Fee Schedule

A Fee Schedule is available at the Land Use Office, which shall be revised from time to time.

10. General Requirements Checklist for Site Plan Submission

An application for Site Plan approval shall be accompanied by the following information and documents:

A. Base Survey

- 1) Bearings and lengths of the boundaries of the parcel.
- 2) Topography with not more than five (5) feet contour interval. At any construction site, contour interval shall be no more than two (2) feet. Proposed, finish contours shall be shown as bold, solid lines. Existing contours shall be shown as dashed lines.
- 3) Reference to established permanent benchmark based on USGS or other datum approved by the Town Planner for both vertical and horizontal plan data.
- 4) Location and names of approved roadways and rights-of-way and any easements.
- 5) Boundaries of existing natural features (rivers, lakes, wetlands, swamps, ledges, etc.)
- 6) Surface cover of total area (weeded, cleared, graveled, or paved areas.)
- 7) Any important specimen trees. Existing and proposed to remain limits of tree cover or other vegetated cover.
- 8) Any existing features on and within a minimum of fifty (50) feet of the site boundaries. If the site is located on a state highway, any existing features on and within one hundred (100) feet from the property line corners on state highway, as measured along the state highways, as applicable. Existing features include but are not limited to driveways, roads or other elements which may have an impact on the site's operations or use.

- 9) Where a change in use is being proposed, the following additional items are required:
 - a) A table showing the expected amount of change in demand for parking, water and sewer use (if utilities are available), and traffic.

B. Site Plan

- 1) Sheet size 36 x 24 with one (1) inch border on three (3) sides and two (2) inches on left edge.
- 2) Scale: 1"=20' (Preferred), however, no smaller than 1"=40'.
- 3) Title block in lower right corner giving name and location of development, scale, contour interval, survey by, design by, seal of the surveyor, seal of the engineer or architect, legend and signature of the engineer and/or surveyor.
- 4) North Arrow.
- 5) Locus - shows site in relation to surrounding portion of the town.
- 6) An intent of plan note describing the development, including the use or uses to be conducted on the lot or any changes or intensification of an existing use.

C. Site Plan Detail

All planned roads and driveways shall comply with the Town’s Subdivision Regulation standards for such roads and driveways.

- 1) Planned Roads Showing:
 - a. Complete horizontal and vertical alignment data.
 - b. Planned road width (shoulder to shoulder), include typical cross section.
 - c. Access Management. To reduce the number of conflict points for vehicles, reduce traffic congestion, and improve traffic safety along all corridors that have non-residential uses, the following table sets forth minimum standards for driveway location and spacing in all zoning districts:

	VARIABLES	ARTERIAL ROADS	COLLECTOR ROADS	LOCAL ROADS
Number of Driveways Per Lot	--	One driveway per 400 feet of road frontage or fraction thereof	One driveway per 200 feet of road frontage or fraction thereof	One driveway per 125 feet of road frontage or fraction thereof
Minimum driveway spacing from public street intersections	Posted Speed Limit			
	35 mph	310 feet	230 feet	155 feet
	40 mph	380 feet	280 feet	190 feet
	45 mph	470 feet	350 feet	230 feet
Minimum spacing between driveways	50 mph	560 feet	420 feet	275 feet
	Posted Speed Limit			
	35 mph	230 feet	185 feet	155 feet
	40 mph	280 feet	220 feet	190 feet
	45 mph	350 feet	260 feet	230 feet
	50 mph	420 feet	300 feet	275 feet

Note: The term Arterial Roads shall mean state numbered routes or state-maintained highways in the Town. (i.e. NH Rtes. 75, 153, 125 and any other state-maintained highways that may be added from time to time.) The definition of Collector and Local roads shall adhere to the standard definition contained in the AASHTO A Policy on Geometric Design of Highways and Streets, current Edition.

- 2) Spacing between public street intersections and driveways are measured from the point of

tangency of the intersecting street right-of-way to the nearest edge of the driveway where it intersects with the right-of-way line. Spacing between driveways are measured from the nearest edge of each driveway where intersecting with the street right-of-way. Existing driveways that do not meet the above standards may be retained, but the elimination of unnecessary access points is strongly encouraged. Notwithstanding the above standards, any lot of record shall be entitled to a minimum of one driveway.

- 3) In recognition of the unique circumstances of some parcels of land, the Planning Board shall have the leeway to vary the standards set forth in subsection c. above. The Planning Board may approve projects that do not conform strictly to the access standards above, provided that a finding is made by the Planning Board that safe and adequate access can be achieved. Any deviation from the standards in subsection c. above can only be considered after first receiving a written recommendation from the DPW Director/Road Agent and Town Planner.
- 4) When a non-residential zoned parcel straddles a residential zone, non-residential traffic shall be prohibited from exiting into or entering from the residential zone, unless there is no other viable option.
- 5) Incentives for Reducing the Number of Driveways in all zoning districts.
 - 1) In addition to limiting the number and location of driveways, the Town of Milton encourages shared driveways for adjacent parcels, the elimination of existing driveways, and the construction of fewer driveways than permitted in applicable code section. By limiting access points, the number of points where turning vehicles and through vehicles conflict is reduced. To provide incentives for shared driveways in all zoning districts, an incentive system has been developed.
 - 2) An applicant may increase the maximum lot coverage permitted in the Table of Dimensional Regulations referenced in the Zoning Ordinance for the commercial/residential and industrial zones by electing to use one or more of the provisions listed below. The Planning Board shall decide if the applicant complies with the provisions of the incentive system. An applicant may utilize one or more of the following voluntary provisions:
 - a) Provide shared driveway to be the sole access to the subject parcel and one or more adjacent parcels. To qualify for this incentive, the applicant shall provide appropriate easements to ensure that the shared driveway will remain in existence and will be adequately maintained.
 - b) For parcels with existing driveways, reduce either the number of separate driveways or the total width of the existing driveways (as measured at the right-of-way line) by at least fifty percent (50%) or reduce the number of driveways to one driveway of not more than thirty-two feet (32') in width.
 - c) Reduce the total numbers of driveways permitted or increase the spacing between driveways by twenty-five percent (25%) over the standards set in applicable section herein or increase the spacing between driveways and public street intersections by twenty-five percent (25%) over the standards set in applicable section herein.
 - 3) If the Planning Board finds that an applicant has complied with one or more of the voluntary provisions, the following incentives shall be granted. For each of the provisions achieved, the Planning Board shall permit a reduction of five (5) percent of the green space requirement in the Zoning Ordinance up to a maximum of ten (10) percent.
- 6) Interconnections between Parcels
 - 1) In order to reduce the number of vehicles entering and exiting arterial and collector roads, the provision of interconnecting driveways is required whenever feasible. These interconnecting

driveways or service roads are provided to allow customers and employees to move from site to site without repeatedly using higher volume roadways.

- 2) In all zoning districts, an applicant shall integrate an interconnecting driveway into the overall traffic and pedestrian circulation of the subject site. Interconnecting driveways shall be provided to access abutting parcels. If an adjacent parcel(s) is vacant, the applicant shall grant an easement for future access. The easements shall be written to ensure that the interconnection(s) will remain open and will be adequately maintained. The cross connections shall be located to encourage internal traffic between abutting properties and shall be adequately marked with directional signs. If cross connections are provided by an applicant, then the area of the cross connection shall be counted towards the total lot size of the subject site.
- 3) In recognition of the unique circumstances of some parcels of land, the Planning Board shall have the option to vary the standards set forth in subsection 6), 2) above. The Planning Board may approve projects that do not conform strictly to the interconnection standards above, provided that a finding is made by the Planning Board that the unique circumstances of the parcel make compliance unreasonable, any deviation from the standards in subsection 6), 2) above can only be considered after first receiving a written recommendation from the DPW Director/Road Agent and the Town Planner.

7) Site Development & Existing Conditions location.

- 1) Parking area, location with overall dimensions, parking method (parallel or angle) capacity, type of surface, striping, and method of calculating the required parking in accordance with the town's zoning ordinance and this regulation.
- 2) Structures and Special Facilities:
 - a. Location to Scale
 - b. Proposed finished grade elevation at foundation
 - c. Finished Floor Elevations
- 3) Finished Contours - Proposed grades shown in solid lines.
- 4) Location of proposed and existing water lines, wells, sewage lines, sewage systems, surface drainage system and utility lines, including power, telephone, high speed wireline and/or wireless data communication access infrastructure, and further, including location of source, tanks, drains, size of pipes, poles, and sewage disposal field, service areas, loading area.
- 5) Limit of lawn areas, location and type of landscape planting, existing trees to remain.
- 6) Location of walks, fences, stone walls, retaining walls and screening.
- 7) Location of signs and sign lighting.
- 8) Site lighting,
- 9) Show ingress and emergency egress, including walkways and ramps for the handicapped,
- 10) Drainage on all site plans shall be designed to adequately treat storm water runoff for a 24-hour, 50-year storm event.
- 11) Dumpster with impervious pad and suitable screening.

D. Additional Material or Information Required

- 1) For on-lot sewage systems: NHDES Approval for Construction.
- 2) For sewer district hook-up: approval from sewer district superintendent.
- 3) Proof that the proposed site plan has been submitted with the application for a Driveway Permit from NHDOT; this may be in the form of a coordination letter from NHDOT Division VI to the Town.
- 4) Approved Driveway Permit from NHDOT or the Town of Milton.
- 5) Sight distance at entrance from the center line of the street entirely within the street right-

of-way, each point to be at a height of four (4) feet above the road surface.

- 6) Traffic Impact Assessment and Analysis - All proposed Site Review applications shall be reviewed by the Technical Review Committee (TRC) and Planning Board to ascertain that adequate provisions have been made by the applicant for traffic safety. To facilitate this review, the applicant shall provide a Traffic Impact Assessment and Analysis to document existing traffic conditions in the vicinity (adjacent roadway network) of a proposed development project, to describe the volume and effect of projected traffic generated by the proposed project, and to identify measures proposed to mitigate any adverse impacts on traffic. All analyses must meet the minimum requirements of a "Standard" analysis. If any of the following thresholds apply, then an "Advanced" analysis must be completed:
- a) Trip generation exceeding 400 average daily trips or 48 peak hour trips. Peak hour is defined as any of the following:
 - i) AM peak hour (6-9 AM);
 - ii) PM peak hour (4-7 PM);
 - iii) Saturday midday peak hour (11AM-1PM); and
 - iv) Peak hour of generator for certain land uses (e.g., school, movie theater) if it falls outside the three previously listed periods. Analysis of Saturday midday peak only applies to commercial uses with retail trade.

Notwithstanding the threshold criteria above, the Town Planner may require an "Advanced" analysis because of special circumstances. The requirements for a "Standard" or an "Advanced" analysis are contained in the Policy document entitled, "Town of Milton Traffic Impact Assessment and Analysis Standards". This document is available in the Land Use Office and may be found on the Town website. Potential applicants are strongly encouraged to consult with the Town Planner early in the project design regarding the scoping of the Traffic Impact Assessment and Analysis, including consideration of the study area boundary and any special considerations for the area that the development is proposed. A draft of the Traffic Impact Assessment and Analysis shall be completed prior to the final Technical Review Committee meeting so that it can be included in the discussion. A complete version of the analysis shall be finished prior to the first meeting at which the application will be presented to the Planning Board so that Abutters and the Planning Board will have an opportunity for review.

- 7) The Planning Board may require that the applicant hire a traffic consultant to prepare a traffic impact study to determine if the development proposal will generate traffic volumes that require traffic control measures such as deceleration or acceleration lanes, adequate turning radii for driveways, or driveways designed with adequate entrance depth.

