

Town of Windham New Hampshire



SITE PLAN REGULATIONS

**TOWN OF WINDHAM
NEW HAMPSHIRE
SITE PLAN REGULATIONS**

100. PURPOSE:

The purpose of these Regulations is to provide for Planning Board review and approval or disapproval of all site plans for the development of land for other than one or two family dwelling residential development (except in Open Space Residential Developments), as well as a change of development and/or use, whether or not such development includes a subdivision or re-subdivision of the site, to assure that minimum standards will be attained so as to provide for and protect the public health, safety, and general well being. These Regulations are enacted pursuant to the provisions of RSA 674:43.

200. GENERAL STANDARDS:

The review of any site plan, including the further development by change of development and/or use, or expansion of an allowable use of an existing developed site, conducted by the Planning Board under these regulations shall ascertain that adequate provisions have been made by the owner or his authorized agent for the following:

201. On-site and off-site traffic circulation and access including adequacy of adjacent streets, entrances and exits, traffic flow, sight distances, curb cuts, turning movements or turning lanes, existing or recommended traffic signalization, and projected relocation or widening of streets.

202. Pedestrian safety and access.

203. Adequacy of the off street parking and the loading facilities, and the safety and circulation of off street parking and loading facilities (except in Open Space Residential Developments).

204. No detrimental effect on the community in the areas of danger or injury to health, safety, or prosperity by reason of lack of water supply, drainage, transportation or other public service which necessitates an excessive expenditure of public funds for the supply of services.

205. Protection of the districts in which the site is located and adjoining districts against detrimental or offensive uses or structures on the site.

206. Adequacy of the methods of disposal for sewage, refuse, and other wastes resulting from the uses permitted on the site and the methods of drainage for surface waters from its parking spaces and driveways.

207. Environmental factors such as pollution, noise, odor, and protection of natural land features.

208. Landscaping that improves the general character of the surrounding area.

209. Signing and exterior lighting that provides adequate site lighting without over lighting the site or adjacent properties while minimizing light pollution (except in Open Space Residential Developments).

210. A buffer zone consisting of an existing vegetated or planted screen or by a solid fence or wall (except in Open Space Residential Developments).

211. Emergency water supplies.

In addition, the Planning Board shall review the site plan to assure compliance with the provisions of the zoning ordinance and the minimization of encroachment on neighboring land uses.

300. REQUIREMENTS FOR SITE PLAN:

In all zoning districts, site development plan approval by the Planning Board shall be required for:

301. The erection or enlargement of all buildings and their accessory structures except one or two family residential dwellings.

302. All uses of vacant land except one or two family residential dwellings.

303. Change of use of any existing structure except one or two family residential dwellings.

304. One or two family residential structures shall require site plan approval in Open Space Residential Developments.

305. All site plan applications shall follow the major site plan track unless it is requested by the applicant and determined by the Board that a submittal qualifies as a minor site plan. Only the Planning Board can determine whether or not a plan qualifies as a minor site plan. To request a minor site plan classification the applicant shall submit a letter describing the proposed development or change-of-use. The letter will be considered correspondence to the Board. The Board will discuss the reasons for classifying the proposal as a minor site plan and vote to review the proposal based on the criteria of a minor site plan (See Section 306 below).

306. MINOR SITE PLAN CLASSIFICATION CRITERIA: Minor Site Plan is a site plan or change of use that meets the following criteria as applicable:

306.1. The purpose of the plan is for a minor change of use or expansion of use.

306.2. The site plan will have minimal traffic impact on the surrounding road network.

306.3. There is no increase of access ways to public streets.

306.4. Minimum lot grading is proposed.

306.5. Existing drainage systems can accommodate additional drainage needs.

306.6. Increase in gross floor area does not exceed 25% of the existing gross floor area up with a maximum allowed increase of 500 sq. ft.

306.7. Expansion of pavement does not exceed 25% of the existing paved area up to a maximum allowed change and not to exceed 1200 sq. ft.

306.8. There are no unusual or special conditions which require supplemental information for Planning Board review.

306.9. An open space subdivision with no more than two (2) residential lots.

306.10. A multi-family housing project with three (3) units or less.

306.11. Any public safety or non-conforming uses within current regulations may be considered a special condition.

306.12 . Does not have negative adverse impacts to Section 703 of this ordinance.

400. PRE-SUBMISSION OF MAJOR SITE PLAN:

Prior to a formal site development plan for a major site plan application the Applicant or the Applicant's authorized agent shall meet in person with the Planning Board for a preliminary discussion of the site plan in order to determine which submittals may be necessary in developing and submitting the final site plan.

401. PRE-SUBMISSION APPLICATION REQUIREMENTS: The Applicant shall submit a preliminary plan and application for conceptual discussion for Planning Board review. The application shall be submitted twenty (20) days in advance of a regularly scheduled meeting of the Planning Board. The preliminary submittal shall include the following information:

401.1. Eight (8) copies of the an Existing Conditions plan that clearly illustrates the location of wetlands, Wetland and Watershed Protection Districts, Zoning District lines including the Aquifer Protection District and Flood Plain District, site topography (2 foot contours), stonewalls, major bodies of water, historical and ecological features, existing easements, rights-of-way, High Intensity Soil Surveys (HISS soil types), trails, and adjacent roads. This plan shall be stamped by a licensed land surveyor, NH certified soil scientist and wetlands scientist.

