Article 904: SITE PLAN REVIEW REGULATIONS

(Adopted 03/09/82; Amended 01/31/89, 12/18/89, 12/04/90,06/02/92, 06/7/93, 12/07/93, 02/27/96, 8/19/08, 9/15/09, 09/21/10,01/04/11, 07/19/11, 03/27/12, 09/16/14, 09/20/16, 03/21/17, 06/18/19, 08/20/19)

904.1 AUTHORITY AND INTENT

Under the authority vested in the Kingston Planning Board by the voters of the Town of Kingston on March 9, 1982, under Chapter 36, Section 19-a, Revised Statutes Annotated, 1981, as amended, the Town of Kingston Planning Board adopts the following regulations governing the review of non-residential site plan and multi-family development in excess of two (2) units, whether or not such development includes a subdivision or re-subdivision of the site, new construction, or a change in use.

These regulations are put in place to ensure that development of tracts for non-residential uses, or for multi-family dwelling units other than one and two-family dwellings, become a positive addition to the community.

(See associated definitions in Subdivision Regulations, Article 905)

904.2 PURPOSE

The purpose of the Site Plan Review Procedure is to protect the public health, safety, and welfare; to promote balanced growth; to promote the timing of development to prevent premature and uncoordinated development of land without the adequate provision of public services and facilities; to ensure sound site utilization; to avoid development which may result in negative environmental impacts; and to insure that the character of development is in keeping with the goals of the Master Plan. The Site Review Procedure in no way relieves the developer, his/her agent, or individual from compliance with the Zoning Ordinance, Subdivision Regulations, or any other ordinance or regulations which pertain to the proposed development. No site plan will be approved until it complies in all respects to any and all pertinent State and Town ordinances and regulations.

904.3 PROCEDURE

A. Preliminary Review will be required unless a waiver request is submitted and approved by the Planning Board.

B. Site Plan Review shall be conducted in accordance with the procedural requirements contained in the Town of Kingston Subdivision Regulations for review of final plats including the notice to abutters and a public hearing. The list of all abutters of the proposed site should be checked with records at the Rockingham County Registry of Deeds and not obtained from the local tax rolls, as ownership may have changed since April 1st. If the site plan meets the evaluation criteria and is approved by the Planning Board, then the applicant may apply for a building permit. No building permit will be issued until approval of the site plan by the Planning Board is granted. The developer shall bear the cost of all required fees and clerical assistance.

C. Preliminary Review will be required unless a waiver request is submitted and approved by the Planning Board.

D. A full Site Plan Review will not be required for any expansion of any existing non-residential use under the following circumstances:

1. A new site plan review need not be submitted for Planning Board approval if the proposed development of the site meets each of the following:
   a. There is an approved site plan for the property on file in the Planning Board office;
   b. the expansion does not constitute a change of use;
   c. the proposal does not result in expansion greater than seven percent of the original structure's size (in no instance shall the increase constitute greater than 1,500 square feet of new construction);
   d. all other requirements of site plan review are satisfied;
   e. all site activity must presently conform to the existing approved site plan;
   f. twelve (12) copies of a revised site plan showing all alterations shall be submitted for purposes of file update.
2. This site plan review exemption may be utilized two times on any non-residential parcel provided no more than 1,500 square feet total is not exceeded, and only after the applicant has had a conceptual consultation with the Planning Board at which the determination is made that a site plan is not required. After the second time any further expansion must be approved by the Planning Board within the scope of formal site plan review procedures.

904.4 MANDATORY PRELIMINARY REVIEW

A. In accordance with RSA 674:35, I, the Planning Board is authorized

to require preliminary Site Plan review. *(Adopted 03/08/2005)* Preliminary Review will be required unless a waiver request is submitted and approved by the Planning Board.

B. Suitability of the soils present on a tract may be paramount to the type of development on such tract and soils testing should be directed toward establishing soils type and suitability, indicating on plans: boundaries, topography, wetlands, ledge, streams, existing roads, new roads, structures, soils, types, adjacent development.

C. Tentative plats for discussion should be sufficiently clear to show all site conditions. Plans should not be at a scale greater than sixty (60) feet to the inch. Twelve (12) paper prints are filed with the application detailing the general concept of the proposal, indicating the form of subdivision sought and the following information:

1. Proposed name; name and address of owner of record; developer and designer; date; north point; and scale.
2. Names of owners of record of abutting properties; street(s); easements; building lines; alley; parks and public open spaces and similar facts regarding abutting properties.
3. Location of property lines and their approximate dimensions; existing easements; buildings; water courses; ponds; or standing water; rock ledges; and other essential features.
4. Existing water mains; sewers; culverts; drains; and proposed connections or alternative means of providing water supply and disposal of sewerage and surface drainage.
5. Location; names and widths of existing and proposed streets and highways with their approximate grades and profiles and the elevation of sufficient points on the property to indicate the general topography of the property.
6. Where the topography is such as to make difficult the inclusion of any facilities mentioned above, within the public area so laid out, the preliminary layout shall show the boundaries of proposed permanent easements over or under private property. Such easements shall not be less than 10 feet in width and shall have satisfactory access to existing or proposed public ways.
7. Location of all parcels of land proposed to be dedicated to public use and the conditions of such dedication and a copy of such private deed restrictions as are intended to cover part or all of the tract.
8. Consideration of any bridges or culverts which may be required.
9. Where the preliminary layout submitted covers only a part of the site's entire holding, a sketch of the prospective future street

system of the non-submitted part shall be furnished and the street system of the submitted part will be considered in the light of adjustments and connections with the street system of the part not submitted.

904.5 SITE PLAN SUBMISSION REQUIREMENTS

A. Completed Site Plan Review Application

B. Professional Review (AKA: Engineering Fee): A minimum fee of $5,000.00 will be paid to the Town of Kingston at the submission of a site plan for any required professional review, prior to the plan being put on the agenda. Any unused portion of this fee will be returned to the applicant.

C. Application fee (check made payable to Kingston Planning Board).

D. Separate list of current names and addresses of all abutters.

E. Abutters' notification fee.

F. Fee for legal advertising

G. Site Plan:

1. *sheet size: 22" x 34" maximum
2. *scale; not less than 1" = 60'
3. *match lines when needed
4. *original on mylar in permanent ink
5. twelve (12) full size copies of the plan, five (5) 11 x 17 copies of the plan and an electronic version of the proposed site plan *(revised 8/20/19)*
6. *date, title, scale, north arrow, locus map
7. *Name and address of developer, designer/engineer, owner of record and abutters; property address and tax map reference number; owners' name must also appear in the Title Block. Name, license number and seal of the NH licensed land surveyor and all other professionals involved with the preparation of the plan.
8. *topographical plan with contour lines at two (2) foot vertical intervals; permanent on-site benchmark with elevation from USGS datum; the Planning Board may require additional color, and/or perspective view plans.
9. *all easements and rights-of-way indicated
10. *All relevant Zoning designation(s) shall be noted on the plan; any waivers and/or variances granted shall be noted on the plan.

