

Site Plan Regulations

Town of Stratford, NH March 2023

Revised 2024-12

Table of Contents

Authority	2
Purpose and Objectives	2
Compliance	2
Scope of Review	2
Exemptions	3
Procedures for Site Plan Review	3
Variance Procedure	6
Application Requirements	7
Standards and Requirements	9
Compliance With Notice of Decision	12
Performance Guarantee	12
Changes and Alterations	13
Waiver	13
Penalties and Fines	13
Severability	13
Definitions	13

Town of Stratford Site Plan Regulations

PB3:1 Authority: Sections 674:43 and 674:44 of the New Hampshire Revised Statutes Annotated; Town of Stratford Town Meeting, Article 2, 2021.

PB3:2 Purpose and Objectives: The general purpose of these Site Plan Review Regulations is to provide for orderly community growth and promote the harmonious development of a resilient and sustainable community for current and future residents, to provide uniform procedures and standards for the Board and site plan applicants, to limit scattered or premature development of land, to encourage sound site utilization, and to protect public health, safety, and welfare in accordance with NH RSA 674:44 and guided by the Stratford Master Plan. In keeping with this general purpose, specific objectives include, but are not limited to:

_1 Balance landowner rights to use land with the corresponding right of abutting landowners and the public at large to be reasonably protected from undue hazards, disturbances, nuisances, pollution, or diminution of property values due to the location of buildings, roads, emergency access, sidewalks, activity, or other interaction of the site with private or public spaces.

_2 Ensure hydrological integrity by protecting groundwater, preventing flooding, controlling drainage and erosion, providing sanitary sewage disposal, preservation of aquifers, and preventing chemical leaching or runoff.

_3 Maintain and improve the rural character of the town through protection and preservation of its scenic vistas, forest areas, wetlands, green spaces, farm lands, and traditional architecture. This may include, but is not limited to, such significant features as stone walls, large trees, wildlife habitat, and historic structures.

PB3:3 Compliance: The site plan review procedure shall in no way relieve the applicant from compliance with the Town of Stratford's Land Use Ordinance, the Stratford Floodplain Ordinance, the Stratford Subdivision Regulations, or any other ordinance, regulation, or bylaw which pertains to the proposed development. No site plan shall be approved unless such plan complies with all applicable local, State, and Federal ordinances, laws, and regulations.

PB3:4 Scope of Review: Site plan approval is required prior to the development of new non-residential structures, new multi-family dwellings containing more than two dwelling units, new commercial real estate, redevelopment, expansion, or a change from one such use to another, whether or not such development includes a subdivision or re-subdivision of the site. Except for the exemptions listed below, no site development changes, including land clearing, building erection, change of use, or other site improvements shall be permitted on any lot in Stratford without first obtaining site plan approval from the Board. When a development is proposed, the property owner or owner's agent shall apply to the Board in writing for approval by complying with the requirements set forth in these regulations.

PB3:5 Exemptions: The following are exempt from site plan review:

_1 The construction or enlargement of any one or two dwelling unit structure, or accessory to such structure.

_2 Home business not involving any free standing outdoor lighting, signs, noise, outdoor storage, or construction of additional parking or road access.

_3 Governmental land uses as exempt pursuant to state and federal law. It is requested that governmental land use changes be brought before the Board to discuss the Town standards contained herein and opportunities to increase conformance if appropriate.

_4 Incidental public use installations such as bike racks, or bus shelters.

_5 Seasonal farm stands that do not require the construction of parking, road access, or permanent buildings.

_6 Changes or expansion of use of existing agricultural operations, unless these are potentially injurious to public health.

_7 Accessory structures on properties otherwise subject to site plan review unless the floor space of such accessory structures exceeds 495 sq. ft. (46 m²).

_8 Internal building modifications to a nonresidential use that do not affect the scale or nature of the existing use unless such modification requires an increase in off-street parking spaces.