401.2. A brief description of the land characteristics and a summary of the major development constraints and opportunities along with a brief description of the proposed development.

401.3. Eight (8) copies of the preliminary site plan application.

401.4. One (1) copy of the completed application.

402. One list of abutters including the abutters' addresses, as shown not more than five (5) days before the day of filing, and two (2) sets of mailing labels for the certified mailings to notify the abutters.

403. All filing and notice fees.

404. Once the Planning Board is satisfied with the preliminary subdivision design and/or preliminary design, the Planning Board shall vote to formally end the preliminary review process. The Applicant will have a 12-month deadline to submit the Final Plan application.

405. APPLICATION SUBMISSION REQUIREMENTS FOR FINAL MAJOR SITE PLAN:

The site development plan shall be submitted at least twenty (20) days in advance of a regularly scheduled meeting of the Planning Board. The application shall include the following:

405.1. Eight (8) copies of the final plan set. The final plans should include all required ecological and significant feature data as well as all development data and any additional requirements outlined in the Site Plan Regulations or required by the Board.

405.2. One completed Site Plan application form.

405.3. One list of abutters including the abutters' addresses, as shown not more than five (5) days before the day of filing, and two (2) sets of mailing labels for the certified mailings to notify the abutters.

405.4. One Site Plan checklist including a written explanation of all items marked “Not Applicable” (N/A).

405.5. A letter of intent detailing the proposal.

405.6. Plans should include the Town’s title block which includes the title of the plan, owner’s name and address, date plan was prepared and any subsequent revisions, scale of the plan, name address and seal of the preparer of the plan, and signature block for the Planning Board’s approval of the final plans.

405.7. All filing and notice fees.

405.8. Ten (10) copies of an overall plan including all site improvements shall be submitted on 11” x 17” paper.

405.9. A professional engineer, registered in the State of New Hampshire, shall prepare and stamp the site plan.

405.10. Applicants are required to submit the completed application materials, supporting materials, and studies in electronic format on CD as an Adobe pdf file.

405.11. One copy of the Final Major Site Plan shall be on mylar and submitted to the Town.

406. APPLICATION SUBMISSION REQUIREMENTS FOR MINOR SITE PLAN:

The site development plan shall be submitted at least twenty (20) days in advance of a regularly scheduled meeting of the Planning Board. The application shall include the following:

406.1. Eight (8) copies of the final plan set.

406.2. A letter of intent detailing the proposal.

406.3. One completed Minor Site Plan application form.

406.4. One list of abutters including the abutter’s addresses, as shown not more than five (5) days before the day of filing, and two (2) sets of mailing labels for the certified mailings to notify the abutters.

406.5. All filing and notice fees.

406.6. One Site Plan checklist including a written explanation of all items marked “Not Applicable”(N/A).

500. LEGAL DATA:

501. The names and addresses of all owners of record of all abutting properties as appearing in the most recent town assessing records.

502. Existing zoning district boundaries.

503. Boundaries of the property, building or setback lines and lines of existing streets, lots, reservations, easements and areas dedicated to public use.

504. A copy of any covenants or deed restrictions involving land use that are intended to cover all or part of the parcel and will become a part of any subsequent instruments and conveyance.

505. Location of existing buildings.

506. Location of existing wells, water mains, sanitary sewer systems, culverts and drains on the site and abutting properties, with pipe sizes, grades, and direction flow.

507. Seal and signature of registered professional engineer or land surveyor as appropriate to plan.

600. ECOLOGICAL and SIGNIFICANT FEATURES DATA:

601. Existing contours at two-foot intervals.

602. Location of existing trails, historic, archeological and cultural features, wildlife corridors, water courses, marshes, rock outcrops, wooded areas, single trees with a diameter of twelve (12) inches or more measured three (3) feet above the base of the trunk in areas that are to be disturbed (except in Open Space Residential Developments), and other significant existing features.

603. Location of Aquifer Protection District, Flood Plain District, Wetland and Watershed Protection District, Salem Wellhead Watershed Protection Districts, and Vernal Pools.

603.1. Aquifer Protection District – For district boundary locations and regulations, see Section 609 of the *Town of Windham Zoning Ordinance And Land Use Regulations*.

603.2. Flood Plain District - For district boundary locations and regulations, see Section 607 of the *Town of Windham Zoning Ordinance And Land Use Regulations*.

603.3. Wetland and Watershed Protection District - For district boundary locations and regulations, see Section 601 of the *Town of Windham Zoning Ordinance And Land Use Regulations*.

603.3.1. The following statement must be entered on the plan.

NOTE: No structure may be erected nor shall any alteration of the surface configuration of the land be permitted in the Wetland and Watershed Protection District.