11. *tax map, block and lot number
12. *Planning Board signature block
13. *list of waivers and variances granted
14. *list of State and Federal approvals and dates
15. *The use, hours of operation, number of employees must be indicated on the plan.
16. *Snow Storage and removal shall be shown and shall not block the site's drainage, the site distance for entering and turning traffic and/or the required parking spaces.
17. *Noise Ordinance Compliance
18. *Dust control
19. *Storage facility for liquids and any hazardous materials.
20. *Accessibility to all sections of the site, at all times, by emergency service vehicles.
21. *Existing and proposed impervious areas and percentage of lot Coverage
22. *The site plan will include a detailed drainage scheme in accordance with Article 908, *Stormwater Management*.
23. *Plan of site showing existing natural features including water courses and water bodies, trees and other vegetation, topographical features, and any other features which should be considered in the site design process; the location of all jurisdictional wetlands and vernal pools should be shown in accordance the *Wetlands Ordinance*.
24. *Plan of all buildings with their size, type, location (set backs) and elevation of first floor slab indicated; (assume permanent on-site elevation), location of entrances.
25. An elevation view of all buildings indicating their height, bulk and surface treatment
26. *Location of off-street parking and loading spaces with a layout of the parking indicated; shall conform with Article 904.14, *Parking Requirements.*
27. *The location, width, curbing and type of access ways and egress ways, plus streets within and around the proposed site; lines of all existing adjoining streets;
28. *Size and proposed location of water supply and sewage facilities and provision for future expansion of sewage and water facilities; and all distances from existing water and sewage facilities on the site and on abutting properties to a distance of 200 feet;
29. *Type and location of solid waste disposal facilities;
30. *Location, elevation and layout of catch basins and other surface water drainage features;
31. *Existing and proposed contours and finished grade elevations –all contours shall be a minimum of 2-foot intervals;

32. *Type, extent and location of existing and proposed landscaping and open space areas indicating what existing landscaping and open space areas will be retained;
33. *Location, type, size and design of proposed sign in compliance with Article 303, *Signs*.
34. *Lighting for all outdoor facilities in compliance with Article 302, *Outdoor Lighting*.
35. *Location of all public service connections (gas, power, telephone, fire alarms).
36. *Surveyed property lines showing their deflection angles, distances, radii, lengths of arcs, control angles along property lines and monument locations;
37. *Highway easements granted to the Town of Kingston and to the State of New Hampshire for future road improvements;
38. *Any other exhibits or data that the Planning Board may require in order to adequately evaluate the proposal.

H. For site plans that involve land designated as special flood hazard areas as shown on the current FEMA Flood Insurance Rate Map:

1. 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.
2. 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).
3. 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:
   a. all such proposals are consistent with the need to minimize flood damage;
   b. all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and,
   c. adequate drainage is provided so as to reduce exposure to flood hazards. *(amended 9/20/16)*

Note: Asterik (*) equals final mylar requirements.

904.6 GENERAL STANDARDS

Design of the development should fit the existing natural and man-made environments with the least stress.

A. Site preparation is to be conducted with minimal disturbance to existing vegetation. Stripped topsoil is to be piled and reused on the site where needed. A minimum of four (4) inches of topsoil is to be placed on the disturbed area. The site shall be adequately landscaped.

B. Landscape treatment shall consist of natural, undisturbed vegetation or features, or ground cover, shrubs, or trees as appropriate.

C. Grading and filling must be conducted to minimize the alteration of surface and subsurface drainage to, toward, or across abutting properties, unless the written consent of the owner is obtained.

D. Appropriate buffers are to be maintained or installed to provide privacy and noise reduction to residential areas abutting non-residential sites. The entire buffer area is intended to remain in a natural vegetative state. The distance to be required for buffer areas between abutting non-residential uses shall be determined by the Planning Board at the site plan review stage. The required Buffer zones shall not be less than fifty (50) feet when separating a non-residential lot from a residential lot. The
required buffer zone must be entirely located on applicant's property. When separating residential and non-residential uses from one another these buffer areas shall be planted with a screen of shrubbery and trees not less than six (6) feet in height at the time of planting. The screen shall be at least fifteen (15) feet in width and shall be maintained by the owner.

In order to maintain a dense screen year round, at least fifty (50) percent of the plantings shall consist of evergreens. Existing natural growth may be considered as part of the screen by the Planning Board. At the discretion of the Planning Board, the standards described above for landscaped buffer areas may be waived in favor of alternate forms of screening, including but not limited to, stockade fencing. Refer to Article 205, *Shoreland Protection* and Article 202, *Wetlands Conservation District*, for potential additional setback requirements.

E. Waste Control

1. The applicant shall provide a detailed description of the type and volume of waste products generated, provisions for their removal, appropriate controls, and provisions for temporary storage on-site for those wastes to be removed from the property.
2. Refuse Container Siting, Loading and Screening:
   a. Space shall be required on each lot to accommodate refuse containers and to facilitate an access and loading area or refuse collection vehicles. The loading area for refuse containers and collection vehicles access shall be in addition to the off-street loading space requirements of 904.16 (4), Off-Street Loading, of this regulation.
   b. The area required for the siting and loading of refuse containers shall not be used to satisfy parking or loading space requirements. Refuse container loading areas shall be designed to allow a collection vehicle to maneuver safely and conveniently to and from an adjacent street without any maneuvering, backing, or standing on any street. All refuse loading areas shall be located at the side or rear of the building they are intended to serve; the Planning Board may consider an alternative location for refuse loading that limits visibility from, and the effects of noise and odors on, adjacent streets and properties.
   c. Refuse container sites and loading areas, and the access driveways thereto, shall be surfaces with a durable and dustless paving material which shall be graded and drained so as to dispose of all surface water accumulation.
   d. No refuse container site and loading area shall be located within the buffer zone.
   e. A solid fence not less than six (6) feet nor more than eight (8) feet in height shall be erected and maintained in good condition around three (3) sides of a refuse container loading area. The solid walls of a building can be used to satisfy the requirement for one or more of the sides of the fenced enclosure for refuse containers. A landscaped buffer shall be established between a refuse container loading area and any adjacent lot lines from which the loading area is visible. The landscaped buffer shall be a year-round visual barrier that is created at a minimum height of six (6) feet.

F. Sidewalks shall be provided for pedestrian traffic to provide connection between the main entrances of business, housing, or industrial establishments and parking areas.

G. The site plan will include clearly defined controlled entrances and exits to the facility or land. The controlled entrances will utilize physical barriers to prevent the parking of vehicles for sale or storage on the public highway's right of way; and clearly identify customer parking off the public highways right of way.