PB3:6 Procedures for Site Plan Review:

_1 Preliminary Conceptual Consultation Phase:

.1 Prior to submitting a site plan application, an applicant may request a meeting with the Board for an informal conceptual consultation. A preliminary consultation can help prevent delays and redesign costs by making sure requirements are understood prior to submitting an application. Such discussions shall be held without formal public notice, at a regular Board meeting. [RSA 674:44, II]

.2 The conceptual consultation shall bind neither the applicant nor the Board. [RSA 676:4 II(a)] It shall be limited to reviewing the basic concepts of the proposal and reviewing the proposal with regard to the Town's Master Plan, Land Use Ordinance, Floodplain Ordinance, Subdivision Regulations, and to State and Federal regulations. At this meeting sketches, plans, and other descriptive information showing a general overview of the proposal are encouraged.

_2 The Application Process:

.1 Applications shall be received by the Board at a regularly scheduled business meeting. The application shall be reviewed for acceptance as complete at the Board's next regular business meeting for which notice can be given.

.2 If the application is determined to be complete, it shall be accepted as such per RSA 676:4, I(b) and the Board shall begin formal consideration of the application. When an application is accepted by the Board as complete, the Board

shall provide a written receipt to the applicant indicating the date of formal acceptance.

.3 The Board shall not accept and shall not begin review of an application if information required by these regulations, or fees required by the Board, are not received. An application shall not be considered incomplete solely because it is dependent on the submission of an application to, or the issuance of permits from, other State or Federal bodies. If the Board finds the application is incomplete, the applicant shall be notified of the deficiencies in writing.

3 Final Site Plan Decision

.1 Prior to approval of a site plan, a public hearing shall be held, and notice to applicant, owner(s) if not applicant, easement holders, any professional whose seal appears on the plan, abutters and the public shall be given [RSA 676:4]. The Planning Board, at its discretion, may hold a hearing on a site plan in conjunction with a subdivision hearing if required for a project.

.2 The Board will approve, conditionally approve, or disapprove the site plan within 65 days after formal acceptance of the application as complete unless the Board determines that the application is for a development of regional impact, which gives the Board an additional 30 days to approve, conditionally approve, or disapprove the site plan [RSA 676:4, I (c)]. A conditional approval shall become final without further public hearing upon certification to the Board of compliance with any and all conditions imposed, provided that such conditions are in compliance with RSA 676:4, I (i). All other conditions require a public hearing. The applicant may waive the requirement for Board action within the time periods specified in RSA 676:4 and consent to such extension as may be mutually agreeable.

.3 If the Board determines that it lacks sufficient information to make a decision on an application and the applicant does not consent to an extension, the Board may, at its discretion, deny the application without prejudice, in which case the applicant may resubmit the same or a substantially similar application.

.4 If the Board has not taken action to approve, conditionally approve, or disapprove the application within 65 days of its acceptance as complete, or within 95 days if regional impact pertains, and has not negotiated an extension, the Select Board shall certify on the applicant's application that the site plan is approved. [RSA 676:4, I(c)(1)].

.5 The Board shall notify the applicant in writing, signed by the Chair, of its approval or disapproval of the site plan. A copy of this Notice of Decision shall also be on file with the meeting minutes within 5 business days of the vote. The Board's Notice of Decision shall include specific written findings of fact that support the decision. If the site plan is not approved, the Board shall provide the applicant with written findings of fact for the disapproval. If the site plan is approved with conditions, the Board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

4 Determination of Regional Impact:

.1 Upon receipt of a site plan application, the Board shall determine whether or not the plan could reasonably be construed as having the potential for impact beyond the borders of Stratford [RSA 36:56]. This regional impact could result from a number of factors, including, but not limited to: relative size; transportation networks; proximity to the borders of a neighboring community; anticipated emissions such as light, noise, smoke, odors, or dust; proximity to aquifers or surface waters which transcend municipal boundaries; and shared facilities such as schools and solid waste disposal facilities.

.2 If the Board finds that regional impact is uncertain, the Board shall assume that a regional impact will result.

.3 Upon determination that a proposed development has potential regional impact, the Board shall afford the regional planning commission and the affected towns the status of abutters for the limited purpose of providing notice and giving testimony.