11. Design Standards and Required Improvements Checklist

A. Off-Street Parking and Loading - General Requirements

- 1) All developments shall make adequate provisions for off-street parking and loading facilities. The plan shall depict the striping, signage, curb stops or other means of identifying required parking spaces. Such facilities shall be designed to ensure the orderly flow of traffic on the site. The design shall also minimize the impact of intrusive elements of parking and loading such as noise, dust, and glare upon neighboring properties and land uses.
- 2) Whenever an existing use is expanded or changed to a new use, parking and/or loading facilities shall be provided for such new use.
- 3) Every development shall provide an area for parking and loading on the site which is properly drained.

- 4) All developments shall provide for parking and loading to be situated on the same parcel of land as the primary use or structure except when off-street public parking is available. The calculations used to determine the number of parking spaces shall be shown on the plan using the Parking Table on following page in consultation with the Town Planner and the Technical Review Committee (TRC).

PARKING REGULATION TABLE*

Columns are cumulative, not exclusive.

Use	Vehicle parking spaces					Notes
	Per Unit	Per Seats	Per Employee on maximum shift	Per bed	Per Square footage	
Adult Day Care			1			plus 5 visitor spaces per employee
Auditorium		0.25				
Auto Retail					300	
Bar/Nightclub		1				plus eating and drinking reqmnt.
Bed and Breakfast				1		
Car dealership					1000	sf is for the total developed area of the lot
Carpet retailer					600	
Childcare			1			plus 1 per 3 children at maximum capacity
Church		0.25				
Congregate Care Facility Apartment style	1		1			
Congregate Care Facility Nursing home style	2		1			
Eating and Drinking Establishment		0.5	1		200	gross floor area /alternative)
Education Institution (9-12, College)			1			plus 1 per 6 students at maximum capacity
Education Institution (K-8)		0.2	1			per seat calc. by largest assembly room
Elderly Assisted Care Home			1	2		
Funeral Home						8 spaces per chapel, 10 spaces minimum
Furniture dealer					600	
Gasoline Service			1		250	plus 1 space per pump
General Office					325	
General Retail					250	net floor area
Grocery Store					200	net floor area
Group Home			1	0.5		

Use	Per Unit	Per Seats	Per Employee on maximum shift	Per bed	Per Square footage	Notes
Hardware store					600	
Hospital				0.5		
Hotel/Motel				1	400	SF is added if public space is included
Laundry					300	
Manufacturing					500	
Medical/ dental office			1		200	
Municipal Building>:					400	
Museum			1		250	public floor area
Nursing Home	1		1	0.5		
Personal Service Establishment					300	
Pharmacy					200	net floor area
Professional office			1		300	gross floor area
Real Estate					300	
Recreation (commercial or public)					300	
Residential (1 or 2 units)	2					
Residential (3 or more units)	3					plus 1 space per bedroom over 2 bedrooms
Rooming House				1		
Self-storage	0.1		1			
Shopping plaza/center					200	gross leasable space
Theater		0.25				
Wholesale Distribution					800	

* = If a use is not listed, the Town Planner shall determine the use, Mixed Uses shall be the sum of all uses

- 5) There shall be adequate parking for the handicapped in accordance with the provisions contained in the Americans with Disabilities Act.
- 6) Consideration shall be made for the plowing and storage or removal of snow during the winter months.
- 7) Parking lots shall be designed to avoid vehicles backing into the street.
- 8) Parking lots and driveway entrances for non-residential uses shall be designed to prevent vehicles on the roadway from queuing up while waiting to access the site.

B. Signs

- 1) All development proposals shall submit designs for all signage. The size and location of existing signs shall be noted on the plan.
- 2) Sign size, type, location, height, and illumination shall conform to the Milton Zoning Ordinance.

- 3) Any sign which refers to a discontinued commercial use shall be removed, pursuant to the Zoning Ordinance of the Town of Milton.
- 4) All signs shall be maintained in good condition and in good repair at all times.

C. Landscaping

- 1) All landscaping shall be maintained and cared for including mowing and pruning where necessary, and shall be kept free from disease, pests, weeds, and refuse. In general, landscape plans should incorporate plants of varying varieties, heights, widths, and types.
- 2) When greenspace is proposed to be changed, a Landscape Plan shall be submitted which shall include:
 - a.) The location (present and future), size and type, including common names of all new plant material, to be installed.
 - b.) The location of all existing plant material, to be retained on the site.
 - c.) The location, width and material of all walkways, pathways, and handicapped access.
 - d.) The location, type material and dimensions of all fences, walls, and outdoor recreation facilities.
- 3) Selective tree and/or shrub plantings may be required in established buffer areas or other areas as determined by the board. Buffers of only wood chips or crushed stone shall not be considered acceptable, where green areas are required.
- 4) A landscaped buffer area shall be required, or natural plant buffer area shall be retained wherever a non-residential use of the site abuts an adjacent residential parcel.
- 5) Where "screening" is required by Town regulations and ordinances or the Planning Board, plants shall be of sufficient size and type to create complete and adequate screening. Alternatively, a combination of plantings and fencing may be used to create complete and adequate screening.
- 6) Where a vegetated buffer is required by Site Plan Regulation, Zoning Ordinance, or the Planning Board, the buffer shall be natural or landscaped, and shall comply with the requirements of this section.
- 7) Landscaping Standards. Plants used in landscapes shall be:
 - a.) Drought tolerant
 - b.) Adapted to cold weather and our planting zone
 - c.) Native or naturalized
 - d.) Noninvasive and not destructive to native plants
 - e.) Strong wooded and not brittle; and
 - f.) Alive and in good condition at the time of planting

D. Building Design and Layout

- 1) All construction subject to these regulations shall be designed to provide for the architecturally consistent, harmonious, and aesthetically pleasing development of Milton. The Planning Board shall determine whether applications meet the requirements of the regulations.
- 2) Recognizing that every property is unique, the Planning Board shall allow some

flexibility of styles, however in all cases designs shall be consistent with traditional community character and neighborhood context.

- 3) The Board shall determine whether the design and layout of the building(s) on the site, including, but not limited to scale and mass, roof design, and the building(s)' proportions are consistent with the intent of these regulations.
- 4) The following design elements are required:
 - a. All roofs shall be pitched or gabled.
 - b. External building materials shall have an appearance of natural wood, brick or stone. Exposed cinder block, corrugated steel, aluminum, sheet plastic, sheet metal or sheet fiberglass materials shall not be allowed as external siding materials.
 - c. Architectural details shall be in proportion to the building.
 - d. Subtle, neutral colors shall be used on larger, plain buildings. Bright colors shall not be allowed.
- 5) An accurate rendering or elevation views (to scale) of what the exterior of the structure will look like shall be submitted as part of the site plan review application.

The foregoing design elements may be waived in whole or in part by the Board for written, justified cause provided by the applicant as part of the application. The Board shall, in consideration of said waivers, offer justification of their decision for the record that addresses special circumstances where strict conformity would cause undue hardship or injustice to the owner and that the general spirit, intent, and purpose of these regulations will not be adversely or substantially affected or harmed, and that the welfare of the citizens of Milton will be substantially served and not adversely affected.

- 6) For subdivisions 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 development 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:
 - (i) All such proposals are consistent with the need to minimize flood damage.
 - (ii) All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and,
 - (iii) Adequate drainage is provided so as to reduce exposure to flood hazards.

E. Internet Access Design and Layout

- 1) All new commercial developments shall design, layout and install underground conduits or reserve space on specialty and/or utility poles for

high speed wireline and/or wireless data communication access infrastructure.

F. Reserved

- 1) Reserved.

12. Documentation

A. Applications for Site Plan approval shall include the following documentation:

- 1) A statement describing the development, including the use or uses to be conducted on the lot or any changes of an existing use.
- 2) If the development is to be staged or phased, a description of the project in terms of such stages which is consistent with said phases depicted on the site plans.
- 3) Deeds of easements and rights-of-way.
- 4) Covenants or restrictions that are intended to cover all or part of the land area to be developed.
- 5) Articles of Incorporation of a Landowner's Association and the Bylaws of the Associations.
- 6) If applicable, the Condominium Declaration, as it has been prepared for submittal to the State of New Hampshire Attorney General's Office.
- 7) An electronic file in .pdf form of the site plan, application and materials shall be submitted at time of application submittal.

13. Administration

A. Enforcement

The Planning Board shall have the power to modify or amend its approval of a Site Plan on application of the owner, lessee, mortgagee of the premises, or upon its own motion if such power is reserved by the Board in its original approval.

Further, if the Planning Board finds that any of the conditions of an Approved Final Site Plan application are violated, the Planning Board shall give notice to the owner to make such corrections as it deems necessary to bring the site into compliance with the conditions of such approval. For violations that are structural or infrastructural, an owner shall comply with such notice within a period of time extending not more than sixty (60) days from the original violation notice.

For violations that are not structural or infrastructural, the owner shall comply within 7 days of the violation notice.

All notices of violations shall be by Certified Mail, return receipt requested.

Where the owner fails to conform to the notice and order of the Planning Board, the Board may, through its authorized agent, impose all fines and penalties available to it through statutes and local ordinances in addition to other legal or equitable remedy as may be afforded through appropriate legal action.

For any repeated offense the Board may, through its authorized agent, immediately upon notification of the repeated offense impose all fines and penalties available to it through statutes and local ordinances in addition to other legal or equitable remedy as may be afforded through appropriate legal action.

B. Waivers

When, in the judgment of the Planning Board, special circumstances exist where strict conformity with any specific requirements of these regulations would cause undue hardship or injustice to the owner of the land to be developed and being reviewed, and where the review procedures have been in general conformity with these regulations and provided the general spirit, intent, and purpose of these regulations will not be adversely or substantially affected or harmed, and further provided that the public convenience and welfare of the citizens of Milton will be substantially served and not adversely affected, the Planning Board may waive or modify such specific requirements of these regulations.

In approving waivers, the Planning Board may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements of these regulations.

A petition for any waiver shall be submitted in writing by the applicant when the application is filed for the consideration of the Planning Board. The petition shall state fully the grounds for the waiver and all the facts relied upon by the petitioner.

C. Site Inspection

The Board and/or its designated agent shall conduct a Site Inspection for determining natural/built-up conditions of the site and to review the layout of the proposed improvements. All site improvements shall be constructed and/or installed within a period of time mutually agreed upon by the applicant and the Planning Board, unless such time is extended by written mutual consent of the Planning Board and the applicant. Such improvements shall not be considered complete until officially inspected and approved by the Town Engineer (as appropriate), Town Planner, Fire Chief, Police Chief and DPW Director/Road Agent or accepted by the Planning Board, as appropriate, and a Certificate of Completion is issued.

D. Special Investigative Studies

Pursuant to RSA 674:44 it shall be the responsibility of the developer, if the Board deems it necessary, to pay reasonable fees for the review of documents, the cost of Special Investigative Studies, Board Administrative Fees and other matters which may be required for specific applications.

E. Procedure for Applications Requiring the Zoning Board of Adjustment Action

An applicant who is proposing to develop, make a change in use, expand an existing use or construct and/or operate a facility which requires a Special Exception or Variance from the Zoning Ordinance shall be required to submit applications to the Milton Planning Board for a Site Plan Review, preferably subsequent to obtaining any required variance relief or special exception from the Zoning Board of Adjustment (ZBA). The applicant may, however, apply to the Planning Board either concurrently or prior to obtaining approvals from the ZBA

or other Boards with the understanding that any approvals from the Planning Board

shall be conditional on receiving said required approvals from said Boards with jurisdiction.

F. Final Approval

1) All approvals are subject to completion of Conditions of Approval if any exist. No Occupancy Permits will be issued by the Building Inspector/Code Enforcement Officer until all subsequent conditions are satisfied, including submission of an as-built plan, unless otherwise permitted in the Notice of Decision.