603.3.2. Where any activity requiring Planning Board approval is proposed within the WWPD, the plan shall also indicate: the location and limits of the proposed activity; the construction techniques and sequence to be used in constructing the proposed improvements; and the protective measures to be employed to minimize the disturbance and/or degradation of the WWPD.

603.3.3. Where any activity requiring Planning Board approval is proposed within the WWPD, the applicant shall also submit evidence that: the WWPD disturbance is the minimum necessary to affect the proposed improvements; the proposed activity will not contribute to the degradation of surface or groundwater quality; the proposed activity is appropriate and safe to locate in the WWPD; and, the proposal is consistent with the intent and purpose of Section 601 of the Windham Zoning Ordinance. At a minimum, the Applicant shall submit:

a) Plans showing profiles, cross-sections, and elevations at 50-foot maximum intervals, for any proposed street, drives, access ways, or other disturbance of the WWPD;

b) Two (2) sets of color photographs (of minimum 4" x 6" size) taken in both directions along the centerline of any proposed street or access way at intervals corresponding with the intervals delineated on the plans submitted in accordance with 703.3.3.a.

603.4. Salem Wellhead Watershed Protection Districts – See *Chapter 305 – Drinking Water Resource Protection Program* of the Town of Salem, New Hampshire Board of Health Regulations.

603.5. Vernal Pools – Vernal pool locations must be certified by a wetland scientist recognized by the State of New Hampshire.

604. Description of Terrain:

604.1. Soil type certified by soil scientist recognized by the State of New Hampshire.

604.2. Vegetation in wetland areas.

700. SITE DEVELOPMENT IMPACT:

A detailed report may be required evaluating the environmental and/or municipal impacts, both long and short term, of the development to include, but not limited to, the following:

701. Existing and potential air, water, soil, and noise pollution.

702. School system (analysis to address, at a minimum, existing and projected enrollments and school capacities).

703. Fiscal Impact Analysis.

704. Vehicular traffic and controls both on-site and off-site.

705. Municipal services including, but not limited to, impacts to Fire Department, Police Department, Emergency Medical Services, Transfer Station, Town Clerk, and Highway Agent. Board shall advise the applicant of the need for such reports at the pre-submission meeting.

800. DEVELOPMENT DATA:

801. Plans are required showing general floor area design and exterior sketches of buildings to be erected on the site and their location, except one or two family residential dwellings, residential garages and their accessory structures. A complete plan of all structures to be erected on the site and their location shall be submitted.

802. Location and construction details of the sewage and/or waste disposal system. In Open Space Residential Developments, only the general location of the leach field is required.

803. Location of parking and loading areas, types of surfaces to be applied (except in Open Space Residential Developments).

804. Location and construction details of the water system and irrigation systems. Irrigated areas should be reduced to the minimum area needed to maintain landscaping. Irrigation systems shall include moisture sensing devices, timers, and other devices to minimize supplemental watering.

805. Location and construction details of sign(s).

806. Landscaping, loamed areas, and type of screening shall be shown on plan. The use of natural low-maintenance plant material will be encouraged.

807. Location of driveways, driveway openings and walkways. In Open Space Residential Developments, only the general location of driveways and driveway openings is required.

808. Location and type of lighting, including a lighting contour plan (except in Open space Residential Developments).

809. Vicinity Plan showing the general location of the site in town.

810. Title of development, date, north point, scale, name and address of record owner, name and address of the engineer or other qualified person preparing the plan.

811. Location and construction details of the storm drainage system.

812. Proposed contours at two-foot intervals.

813. Engineering computations for drainage requirements based on 10-year storm, as a minimum, signed and sealed by a professional engineer registered in the State of New Hampshire. The Board may require additional drainage investigation and computations depending on the project type, size, and location. All plans should conform to the recommendations of the STORM WATER AND EROSION CONTROL AND SEDIMENT CONTROL HANDBOOK FOR URBAN AND DEVELOPING AREAS IN NEW HAMPSHIRE and to N.P.D.E.S.II.

814. Location and size of snow storage areas or method of disposal of snow (except in Open Space Residential Developments).

815. Location and size of any known wood water or stump burial sites in the proposed construction areas.

900. CONSTRUCTION REQUIREMENTS:

901. The construction sequence and temporary erosion control measures must be shown on all site plans. Prior to site and road construction, all erosion control and storm water drainage facilities must be built and stabilized.

902. A temporary mud tracking bed (construction entrance) shall be put in place at each driveway entrance. This tracking bed shall consist of a four (4) inch minimum layer of 2 ½” – 4” crushed stone and shall be thirty (30) feet in length and fifteen (15) feet wide. This bed shall be maintained during construction to prevent tracking or flowing of sediment onto a paved right-of-way.

903. Subsequent to any ancillary construction or building activity within the designated Residential Open Space, the developer, builder, or homeowner responsible shall be required to restore the area to the pre-development condition if the disturbed area is not required for safety, facility maintenance access, or approved activities. If full restoration is not possible, efforts shall be made to provide reasonable restoration as determined by the CEA.