.4 Not more than five business days after reaching a decision that a development is of regional impact, the Board shall, by verified mail, furnish the regional planning commission and the affected towns with copies of the meeting minutes at which the decision was made; at the same time, it shall submit an initial set of plans to the regional planning commission, which shall be paid for by the applicant. At least 14 days prior to the public hearing, the Board shall notify by certified mail, all affected towns and the regional planning commission of the date, time and place of the hearing and the right to testify [RSA 36:57].

5 Notice:

.1 Notice of formal submission of an application shall be given by the Board to the abutters, owner(s), applicant if not the owner, easement holders, and any professional whose seal appears on the plan, by verified mail at least ten days prior to the business meeting when the Board will review the application for completeness. For proposals in which any structure or campsite will be within 500 feet (152 m) of the top of the bank of any lake, pond, river, or stream, notice shall also be given to NHDES Dam Bureau [RSA 676:4, I(d)(2)]. The applicant shall separately notify natural gas transmission line operators [RSA 674:75].

.2 Notice to the public shall be given at the same time by posting in at least two public places in the town and publicizing the hearing on the Town website. The notice shall give the date, time, and place of the Board meeting at which the application will be formally submitted for a determination of completeness, and shall include a general description of the subject of the application or of the item to be considered, and shall identify the applicant and location of the proposed site development.

.3 For any public hearing concerning the application, the same notice as required for notice of submission shall be given. If notice of a public hearing is included in the notice of submission, additional notice is not required. Additional notice is not required for any continued session of a hearing if the

date, time, and place of the continued session was made known during the initial session.

6 On-site inspection:

.1 By filing an application, the applicant consents to on-site inspections of the property by individual Board members and agents at reasonable times and in a reasonable manner. Such consent also includes permission for a duly noticed public meeting of the Board at the site, open to abutters, the public, and other interested parties.

.2 The Board may require that proposed roads, buildings, wetlands, or other features be staked or flagged prior to such inspections.

.3 If an application is accepted as complete during any meeting from beginning September through end March of the following year, the applicant waives the requirement for Board action within the time periods specified in RSA 676:4, I(c) if, in the reasonable opinion of the Board, winter conditions prohibit making a proper site inspection and evaluation. In such circumstances, the Board shall perform site inspections following the acceptance of the application as complete as soon as is reasonably practicable and subsequently approve, conditionally approve, or disapprove the site plan.

.4 Should the applicant object to any on-site inspection, the Board may deny the application without prejudice.

7 Fees:

.1 The filing of an application shall be accompanied by the required filing fee. The application shall not be accepted as having been filed until payment of the fee is received.

.2 The Board may require third party review and special investigative studies at the applicant's expense, including but not limited to, environmental assessments, traffic studies, economic impact studies, a legal review of documents, administrative expenses, and other matters necessary to make an informed decision. The cost of such studies and investigations shall be paid by the applicant prior to the approval or disapproval of the site plan [RSA 674:44 and 676:4-b]. The Board reserves the right to require third party inspection during construction of an approved site, at the applicant's expense. Reports shall be submitted to the Board in a timely manner.

PB3:7 Variance Procedure

1 It is the applicant's responsibility to ensure the proposed development complies with Stratford's Land Use Ordinances. When a or variance is required, it is recommended the applicant first obtain approval from the Zoning Board of Adjustment (ZBA) before applying for site plan approval. Copies of any ZBA approvals already received must be included with a site plan application.

2 When an approved request from one board differs substantially from the other, the first board may require a rehearing of the proposal based on these differences. A joint hearing of both the Planning Board and the ZBA may be held if requested by

the applicant or either board [RSA 676:2].