2) Approved site plans shall be protected from future amendments in regulations and ordinances in accordance with RSA 674:39. In order to be protected under RSA 674:39, the owner shall have completed active and substantial development, which is defined as the construction of basic infrastructure to support the development, including foundation walls and footings, driveway and parking lot construction to a minimum of gravel base, utilities placed in underground conduits, construction of all drainage improvements, and installation of all erosion and sediment control measures. Substantial completion shall be defined as the completion of all on-site and off-site improvements specified in the site plan approval.

3) The applicant shall submit three (3) sets of final plans and documents to the Land Use Office in hard copy form and one (1) pdf format file of the application and other written documents, along with a pdf file of the final plans in a size not to exceed five (5) Mb at time of plan submittal for signing and recording.

G. Appeals

- 1) In accordance with RSA 676:5 III, Appeals to Board of Adjustments, if in the exercise of subdivision or site plan review, the planning board makes any decision or determination which is based upon the terms of the zoning ordinance, or upon any construction, interpretation, or application of the zoning ordinance, which would be appealable to the Board of Adjustment if it had been made by the administrative officer, then such decision may be appealed to the Board of Adjustment under this Section; provided, however, that if the zoning ordinance contains an innovative land use control adopted in accordance with RSA 674:21, Innovative Land Use Controls, which delegates administration, including the granting of conditional or special use permits, to the planning board, then the planning board's decision made pursuant to that delegation cannot be appealed to the board of adjustment, but may be appealed to the superior court as provided by RSA 677:15, Court Reviews.
- 2) In accordance with RSA 677:15 I, any persons aggrieved by any decision of the planning board concerning a plat or subdivision may present to the superior court a petition, duly verified, setting forth that such decision is illegal or unreasonable in whole or in part and specifying the grounds upon which the same is claimed to be illegal or unreasonable.

14. General Definitions

A. For the purpose of these regulations, certain rules of construction apply to the text, as follows:

- a. Words used in the present tense include the future tense and the singular includes the plural unless the context indicates otherwise.
- b. The word "person" includes a corporation or firm as well as an individual.
- c. The word "structure" includes the word "building."
- d. The word "lot" includes the word "plot," "tract", or "parcel."
- e. The term "shall" shall be construed to mean mandatory and not discretionary; the word "should" shall be construed to mean highly encouraged and the word "may" shall be construed to mean permitted but not mandatory.
- f. The word "used" or "occupied" as applied to any land or structure shall be construed to include the words "intended, arranged or designed to be used or occupied."
- g. Any word or term not herein defined shall be used with a meaning of common standard use.

B. Specific Definitions. For the purposes of these regulations, the following definitions shall apply to the text, as follows:

Abutting: Having a common border with or being separated from such a common border

by a right-of-way, alley, easement, or body of water, such as a river or stream.

Access Management: Providing or managing access to land development while simultaneously preserving the flow of traffic on the surrounding road system in terms of safety, capacity, and speed.

Accessory Building: A subordinate structure detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.

Active and Substantial Development: The threshold level of work as determined by the Planning Board, with due regard for the scope and detail of a particular project, which shall constitute a sufficient level of activity being conducted for the purpose of fulfilling paragraph I of NH RSA 674:39, Four Year Exemption.

Americans with Disabilities Act (ADA): Americans with Disabilities Act of 1990; broad legislation mandating provision of access to employment, services, and the built environment to those with disabilities.

Antenna: Any exterior apparatus designed for telephonic, radio, television, personal communications (PCS), pager networks or any other communications through the sending and/or receiving of electromagnetic waves of any bandwidth.

Applicant: A person or persons submitting an application for development.

Application: The form and all accompanying documents and exhibits required of an applicant by an approving authority for development review purposes.

Approval: Recognition by the approving authority, in most cases the Planning Board, certified by written endorsement on the plan / plat, that the final submission meets the requirements of these regulations and satisfies, in the judgement of the approving authority, all criteria of good planning and design.

Approval, Conditional: Recognition by the approving authority that the plan/plat is approved, contingent on the completion of specific tasks or items required for final approval. These items shall only be administrative in nature and may be placed under time limits for completion. Until all the requirements for an approval have been met, a conditional approval does not constitute, or shall be construed as approval, either implied or granted, of the plan/plat, nor does it bind the approving authority to approval of the final plan/plat.

Arterial Road: A road whose primary function is mobility, moving people and goods over long distances quickly and efficiently.

As-Built Plan: A scaled engineering drawing depicting the actual placement of site elements on the landscape.

Berm: A mound of soil, either natural or manmade, used to obstruct views.

Best Management Practices (BMP): In the context of storm water management, a proven or accepted structural, non-structural, or vegetative measure the application of which reduces erosion, sediment or peak storm discharge, or improves the quality of storm water runoff.

Bicycle Facility: A pathway, often paved and separated from streets and sidewalks, designed to be used by bicyclists.

Buffer. The area between parcels within a zoning district or between zoning districts that shall be landscaped to provide a visual screen and to absorb noise, dirt, dust and litter, pursuant to the standards in these regulations.

Chicane: A form of curb extension that alternates from one side of the street to the other.

Choker: A barrier to traffic at the intersection of two streets in which one direction of the street is blocked, but traffic from the opposite direction is allowed to pass through.

Co-location: The use of an existing tower or an existing telecommunications facility for duplicate or multiple purposes and uses.

Color Rendering Index (CRI): A measurement of the amount of color shift that objects undergo when lighted by a light source as compared with the color of those same objects when seen under a reference light source of comparable color temperature. CRI values generally range from 0 to 100, where 100 represents incandescent light.

Collector Road: A road connecting arterial roads to local roads, whose function is divided between providing mobility and access.

Commercial Hauler: Any person who owns, operates or leases vehicles for contracting to collect or transport solid waste and/or source separated materials from residential, commercial or industrial properties.

Curb: A stone, concrete or other improved boundary usually marking the edge of the roadway or paved area.

Curb Cut: The opening along the curb line at which point vehicles may enter or leave the roadway.

Cutoff Angle: The angle formed by a line drawn from the direction of the direct light rays at the light source with respect to the vertical, beyond which no direct light is emitted.

Critical Areas: Disturbed areas of any size within 50 feet of a stream, bog, waterbody or poorly or very poorly drained soils; disturbed areas exceeding 2,000 square feet in highly erodible soils; or disturbed areas containing slope lengths exceeding 25 feet on slopes greater than 15 percent.

Deceleration Lane: Right turn lanes and tapers removing turning and slow-moving vehicles from the travel lane of the road.

Decibel: A standard unit of acoustic measurement having a zero-reference of two ten-thousandth (0.0002) microbar. Microbar is a unit of pressure measurement.

Deed Restriction: A restriction of the use of land set forth in the deed.

Development: Any construction or land construction or grading activities other than for agricultural and silvicultural practices.

Direct Light: Light emitted from the lamp, off the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Disturbed Area: An area where the natural vegetation has been removed, exposing the underlying soil, or where it has been altered by human activity.

Driveway: A private roadway providing access to a street or highway.

Dwelling Unit: A room or group of rooms located within a dwelling forming a habitable unit for one family.

Easement: A grant of one or more of the property rights by the owner to, or for the use by, the public, a corporation or another person or entity. Elevation, Building: The view of a vertical plane of one side of a building.

Erosion: The detachment and movement of soil or rock fragments by water, wind, ice or gravity. Façade, Building: The face of a building.

Farm/Farming: This term shall have the same meaning as that set forth in RSA 21:34-a, as amended.

Fill: Sand, gravel, earth or other materials of any composition whatsoever placed or deposited by humans.

Fixture: The assembly that houses a lamp or lamps, and which may include a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor, lens or diffuser lens.

Floodplain: Floodplain or flood-prone area means any land area susceptible to being inundated by water from any source.

Forced Turns: A form of traffic island that prevents traffic from executing specific movements at an intersection.

Frontage: The length of any one property line of a premises which abuts a legally accessible street right- of way.

Flood or Spot Luminaire: Any light fixture or lamp that incorporates a reflector or refractor to concentrate the light output into a directed beam in a particular direction.

Full-Cutoff (FCO): A light fixture with a shield such that all its light output is aimed below horizontal to the ground. Full cutoff fixtures cutoff all upward transmission of light.

Glare: Light emitted from a luminaire with an intensity great enough to produce annoyance, discomfort or a reduction in a viewer's ability to see.

Hazardous Waste: Any refuse, sludge, or other waste material or combination of in a solid, semi-solid, liquid or contained gaseous form which because of its quantity, concentration, chemical, physical, or infectious characteristics may: 1) cause or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or 2) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed. Categories of hazardous waste material include, but are not limited to: explosives, flammables, oxidizers, poisons, irritants and corrosives. Hazardous waste material as defined by the Atomic Energy Act of 1954, as amended.

Height of Luminaire: The vertical distance from the finished grade of the ground directly below to the lowest direct light emitting part of the luminaire.

Highly Erodible Soils: Any soil with an erodibility class (K factor) greater than or equal to 0.43 in any layer as found in Table 3-1 of the Storm Water Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire.

IESNA: Illuminating Engineering Society of North America. An organization that recommends standards for the lighting industry.

Impervious Surface: Any material that substantially reduces or prevents the infiltration of storm water into the soil. Impervious surfaces include but are not limited to roofs, patios, balconies, decks, streets, driveways, parking areas, sidewalks and any concrete, stone, brick, asphalt or compacted gravel surface.

Indirect Light: Direct light that has been reflected off other surfaces not part of the luminaire. Lamp: The component of a luminaire that produces the actual light.

Light Pollution: Night-sky brightness (sky glow) caused by the scattering of light in the atmosphere. Sources include light projected above the horizontal plane or light reflected from illuminated sources such as roadways.

Light Trespass: The shining of direct light produced by a luminaire beyond the boundaries of the lot or parcel on which it is located.

Local Road: A road whose primary function is to provide access to adjacent development.

Locus Map: A map depicting the location of the subject site, subdivision or location within a larger geographic area, such as a neighborhood, municipality or region, for the purpose of identifying the relative location.

Lot: A parcel of land occupied, or intended to be occupied, by a building and its accessory buildings, or by group dwellings and their accessory buildings, or by group dwellings and their accessory buildings together with such open spaces as are required, having at least the minimum area required for a lot in the zoning district in which such lot is located and having adequate principal frontage on a public street.

Lumen: A measure of light energy generated by a light source. One-foot candle is one lumen per square foot. For purposes of these regulations, the lumen output shall be the initial lumen output of a lamp, as rated by the manufacturer.

Luminaire: A complete lighting system, including a lamp or lamps and a fixture.

Median: A barrier placed between lanes of traffic flowing in opposite directions or between parking spaces.

Multifamily Structure: A building containing three or more dwelling units, including units that are located one over the other.

Noise: A loud and/or unwanted sound. [See Sound]

Nonresidential Use of Land: Any use of land excluding uses that are solely for residential purposes. **Nuisance:** A use of property or course of conduct that interferes with the legal rights of others by causing damage, annoyance or inconvenience.

Odor: The property or quality of a thing that affects, stimulates, or is perceived by the sense of smell. The perception experience when one or more chemicals come in contact with the olfactory nerves and stimulate the olfactory nerve.

Off-Street Loading: Designated areas located adjacent to buildings where trucks may load and unload cargo.

Off-Street Parking Space: A temporary storage area for a motor vehicle that is directly accessible to an access aisle and that is not located on a dedicated street right-of-way.

On-Street Parking Space: A temporary storage area for a motor vehicle that is located on a dedicated street right-of-way.

Parking Aisle: The area of a parking lot that allows motor vehicles ingress and egress from the driveways or streets.

Parking Lot: An outdoor area where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking.