904. General Regulations:

904.1. Active and substantial construction of site development plans approved by the Planning Board shall commence within twelve (12) months and be substantially completed within twenty-four (24) months of issuance of site work permit. If more time is needed, the applicant may request an extension of time from the Planning Board for completion of the work under the site development plan, and for good reason, the request may be granted.

904.2. A site work permit must be obtained from the Building Official prior to commencing any work on a site for which site development plan approval is required. The Building Official shall notify the Fire Inspector and the Town Planner, and receive their approval prior to issuing the permit. No excavation, dredging, filling, grading, utility installation, or paving shall begin prior to site plan approval.

904.3. No building permit may be issued for any building, construction or any site work that is within the purview of the regulations contained herein until:

1. The site development plan has been approved by the Planning Board.
2. A site work permit has been granted.

904.4. The following provisions shall govern the approval of amendments to an approved site development plan:

1. Minor amendments may be approved by the Town Engineer. The Town Engineer may approve engineering changes related to field conditions, provided that the change(s) do not have a detrimental effect to abutting properties and provided that all changes are consistent with the Planning Board's and Town of Windham's regulations and standards. All minor amendments shall be shown on a plan to be submitted to the Planning Board Agent.
2. All major amendments shall be shown on a revised site development plan to be submitted to the Planning Board Agent and to be approved by the Planning Board.

905. For purposes of these regulations, "active and substantial development" shall be defined as:

905.1. Construction of and/or installation of basic infrastructure to support the development (including all of the following: foundation walls and footings of proposed buildings; roadways, access ways, parking lots, etc. to a minimum of gravel base; and installation of underground conduit ready for connection to proposed buildings/structures) in accordance with the approved plans;

905.2. Construction and completion of drainage improvements to service the development (including all of the following: detention/retention basins, treatment swales, pipes, underdrain, catch basins, etc.) in accordance with the approved plans;

905.3. All erosion control measures (as specified on the approved plans) must be in place and maintained on the site;

905.4. Items 1005.1, 1005.2, and 1005.3 shall be reviewed and approved by the Town Planning and Development Department or designated agent;

905.5. Movement of earth, excavation, or logging of a site without completion of items 1005.1, 1005.2, 1005.3 1005.4, and 1005.5 above, shall not be considered "active and substantial development." Plans approved in phases shall be subject to this definition for the phase currently

being developed. The Planning Board may, for good cause, extend the 12-month period set forth in this section; and

905.6. All conditional approvals are valid for a period of not more than 120 days, unless the Planning Board, at their discretion, chooses to extend the number of days required to meet precedent conditions. All precedent conditions of approval must be met within this 120-day period (or time period established by the Planning Board at time of conditional approval) or the approval shall be considered null and void. In cases where extenuating circumstances prevent the meeting of precedent conditions within 120 days, the applicant may request an extension, to be filed (in writing and with justification) with the Board no later than 14 days prior to the expiration day of the conditions. The Planning Board shall then vote on whether or not to grant such extensions.

906. Wood waste and construction debris shall not be buried on site. Burial of stumps on site is discouraged. However, if stumps are buried on site during land clearing operations, the stump burial areas shall be 75 feet from all existing or proposed drinking water supplies, 25 feet from all property lines, four feet above seasonal high water table and are recommended to be buried outside any proposed lawn areas. The stump burial sites shall be located on a certified plot plan by a surveyor at the same time as the foundation and wells.

1000. DUTIES OF PLANNING BOARD:

The Planning Board shall review the plan in the same manner as is prescribed for the review of subdivision plans. In considering and approving the site development plan, the Planning Board shall take into consideration the public health, safety, and general welfare, the comfort and convenience of the public in general and the residents of the immediate neighborhood in particular, and shall make any appropriate conditions and safeguards in harmony with the general purpose and intent of this section and particularly in regard to achieving:

1001. Maximum safety of traffic access and egress both on-site and off-site.

1002. A site layout (including the location of power, direction, and time of any outdoor lighting of the site) which would have no adverse effect upon any properties in adjoining residence districts or residential use by impairing the established character or the potential use of properties in such districts (except in Open Space Residential Developments).

1003. The reasonable screening at all seasons of the year of all parking and service areas, loading areas, storage areas, etc., from the view of the adjacent residential properties and streets (except in Open Space Residential Developments).

1004. Conformance of the proposed site development plan with such portions of the Master Plan of the Town of Windham as may be in existence from time to time.

1005. A drainage system and layout, which would afford the best solution to any drainage problems.

1006. Installation of public improvements and amenities, at the expense of the applicant which may include, but not limited to, curbing, sidewalks and street trees.

1100. PROCEDURES:

1101. Upon satisfaction that the application package for a site development is complete, the Planning and Development Department shall submit a copy of the site development plan at the next available regular meeting of the Planning Board.