3 Any conditions imposed by the ZBA shall not be diminished by the requirements contained in these regulations.

PB3:8 Site Plan Review Application Requirements:

1 The following items are to be submitted with the application and, as applicable, be included on the proposed site plan map:

- .1 Payment for all application fees
- .2 Names and addresses of developer, applicant, and owner(s).
- .3 Copies of the deed(s) and all easements and deed restrictions for the lot(s) proposed for development.
- .4 All abutter names and addresses of record, taken from Town records not more than five days before the day of filing the application with the Board.
- .5 Names and addresses of all easement holders.
- .6 Any applicable Town, State or Federal permits that have been received at the time of application.
- .7 One mylar original map that satisfies all requirements of the Coös County Registry of Deeds, and three paper copies equal to the mylar in size. Maps should show adequate detail; the Board may require additional or new maps.
- .8 Scale should be large enough to show adequate detail.
- .9 Date, title, north point, bar scale.
- .10 Name, address, and stamp of all professionals responsible for preparation of the plans presented to the Board.
- .11 Name of the development
- .12 Locus map that clearly shows the location of the proposed development within the town.
- .13 Signature block with lines for five signatures.
- .14 Surveyed property lines showing bearings, distances, monuments, lot area, and abutting lot numbers.
- .15 The location of all existing and proposed deed restrictions, easements, covenants, etc.
- .16 A soils classification map, together with descriptive information for each type of soil.
- .17 The location of wetlands, poorly drained soils, soils subject to flooding, flood hazard areas, mapped fluvial erosion hazard areas, and the one hundred-year flood elevation line and base flood elevation where applicable.
- .18 The location of all buildings and all intersecting roads or driveways within 200 feet (61 m) of applicant's property, together with an identification of the

use of abutting properties.

.19 Existing and proposed grades, drainage systems and structures, with topographic contours at intervals not exceeding 2 feet (0.61 m) with spot elevations, where grade is less than 5 percent, and otherwise not exceeding 5 foot (1.5 m) contour intervals.

.20 Natural features such as streams, marshes, lakes or ponds, types of vegetation, and ledge outcrops, and man-made features such as, but not limited to, existing roads, structures, and landscaping. The map shall indicate which of such features are to be retained and which are to be removed or altered.

.21 The size, type, and proposed location of water supply and wastewater facilities; location of test pits and record of percolation tests; all distances from proposed and/or existing water and wastewater facilities on the site and on abutting properties to a distance of 200 feet (61 m). The size and location of existing and proposed public and private water and wastewater facilities and connections, along with all necessary engineering data.

.22 A copy of certification by a NH permitted septic designer that an existing system is adequate to meet the needs of proposed use.

.23 Provisions for fire protection, including water supply.

.24 The shape, size, height, facade, and location of the proposed structures, including expansion of existing buildings.

.25 Exterior lighting plan showing the location of, and describing all existing and proposed exterior lighting fixtures.

.26 A plan for the location of free-standing or building-mounted signs, including the size, location, mounting, aiming and shielding of any associated light fixtures.

.27 Natural vegetation to be retained; location, type, and size of all proposed landscaping and screening.

.28 A stormwater management plan and an erosion control plan shall be submitted when one or more of the following conditions is present: (1) A cumulative disturbed area exceeding 20,000 sq.ft. (1858 m²); (2) Construction of road or street; (3) Construction of three or more dwelling units or finished dwelling unit sites; (4) The disturbance of critical areas, such as slopes over 25%, wetlands, seasonal or year round water courses, or floodplains.

.29 Adequate detail to demonstrate compliance with the appropriate applicable best management practices identified in Volumes 1, 2 and 3 of the NEW HAMPSHIRE STORMWATER MANUAL, current edition as of the date of the application filing, published by NHDES. This shall include, for example, a storm drainage plan, including plans for retention and slow release of stormwater where necessary, including the location, elevation and size of all catch basins, dry wells, drainage ditches, swales, culverts, retention basins, and storm sewers. The Plan shall indicate directions of flow. The engineering calculations used to determine drainage requirements, the date and source for precipitation data, and a plan for

long-term maintenance of the stormwater facilities may be required.

.30 Plan for snow removal indicating location of snow storage.

.31 A traffic plan for the site showing provisions for both auto and pedestrian circulation, access and egress, and any proposed changes to existing public road infrastructure necessary in conjunction with the site plan. The traffic plan shall show proposed streets with street names, driveways, parking spaces, sidewalks, directions of travel, loading spaces, and associated facilities. All dimensions needed by the Board to reach a decision are required. New roads shall be constructed in accordance with all Town minimum road standards. Applicants may be required to provide construction drawings and supporting data for any traffic related infrastructure. The Board may impose additional requirements as reasonable for pedestrian safety and traffic calming.