H. Parking Lot Design: Shall conform to the "Typical Parking Cross-Section" diagram, included in this chapter, unless otherwise approved by the Town Engineer.

I. Typical Roadway Cross-Section: Road construction shall conform to the "Typical Roadway Cross-Section" diagram, included in this chapter, unless otherwise approved by the Town Engineer.

J. Fire Suppression Requirements: The Plan will comply with the Town of Kingston's *Fire Protection Regulations*; existing and proposed location of the closest fire protection water sources, both on-site and off-site that service the parcel will be noted on the plan. (03/27/12)

904.7 VEHICLE SALES, SERVICE, STORAGE AND RECONDITIONING

For all new applications dealing with the establishment and/or approval of any facility or land for the purpose of selling, servicing, storing or reconditioning vehicles:

A. Ground water test well(s) will be required of the Owner of the land according to the following requirements:

1. The test well(s) will be installed prior to final approval of the site plan by the Planning Board;
2. Annual samples will be taken in April from the test well(s) and the results forwarded to the Planning Board to arrive by May 15;
3. The number of test wells to be installed and maintained by the Owner (including the specific location) will be defined by the Planning Board and their agent and included on the certified Engineer's drawing of the "site plan"; any fees incurred will be the responsibility of the applicant.
4. The installation and testing of the well water will be performed by a firm that is certified by the State of New Hampshire to conduct ground water testing; and
5. The type of well required to be determined by the Planning Board or their agent, or other agent specified by the Board of Selectmen

B. The site plan will also include:

1. All motor vehicles will be parked on paved surfaces. No motor vehicles will parked on non-paved areas: and
2. A gas trap(s) and/or treatment swale(s) installed in the manner and location prescribed by the Planning Board and their agent; any fees incurred will be the responsibility of the applicant.
3. the definition of the total number of vehicles allowed on the land at any one time (including vehicles for sale, storage and/or reconditioning as well as customer and employee parking):
4. vehicle wash area(s), using biodegradable cleaning products and the number/volume of washes.

904.8 Bed and Breakfast/Inn

A. Bed and breakfast establishments are allowed in Historic District I and Commercial Zone C-III when the use meets all of the following conditions:

1. An application for a bed and breakfast must meet all the requirements found in Article Preamble II Definitions.
2. Non-residential structures commonly associated with residential structures such as barns, out buildings or other accessory buildings shall not be converted for guest rooms or for guest functions, regardless of whether said structure is attached to the residence or is a free-standing structure.
3. Rooms used for sleeping shall be part of the primary residential structure and shall not have been specifically constructed for rental purposes.
4. No exterior alterations, other than those required by law to ensure safety of the structure, shall be made to any building for the purpose of providing a bed and breakfast use.
5. There shall be no more guest rooms than permitted by Article Preamble II Definitions of the zoning ordinance.
6. The applicant proposing a bed and breakfast establishment must submit a site plan to the Planning Board, the degree to which these plans must conform to all site plan regulations may be determined in consultation between the Planning Board and the applicant.
7. There shall be two parking spaces for the owners and one for each guest room.
8. The parking area shall be as unobtrusive as possible and not visually detract from the general appearance of the building and its grounds or neighboring properties. Off-site parking may be

approved by the Planning Board but no such parking is permitted in Town or State road rights-of-way.

9. All appropriate State and local health and safety regulations must be met.
10. Individual guests are prohibited from staying at a particular bed and breakfast establishment for more than 30 days in any one year.
11. The bed and breakfast shall not cater to special or ancillary functions. Any meeting or seminar shall be held inside the premises as an incidental activity to the bed and breakfast function and only for guests of the bed and breakfast.

B. Inns are allowed in Historic District I and Commercial Zone C-III when the use meets all of the following conditions:

1. An application for an inn must meet all the requirements found in Article Preamble II Definitions.
2. Non-residential structures commonly associated with residential structures such as barns, out buildings or other accessory buildings may be converted for guest rooms or for guest functions, regardless of whether said structure is attached to the residence or is a free-standing structure.
3. There shall be no more guest rooms than permitted by Article Preamble II Definitions of the zoning ordinance.
4. The applicant proposing an inn must submit a site plan to the Planning Board that shall conform to all site plan regulations.
5. The parking area shall be as unobtrusive as possible and not visually detract from the general appearance of the building and its grounds or neighboring properties. In all zones, parking shall conform to the existing parking requirements found in section 904.13 of the Site Plan Review Regulations. Off-site parking may be approved by the Planning Board but no such parking is permitted in Town or State road rights-of-way.
6. All appropriate State and local health and safety regulations must be met.
7. Individual guests are prohibited from staying at a particular inn for more than 30 days in any one year.
8. Inns may cater to special or ancillary functions. Any meeting or seminar shall be held inside the premises unless site plan approvals allow more extensive activity.

904.9 Agritourism (6/18/19)

The Board of Selectmen utilize the Town's Special Event Permit process for reviewing agritourism events proposed in conjunction

with agricultural operations throughout the Town. If the Board of Selectmen feel a proposed use is not suitable for such a permit, the Planning Board will be asked to review the proposal under site plan review authority. The scope of review undertaken by the Planning Board will be determined on a case by case basis.

904.10 SEPTAGE

Water supply and sewage disposal systems must be sized and designed to meet the needs of the proposed use under the regulations of the N.H. Department of Environmental Services (NHDES) and the Town of Kingston. Approval of the proposed design must precede Site Plan approval.

904.11 ENGINEERING COST

The Town Engineer, or in his absence a registered engineer hired by the Town, shall inspect all site improvements. The developer shall pay the cost of the Board's employment of said engineer and the cost of any inspections and tests deemed necessary by the Board or engineer. A Town of Kingston Engineering Costs Agreement, certifying to the developer's concurrence to the employment of said engineer, shall be filed with the Board as part of the site plan review applications. Estimates of costs shall be discussed with the developer at a public meeting.

904.12 BONDING (Amended 01/04/11)

Performance Bonds shall be established in compliance with the Town's Performance and Maintenance Guarantee Procedures found in Article 907.

904.13 RECORDING (Amended 9/15/09)

A. The Site Plan, which shows, at a minimum, lot lines and proposed construction, roads, and other improvements, and Planning Board approval, shall be recorded with the Registry of Deeds. Should the approval be subject to conditions, they shall be noted on the final plan that is to be recorded.

B. Any proposed changes from the approved plan will require prior approval by the Planning Board. As determined by the Planning Board, the developer may be required to provide "As-built" plans showing these changes. These plans must be prepared so they may be recorded at the Rockingham Registry of Deeds. The costs

for the preparation and recording of these plans are the responsibility of the applicant.