1102. Notice of the time and place of such hearing shall be posted and published in a paper of general circulation in the Town of Windham and abutters notified by registered mail with return receipt requested, at least ten (10) days prior to the holding of said hearing. All Planning Board fees and engineering costs required by the Windham Planning Board to assure the complete compliance with this section shall be the responsibility of the applicant and must be paid prior to the final approval. Administrative site plan fees shall not exceed 1% of the site development costs with a minimum fee of \$100.00 (one-hundred dollars) charged to the developer plus site plan consultant review fees and all recording and notification costs. The abutter fee shall be \$5.00 per abutter and the legal advertisement fee shall be \$25.00. Special advertisements in out-of-town- newspapers shall be \$100.00. Special Permit Fees for WWPD disturbances shall be \$25.00 per disturbed area. An estimated consultant review cost will be collected when the site plan is submitted for review. Unexpended funds shall be returned to the applicant.

1103. The Planning Board shall approve or disapprove said site development plan within sixty-five (65) days from the date of the formal acceptance for public hearing, unless a request for an extension is made by the applicant and granted by the Board. Upon approval of the site development plan, the Planning Board shall notify the developer and Planning and Development Department in writing of said approval and any conditions attached thereto. If the Planning Board disapproves the site development plan, the Board shall state its reasons in writing for its decision, a copy of which will be sent to the developer and Planning and Development Department.

1104. The following statements shall be on the plan: "When this plan is implemented, the owner or applicant agrees to make all improvements, maintain these improvements including landscaping, as may be approved by the Planning Board and shown on this plan."

Date _____ Signature _____

Name, owner/applicant

“Building permits for new construction will not be issued until the requirements for emergency water supply have been met per NFPA 1, as amended, and NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting. These requirements will be implemented by the Town of Windham Fire Chief or his designee.”

Date _____ Signature _____

Name, owner/applicant

"I hereby certify that the site improvements shall have no adverse impact on downstream drainage facilities."

Date _____ Signature _____

Name, owner/applicant

1105. No certificate of occupancy may be issued for a building or structure that is within the purview of Site Plan Regulations_23July2008

the regulations contained herein until the Town Engineer and Planning Board Agent shall certify that all site improvements as shown on the approved site development plan have been completed, provided, however, that an applicant may request that the Planning Board accept a suitable and sufficient performance bond or letter of credit to assure the completion of certain site improvements that, due to factors beyond the control of the applicant (e.g. weather, unavailability of supplies), have not been completed. The Planning Board shall accept a bond or letter of credit in lieu of completion only for items which do not materially impair the activity to take place on the site, result in risks to public health or safety, or adversely affect abutting properties or the environment in general. Examples of items which might be bonded in lieu of completion are landscaping and decorative finish work.

1105.1. EXCEPTION: The Planning Board Agent may approve a temporary certificate of occupancy for a period not to exceed six (6) months. Failure to complete said improvement(s) within that six (6) month period, shall allow the Planning Board Agent to make arrangements to complete said improvement(s) on and off the site as soon as possible. Any monies not expended by the Town to complete the improvement(s) shall be returned to the owner.

1107. REVOCATION OF SITE PLAN APPROVAL:

1107.1. The Planning Board may, in accordance with RSA § 676:4 (a), revoke, in whole or in part, site plan approval only under the following circumstances:

- A.** When the applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans or specifications upon which the approval was based, or has materially violated any requirement or condition of such approval.
- B.** When the applicant or successor in interest to the applicant has failed to perform any condition of the approval within a reasonable time specified in the approval, or, if no such time is specified, within the time periods specified in RSA § 674:39.
- C.** When the time periods specified in RSA § 674:39 have elapsed without any vesting of rights as set forth therein, and the plat, plan or other approval no longer conforms to applicable ordinances or regulations.
- D.** When the applicant or successor in interest to the applicant has failed to provide for the continuation of adequate security as provided by RSA § 674:36, III(b) and § 674:44, III(d) until such time as the work secured thereby has been completed.

1107.2. Prior to recording any revocation under this section, the planning board shall give notice, as provided by RSA § 676:4, I(d), to the public, the applicant or the applicant's successor in interest, and all abutters and holders of conservation, preservation, or agricultural preservation restrictions, engineers, surveyors, or soil scientists. The notice shall include the board's reasons for the revocation. A hearing with notice as provided in RSA § 676:4, I(d) shall be held at the request of any party receiving such notice, submitted within 30 days of receiving such notice, or if the planning board determines to hold a hearing.

1107.3. A declaration of revocation, dated and endorsed in writing by the planning board, and containing reference to the recording information for the plat, plan or other approval being revoked, shall be filed for recording with the register of deeds, no sooner than 30 days after written notification of the revocation is served on the applicant or the applicant's successor in interest, in person or by certified mail, or 30 days after any public hearing, whichever is later. If only part of an approval is revoked, that portion of land subject to revocation shall be clearly identified in the

declaration. The declaration shall be recorded under the same name or names as was the original approval, as well as the names of subsequent owners, if any, of the land or part thereof subject to revocation, as identified by the municipality.

1107.4. A revocation under this section may be appealed pursuant to RSA § 677:15. Nothing in this section shall affect the municipality's ability, either before or after such a revocation, to pursue other remedies or penalties as set forth in RSA § 676:15-17.