.32 Noise that can reasonably be expected to be heard beyond the property lines, including hours and duration of impact. Applicants may be required to provide a noise study report including decibels, noise level contours, and list of remedies to reduce impacts to neighboring property and public areas.

.33 A written narrative including: estimated time for construction and completion of development, and a description of proposed use, including activities and hours of operation.

.34 The Board may require such additional information as it deems necessary in order to apply the regulations contained herein. The cost of all such additional information shall be paid by the applicant.

2 All paper application materials shall also be submitted as lossless pdf documents ≥ 900 dpi. Maps shall be submitted also as GeoPackages or ESRI shapefiles referenced to the current NH State Grid Coordinate System.

PB3:9 Standards and Requirements: Every proposed site development shall conform to the provisions of all Federal, State, and local ordinances as well as these regulations. If the applicant does not fully understand the regulations, it is the applicant's responsibility to seek the advice and counsel of qualified persons.

1 Requirements during Construction:

.1 The top of a cut or bottom of a fill section shall not be closer than ten feet (3.1 m) to an adjoining property line, unless otherwise specified by the Board. Extractive operations, e.g. sandpits, shall not be permitted within fifty feet (15.5 m) of any property line. Methods of dust control shall be employed during grading operations. Grading and filling must be conducted to minimize the alteration of surface and subsurface drainage, toward or across abutting properties, unless the written consent of the abutting landowner is obtained.

.2 Only the smallest practicable area of land shall be disturbed at any one time during development and subsequent operations, and disturbance shall be kept to the shortest practicable period of time. Land should not be left exposed during the winter months.

2 Landscaping and Screening:

.1 Final landscape treatments shall be installed as soon as practicable and shall consist of natural, undisturbed vegetation or features, or newly installed ground cover, shrubs, or trees, where appropriate. Provision shall be made for protection of natural features. Whenever feasible, natural vegetation shall be retained and protected.

.2 Where a buffer or natural screen is required by the Board, such buffer or screen shall be permanent and sufficient in the opinion of the Board to protect the abutting property to which it pertains from unreasonable environmental impacts such as noise, lighting, or intrusion of traffic to or from the proposed development. Buffers shall be 10 feet (3.1 m) or more in width dependent on the nature of the project and density of development in the area. Buffers between non-residential and residential uses must contain vegetation that will be an effective screen during the winter months. Buffers shall not be used for parking, storage, or any other use which conflicts with the purpose and standards of this section. Year-round screening shall be provided around utilities, solid waste storage areas, and the like, if such would otherwise be visible from public roads or abutting properties.

3 Streets and Parking:

.1 Improvements to existing streets, traffic access to the site from streets, on-site vehicular and pedestrian circulation, parking and loading facilities and emergency access shall all be designed to ensure the safety of pedestrians and vehicles.

.2 Sufficient off-street parking, loading, and maneuvering areas shall be provided. Such areas are to be constructed so as to minimize the impact of noise, dust, erosion, and run-off conditions on neighboring properties. Permeable surface use is encouraged to reduce environmental impacts, but the Board may require impermeable pavement if deemed appropriate.

.3 A parking plan shall include adequate documentation to justify the proposed number and size of spaces. Off-site parking may be utilized to fulfill some or all of the parking requirements when provided within a distance appropriate to the proposed use. Handicapped parking spaces must be provided in compliance with the most recent Americans with Disabilities Act standards. Large parking areas are to be minimized and shall include interior landscaping and permeable areas as required by the Board.

.4 The Board may request a parking study be conducted by a qualified professional, at the applicant's expense, if a waiver is being requested or there are questions that cannot be resolved by the Board and applicant.

.5 The Board may require that the applicant extend or improve, or contribute to the cost of public infrastructure alterations, including but not limited to, streets, street lighting, sidewalks, water, or storm drainage facilities, where such alterations are required to adequately serve the proposed development. The amount of the applicant's required contribution shall be reasonable and proportionately related to the needs created by the development and to the benefits accruing to it from the improvements.