Parking Space: A temporary storage area for a motor vehicle.

Pedestrian: A person traveling on foot; a walker. A person operating a pushcart; a person riding on, or pulling a coaster wagon, sled, scooter, tricycle, bicycle with wheels less than 14 inches

in diameter, or a similar conveyance, or on roller skates, skateboard, wheelchair, or a baby in a carriage.

Pedestrian District: Districts characterized by dense mixed-use development with a concentration of pedestrian-generating activities. Improvements in the right-of-way provide for the ease of pedestrian movement using appropriate design treatments.

Permit: Written governmental permission issued by an authorized official, empowering the holder thereof to do some act not forbidden by law but not allowed without such authorization.

Plat: 1) a map showing actual or planned features, such as streets and building lots; or 2) a map of a town/city, section or subdivision indicating the location and boundaries of individual properties.

Project Area: The area within the subdivision or site plan boundaries.

Protected Parking: A landscaped island projecting out from the curb, separating parking bays from other uses.

Right-of-way: An easement held by the municipality or the state over land owned by the adjacent property owners that allows the holder to exercise control over the surface and above and below the ground of the right-of-way. Property owners are typically responsible for the construction of transportation improvements adjacent to their property. The municipality or the state maintains the street, while the property owner is responsible for maintaining the sidewalk.

Road: See STREET.

Road Undulations: Raised humps in the paved surface of a street that extend across the driveway.

Roundabout: An intersection control measure composed of a circular, raised, center island with deflecting islands on the intersecting streets to direct traffic movement around the circle. Roundabouts shall meet the design requirements of FHWA, Roundabouts: An Informational Guide, publication #FHWA RD-00-067, 2001 or its successors.

Rumble Strips: Patterned sections of rough pavement or cobblestone strips across a street that cause a slight vibration in a motor vehicle.

Scaled Plan: A plan, not necessarily prepared by a professional engineer or surveyor, usually at a scale of 1" = 40' or 1" = 50', that shows sufficient detail to enable the Planning Board to review such plans according to the provisions of Section 3.3.1. A pre-existing septic design or subdivision plan may be deemed appropriate for this review, or the reviewing body may require additional information to be placed on such plans to enable sufficient and detailed review.

Sediment: Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

Setback: The distance between any building and the lot line on a parcel of land. Typically described as front, side and rear setback.

Semi-Diverter: A barrier to traffic at the intersection of two streets in which one direction of the street is blocked, but traffic from the opposite direction is allowed to pass through.

Sidewalk: An improved facility intended to provide for pedestrian movement; usually, but not always, located in the public right-of-way adjacent to a roadway. Typically constructed of concrete.

Sidewalk Corridor: The portion of the pedestrian system from the edge of the roadway to

the edge of the right-of-way, generally along the sides of streets, between street corners. The sidewalk corridor functions to provide an environment for walking that is separated from vehicle movement.

Site Specific Soil Mapping Standards: Soil mapping standards consistent with the National Cooperative Soil Survey Standards, acceptable to the New Hampshire Department of Environmental Services under authority of RSA 485-A.

Solid Waste: Garbage, refuse, demolition waste, sludge from a water supply treatment plant or air contaminant treatment facility and other discarded waste materials and sludges, in solid, semi-solid, liquid or contained gaseous form, resulting from industrial, commercial, mining and agricultural operations and from community activities. It does not include hazardous waste, animal waste used as fertilizer, earthen fill, boulders, rock, sewage sludge, solids or dissolved material in domestic sewage or resources, such as silt. It does not include dissolved or suspended solids in industrial wastewater effluents or discharges which are point sources subject to permits under Section 402 of the Federal Waste Pollution Control Act, as amended. It also does not include source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended.

Solid Waste Storage: The holding of solid waste near the point of generation.

Sound: An oscillation in pressure, partial velocity or other physical parameter in a medium with internal forces that cause compression and refraction of the medium.

Sound Level Meter: An instrument, including a microphone, an amplifier, an output meter and frequency weighting networks, used for the measurement of sound in a specified manner and calibrated in decibels.

Special Exception: A use permitted in a particular zoning district upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of the use as specified in the zoning ordinance and authorized by the Zoning Board of Adjustment.

Stabilized: When the soil erosion rate approaches that of undisturbed soils. Soils which are disturbed will be considered protected when covered with a healthy, mature growth of grass or a good covering of hay or straw mulch (2 tons/acre). Mulch is only a temporary measure; ultimately, the site needs vegetation.

Storm water Runoff: The water from precipitation that is not absorbed, evaporated, or otherwise stored within the contributing drainage area. **Stream:** Areas of flowing water occurring for sufficient time to develop and maintain defined channels but may not flow during dry portions of the year. Includes but is not limited to all perennial and intermittent streams located on U.S. Geological Survey Maps.

Street: Any vehicular way that is: 1) an existing state or municipal roadway; 2) shown upon a plat approved pursuant to law; or 3) approved by other official action; including rights-of-way, whether improved or unimproved.

“T” Intersection: An at-grade intersection where one of the intersecting legs is perpendicular to the other two.

Tax Map: The recorded map of delineated lots or tracts in a municipality showing boundaries, bearings, sizes, and dimensions, including the sheet and lot number.

Telecommunications Facility: Any structure, antenna, tower, or device that provides commercial mobile wireless services, unlicensed wireless services, cellular phone services, specialized mobile radio communications (SMR) and personal communications services (PCS), and common carrier wireless exchange access services.

Temporary Decorative Lighting: The specific illumination of an outside area or object by

any man-made device located outdoors that produces light by any means for a period of less than 30 days, with at least 180 days passing before being used again. All seasonal and temporary lighting should be rated less than 1,800 lumens.

Tower: A structure that is designed and constructed primarily for supporting one or more antennas, including self-supported lattice towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures, and the like.

Traffic Study: A traffic impact study to determine the effect of a proposed development, both on and off site, and propose appropriate mitigation measures.

Traffic Calming: Methods for slowing traffic to prevent conflicts with pedestrians, bicycles and other slow-moving vehicles.

Variance: Permission to depart from the literal requirements of a zoning ordinance as granted by the Zoning Board of Adjustment.

Waiver: Permission to depart from the requirements of a regulation with respect to submission of required documents or specific actions required.

Walkway: A pedestrian facility, whether in the public right-of-way or on private property, which is provided for the benefit and use of the public.

Wetland: An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that, under normal circumstances, does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

15. Design & Construction Standards

A. Vehicular Circulation Standards

1) **General Provisions.** All site plans shall portray the design of all streets and driveways that provide access to roadways within the municipality, unless otherwise specified. All site plans shall adhere to the specifications and guidelines set forth in Section 5.0 of these regulations. The Planning Board may require that work involving areas of special sensitivity or significance be conducted by a traffic Engineer.

2) **Street Impact.** The applicant is responsible for assessing the impact of the proposed development on street systems and shall be responsible for any associated improvements. If the Planning Board deems it necessary, the applicant shall undertake to improve, repair, or reconstruct such street systems. If the Planning Board requires such actions, the applicant shall be responsible only for the degree of improvement necessary to mitigate the impact of the proposed development.

3) **Performance.** The internal network of streets and driveways shall not be wider than needed to accommodate demonstrated traffic demand. Each street or driveway's design shall be based on its anticipated role within the development and the municipality. The internal network of streets and driveways shall be designed to permit the safe, efficient, and orderly movement of traffic; to meet, but not exceed, the needs of the present and future population served; to have a simple and logical pattern; to respect natural features and topography; and to present an attractive streetscape.

4) **General Street and Driveway Design.**

a. **Street Classification.** The size and design needs of new streets shall be based upon the projected number of vehicles they are to carry. All streets shall be classified in the site plan review process according to the functional street classification defined by the American Association of State Highway and

Transportation Officials (AASHTO) “Green Book,” A Policy on Geometric Design of Highways and Streets.

b. Design and Dedication Standards. Streets intended for public dedication shall satisfy the Street Standards found in the Milton Subdivision Regulations. Driveways shall satisfy the Driveway Standards found in the Milton Subdivision Regulations & the Milton Driveway Regulations. Where street design criteria are not provided, then streets shall be designed in accordance with the American Association of State Highway and Transportation Officials (AASHTO) “Green Book,” A Policy on Geometric Design of Highways and Streets. The Fire Chief and Town/City Engineer shall review the design of all streets and driveways prior to final approval by the Planning Board.

c. Travel Lanes. All streets and driveways shall only have turn lanes, deceleration lanes or more than one travel lane in each direction if it can be demonstrated, through a traffic model or study conducted by a Traffic Engineer, that more than temporary congestion is anticipated. Where a total of four or more lanes are planned, planted medians shall be utilized to reduce the visual impact of pavement.

d. Conservation of Scenic Features. The internal network of streets and driveways shall conserve scenic features, including but not limited to mature trees, stone walls and riparian vegetation.

e. Multi-Modal Transportation. The internal network of streets and driveways shall provide for the smooth, safe, convenient, and functional movement of all modes of transportation, including vehicles, public transit, bikes, and pedestrians. Priority shall be given to pedestrian circulation. Conflicts between pedestrians, bicycles and vehicles shall be minimized. Separation of systems shall be created through design elements such as changes in grade, materials, screens, and structures. All retail establishments, restaurants, banks, and service businesses which offer drive-through facilities shall be equipped with a designated drive through lane for each individual window or piece of equipment intended to serve drive through patrons. Each lane shall be at least 11-feet in pavement width, be striped and signed properly for the intended use and shall accommodate a minimum of six passenger sized vehicles without blockage of site circulation drives and parking spaces outside of the drive through area.

f. Construction Requirements. All streets and driveways shall be built according to the approved site plan, as determined by the Town/City Engineer, prior to the issuance of a building permit for any portion of the development.

g. Applicants for non-residential and multi-family sites accessed from public streets under the jurisdiction of the New Hampshire Department of Transportation (NHDOT) shall be required to obtain a valid NHDOT driveway permit prior to final approval for such development. In cases where a proposed non-residential or multifamily site is to be accessed from a public street under the jurisdiction of the Town of Milton, the applicant shall be required to obtain a local driveway permit from the Town of Milton Road Agent as part of site plan review.

h. All private streets, and access drives to non-residential and multi-family sites shall be afforded sight distance sufficient to fulfill the requirements of Section IV-B (4) (b) (6) of the Milton Subdivision Regulations.

B. Parking Standards

1) Parking Provision. Parking spaces shall be provided in accordance with the minimum and maximum parking provision standards found in the Parking Regulation Table in this regulation whenever any new use is established. Any use not referred to or listed shall provide parking as recommended by the Town Planner and required by the Planning Board.

2) Shared Parking Provision. Parking provision for any combination of uses on the same site shall consider the opportunity for combined visits (i.e. one parking space in front of a gas station pump may count as one parking space for both the convenience store and the gas station in a

combined gas station/convenience store development). Shared parking arrangements with adjoining nonresidential developments or other uses on site are encouraged. Off-site shared parking shall be protected with a shared parking easement agreement which shall be reviewed and approved by the Planning Board and recorded with the approved site plan.

3) On-Street Parking. A maximum of 20% percent of the minimum parking requirement may be provided by on-street parking when such parking is provided within 400 feet of the proposed development. A parking study outlining the ability of on-street parking to accommodate the proposed development shall be submitted to the Planning Board for approval.

4) Dimensional Requirements.

a) Spaces shall be 9 feet x 18 feet, exclusive of drive aisle width. A maximum of 25% of the required parking spaces are encouraged to be compact car spaces. Compact car spaces shall be 9 feet x 17 feet, exclusive of drive aisle width.

b) Drive aisle width shall be 24 feet minimum, 26 feet maximum (either one or two- way circulation) for 90° (perpendicular) parking. Aisle width shall be 12 feet minimum, 14 feet maximum (one-way circulation only) for 0° (parallel) parking. When any combination of these types of parking is used, facing the same aisle, the more restrictive drive aisle width requirement shall apply.