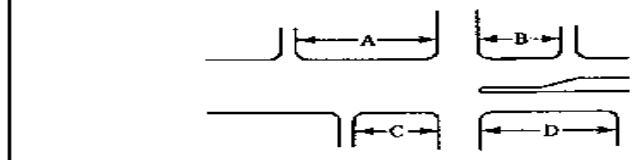
904.14 ACCESS MANAGEMENT

A. Shared Driveways. In order to minimize the number of driveways along town roads shared driveways shall be encouraged for adjacent residential sites.

B. Access to Lots with Multiple Frontages. Subdivision proposals involving lots with frontage on more than two roads shall be encouraged by the Planning Board to access the roads with lower average daily traffic.

C. Corner Clearances. Lots with frontage upon more than two streets can in instances where evidence is provided to the Planning Board, access the roadway with greater average daily traffic if the proposal complies with the following standards:

Minimum Standards for Corner Clearance



Distance	Signalized Intersection - feet	Stop Sign Controlled Intersection - Feet
A	230	115
B	115	115
C	230	85
D	230	115

The above dimensions assume a 30 mph operating speed. For rural and other high speed roads, clearances shall be two times as great as the numbers shown.

Source: "Transportation and Land Development," Institute of Transportation Engineers, 1988.

D. Minimum Distance between Driveways. The minimum distance between driveways on the same and opposing sides of the roadway, including all road intersections shall be measured from the centerline of the driveways at the right-of-way line and shall be a function of the posted speed in accordance with the following table:

MINIMUM DISTANCE BETWEEN DRIVEWAYS

Highway Speed	Minimum Spacing
35	150 feet
40	185 feet
45	230 feet
50	275 feet

SOURCE: *"Access Management for Streets and Highways,"* Federal Highway Administration, 1982.

When the roadway is a NH State maintained road, this requirement will be requested by the Town during the State's permitting process.

E. All driveways shall conform to the *"Driveway Regulations"* of the Town of Kingston.

904.15 PARKING REQUIREMENTS

A. Purpose and Intent

In order to minimize traffic congestion, air pollution, and the risk of motor vehicle and pedestrian accidents, as well as to promote other elements of sound community planning, off-street parking, loading spaces, circulation and access shall be required of all structures and land uses. Parking spaces, aisles and circulation shall be provided for all permitted and conditional uses of structures, lots and land in amounts not less than specified in the regulation. It is further the intent of this regulation to:

1. Maintain safe, adequate and convenient vehicular and pedestrian traffic both within and adjacent to the development.
2. Ensure that any land use involving the arrival, departure or storage of motor vehicles on such land be so designed as to reduce hazards to pedestrians and abutters.
3. Encourage the sharing and integration of parking resources to serve multiple uses/users.
4. Reduce congestion in the streets by assuring adequate space for parking of vehicles off the street.
5. Ensure there are adequate parking and loading facilities to serve the use or users of the property.
6. Require all off-street parking, loading or unloading to be suitably improved, graded, surfaced and maintained so as to cause no nuisance from dust or storm drainage including ice and snow removal.

7. Encourage the use of LID and "Green" materials in the design and construction of parking facilities.

B. Off-Street Parking Requirements

In all zones, unless otherwise stated herein, off-street parking spaces shall be provided and maintained in connection with the construction, conversion, or increase in units or dimensions of the buildings, structures or use; such spaces to be provided in at least the following minimum amounts provided in the following and accompanying notes below. If more than one use is found on site, the parking requirements are additive.

1. Table of Off-Street Parking Requirements

Off-Street Parking Requirements

USE	PARKING SPACES REQUIRED
Residential	
Single-Family Dwelling Unit	4 per dwelling unit
Multi-Family Dwelling Unit	4 per dwelling unit
Studio	2 per dwelling unit
One Bedroom	2 per dwelling unit
Two or More Bedroom	4 per dwelling unit
Accessory Dwelling Unit	2 per dwelling unit
Commercial Lodgings	1.25 per guest room; plus 10 per 1,000 SF restaurant/lounge; plus one per each employee.
Elderly Housing Independent Unit	3 per dwelling unit
Elderly Housing Assisted Living	2 per dwelling unit; plus 1 per each employee
Group, Convalescent, or Nursing Homes	1 per bed plus an additional 25%, plus 1 per each employee
Hospital/Medical Center	1 per employee/staff/medical personnel plus 1 per every bed, plus 1 per 2 average daily outpatient treatments
Retail/Service	
Convenience Store	6 per 1,000 SF GFA; plus one for each employee
Grocery (Freestanding)	6 per 1,000 SF GFA
Discount Superstore/Clubs (Freestanding)	6 per 1,000 SF GFA

Home Improvement Superstore	5 per 1,000 SF GFA
Other Heavy/Hard Good (Furniture, Appliances, Building Materials, etc.)	3 per 1,000 SF GFA; plus one for each employee
Personal Care Facitilies	2 per treatment station; plus one for each employee
Motor Vehicle Sales and Service	3 per 1,000 SF GFA interior sales area, plus 2 per 1,000 SF GFA interior or storage/display area, plus 2 per service bay, plus one for each employee
Motor Vehicle Car Wash	2; plus one for each employee
Other Retail Not Otherwise Listed Above:	No less than 4 per 1,000 SF GFA, to be determined by the Planning Board.

Food and Beverage	
Restaurant – No Lounge	1 per 2 seats, plus one for each employee
Restaurant – With Lounge	1 per 1.5 seats, plus one for each employee
Fast Food – No Drive-through Facility	14 per 1,000 SF GFA
Fast Food – With Drive-through Facility	12 per 1,000 SF GFA

Drive-Through Facilities	
Facilities with a drive-through component such as Fast Food, Banks, Pharmacies, etc.	Stacking spaces for uses incorporating drive-through services shall be located on the same lot as the principle use, shall be sufficient to insure that no stacking occurs within the right-of-way of any adjacent street, shall not interfere with other required parking and loading spaces or access aisles to said parking and loading spaces, and shall minimize or avoid conflict with pedestrian circulation and access.

Industrial/Manufacturing	2 per 1,000 SF GFA; plus one for each employee

Other Business or Office Use Not Otherwise Listed Above	No less than 3 per 1,000 SF GFA, to be determined by the Planning Board.

Cultural/Recreational/Entertainment	
Public Assembly (Includes Function Halls, Banquet Facilities and the like)	30 per 1,000 SF plus one per employee
Museum	As determined by parking study specific to subject proposal
Library	5 per 1,000 SF GFA, plus one per each employee
Religious Centers	2 for every 3 seats
Cinemas, Theaters, Arenas, Stadiums	1 for every 2 seats; plus one for every employee
Health Clubs and Recreational Facilities	As determined by parking study specific to subject proposal

Multi-Use Facility	
Example: Gas Station with Convenience Store	Combination of the requirements as noted above.