1108. WAIVER: A waiver may be granted of any portion of the rules and procedures in such cases where, in the opinion of the Planning Board, strict conformity would pose an unnecessary hardship to the Applicant and the waiver would not be contrary to the spirit and intent of the regulations.

1200. DESIGN REVIEW GUIDELINES:

1201. PURPOSE:

To provide for harmonious and aesthetically pleasing development.

1202. APPLICABILITY:

Applicable to all site plans subject to review by the Windham Planning and Zoning Board, except residential units in Open Space Residential Developments.

1203. OBJECTIVES:

1203.1. Encourage quality building design and architecture, which enhances the aesthetic character of the community.

1203.2. Insure that the landscaping, signs and lighting are in harmony with the design, layout and location of the building and with other features to be developed within the site.

1203.3. Allow a diversity of building designs and architectural styles.

1203.4. Avoid monotonous and bland building appearances.

1203.5. Minimize conflicts between residential and commercial uses.

1203.6. Encourage harmonious design where there are existing buildings or developments having desirable characteristics.

1203.7. Protect any historic buildings or resources that are affected by the development or remodeling for commercial or industrial use.

1203.8. Encourage through landscaping and design guidelines the development of commercial areas that preserve the rural ambience of our community.

1204. FACTORS FOR EVALUATION:

1204.1. Orientation and Building Location: The development of the site must address various elements in providing a design solution for a given building project. The building orientation, setback, alignment with the street and relative spacing with other structures will be considered in the overall design. The reuse of desirable structures and landscape features is encouraged.

1204.2. Drainage: The developer should plan land development that responds to the surface flow of water and is in harmony with the existing site contours.

1204.3. Vehicular Movement and Pedestrian Safety: The critical design elements for site circulation should address vehicular roadways, entries, parking lots and pedestrian access. The roadway entry treatment and the integration with the internal site organization will determine the effectiveness of the overall site layout. Special consideration should be given in separating pedestrian pathways from large parking areas, which is crucial for a safe development.

1204.4. Visual Continuity: Where there are existing buildings or developments that have special characteristics, design significance or which currently meet the goals of the design review guidelines, the site development should blend with the neighboring properties. This may be accomplished by utilizing similar architectural elements, materials, fences, tree placements, plantings and walkways. This will give a feeling of visual continuity to the overall area. This is especially important where the proposed commercial development is in proximity to historic structures or resources.

1205. LANDSCAPING:

1205.1. Landscaping materials shall be of a quality that will enhance the environment and serve as a functional part of the development. Trees should provide shade and have interesting character and color as they grow. Shrubs or ground cover should also include textures and colors while providing screening in required areas and highlighting the architecture of the development. The use of some evergreen materials is recommended as an all-season landscaping effect. The retention of any healthy existing vegetation is encouraged.

1205.2. Landscaping is an integral part of the proposed development. Site plans and elevations should illustrate how landscaping will tie in with other architectural features of the proposed development. Plantings should be used to identify major entryways to sites, screen service and storage areas and free standing sign poles, and break up long building walls. The development entrance sign should be landscaped. (See 1306.3. Signs)

1205.3. Screening and buffers for different building functions shall be in harmony with the building form and colors. A combination of landscaping and decorative fencing or berming may be required to provide noise and visual barriers for adjacent residential uses.

1205.4. Street Landscape Strips: Street landscape strips are intended to promote and reflect the aesthetic quality and character found along the tree-lined streets of Windham.

1205.4.1. Side and rear landscape strips are intended to provide proper separation and adequate buffering between adjoining properties. Curb cuts in the landscape strip may be allowed for driveway connections with adjoining sites.

1205.4.2. Interior landscape strips are intended to break up large expanses of pavement, provide summer shade on pavement areas, and to reduce wind velocity across exposed surfaces. Planting islands should be used to define vehicular and pedestrian circulation patterns. Combinations of end-cap islands and linear islands running parallel to the parking rows are preferred.

1206. BUILDING DESIGN AND MATERIALS:

1206.1. ARCHITECTURAL FEATURES AND DETAILS:

1206.1.1. Long unbroken expanses of walls should be avoided. The building facade should have divisions such as building jogs, pilasters, or other architectural detailing, as well as changes in

surface materials, colors, textures and rooflines to create the desired effect. Ground floor facades that face public streets should incorporate arcades, display windows, interesting entry areas, awnings and other such design features. All facades of the building that are visible from public streets and highways should feature characteristics similar to the front facade.

1206.1.2. Use of features and details such as covered porches, awnings, columns; towers, decks, arches and courtyard areas are encouraged to create interesting buildings and public spaces. These details should be in proportion with the building.

1206.1.3. Long expanses of roofline should be avoided through the use of gables, dormers, chimneys, cupolas, towers and changes in the ridgeline.

1206.1.4. The development should create a sense of entry onto the site and into major businesses within the site through facade treatment, landscaping, signage and lighting.