5) Parking Lot Location.

a) Parking shall be located within 400 feet of the principal use and connected to the principal use by a five (5) foot wide pedestrian path.

b) Parking shall not be permitted in any required setback or between the principal structure and a public street, including corner lots. Parking shall be located to the side or rear of the principal structure. The Planning Board may waive this requirement in situations where lot configuration or use renders such parking lot location impractical, however, effort shall be made to locate parking to the side or rear of buildings. The maximum parking provision, shared parking, on-street parking, and compact space allowances reduce the amount of impervious surface.

c) Side yard parking shall be limited to a single row of vehicles.

6) Parking Lot Design Criteria.

a) To ensure safe pedestrian circulation, angle parking shall not be permitted except in a village area where angle parking is the previously accepted practice. Only 0- degree (perpendicular) or 90-degree (parallel) parking spaces shall be provided.

b) A minimum eight (8) foot wide planting median shall be provided between adjacent rows of parking. One (1) shade tree shall be provided per each forty (40) feet length of planting median. The maximum number of continuous parking spaces permitted shall be eight (8). A minimum ten (10) foot wide landscape island shall be provided to break up continuous parking areas. Each landscape island shall contain a minimum of one (1) shade tree.

c) The purpose of locating the parking lot to the rear and/or side of the principal structure is to avoid the “sea of parking” look common to many new commercial developments. This provision ensures that the building is the focal point of the development and allows for better pedestrian access from the street and a longer throat length (driveway length) to facilitate access.

d) Parking to the rear and the side allows for full emergency service vehicle access to the entire structure, as access to the front of the structure is from the roadway.

e) Parking lot location is especially important in historic rural town centers, as most buildings are traditionally facing the street.

f) One shrub per 200 square feet of paved parking and access drive area shall be provided within the planting median and landscape islands. At least 40% of such shrubs shall be evergreen.

g) A minimum 5-foot wide pedestrian path shall be provided

throughout the site, connecting adjacent streets, sidewalks, and parking area(s) to the entrances of all structures. Pedestrian paths shall be marked by accent strips of brick, concrete block, or textured paving materials to define pedestrian walkways and crosswalks. Pedestrian paths may be incorporated with accessible routes as required by the Americans with Disabilities Act, as amended.

h) Parking areas shall be screened from view using landforms, vegetation and/or fences of a design in keeping with the surrounding area.

i) Islands with trees or landscaped basins should be added to visually breakup large areas of asphalt. The beds should be below the parking lot grade to capture the rainwater. This will add water for the plants and help groundwater recharge. For small rural parking lots, such landscaping standards may be unnecessary, especially where existing trees surrounding the site are preserved as a landscape buffer.

j) A pedestrian path through the parking lot provides safe and attractive route to a commercial development.

k) Where feasible, pervious parking surfaces shall be employed as an alternative to impervious asphalt or concrete for parking areas. Pervious paving areas can be used to facilitate groundwater recharge and reduce the need for curbs and gutters as drainage features.

C. Landscaping Standards

1) Purpose. The intent of landscaping regulations is to achieve a high-quality site appearance, to assure design compatibility, to direct character and form, to conserve water, and to enhance the overall value of the community. The purpose of specific provisions contained in these regulations is to:

- a) Enhance the aesthetics of nonresidential and multifamily developments
- b) Create a pedestrian-friendly environment
- c) Break up the mass of buildings and impervious areas
- d) Soften architectural and structural materials
- e) Provide screening of service structures (dumpsters, etc.)
- f) Enhance the public or private streetscape
- g) Provide visual and climatic relief from broad expanses of pavement and define areas for pedestrian and vehicular circulation
- h) Control airborne particulates such as soot and dirt
- i) Provide buffers between incompatible land-uses or sites
- j) Retain as much of the original vegetation as possible and incorporate into site design
- k) Encourage preservation and enhancement of community character

2) Landscaping Plan. A landscaping plan shall be submitted with each application for site plan review showing existing and proposed features, and the locations of all plant materials. A plant schedule shall accompany the plan, indicating the botanical and common names, size, quantity, and description for all proposed plants. Existing trees, shrubs, and plant beds to be retained shall be described. Landscape plans shall incorporate water conservation planting techniques and hardy plant materials. The landscaping plan shall incorporate the following:

- a) All setbacks and areas of open space as required by the Zoning Ordinance shall retain existing natural features or be landscaped as required by this Section. Natural features and existing native vegetation should be retained where possible.
- b) Existing non-native invasive plants (including grasses, shrubs, and trees) shall be removed and destroyed.

- c) Existing healthy mature native trees (6" caliper or greater) shall be retained as practical and incorporated into the overall landscape plan.
- d) No loam or other topsoil shall be removed from the site as part of site development. Topsoil shall be appropriately stockpiled and stabilized for redistribution within new planting areas.
- e) Existing topography shall be maintained wherever feasible. Those areas that shall be disturbed shall be replaced with a minimum of 4" of suitable topsoil either from the stockpile or off-site and then be replanted with grass seed, sod or other vegetative groundcover.
- f) Revegetated areas shall be replanted with hardy native species appropriate to the site.
- g) Dead vegetation shall be promptly replaced, based on standard seasonal planting practices with healthy living plants in all required landscape areas. All planting areas shall be landscaped with a combination of climate tolerant plant material and protective ground cover. Bare soil is not permitted.
- h) All proposed plantings shall be appropriate for the soils, weather and environmental conditions of the site. Attention shall be paid to potential road salt and other deicing chemicals. Plant materials shall be of specimen quality conforming to the American Standards for Nursery Stock (ANSI Z60.1-1980 or later revision) and shall be guaranteed for at least one and one-half years.
- i) Side slopes shall not exceed thirty-three (33) percent (3:1 slope), and shall be appropriately stabilized with loam and seed, hydroseed, sod, ground cover or mulching materials.
- j) Existing landscaping, trees and planting materials to be retained shall be protected as necessary during construction to avoid damage.
- k) Tree wells over 6 inches deep or other landscape features that have the potential to present a falling hazard to the public shall have grates, fences or other protective measures installed.
- l) All trees where required shall be welled and protected against change of grade. m. A minimum of twenty (20%) percent of land shall remain in its natural state or be maintained as appropriately landscaped area. Undisturbed wooded areas may be included in this calculation.

3) Planting Requirements. The purpose of planting requirements is to enhance the long-term survival prospects of the plant materials used in site landscaping. These standards are also meant to ensure that the benefits of site landscaping (buffering, aesthetic enhancement, erosion control, etc.) are realized as early after planting as possible. The following standards for planting requirements shall apply:

- a) Planting holes for trees shall be at least two to three times the width of the rootball and shall be no deeper than the container. Shrubs shall have a planting hole three to five times the width of the rootball and shall not be deeper than the rootball itself.
- b) Evergreen trees shall be hardy with a minimum 6-foot height at planting, full and well branched, unless otherwise specified by the guidelines. Evergreen trees are typically planted in groups of a minimum of three trees, diagonally spaced according to the species requirements.
- c) Evergreen shrubs shall be a minimum of 2½ feet high at planting, full and well branched, unless otherwise specified by the guidelines.
- d) Deciduous or flowering shrubs shall be planted at 3½ foot height, full and well branched, unless otherwise specified by the guidelines.
- e) Ground cover shall be a low growing plant, other than turf or grass, which forms a continuous cover over the ground surface.
- f) All local and state requirements for setbacks and sight distance shall take precedence for selection and placement of landscaping features, as applicable. g. Plant materials shall be massed for maximum effect.
- g) Front yard landscaping area may contain any of the following:

- i) Public utility easements and open surface drainage easements shall not occupy more than thirty (30) percent of the required landscape area.
 - ii) Mechanical installations may be used, if they do not encroach more than five (5) feet into the required landscape area. Such equipment shall be 100% screened with landscape material from any view from a public right-of-way, pedestrian walkway, or off-site area requiring buffering.
- 4) Shade and Street Trees (including street/sidewalk trees). All final applications shall meet the following standards for shade and street trees:
 - a) Shade trees shall be hardy, drought and salt tolerant, 12 feet tall at planting and deciduous. Such trees shall be planted at 2½ to 3-inch caliper.
 - b) Shade trees shall be required along streets, parking and drives as specified in these regulations.
 - c) Street tree areas shall be planted in a continuous fifteen (15) foot wide strip parallel to the lot frontage.
 - d) One evergreen tree shall be included for every 15 feet of lot line, and one shade tree for every 40 feet of lot line, spaced not less than twenty (20) feet apart. Trees may be clustered.
 - e) The placement of shade and street trees shall incorporate berms, fences, and walls as necessary.

D. Buffering

- 1) General Requirements. All non-residential and multi-family residential sites shall provide for a residential buffer conforming with the requirements of this Section.
- 2) Residential Buffer Dimensions.
 - a) A continuous residential buffer, having a width of not less than 20 feet, shall be provided.
 - b) Structures, pavement, utility construction, signage and similar hardscape improvements shall not be permitted to encroach on any residential buffer unless specifically permitted by the Planning Board.
- 3) Design Requirements for Residential Buffers. In general, the design intent for residential buffers shall be to diminish the effects of the more intensive use of nonresidential and multi-family sites on abutting residential properties. To achieve these goals, applicants of proposed non-residential and multi-family residential sites may select one or more of the following options for development of affective buffering:
 - a) Retention of Existing Vegetation and Forest Canopy. In cases where existing forest exists along a boundary subject to the residential buffering requirements of this section, existing, healthy forest canopy and associated understory vegetation may be used to fulfill the requirements of this section. In cases where existing vegetation is insufficient to provide for an effective visual screen, the Planning Board may require supplemental landscape plantings for the purposes enhancing the natural buffering capabilities of the native vegetation.
 - b) Use of Fencing. An applicant may elect to erect a continuous length of solid fencing of a type and style acceptable to the Planning Board. Fencing used to fulfill this requirement shall not be less than six feet in height, nor impede proper sight distances at intersections of driveways and streets. In cases where applicants elect to utilize this option, a minimum of one deciduous or evergreen shrub, with a minimum height and diameter of eighteen inches, shall be planted along the face of said fencing at a spacing not to exceed an

average of one shrub per 10-feet of fence.

- 4) Screening of unsightly site features
 - a) General screening requirements. Refuse storage areas, stockpiled materials, tractor trailers used for storage and other unsightly materials and objects situated on any non-residential or multi-family residential site subject to review and approval under these regulations, shall be located to be out of view from abutting properties and public streets where possible. In cases where such positioning is not possible, those items shall be effectively screened. A minimum screening shall be achieved by use of landscape plantings, fencing or enclosures of a height at least as tall as the item or items to be screened
 - b) Screening requirements for loading and receiving areas. Loading docks and receiving areas shall be situated to be out of view from abutting properties and public streets where possible. Where such provisions are not possible, the applicant shall propose a method of screening and buffering acceptable to the Planning Board.

E. Shoreland Protection

1) As required by RSA 483-B, Shoreland Water Quality Protection Act, all land located within 250 feet of the reference line of public waters must adhere to the following:

- a) Where existing, a natural woodland buffer must be maintained.
- b) Tree cutting limited to 50% of the basal area of trees, and 50% of the total number of saplings in a 20-year period.
- c) A healthy, well-distributed stand of trees must be maintained.
- d) Stumps and their root systems must remain intact in the ground within 50 feet of the reference line

2) Maintenance and Replacement of Landscaping.