Notes:

a. When the computation of required parking or loading spaces results in the requirement of a fractional space, any fraction over one-half shall require one space.
b. On-street and/or off-site parking shall not be included for the determination of adequate parking unless approved by the Planning Board as a shared parking resource serving multiple uses/users.

2. Dimensional Requirements

Each required off-street parking space shall be a minimum of the following:

Minimum Parking Space and Aisle Dimension for Parking Areas

Angle of Parking	Width of Parking Spaces	Depth of Parking Spaces	Width of Maneuvering Aisle
61 to 90 degrees	9 feet	18 feet	24 feet
46 to 60 degrees	9 feet	18 feet	20 feet
45 degrees	9 feet	18 feet	16 feet
Parallel	8 feet	22 feet	14 feet (one-way)/ 20 feet (two-way)

a. To be counted as a required parking space, a parallel parking

space shall have a maneuvering space at least 20 feet deep adjacent to an aisle parallel to and abutting such parking space. Parking areas where the parking spaces are angled at 45 or 60 degrees shall have one-way traffic circulation.

The aisle or driveway shall be unobstructed and allow for the passage of emergency vehicles at all times. The angle shall be measured between the centerline of the parking space and the centerline of the aisle.

3. ADA Compliance:
   a. Parking Lots/Spaces shall be in compliance with the most current Americans With Disabilities Act.

4. Loading Facility Requirements
   a. All non-residential sites shall provide off-street loading facilities. These facilities shall be located and designed to minimize traffic flow disruptions of entering and exiting vehicles.
   b. In all districts, unless otherwise stated herein, off-street loading spaces shall be provided and maintained in connection with the construction, conversion, or increase in units or dimensions of buildings, structures or use, such spaces to be provided in at least the following minimum amounts provided in the table below.

TABLE OF OFF-STREET LOADING REQUIREMENTS						
Principal Use	Spaces Required Per Gross Floor Area (square feet)					
	Under 5,000	5,001—20,000	20,001—60,000	60,001—100,000	101,001—150,000	Additional for each 150,000 or fraction thereof
Manufacturing	1	1	2	3	4	1
Freight Terminals	1	1	2	3	4	1
Warehousing, Wholesaling and Distribution	1	1	2	3	4	1
Retail and Restaurant	1	1	1	2	3	1
Financial and Professional Services	1	1	1	2	2	1
All Other Services	1	1	1	2	3	1
Educational and Institutional	1	1	1	1	2	1
Residential	1	1	1	2	3	1

a. Unless waived by the Planning Board, the required loading facilities shall have a minimum dimension of twelve (12) feet wide by twenty-five (25) feet in length by fourteen (14) feet in height, located, arranged, and of sufficient number to allow service by the type of vehicle customarily accepted for the use while such vehicle is parked completely clear of any public way or sidewalk.
b. All non-residential sites shall provide off-street loading facilities. These facilities shall be located and designed to minimize traffic flow disruptions of entering and exiting vehicles.

5. Construction Requirements
   a. All parking spaces shall be striped with white or yellow traffic paint (4" minimum line width)
   b. Design and choice of paving materials used in pedestrian areas shall consider such factors as function, climate, characteristics of users, availability, cost maintenance, glare, drainage, noise, appearance, and compatibility with surroundings.
   c. Permeable pavement may be used which might minimize dust, erosion, and runoff conditions that could have detrimental effect on abutting or neighboring properties. This option shall not be allowed for sites within the Aquifer Protection District. Permeable Pavement will be in accordance with the NH Stormwater Manual, current edition.
   The Planning Board may also allow for graveled parking and aisle surfaces in certain cases when considering the unique characteristics of the land, the proposed use, drainage, dust control, and if a graveled parking surface would promote and/or preserve the rural character of Kingston.
6. Pedestrian and Bicycle Circulation
   a. Insofar as practical, pedestrian and bicycle circulation shall be separated from motor vehicle circulation. Safe and convenient pedestrian circulation, including appropriate sidewalks, shall be provided on the site and its approaches.
   All sites shall provide for safe pedestrian access and circulation and shall include sidewalk access to existing street-side sidewalks if applicable, pedestrian aisles through parking lots and other facilities as are appropriate for the site.
7. Bicycle Parking
   a. Off-street bicycle parking may be required by the Planning Board in the Commercial Zones whenever any new use is established or any existing use is enlarged for which more than ten (10) automobile parking spaces are required. If required by

the Planning Board, the quantity of required bicycle stalls will be determined as shown in the Table below.

b. Requirements are additive. Once a threshold is met the previously existing requirement shall be maintained and additional stalls shall be provided at the new level until the next threshold is met.

Tabular Bicycle Parking Requirements

Auto Spaces Required	Bicycle Stalls Required
10 - 50	10% of vehicles
51 – 100	+ 5% of vehicles
100+	+ 3% of vehicles

c. A minimum of two (2) and a maximum of twenty (20) stalls shall be provided.

d. In calculating stall requirements, all decimals and fractions shall be rounded up to the nearest whole number.

e. All bicycle parking stalls shall be located within one-hundred (100) feet of the primary use or as close as the closest auto space.

f. A bicycle "stall" shall include a delineated and safe parking area and an appropriate structure to which bicycles can be locked.

g. Appropriate structure means a stand or other device constructed so as to enable the user to secure by locking the frame and one wheel of each bicycle parked therein.

h. Racks must be easily usable with both U-locks and cable locks. Racks should support the bikes in a stable upright position so that a bike, if bumped, will not fall or roll down.

i. Racks that support a bike primarily by the wheel, such as standard "wire racks" are damaging to wheels and thus are not acceptable.

j. Bicycle parking racks, shelters or lockers must be securely anchored to the ground or to a structure.

k. Outdoor bicycle parking areas shall be surfaced with hard-surfacing material having a minimum depth of two inches, such as pavers, asphalt or concrete, unless otherwise permitted by the Planning Board.