4 Environmental Standards:

.1 It is the responsibility of the applicant to employ best practices and the best available technology to minimize discharges of all forms of pollution, including sound.

.2 The applicant shall supply evidence that the proposed development does not threaten any endangered species or wildlife corridors, or unreasonably impact natural habitats.

.3 No plan shall be approved which does not appropriately protect groundwater and other natural resources from adverse conditions caused by the development.

.4 Storm drainage shall be designed for at least the 100 year storm and provision shall be made for retention and gradual release of storm water within the site property. All storm water management and erosion control measures in the plan shall adhere to Volumes 1,2, and 3 of the New Hampshire Stormwater Manual, current edition at the time of application.

.5 The applicant shall bear final responsibility for the installation, construction, and establishment of provisions for ongoing maintenance of all stormwater and erosion control measures required by the Board. Final approval shall not be granted until the plan and a mechanism for ensuring ongoing maintenance are approved by the Board.

.6 Provision shall be made for snow storage.

.7 Wetlands shall not be disturbed without first obtaining the required permits from the New Hampshire Department of Environmental Services [NH RSA 482-A]. All site wetlands shall be identified by a wetlands scientist and shown on plans presented to the Board. Preliminary wetlands identification, as determined by the Conservation Commission, Town Maps, aerial photographs, or other qualified sources satisfactory to the Board, should be part of the preliminary conceptual consultation.

5 "Special Flood Hazard Areas" (SFHA) designated by the National Flood Insurance Program (NFIP):

.1 The Board shall review the proposed development to assure that all necessary permits required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334 have been received.

.2 The Board shall require that all site proposals approaching within 200 feet (61 m) of a SFHA boundary include Base Flood Elevation (BFE) data.

.3 The Board shall require the applicant to submit sufficient evidence to determine that: the proposal is consistent with the need to minimize flood damage; all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and adequate drainage is provided to reduce exposure to flood hazards.

6 Utilities: Provision shall be made for the site to be adequately serviced by necessary applicable utilities including fire fighting and potable water,

wastewater disposal, electricity, communications, fuel storage, and solid waste storage. New electric, telephone, cable, internet, and similar service lines shall be installed underground following best practices.

_7 Signs and Lighting:

.1 All outdoor lighting shall not cause light trespass, glare, sky glow, or excessive lighting. Outdoor lighting fixtures shall be sufficiently shielded and aimed such that any spillage of light onto adjacent properties is minimized and glare from light emitting or reflecting parts of a luminaire is not visible from adjacent properties. No lighting fixtures shall emit light color temperatures in excess of 3000 kelvins. To the extent practicable, lighting shall make use of timers, dimmers, motion sensors and other adaptive controls to substantially dim or extinguish lighting between 11 PM and 6 AM, unless public safety concerns clearly demand otherwise.

.2 Lighted or unlighted signs shall not be placed in required buffers or in a location which may interfere with the line of sight or otherwise obstruct the visibility of motor vehicles, bicyclists, or pedestrians. Signs may be down lighted externally from a fixture mounted at the top of the sign. All internally lighted or up lighted signs are prohibited, as are blinking, fluttering, moving, or digital message signs. Free standing signs, and other advertising structures shall not exceed 10 feet (3.1 m) in height, and shall be of a minimum size that allows for safe identification and access to premises.

_8 Fire Protection: All site plans must meet the approval of the Stratford Volunteer Fire Department, documented by the Fire Chief or designee, relative to emergency access, fire prevention, protection and water supply.

PB3:10 Compliance with the Notice of Decision: The applicant shall construct and complete all structures and landscaping required within the time limits specified in the Notice of Decision. Where no time limits are specified, the period for completion shall be within two years of final approval, unless other arrangements are made with the Board. The Board reserves the right to hire engineers or other professionals at the applicant's expense, to determine that the final construction of the development is according to final plan.

PB3:11 Performance Guarantee:

_1 The Board may require the applicant to post a bond or provide an irrevocable letter of credit, in a form approved by the Select Board, to protect the Town from any damage on or off the site, or from failure to fulfill all requirements specified by the Board.