- a) Landscaping shall be maintained in good condition. The property owner will remove and replace dead or diseased plant materials immediately with the same type, size and quantity of plant materials as originally installed, unless alternative plantings are requested, justified, and approved by the Board.
- b) Avoid replacing landscape materials in the period from November – March.
- c) A permanent water supply system may be required, as necessary (sprinklers or hose bibs).
- d) A maintenance bond to cover the cost of replacement plant materials and maintenance equipment shall be provided for one year after the date of site plan approval.
- e) A note shall be provided on the Site Plan stating: “All conditions on this Plan shall remain in effect in perpetuity”.

3) Street/Site Furniture. Site furnishings include benches, waste receptacles, planters, railings, and bollards. Visual consistency of these elements is desired throughout each development.

All components of outdoor site furniture shall be low maintenance, highly durable and resistant to vandalism and theft. In most cases, the provision of street furniture is optional, except in cases involving public or private parkland, or when the proposal in question is located on street with sidewalk frontage, when it may be required.

- a) Outdoor Seating Standards.
 - a. Outdoor seating shall be comfortable, attractive, durable and easy

to maintain.

b. Locate benches at major building site entryways, drop-off areas, transit stops, pedestrian courtyards and plazas.

c. Attempt to locate benches in areas that receive sunlight, are sheltered from winds in the winter and are shaded in the summer.

d. Where seating is fixed, provide a variety of arrangements (both linear and grouped), which accommodate two to six persons.

e. Benches shall face towards areas of interest and not towards the roadway.

4) Planter and Waste Receptacle Standards.

a) Design planters and waste receptacles to coordinate with other furniture

b) Use materials and colors similar to those used for benches and other outdoor furniture.

5) Tree Grate Standards. Use tree grates to prevent excessive soil compaction and to add interest to the pavement. Choose tree grates that are fabricated of a strong, durable material. In areas which receive heavy pedestrian traffic, tree guards may be appropriate to give added protection to young trees.

F. Water Resources Standards

1) Water Quality Protection. All aspects of the application shall be designed so that:

a) No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, noxiousness, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwaters so as to contaminate, pollute, or harm such waters.

b) All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials, shall meet the standards of the New Hampshire Department of Environmental Protection (NH DES), Water Supply and Pollution Control.

2) Groundwater Protection. The proposed site development and use shall not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply systems. Applicants whose projects involve on-site water supply or sewage disposal systems with a capacity of two thousand (2,000) gallons per day or greater shall demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of New Hampshire.

a) Within a groundwater or aquifer protection overlay district, all applications shall meet the following standards for groundwater protection:

i. No more than twenty percent (20%) of a single lot or building site shall be rendered impervious to groundwater infiltration. To the extent feasible, all runoff from impervious surfaces shall be recharged to groundwater on-site. Recharge impoundments shall have vegetative cover for surface treatment and infiltration.

ii. All regulated substances with a capacity of five (5) gallons or more shall be stored in product tight containers on an impervious surface designed and maintained to prevent flow to exposed soils, floor drains, and outside drains.

iii. Outdoor storage of State of New Hampshire regulated substances shall be protected from exposure to precipitation and shall be located at least 50 feet from surface waters or storm drains, at least 75 feet from private wells, and outside the sanitary protective radius or wellhead protection area of wells used for public water supply.

iv. Secondary containment shall be provided for outdoor storage of regulated substances if an aggregate of 275 gallons or more of State of New Hampshire regulated substances are stored outdoors.

- v. Containers in which State of New Hampshire regulated substances are stored shall be clearly and visibly labeled and shall be kept closed and sealed when material is not being transferred from one container to another.
- 3) Impervious Surfaces. Impervious surfaces can negatively impact surface and ground water quality in several ways. Impervious surfaces, such as paved parking lots decrease infiltration and recharge of groundwater, provide an express route for runoff to reach waterways, provide a surface upon which pollutants can accumulate, and prevent the natural processing of pollutants in soil, plants, and wetlands. Therefore, all final applications shall minimize the area of impervious surfaces and address the potential negative impact of impervious surfaces on surface and groundwater resources. All final applications shall meet the following standards for impervious surfaces:
- a) The maximum permissible impervious area varies according to the type of land-use. For purposes of these regulations, the total impervious area of a lot or site is defined as the total area of impervious parking lots, streets, driveways, roof area, decks, paved walkways, sidewalks, and any concrete, stone, brick, asphalt to compacted gravel surface.
 - b) The total permissible impervious area by land-use is as follows:
 - i. Multifamily greater than 3 units: 40%
 - ii. Commercial/Retail: 70%
 - iii. Industrial/Warehouse: 60%
 - c) These standards may be modified by the Planning Board if it can be shown to their satisfaction that a greater amount of impervious surfaces will not adversely impact surface and groundwater quality, or increase the post development amount of storm water runoff. The Planning Board can demand special engineering studies to decide on any request to exceed the impervious limits specified herein.
 - d) Parking Lots. Every effort shall be made to use pervious parking surfaces as an alternative to impervious asphalt or concrete, except in cases where it is determined that a traditional impervious parking lot with engineered storm water systems (catch basins with oil / water separators, vegetated swales, detention basins, etc.) renders greater protection of surface and groundwaters than pervious pavement. Pervious paving areas can be used to facilitate groundwater recharge and reduce the need for curbs, gutters, and drainage systems. Every attempt shall be made to use pervious parking surfaces for all new lots of less than 50 parking spaces except in cases as noted above.

G. Stormwater Management Standards

Definitions.

Low Impact Development (LID): Low impact development is an approach to stormwater management that integrates existing natural site features into design elements, mimicking natural processes to maintain pre-development site hydrology and ecology, limiting the impacts of stormwater runoff and nonpoint source pollution. Low impact development aims to preserve natural vegetation, minimize effective impervious coverage and land disturbance, and manage stormwater at its source. Low impact development may also be referred to as green infrastructure or soft infrastructure. These techniques may manage stormwater by releasing water back into the atmosphere through vegetation, and by implementing filtration, retention, infiltration, and/or harvesting measures. Refer to NH Stormwater Manual Volume 2 Chapter 4-1 or the latest updated version for extended definitions and examples.

- 1) Purpose and Goals
 - a) The purpose of post construction stormwater management standards is to provide reasonable guidance for the regulation of stormwater runoff to protect local natural resources from degradation and prevent adverse impacts to adjacent and downstream land, property, facilities, and infrastructure. These standards regulate discharges from stormwater and runoff from land development projects and other construction activities to control and minimize increases in stormwater runoff rates and volumes, soil erosion, stream channel erosion, and nonpoint source pollution associated with stormwater runoff.
 - b) The goal of these standards is to establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public in the Town of Milton. This regulation seeks to meet that goal through the following objectives:
 - i. Minimize increases in stormwater runoff from any development to reduce flooding, siltation and streambank erosion and maintain the integrity of stream channels.

- ii. Minimize increases in nonpoint source pollution caused by stormwater runoff from development which would otherwise degrade local water quality.
- iii. Minimize the total volume of surface water runoff which flows from any specific site during and following development to not exceed the pre-development hydrologic condition to the maximum extent practicable as allowable by site conditions.
- iv. Reduce stormwater runoff rates and volumes, soil erosion and nonpoint source pollution, wherever possible, through stormwater management controls and to ensure that these management controls are properly maintained and pose no threat to public safety or cause excessive municipal expenditures.
- v. Protect the quality of groundwater resources, surface water bodies and wetlands.

2) Minimum Thresholds for Applicability

- a) The post-construction stormwater management standards apply to any development or redevelopment project which is subject to Site Plan Review and disturbs more than 5,000 square feet or disturbs more than 2,500 square feet within 100 feet of a public water body as defined in Article XVII (C)(3), and the construction or full-depth reconstruction of a street, road, or parking lot. The Planning Board may grant a waiver from these regulations upon appropriate demonstration by the applicant as to why these regulations should not apply.
- b) The following activities are considered exempt from these regulations:
 - i. Agricultural and forestry practices located outside wetlands and surface water setbacks and/or buffers.
 - ii. Resurfacing and routine maintenance of roads and parking lots.
 - iii. Interior and exterior building renovation that do not exceed conditions in D.1.b.

3) Stormwater Management for New Development

- a) Adequate provisions shall be made for the collection and disposal of all storm water that runs off proposed streets, parking areas, roofs, and other surfaces. All proposed stormwater management practices and treatment systems shall meet the following performance guidelines:
 - i. An undisturbed buffer shall be retained around all wetlands and surface waters as required by the wetland ordinance. Stormwater management and erosion and sediment control practices shall be located outside any specified buffer zones. Alternatives to stream and wetland crossings shall be considered whenever possible.
 - ii. Low Impact Development (LID) site planning and design strategies shall be used to the maximum extent practicable (MEP) to reduce stormwater runoff volumes, protect water quality, and maintain predevelopment site hydrology. Low Impact Development (LID) techniques that preserve existing vegetation, reduce the development footprint, minimize or disconnect impervious area, and use enhanced stormwater BMP's (such as raingardens, bioretention systems, tree box filters, and similar stormwater management landscaping techniques) shall be incorporated into landscaped areas. Capture and reuse of stormwater is strongly encouraged. The applicant must document in writing why LID strategies are not appropriate when not used to manage stormwater.
 - iii. All storm water treatment areas, such as treatment swales, detention and retention areas, and mitigation areas, shall be planted with native grasses, shrubs and/or other native plantings in sufficient numbers and density to prevent soil erosion and to help achieve the water quality treatment requirements of this section.
 - iv. Snow and salt storage areas shall be fully covered with permanent or semi-permanent measures and loading/offloading areas shall be located and designed such that no direct discharges to receiving waters are possible from the storage site and maintained with good housekeeping measures in accordance with NH DES published guidance Runoff from snow and salt storage areas shall enter treatment areas as specified above before being discharged to receiving waters or allowed to infiltrate into the groundwater. See NHDES published guidance fact sheets on road salt and water quality, and snow disposal at <http://des.nh.gov/organization/commissioner/pip/factsheets/wmb/index.htm>.
 - v. Surface runoff shall be directed into appropriate stormwater control measures designed for treatment and/or filtration to the maximum extent practicable and/or captured and reused onsite.
 - vi. Runoff from impervious surfaces shall be treated to achieve at least 80% removal of Total Suspended Solids and at least 50% removal of both total nitrogen and total phosphorus using