8. Lighting: All parking area lighting shall be subject to the Lighting Ordinance of the Town of Kingston.

9. Signage: All signs shall be subject to the Sign Ordinance of the Town of Kingston.

10. Mitigating the Impacts of Parking Lots: As a supplement to the parking lot landscaping standards contained in these regulations, a minimum percentage of the overall interior area of a parking lot (as

measured by the exterior perimeter) shall be dedicated to landscaped areas (to be included on the landscape plans), as follows:

a. 10% on parking lots located in front of the principal building or on otherwise vacant lots.
b. 8% on parking lots located on the side of the principal building, set back from the front boundary line at least even with the front of the principal building.
c. 5% on parking lots which are located at the rear of the principal building and largely obscured from the road.
d. All landscaped areas required by the Article shall contain no less than one live shade tree or ornamental tree. Such trees shall have a minimum trunk diameter (measure twelve (12) inches above the ground level) of not less than two (2) inches. All landscaped area shall contain shrub and ground cover plantings and shall not be paved except for walkways necessary for pedestrian safety.
    i. Landscaping within parking areas shall provide visual and climatic relief from broad expanses of pavement and shall be designed to channel and define logical areas for pedestrian and vehicular circulation.
    ii. Internal parking lot landscaping, as required by item "a", above, shall contain one deciduous shade tree for every 15 (fifteen) parking spaces. Trees shall be distributed throughout the parking lot as evenly as possible. Trees shall be set back at least 5 (five) feet minimum from the face of the curb. Tree placement and parking lot lighting shall not conflict. Interior parking lot landscaping may be waived in truck parking areas provided they are screened and perimeter plantings, as described in items e-g below, are provided.
    iii. All landscaped areas shall be protected from encroachment by vehicles by curbing, landscaping timbers curb stops, or other acceptable means. Parking, and the storage and display of vehicles, goods and materials are prohibited within the required landscaped areas.
    iv. Shade trees shall be provided around the perimeter of all parking areas at a minimum ratio of 1 (one) tree per 20 (twenty) feet of parking lot perimeter. In portions of parking areas where screening is required, shade trees shall be provided along the perimeter at a minimum ratio of 1 (one) tree per 50 (fifty) feet of parking lot perimeter in addition to the required screening.
    v. All off-street parking areas located at the front or side of principal buildings or on vacant lots shall be screened from the public right-of-way with appropriate screening.

vi. Screening from Residences: If a parking lot is located within fifty (50) feet of an abutting residential property or vacant lot, in order to shield that property from the glare from headlights, the perimeter landscaping shall include at least one of the following features:
   a. A hedge or other dense planting at least four (4) feet in height consisting of at least fifty (50) percent evergreen shrubbery;
   b. An earth berm or change in grade of not less than four (4) feet vertical measure above the elevation of the parking area surface;
   c. A solid wall or stockade (solid) fence at least four (4) feet in height; or
   d. Any combination of the above listed options (i), (ii), and (iii) which will achieve four (4) feet in height.

vii. All required landscaped areas shall be adequately maintained such that the minimum landscape material standards are always met.

11. Alternative Parking Standards

a. To encourage better overall site design, improve the management and efficient use of parking facilities, and reduce the dependency upon automobiles, the Planning Board may allow deviations from the parking requirements set forth in Section 904.16(B)1. The Planning Board will make a determination that the relief does not cause detriment to the surrounding neighborhood and/or roadway system based upon any of the following applicable criteria:
   i. Increase in traffic volumes
   ii. Increased traffic congestion or queuing of vehicles
   iii. Change in the type(s) of traffic;
   iv. Change in traffic patterns and access to the site;
   v. Reduction in on-street parking; and/or
   vi. Unsafe conflict of motor vehicle and pedestrian traffic.

b. The following additional guidelines and standards are offered:
   i. Municipal Parking Facility: To allow the substitution of space on a particular lot with parking spaces located within a municipal parking lot to satisfy the parking requirements of the Section, provided the municipal parking lot where such parking spaces are located is within a distance of four hundred (400) feet of the building or use (measured from property line to property line), which is intended to be served and demonstration that doing so will not exceed the cumulative peak demand of said municipal parking lot in a manner which is inconsistent with the objectives of this Section.

ii. Common Parking Areas and Multiple Use Facilities

(1) Notwithstanding the normal provision of this Section, where two or more activities or used provide the required parking or loading in a common parking facility or loading area, the number of parking spaces or loading bays ordinarily required may be reduced below the sum of the spaces or bays required for separate activities or uses, if it can be determined that the hours, days, or peak parking or loading demand for the uses are so different that a lower total will provide adequately for all uses or activities served by the parking facility in relation to the uses proposed to be served by it is appropriate.

(2) Deviation from the normal standard shall only be granted upon submission of calculated parking demand for combined land uses based on methodologies and indices of the Institute of Transportation Engineers, Urban Land Institute, or other recognized methodology approved in writing by the Planning Board. A formal parking demand study may be waived by the Planning Board for small developments where there is established experience with the land use mix and its impact is expected to be minimal.

(3) Where such facilities are shared by more than two (2) owners, the applicant shall provide executed and filed instruments with the Registry of Deeds establishing to the satisfaction of the Planning Board that sufficient legal interest has been acquired in such premises to assure that the property(s) have a shared parking arrangement or peak hour parking arrangement and the availability for required parking as long as the uses served are in existence.

iii. Land Banked Parking

(1) To reduce the area of impervious surface, encourage open space, accommodate future changes in land use and/or ownership, and shifts in shared parking demand, up to forty percent (40%) of the land area that would otherwise be needed to provide the required amount of parking may be land banked or set aside on the site to provide for the future construction of a parking area.

(2) The parking facility shall be designed/engineered to enable the site to satisfy the requirements of this Section to meet the peak demands of the project(s) or use(s). Where it can be demonstrated by the applicant in the future that there is a need to convert all or a

portion of the land-banked parking facilities because parking demand is in excess of eighty percent (80%) of parking supply on the property, then the applicant may convert the requisite number of land banked parking spaces to functioning parking spaces.

(3) For purposes hereof, parking demand shall be demonstrated through a report of the applicant's ,or the then current owner's, traffic engineering consultant (as the case may be), certifying that at any time during the four-hour peak demand period on a weekday or Saturday, the actual parking demand and utilization is in excess of eighty percent (80%) of parking supply on the property, with actual field site observations being conducted on two separate days during any consecutive forty-five (45) day period.

(4) Upon the Planning Board's determination the applicant has established the requisite parking need, and upon submission of the report to the Planning Board, the Planning Board may allow the conversion of all or a portion of the land-banked parking.

12. The above requirements are guidelines; the Planning Board may require additional Parking Studies as they deem necessary.

13. In the case of a conflict within parking standards and other zoning ordinances or regulations, the more stringent requirement applies.

904.16 FINAL PLAT AND RECORDING REQUIREMENTS

A. The following items must be shown on the final plan to be recorded:

1. Those items shown with an asterisk in the Submission Requirements of this article (904.4).
2. All approved conditions.
3. All waivers and variances granted by the Planning Board and/or Zoning Board of Adjustment.
4. All easements
5. All State and Federal approvals.

B. The final plan submitted for approval and subsequent recording shall conform to the requirements of NH RSA 478:1-a for recording at the Rockingham County Registry of Deeds; all mylars must be pre-approved by the RCRD; the date of the Registry pre-approval will be provided to the Board.

C. The mylar for the Planning Board Chairperson's signature; 4 copies

of the registered plan shall be submitted for Town records.

D. 4 paper copies (standard size) of the complete plan set must be presented at the time the mylar is presented (a copy for the Planning files, Property file, Building Inspector and Town Engineer); each set to also be signed and dated by the Planning Board Chairperson.