1206.1.5. Limit the exposure of foundation walls.

1206.1.6. Rooftop and ground level mechanical equipment used in conjunction with the building should be screened from public view. Areas for outdoor storage, truck parking, trash collection, loading and other such uses should be screened from abutting properties and streets.

1206.2. MATERIALS AND COLORS:

1206.2.1. The exteriors of buildings should utilize materials appropriate for the character of the building and compatible with desirable features of adjacent structures.

1206.2.2. Suggested, but not limited to, materials should contribute to the aesthetics of the project. Typical materials are as follows:

1206.2.2.1. Pitched Roofs:

1206.2.2.1.1. Copper or colored standing seam metal panels or asphalt, slate, fiberglass or fire-retardant wood shingles;

1206.2.2.2. Exterior Walls:

1206.2.2.2.1. Wood clapboards, shingles, shakes, board and batten, brick, granite, marble or stone (natural or finished), reinforced stucco or textured masonry;

1206.2.2.2.2. Unclad masonry block, or corrugated metal siding may be used when not visible from public parking lots or adjacent public streets and highways.

1206.2.2.3. Windows:

1206.2.2.3.1. Butt joint or ribbon glass;

1206.2.2.3.2. Multi-paned windows and groupings;

1206.2.2.3.3. Etched, beveled, sandblasted or stained glass.

1206.2.2.4. Trim

1206.2.2.4.1. Wood, anodized aluminum; (colored or natural), metal with baked enamel finish, masonry or vinyl accent strips.

1206.2.2.4.2. Neon tubing or neon replica lighting shall not be encouraged as an acceptable feature for building trim or accent areas.

1206.2.2.5. Colors

1206.2.2.5.1. Colors used within the development should compliment and emphasize the overall design. Colors that are disharmonious with other colors used on the building or found on adjacent structures should be avoided. Paint colors should relate to natural materials found on the building such as brick, terra cotta, stone or wood. Contrasting colors, which accent architectural details and entrances are encouraged.

1206.3. SIGNS:

1206.3.1. Signs should be visible and legible through the use of appropriate details and proper locations.

1206.3.2. Scale and Proportion: Every sign should be an integral, subordinate element within the overall building and site design. The scale and proportion of the signage shall not overpower the building or obscure the buildings architectural features.

1206.3.3. Materials: Sign materials should harmonize with the building's design. A limited number of colors should be used.

1206.3.4. Coordination: All signs within the building complex should be coordinated by using similar materials, letter styles, colors and overall sign sizes to ensure sign continuity and uniform appearance throughout the development.

1206.3.5. Freestanding signs: All freestanding signs should be in an appropriate landscaped setting with uniform designs and setbacks.

1206.4. UTILITIES AND OUTDOOR LIGHTING:

1206.4.1. All service connections to new buildings from existing roadway utilities should be underground. It is desirable to move pole mounted transformers to ground mounted pad installations where possible.

1206.4.2. Lighting poles and structures should be appropriately scaled and styled for the project. The poles' heights will determine the overall spacing of the poles. Luminaries should be shielded to reduce glare. Illumination should be arranged so as to not impact adjacent properties and streets.

1206.4.3. The coordinated style of the parking and pedestrian light fixtures should be compatible with the building lighting, which will allow for a consistent appearance for the project.

1207. HISTORIC BUILDINGS:

1207.1. Historic is defined as "having special character or special historic and aesthetic interest or value as well as having a relationship to one or more areas of the history of Windham".

1207.2. Any historic or architecturally significant buildings should be incorporated into any new proposed developments. The historic structure should set the theme for the entire development and new buildings should incorporate architectural elements that compliment the historic building design. Development that occurs adjacent to important existing historic buildings or resources shall be designed to complement them in terms of style, scale, material, landscaping and type of signage.

1207.3. A historic resource might be a building, such as a 200-year-old home, or it might be a historic site such as "Indian Rock." In the case of a historic site, the developer should incorporate its preservation into the site plan.

1207.4. The re-use of historic buildings is encouraged.

1208. MASTER PLAN:

1208.1. The Windham Master Plan addresses the strong concern of the residents of this town that each development for commercial and industrial purposes should be of high quality. These Commercial Design Guidelines have been adopted as a means to shape each development as is envisioned by the Master Plan.

1208.2. The Town of Windham welcomes development within its commercial districts. As a community, we want to work with developers to meet their business goals while at the same time insuring that the quality and character of commercial development will be maintained and enhanced. The quality of a development project will enhance its value in many significant ways. The appearance of a development will affect the quality-of-life for Windham residents for many years to come. It will also affect property values, both commercial and residential. Good design will also protect the value of investments into the future. Projecting a good image is beneficial to commercial development.

1209. SUBMISSION DATA:

1209.1. The applicant shall submit for review a site plan 1" = 50', landscaping plan and building elevations 1" = 20'.

1209.2. Color renderings of the project.

1209.3. Building material samples and color samples.

1210. VILLAGE CENTER DISTRICT: The intent of the following design standards is to provide additional criteria for development within the Village Center District. These standards will serve to ensure that new development within the Village Center District is compatible with the community's vision of a walkable town center, by promoting high standards of design that will encourage the preservation of Windham's rural character and enhance the overall quality of life through well-integrated mixed-use development that incorporates business, retail, and residential structures into a village setting.