- appropriate treatment measures, as specified in the NH Stormwater Manual. Volumes 1 and 2, December 2008, as amended or other equivalent means. Where practical, the use of natural, vegetated filtration and/or infiltration practices or subsurface gravel wetlands for water quality treatment is preferred given its relatively high nitrogen removal efficiency. All new impervious area draining to surface waters impaired by nitrogen, phosphorus or nutrients shall be treated with stormwater BMPs designed to optimize pollutant removal efficiencies based on design standards and performance data published by the UNH Stormwater Center and/or included in the latest version of the NH Stormwater Manual.
- vii. All newly generated stormwater from new development shall be treated on the development site. The development plan shall include provisions to retain natural predevelopment watershed areas on the site using the natural flow patterns of the site. Effort shall be made to utilize natural infiltration best management practices (i.e., bio-retention areas and expanded engineered swales). If natural infiltration best management practices cannot be used, the applicant shall provide engineering justification as to why natural infiltration best management practice cannot be used.
 - viii. Measures shall be taken to control the post-development peak rate of runoff so that it does not exceed pre-development runoff rate. Drainage analyses shall include calculations comparing pre- and post-development stormwater runoff rates (cubic feet/second) and volumes (cubic feet) for the 1-inch rainstorm and for the 2-year, 10-year, 25-year, and 50-year 24-hour storm event. Similar measures shall be taken to control the post-development runoff volume to infiltrate the groundwater recharge volume (GR_v) in accordance with the NH DES Alteration of Terrain requirements. For sites where infiltration is limited or not practicable, the applicant must demonstrate that the project will not create or contribute to water quality impairment.
 - ix. The applicant shall demonstrate that on- and off-site downstream channel or system capacity is sufficient to carry the flow without adverse effects, such as flooding and erosion of stream banks and shoreland areas.
 - x. The design of the storm water drainage system shall provide for the disposal of storm water without damage to streets, adjacent properties, downstream properties, soils, and vegetation. Integrity of existing downstream drainage systems shall be maintained.
 - xi. Whenever practical, natural vegetation shall be retained, protected, or supplemented. Any stripping of vegetation shall be done in a manner that minimizes soil erosion.
 - xii. Appropriate erosion and sediment control measures shall be installed prior to any soil disturbance.
 - xiii. Disturbed areas remaining idle for more than 30 days shall be stabilized in accordance with the Stormwater Pollution Prevention Plan.
 - xiv. All temporary erosion and sediment control measures shall be removed after final site stabilization. Trapped sediment and other disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized within 30 days unless conditions dictate otherwise.
 - b) Municipal Storm Drain Connections. Any proposed connection to the municipal storm drainage system shall be allowed only as necessary, after adequate provisions to provide onsite detention, treatment and groundwater recharge have been fully evaluated and included in the site design to the maximum extent practicable, or as otherwise determined necessary by the Board. If onsite stormwater management is not feasible due to site constraints, the applicant must fully demonstrate why onsite LID strategies and stormwater BMPs are not feasible and submit a written request for a waiver.
 - i. Any proposed connection to the municipal stormwater drainage system shall be designed and constructed in accordance with standards and specifications of the Town of Milton. Stormwater contributions to the Town's sanitary sewer system are strictly prohibited.
 - ii. Where adequate municipal stormwater drainage facilities are not available at the time of application and are deemed necessary due to site constraints or if onsite treatment has been determined to potentially result in adverse impacts to abutting properties (e.g., wet basements, flooding, etc.) or natural resources, it will be the applicant's responsibility to install the necessary municipal storm drain system and any additional capacity improvements needed downgradient of the site, as determined by the Town Engineer, or a competent Planning Board consultant engineer.
 - iii. Any new connections or extensions to the municipal storm drain as proposed by the Applicant shall be in the form of a subsurface piped storm sewer system. Such drainage facilities shall be in the street rights-of-way where feasible. Where topography or other

conditions are such as to make this impractical, perpetual unobstructed easement for future access, maintenance, repair, and upgrade of the system shall be provided across all properties. Such easements shall be 25' or more in width and shall have satisfactory access to the road. Any new connection or extension to municipal storm drain system shall include water quality treatment provisions to capture sediment and petroleum products that may be generated onsite from driveways, roads and parking lots prior to exiting the site.

4) Storm water Management Plan Submission Requirements.

- a) All applications shall include a comprehensive Stormwater Management Plan (SMP). The SMP shall include a narrative description and an Existing Conditions Site Plan showing all pre-development impervious surfaces, buildings, and structures; surface water bodies and wetlands; drainage patterns, sub-catchment, and watershed boundaries; building setbacks and buffers, locations of various hydrologic group soil types, mature vegetation, land topographic contours with minimum 2-foot intervals and spot grades where necessary for sites that are flat.
- b) The SMP shall include a narrative description and a Proposed Conditions Site Plan showing all post-development proposed impervious surfaces, buildings and structures; temporary and permanent stormwater management elements and best management practices (BMP), including BMP GIS coordinates and GIS files which shall be added to the Town's GIS system at the expense of the applicant to the satisfaction of the Town's GIS coordinator; important hydrologic features created or preserved the site; drainage patterns, sub-catchment and watershed boundaries; building setbacks and buffers; proposed tree clearing and topographic contours with minimum 2-foot intervals. The plans shall provide calculations and identification of the total area of disturbance proposed on the site (and off site if applicable) and total area of new impervious surface created. A summary of the drainage analysis showing a comparison of the estimated peak flow and volumes for various design storms (see Stormwater Infrastructure Design Criteria Table at the end of this section) at each of the outlet locations shall be included.
- c) SMP shall describe the general approach and strategies implemented, and the facts relied upon, to meet the goals of G(1) and (3): The SWP shall include design plans and/or graphical sketch(es) of all proposed above ground LID practices.
- d) The SMP shall include calculations of the change in impervious area, pollution loading and removal volumes for each best management practice, and GIS files containing the coordinates of all stormwater infrastructure elements (e.g. catch basins, swales, detention/bioretenion areas, piping).
- e) The SMP shall include a description and a proposed Site Plan showing proposed erosion and sediment control measures, limits of disturbance, temporary and permanent soil stabilization measures in accordance with the NHDES Stormwater Manual Volume 3 (most recent version) as well as a construction site inspection plan including phased installation of best management practices and final inspection upon completion of construction.
- f) The SMP shall include a long-term stormwater management BMP inspection and maintenance plan (see G(5)) that describes the responsible parties and contact information for the qualified individuals who will perform future BMP inspections. The inspection frequency, maintenance and reporting protocols shall be included.
- g) The SMP shall describe and identify locations of any proposed deicing chemical and/or snow storage areas. SMP will describe how deicing chemical use will be minimized or used most efficiently.
- h) In urbanized areas that are subject to the EPA MS4 Stormwater Permit and will drain to chloride-impaired waters, any new developments and redevelopment projects shall submit a description of measures that will be used to minimize salt usage, and track and report amounts applied using the UNH Technology Transfer Center online tool (<http://www.roadsalt.unh.edu/Salt/>) in accordance with Appendix H of the NH MS4 Permit.
- i) The Applicant or its engineer shall submit an initial draft copy of a completed Land Use Development Tracking Form using the Pollutant Tracking and Accounting Program (PTAP) online portal currently managed by the UNH Stormwater Center. This draft may or may not be accepted into the Town's database. Resubmittal of a final version of the Land Use Development Tracking Form shall be required at the time of submittal of as-built plans for review and acceptance into the Town's database.

5) General Performance Criteria for Stormwater Management Plans.

- a) All applications shall apply site design practices to reduce the generation of stormwater in the post-developed condition, reduce overall impervious surface coverage, seek opportunities to capture and reuse and minimize discharge of stormwater to the municipal stormwater management system.

- b) Water Quality Protection.
 - i. No stormwater runoff generated from new development or redevelopment shall be discharged directly into a jurisdictional wetland or surface water body without adequate treatment.
 - ii. All developments shall provide adequate management of stormwater runoff and prevent discharge of stormwater runoff from creating or contributing to water quality impairment.
 - iii. All projects of such magnitude as to require a storm water permit from the NH DES shall comply with the standards of the NH DES with respect to the export of total suspended solids and/or phosphorous. If the project does not require a storm water permit from the NH DES, it shall be designed to minimize the export of phosphorous from the site to the extent reasonable with the proposed use and the characteristics of the site.
 - c) Onsite groundwater recharge rates shall be maintained by promoting infiltration through use of structural and non-structural methods. Capture and reuse of stormwater runoff is encouraged in instances where groundwater recharge is limited by site conditions All stormwater management practices shall be designed to convey stormwater to allow for maximum groundwater recharge. This shall include, but not be limited to:
 - i. Maximizing flow paths from collection points to outflow points.
 - ii. Use of multiple best management practices.
 - iii. Retention of and discharge to fully vegetated areas.
 - iv. Maximizing use of infiltration practices.
 - v. Stormwater System Design Performance Standards.
 - d) Stormwater system design, performance standards and protection criteria shall be provided as prescribed in the Stormwater Infrastructure Design Criteria Table below. Calculations shall include sizing of all structures and best management practices, including sizing of emergency overflow structures based on assessment of the 100-year 24-hour frequency storm discharge rate.
 - e) The sizing and design of stormwater management practices shall utilize new precipitation data from the Northeast Region Climate Center (NRCC) [or the most recent precipitation atlas published by the National Oceanic and Atmospheric Administration \(NOAA\)](#) for the sizing and design of all stormwater management practices. See the NRCC website at <http://precip.eas.cornell.edu/>.
 - f) All stormwater management practices involving bioretention and vegetative cover as a key functional component must have a landscaping plan detailing both the type and quantities of plants and vegetation to be in used in the practice and how and who will manage and maintain this vegetation. The use of native plantings appropriate for site conditions is strongly encouraged for these types of stormwater treatment areas. The landscape plan must be prepared by a licensed landscape architect, soil conservation district office, or another qualified professional.
- 6) Spill Prevention, Control and Countermeasure (SPCC) Plan.

Any existing or otherwise permitted use or activity having regulated substances in amounts greater than five gallons, shall submit to the Fire Chief an SPCC plan for review and approval. The Fire Chief's review and approval shall become a part of the site plan review application. The Plan will include the following elements:

- a) Disclosure statements describing the types, quantities, and storage locations of all regulated substances that will be part of the proposed use or activity.
 - b) Owner and spill response manager's contact information.
 - c) Location of all surface waters and drainage patterns.
 - d) A narrative describing the spill prevention practices to be employed when normally using regulated substances.
 - e) Containment controls, both structural and non-structural.
 - f) Spill reporting procedures, including a list of municipal personnel or agencies that will be contacted to assist in containing the spill, and the amount of a spill requiring outside assistance and response.
 - g) Name of a contractor available to assist in spill response, contaminant, and cleanup.
 - h) The list of available clean-up equipment with instructions available for use on-site and the names of employees with adequate training to implement containment and clean up response.
- 7) Stormwater Management for Redevelopment.
- a) Redevelopment (as applicable to this stormwater regulation) means:
 - i. Any construction, alteration, or improvement that disturbs existing impervious area (including demolition and removal of road/parking lot materials down to the erodible

- subbase) or expands existing impervious cover by any amount, where the existing land use is commercial, industrial, institutional, governmental, recreational, or multifamily residential.
- ii. Any redevelopment activity that results in improvements with no increase in impervious area shall be considered redevelopment activity under this regulation if capital cost of improvements is greater than 50% of the appraised property value.
- iii. Any new impervious area over portions of a site that are currently pervious.

The following activities are not considered redevelopment:

- i. Interior and exterior building renovation that do not exceed conditions in 9(a)(2).
 - ii. Resurfacing of an existing paved surface (e.g. parking lot, walkway or roadway).
 - iii. Pavement excavation and patching that is incidental to the primary project purpose, such as replacement of a collapsed storm drain.
 - iv. Landscaping installation and maintenance.
 - v. Redevelopment after catastrophic losses to property so long as they are rebuilt to the same footprint and prior use.
- b) Redevelopment applications shall comply with the requirements of Sections 4) Storm water Management Plan Submission Requirements., 5) General Performance Criteria for Stormwater Management Plans, and 6) Spill Prevention, Control and Countermeasure (SPCC) Plan.
 - c) For sites meeting the definition of a redevelopment project and having less than 60% existing impervious surface coverage, the stormwater management requirements will be the same as other new development projects. The applicant must satisfactorily demonstrate that impervious area is minimized, and LID practices have been implemented on-site to the maximum extent practicable.
 - d) For sites meeting the definition of a redevelopment project and having more than 60% existing impervious surface area, stormwater shall be managed for water quality in accordance with one or more of the following techniques, listed in order of preference:
 - i. Implement measures onsite that result in disconnection or treatment of 100% of the additional proposed impervious surface area and at least 30% of the existing impervious area and pavement areas, preferably using filtration and/or infiltration practices.
 - ii. If resulting in greater overall water quality improvement on the site, implement LID practices to the maximum extent practicable to provide treatment of runoff generated from at least 60% of the entire developed site area.
 - e) Runoff from impervious surfaces shall be treated to achieve at least 80% removal of Total Suspended Solids and at least 50% removal of both total nitrogen and total phosphorus using appropriate treatment measures, as specified in the NH Stormwater Manual. Volumes 1 and 2, December 2008, as amended or other equivalent means. All new impervious area draining to surface waters impaired by nitrogen, phosphorus or nutrients shall be treated with stormwater BMPs designed to optimize pollutant removal efficiencies based on design standards and performance data published by the UNH Stormwater Center and/or included in the latest version of the NH Stormwater Manual.
 - f) Option to Allow for Off-Site Mitigation:
 - i. In cases where the applicant demonstrates, to the satisfaction of the planning board, that on-site treatment has been implemented to the maximum extent possible or is not feasible, off-site mitigation will be an acceptable alternative if implemented within the same subwatershed, within the project's drainage area or within the drainage area of the receiving water body. To comply with local watershed objectives the mitigation site would be preferably situated in the same subwatershed as the development and impact/benefit the same receiving water.
 - i. Off-site mitigation shall be equivalent to no less than the total area of impervious cover NOT treated on-site. Treatment of the impervious area shall comply with all standards of this regulation.
 - ii. An approved off-site location must be identified, the specific management measures identified, and if not owned by the applicant, with a written agreement with the property owner(s) and an implementation schedule developed in accordance with planning board review. The applicant must also demonstrate that there is no downstream drainage or flooding impacts that would result from not providing on-site management for large storm events.