E. A CD containing the complete plan in PDF format.

F. Fees:
1. Recording and Copy Fees (available at the Planning Board office)
2. Specific Registry Fees; check to be made out to the Rockingham County Registry of Deeds.

904.17 PROCEDURE FOR PLAN REVIEW *(Amended Aug. 19, 2008)*

A. Board Action on Accepted Applications

Within 65 days of formal acceptance of the plan, the Planning Board will make a decision on the site plan application as follows:

1. Approval. At a duly notice public meeting, the Board shall act to approve, conditionally approve, or disapprove, the application. The sixty-five (65) day time limit shall be subject to extension or waiver as provided below in Section 904.16. [RSA 676:4, I(c)]
2. The Planning Board shall have the right, as part of its approval or conditional approve on a site plan, to determine the threshold for "active and substantial development of building" in relation to the application under review. This determination establishes the threshold levels of work necessary within twenty-four (24) months of approval to vest the applicant according to the provisions of RSA 674:39,I. The Planning Board may, for good cause, extend the 24 month period.
   a. Failure of a developer to meet the threshold within the required twenty-four month period will prevent vesting of the approved application against any subsequent changes in the Town's regulations and ordinances, including impact fees, and require further review by the Planning Board before any construction.

b. Failure of the Planning Board to specify as a condition of subdivision/site plan approval what shall constitute "active and substantial development or building" shall entitle the site plan approved by the Board to the 5-year exemption described in RSA 674:39, I.

3. The Planning Board shall also have the right, as part of its approval or conditional approval on a site plan, to determine the threshold for "substantial completion" of the improvements as shown on the site plan in relation to the application under review. This determination establishes the threshold levels work necessary to permanently vest and protect the approved application from subsequent changes in subdivision/site plan review regulations, or zoning ordinances, except impact fees adopted pursuant to RSA 674:21 and 675:2-4.
4. Failure of a developer to meet the threshold will prevent vesting of the approval against any subsequent changes in the Town's regulations and ordinances, and require further review by the Planning Board before any construction.

B. Conditional Approval. *(Amended 7/19/2011)*

1. The Planning Board may grant conditional approval of a plat or application, which approval shall become final without further public hearing, upon certification to the Board by its designee or based upon evidence submitted by the applicant, of satisfactory compliance with the conditions imposed by the Planning Board.
2. All conditions described in the motion to grant conditional approval must be met within 90 days unless one or more of the following is true:
   a. A specific time limit was made as part of the motion to conditionally approve; or
   b. The applicant has applied for, and the Planning Board has approved, a request to extend the time limit for a specified period of time not to exceed 45 (forty-five) days. The applicant may apply for one 45 (forty-five) day extension.
3. Failure to meet all conditions within the time prescribed results in automatic disapproval and the plan is required to be resubmitted.

C. Disapproval. The Board shall disapprove of an application which does not meet the standards of these regulations, or fails

to comply with other Town or State laws, or will have an adverse impact on surrounding areas or the community.

904.18 WAIVER

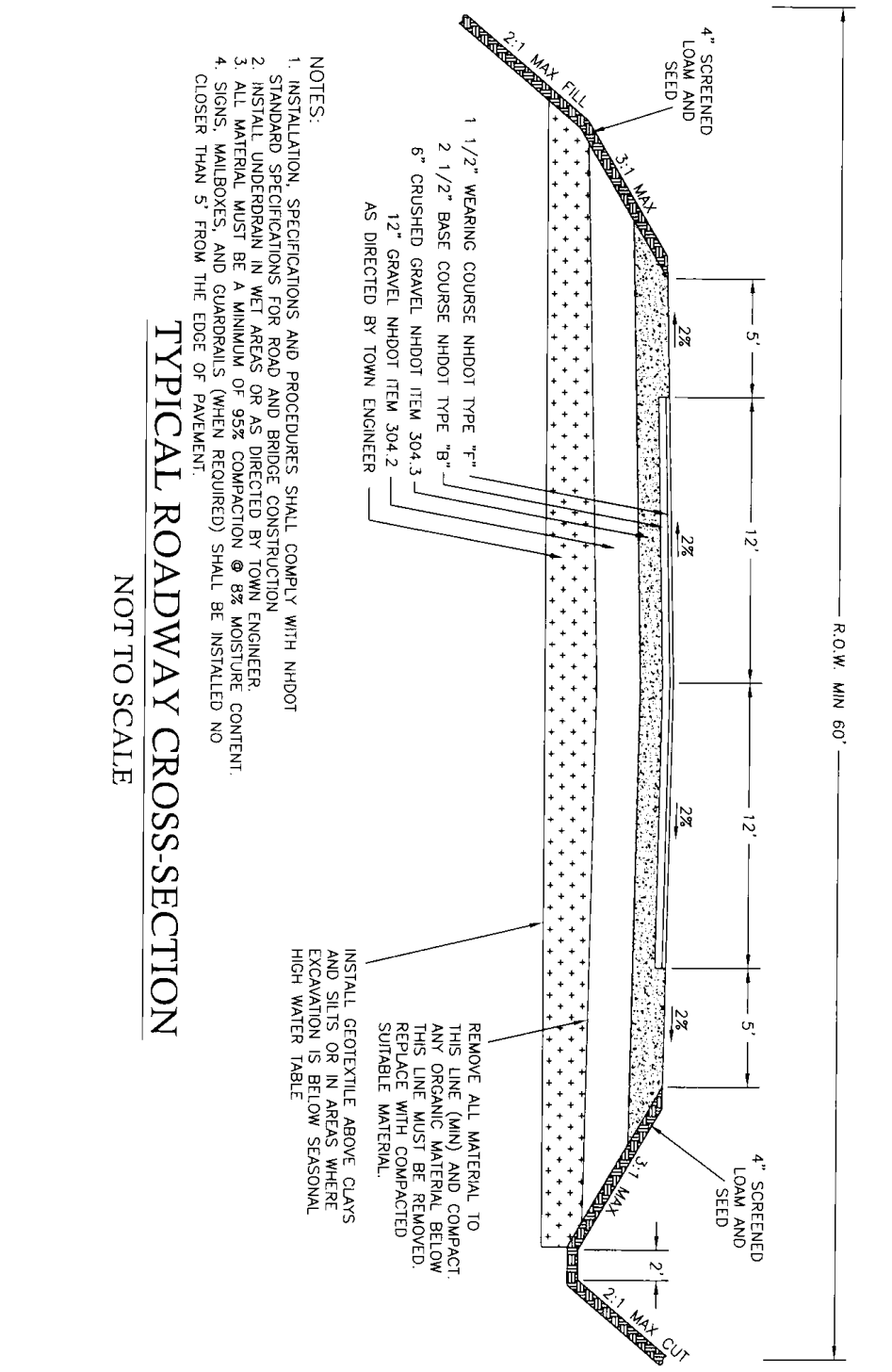
If the Planning Board finds that extraordinary hardships or practical difficulties may result from strict compliance with these site plan regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve waivers to these site plan regulations so that substantial justice may be done and the public interest secured, providing that such waiver shall not have the effect of nullifying the intent and purpose of these regulations; any waiver from the regulations shall be subject to a majority vote of approval of the Board and be duly recorded in the minutes.