_2 The Board shall obtain a project completion cost estimate from the applicant's engineer, contractor, or from an engineer of the Town's choosing, at the applicant's expense, and based on that estimate determine the amount of the guarantee plus allowance for cost overruns, repairs, or remediations.

_3 Release of Performance Guarantee: At the applicant's request, the Board may partially release the guarantee as work is inspected and accepted as complete by

the Board or its designee. The guarantee shall be fully released when the Board is satisfied that the applicant has complied with all requirements set forth in the Notice of Decision.

PB3:12 Changes and Alterations in an approved site plan: If at any time before or during construction of the site plan, unforeseen conditions make it necessary or desirable to modify the plan, the applicant shall immediately, in writing, submit the intended modifications to the Board. The Board shall determine if the proposed alterations substantially change the standards and requirements of the approved plan [NH RSA 676.4:I (i)]. If so, a duly noticed public hearing shall be held at the expense of the applicant. Any alteration not deemed a substantial alteration to the previously approved plan shall be handled administratively by the Board.

PB3:13 Waiver: Where the Board determines that strict conformity to these regulations would pose an unnecessary hardship to the applicant and a waiver will not be contrary to the spirit and intent of these regulations, the Board may waive or modify the requirements of these regulations [RSA 674:44, III (e)]. The basis for any waiver granted by the Board shall be recorded in the minutes of the Board.

PB3:14 Penalties and Fines: Any violation of these regulations shall be subject to enforcement and a civil fine as provided in NH RSA 31:39-c, NH RSA31:39-d, NH RSA 676:16 and NH RSA 676:17 et seq., as amended.

PB3:15 Severability: If any provision of these regulations shall be held to be invalid for any reason by any court, such holding shall not invalidate in any manner any other provisions contained herein.

PB3:16 Definitions

1 Abutter: Any owner of record, or holder of an agricultural or conservation easement on any property that adjoins, is directly across any stream, body of water, or public way within 200 feet (61 meters) of land under consideration for a site plan. For projects of regional impact, the North Country Council and the municipalities adjoining Stratford are considered abutters. For purposes of submitting testimony, but not requiring notification, the term 'abutter' shall include any person or organization able to demonstrate a direct impact from the proposed site plan.

2 Board: The Stratford Planning Board.

3 Commercial Real Estate: any real estate other than real estate containing one to 4 household dwelling units [RSA 331-A:2, IV-a].

4 Dwelling Unit: any structure, or portion thereof, which is occupied as, or designed or intended for occupancy as, a residence by one or more households, and any vacant land which is offered for sale or lease for the construction or location thereon of any such structure, or portion thereof.

5 Finished Dwelling Unit Site: An area prepared with sufficient utility connections or infrastructure such as roads, water, wastewater, or electricity, such that a dwelling unit can be accommodated there.

6 Home Business: Any business that is conducted within a dwelling by the residents

thereof, which is a secondary use of the residence, and does not change the character of the neighborhood.

7 Multi-family Dwelling: Any structure under individual or joint management containing more than 2 dwelling units, whether or not such structure includes a subdivision or resubdivision.

8 Notice of Decision: Written notice of approval, disapproval, or conditional approval of an application.

9 Outdoor Storage: The location of any goods, wares, merchandise, commodities, junk, debris or any other item outside of a completely enclosed building for a continuous period longer than 24 hours.

10 Structure: The International Code Council's International Building Code definition [RSA 155-A:1, VI], "That which is built or constructed" [Aug 2024 International Building Code, Chapter 2, Definitions], thus any constructed individual or group of buildings, infrastructure, facilities, etc. that are intended to be an interconnected whole under the control of an individual or joint entity; and anything constructed or erected for the support, shelter or enclosure of persons, animals, goods, or property of any kind, with a fixed permanent location on or in the ground, exclusive of fences [RSA 483-B:4, XXII].

Approved:

_____ William Noons

_____ Ron Scott

_____ Michael Brauer

_____ Harry Juergens

Date: 2024-12-17