8) Stormwater Management Plan and Site Inspections

- a) The applicant shall provide that all stormwater management and treatment practices have an inspection and maintenance plan in place and agreement to ensure the system will continue to function as designed. This agreement will include all maintenance easements required to access and inspect the stormwater treatment practices, and to perform routine maintenance as necessary to ensure proper functioning of the stormwater system. The operations and maintenance plan shall specify the parties responsible for the proper maintenance of all stormwater treatment practices. The operations and maintenance shall be provided to the Planning Board as part of the application prior to issuance of any local permits for land disturbance and construction activities.
- b) The applicant shall provide legally binding documents for filing with the Strafford County Registry of Deeds (SCRD) which demonstrate that the obligation for maintenance of stormwater best management practices and infrastructure runs with the land in perpetuity and that the Town has legal access to inspect the property to ensure their proper function or maintain onsite stormwater infrastructure when necessary to address emergency situations or conditions.
- c) The property owner shall bear responsibility for the installation, construction, inspection, and maintenance of all stormwater management and erosion control measures required by the provisions of these regulations and as approved by the Planning Board, including emergency repairs completed by the town.

9) Stormwater Management Plan Recordation

- a) Stormwater management and sediment and erosion control plans shall be incorporated as part of any approved site plan. A Notice of Decision acknowledging the Planning Board approval of these plans shall be recorded at the SCRd. The Notice of Decision shall be referenced to the property deed (title/book/page number) and apply to all persons that may acquire any property subject to the approved stormwater management and sediment control plans. The Notice of Decision shall reference the requirements for maintenance pursuant to the stormwater management and erosion and sediment control plans as approved by the Planning Board.
- b) The applicant shall submit as-built drawings of the constructed stormwater management system following construction.
 - i. At the time of submittal of as-built drawings, the applicant or its engineer shall also submit a final version of the Land Use Development Tracking Form using the Pollutant Tracking and Accounting Program (PTAP) online portal currently managed by the UNH Stormwater Center. The Town will then review and accept the information into the Town's database.
- c) Easements: Where a development is traversed by or requires the construction of a watercourse or a drainage way, an easement to the Town of adequate size to enable construction, reconstruction and required maintenance shall be provided for such purpose. Easements to the Town shall also be provided for the purpose of periodic inspection of drainage facilities and BMPs should such inspections by the Town become necessary. All easements shall be recorded at the SCRd. Where stormwater management or treatment facilities are constructed outside of public rights of way, a permanent easement to the town shall be recorded to allow construction, maintenance, or inspection of the facility, as well as flowage rights.

10) Inspection and Maintenance Responsibility

- a) The Code Enforcement Officer shall be granted site access to complete routine inspections to ensure compliance with the approved stormwater management and sediment and erosion control plans. Such inspections shall be performed at a time agreed upon with the landowner.
 - i. If permission to inspect is denied by the landowner, the Code Enforcement Officer shall secure an administrative inspection warrant from the district court under RSA 595-B Administrative Inspection Warrants. Expenses associated with inspections shall be the responsibility of the applicant/property owner.
 - ii. If violations or non-compliance with a condition(s) of approval are found on the site during routine inspections, the Code Enforcement Officer shall document these violations or non-compliance including recommended corrective actions. The Code Enforcement Officer shall notify the property owner in writing of these violations or non-compliance and corrective actions necessary to bring the property into full compliance. The Code Enforcement Officer shall issue a stop work order if corrective actions are not completed within 10 days of the first written notice.

- iii. If corrective actions are not completed within a period of 30 days from the Code Enforcement Officer's written notification, the Planning Board may exercise its jurisdiction under RSA 676:4-a Revocation of Recorded Approval.
- b) The applicant shall bear final responsibility for the installation, construction, inspection, and disposition of all stormwater management and erosion control measures required by the Planning Board. Site development shall not begin before the Stormwater Management Plan receives written approval by the Planning Board.
- c) The municipality retains the right, though accepts no responsibility, to repair or maintain stormwater infrastructure if: a property is abandoned or becomes vacant; and in the event a property owner refuses to repair infrastructure that is damaged or is not functioning properly.

Stormwater Infrastructure Design Criteria Table

Design Criteria	Description										
Water Quality Volume (WQV)	$WQV = (P)(R_v)(A)$ P = 1 inch of rainfall R _v = unitless runoff coefficient, $R_v = 0.05 + 0.9(I)$ I = percent impervious cover draining to the structure converted to decimal form A = total site area draining to the structure										
Water Quality Flow (WQF)	$WQF = (q_u)(WQV)$ WQV = water quality volume calculated as noted above q _u = unit peak discharge from TR-55 exhibits 4-II and 4-III Variables needed for exhibits 4-II and 4-III: I _a = the initial abstraction = 0.2S S = potential maximum retention in inches = $(1000/CN) - 10$ CN = water quality depth curve number $= 1000 / (10 + 5P + 10Q - 10[Q^2 + 1.25(Q)(P)]^{0.5})$ P = 1 inch of rainfall Q = the water quality depth in inches = WQV/A A = total area draining to the design structure										
Groundwater Recharge Volume (GRV)	$GRV = (A_i)(R_d)$ A _i = the total area of effective impervious surfaces that will exist on the site after development R _d = the groundwater recharge depth based on the USDA/NRCS hydrologic soil group, as follows: <table style="margin-left: 40px; border: none;"> <thead> <tr> <th style="text-align: left;">Hydrologic Group</th> <th style="text-align: left;">R_d (inches)</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>0.40</td> </tr> <tr> <td>B</td> <td>0.25</td> </tr> <tr> <td>C</td> <td>0.10</td> </tr> <tr> <td>D</td> <td>0.00</td> </tr> </tbody> </table>	Hydrologic Group	R _d (inches)	A	0.40	B	0.25	C	0.10	D	0.00
Hydrologic Group	R _d (inches)										
A	0.40										
B	0.25										
C	0.10										
D	0.00										
Channel Protection Volume (CPV)	If the 2-year, 24-hour post-development storm volume <u>does not increase</u> due to development then: control the 2-year, 24-hour post-development peak flow rate to the 2-year, 24-hour predevelopment level. If the 2-year, 24-hour post-development storm volume <u>does increase</u> due to development then: control the 2-year, 24-hour post-development peak flow rate to ½ of the 2-year, 24-hour pre-development level or to the 1-year, 24-hour pre-development level.										
Peak Control	Post-development peak discharge rates shall not exceed pre-development peak discharge rates for the 10-year and 50-year, 24-hour storms										
EIC and UDC	%EIC = area of effective impervious cover/total drainage areas within a project area x 100 %UDC = area of undisturbed cover/total drainage area within a project area x 100										

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H. Utilities Standards

- 1) Subsurface septic system
 - a) The construction of on-site subsurface wastewater disposal system shall fully comply with all applicable requirements of the New Hampshire Code of Administrative Rules regarding such. The applicant shall receive all required permits from the New Hampshire Department of Environmental Services for water supply before the Planning Board can grant final approval.
- 2) Water supply
 - a) The construction of the on-site water supply shall fully comply with all applicable requirements of the New Hampshire Code of Administrative Rules regarding water supply. The applicant shall receive all required permits from the New Hampshire Department of Environmental Services for water supply before the Planning Board can grant final approval.
- 3) Other Utilities
 - a) All proposed on-site utilities (electric, telephone, cable T.V., etc.) shall be installed underground in accordance with the specifications of the individual utility companies involved and in accordance with all applicable local codes, unless otherwise permitted by the Planning Board.

I. Miscellaneous Standards

- 1) Exterior Lighting Provisions.
 - a) All non-residential and multi-family residential site design plans presented to the Planning Board for approval shall include a lighting plan which provides for a method and level of lighting appropriate for the proposed use or uses as determined by the Planning Board. All such lighting plans shall, as a minimum, identify the location, number, height, type, and intensity of all exterior lighting fixtures to be installed. Proposed exterior lighting fixtures shall provide for a level of illumination appropriate for the proposed use or uses. Illumination patterns proposed shall be such that all sites subject to these regulations will enjoy an adequate level of lighting to ensure user safety and security. However, care shall be taken to avoid lighting patterns and intensities which “over light” a site, creating nuisance and glare at abutting properties, public streets, and the neighborhood in general. All lighting plans shall be subject to review and approval by the Planning Board. No changes or modifications in approved lighting plans may be proposed without the specific approval of the Board.
 - b) Unless otherwise approved by the Planning Board, all pole mounted lighting fixtures shall be fed electricity using underground electrical lines installed in accordance with applicable electrical code.
- 2) Solid Waste Storage Provisions
 - a) All solid waste storage areas shall be screened and shall be located a minimum of 20 feet from any boundary line of a site.
 - b) In recognition of the fact that varying non-residential uses often produce waste, which must be temporarily stored on site until the time of disposal, of varying type and quantity, provisions for adequate storage shall be reviewed by the Planning Board on a case by case basis. In general, the Planning Board shall:
 - a. Require applicants to disclose anticipated volumes and types of wastes to be produced by their proposed uses.
 - b. Find that the applicant’s proposal for storage and disposal of waste conforms with all applicable local, state, and federal requirements.
 - c. Find that the applicant’s proposal for storage and disposal of waste has incorporated reasonable safeguards ensuring that such wastes will not become an undue threat to the environment nor create a public nuisance.

3) Snow Storage Provisions.

- a) All site plans presented to the Planning Board for approval shall identify an area or areas of sufficient size and composition to allow for safe and convenient storage of snow volumes anticipated to be provided by winter site maintenance or include a note indicating that snow is to be removed from the site.
- b) Snow storage areas shall not be specified at locations where: accumulated volumes of snow will produce a visual nuisance or impede proper lines of sight; inevitable snow melt will create a nuisance on-site or to abutters; inevitable snow melt will result in the flow of water onto a public street. Snow shall not be stored in areas of jurisdictional wetland or in parking spaces, aisles, fire lanes, access drives nor other areas of a site where accumulated snow volumes would prevent proper use of a site in terms of these regulations or in the judgment of the Planning Board.

4) Commercial Signage Provisions.

Each site plan presented to the Planning Board for approval shall identify all proposed commercial signage and successfully demonstrate that the proposed sign fully complies with the Town of Milton Zoning Ordinance.

5) Internet Access Design and Layout.

- a) All new commercial developments shall design, layout and install underground conduits or reserve space on specialty and/or utility poles for high speed wireline and/or wireless data communication access infrastructure.