904.19 ADOPTION AND AMENDMENTS

These regulations may be adopted, amended or rescinded by a majority vote of the Board following a public hearing on the proposed changes and shall be become effective at that time.

904.20 SEPARABILITY

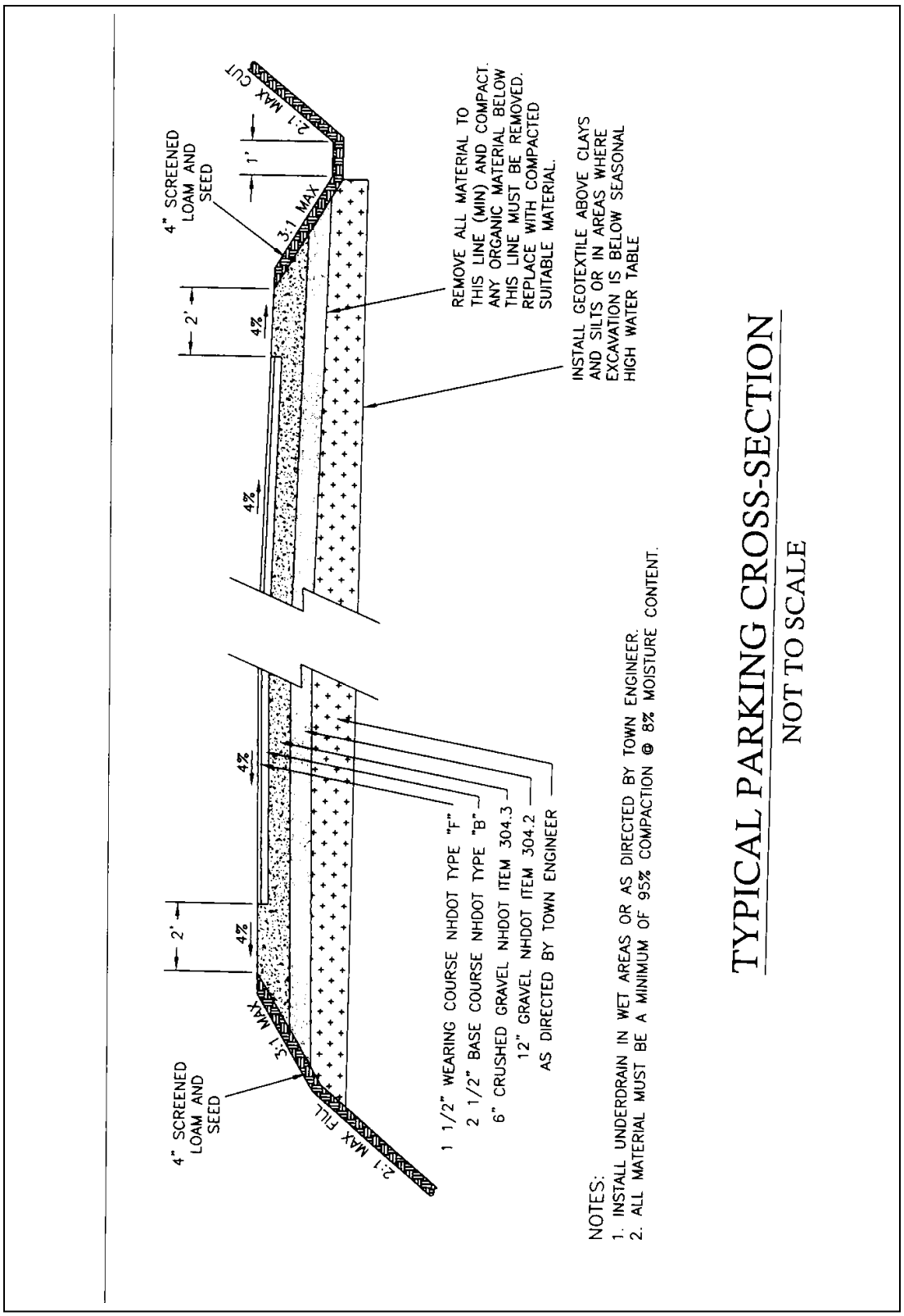
If any section, provision, portion, clause or phrase of these Regulations shall be held to be invalid or unconstitutional by any court or competent authority, such holding shall not affect, impair, or invalidate any other section, clause, provision, portion or phrase of these Regulations.



NOTES:
1. INSTALLATION, SPECIFICATIONS AND PROCEDURES SHALL COMPLY WITH NHDOT STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION
2. INSTALL UNDERDRAIN IN WET AREAS OR AS DIRECTED BY TOWN ENGINEER.
3. ALL MATERIAL MUST BE A MINIMUM OF 95% COMPACTION @ 8% MOISTURE CONTENT.
4. SIGNS, MAILBOXES, AND GUARDRAILS (WHEN REQUIRED) SHALL BE INSTALLED NO CLOSER THAN 5' FROM THE EDGE OF PAVEMENT.

TYPICAL ROADWAY CROSS-SECTION

NOT TO SCALE


4" SCREENED LOAM AND SEED
2' MIN
4%
3:1 MAX
2:1 MAX CUT
1'
4%
REMOVE ALL MATERIAL TO THIS LINE (MIN) AND COMPACT. ANY ORGANIC MATERIAL BELOW THIS LINE MUST BE REMOVED. REPLACE WITH COMPACTED SUITABLE MATERIAL.
INSTALL GEOTEXTILE ABOVE CLAYS AND SILTS OR IN AREAS WHERE EXCAVATION IS BELOW SEASONAL HIGH WATER TABLE
4%
2' MIN
4%
3:1 MAX
2:1 MAX FILL
4" SCREENED LOAM AND SEED
1 1/2" WEARING COURSE NHDOT TYPE "F"
2 1/2" BASE COURSE NHDOT TYPE "B"
6" CRUSHED GRAVEL NHDOT ITEM 304.3
12" GRAVEL NHDOT ITEM 304.2
AS DIRECTED BY TOWN ENGINEER
NOTES:
1. INSTALL UNDERDRAIN IN WET AREAS OR AS DIRECTED BY TOWN ENGINEER.
2. ALL MATERIAL MUST BE A MINIMUM OF 95% COMPACTION @ 8% MOISTURE CONTENT.
TYPICAL PARKING CROSS-SECTION
NOT TO SCALE