1210.1. Architecture.

1210.1.1. Structures in the Village Center District should be architecturally compatible, and be designed to visually integrate the development and uses within the district.

1210.1.2. Architectural details should also be compatible with vernacular New England architectural styles and building materials, and be designed to complement nearby historic buildings.

1210.1.3. Buildings within the Village Center District are required to have variations in building mass, elevation, and architectural features in order to give each building within the Village Center District a distinct character.

1210.1.4. Architectural materials, features, and the articulation of a façade of a building are to be continued on all sides visible from a publicly traveled street or walkway.

1210.1.5. The front façade of a building should face onto a street or square. All buildings except accessory structures are to have their main entrance open on a street or square.

1210.1.6. All utility cable/telephone boxes should be unobtrusively located on the least publicly accessed side of the building.

1210.1.7. Building setbacks should relate to adjacent existing and proposed structures.

1210. 2. Motor Vehicle Circulation.

1210.2.1. Motor vehicle circulation should be designed to minimize conflicts with pedestrians and bicyclists.

1210.2.2. All streets are encouraged to be designed to the standards outlined in the Institute of Transportation Engineers (ITE) publication “Traditional Neighborhood Development Street Design Guidelines: Recommended Practice.”

1210.2.3. Rights-of-ways and vehicular access easements are encouraged to vary in dimension and/or alignment. Each street will be separately detailed in the final construction plans.

1210.2.4. Streets should enhance the visual impact of common open spaces and prominent and historic buildings.

1210.2.5. Street design and layout should promote connectivity.

1210.2.6. Streets are to be classified as a local street, collector street, or an alley. Streets should provide primary access to residential and mixed use areas, and should be designed for speeds of 15 mph. Collector streets provide the primary access to the Village Center District. Traffic calming designs are encouraged as well as on-street parking (parallel or diagonal) to slow traffic. Alleys serve as private accesses to units or buildings with low volume traffic.

1210.2.7. All collector and local streets should have pedestrian sidewalks.

1210.2.8. Granite or cobblestone curbing is required on all local and collector street designs.

1210.3. Pedestrian Circulation.

1210.3.1. All plans should incorporate safe and convenient pedestrian access to open spaces, as well as residential areas, commercial buildings, and parking lots within the development and should provide connections to existing trails and walkways adjacent to the district.

1210.3.2. All sidewalks should be designed with considerations to pedestrian safety, handicapped access, and visual quality.

1210.3.3. The following provisions apply to all streets bordered with sidewalks:

1. Sidewalks in all areas. Clear and well-lit walkways should connect building entrances to adjacent public sidewalks and associated parking lots. Such walkways are to be a minimum of 5 feet in width.

2. Accessibility. Sidewalks are to comply with the applicable requirements of the Americans with Disabilities Act.

3. Crosswalks. Intersections of sidewalks with streets are to be designed with clearly defined edges. Crosswalks should be well-lit and clearly marked with contrasting paving materials and/or with striping.

4. Streetlights along sidewalks should be designed to a pedestrian scale.

1210.3.4 All plans should achieve a sense of human scale and interest that encourages activity and walking throughout the district.

1210.4. Parking Lots.

1210.4.1. Parking areas should be located to the side and rear of buildings.

1210.4.2. When possible, parking areas are to be shared with adjacent buildings. Large parking areas are discouraged.

1210.4.3. Provisions for the parking of bicycles in locations that are safely segregated from automobile traffic should be included in all parking lots.

1210.4.4. Parking areas should include defined landscaped strips along public sidewalks and open space, as appropriate.

1210.4.5. On-street parking directly in front of a lot or building will count towards its total parking requirements.

1210.5. Civic Open Space.

1210.5.1. Each Village Center District proposal should incorporate an appropriate amount of land as civic open space designated for public recreational use. The land can vary in size and use, ranging from small pocket parks and playgrounds to larger town greens or commons.

1210.5.2. Civic open spaces should be integrated into the overall design of the development with careful thought as to how these areas will be accessed by the public. The location of the civic space should enhance the layout of buildings and streets throughout the district.

1210.5.3. Public recreational areas and civic spaces should be furnished with walkways, benches, lights, playgrounds, and landscaping as required.

1210.6. Landscaping.

1210.6.1. A landscaped buffer strip may be required between adjoining uses within the Village Center District. This buffer strip is to be planted with combinations of groundcovers, trees, and shrubs of appropriate heights.

1210.6.2. Appropriately sized landscaped islands should be used to separate large parking areas. Shade trees are encouraged within parking lots and the surrounding area.

1210.6.3. Exposed storage areas, service areas, utility buildings, and truck loading areas are to be screened from adjacent properties using plantings, fences, and other methods compatible with the goals of these standards.

1210.6.4. Street trees, appropriately spaced, are to be incorporated into all streetscapes.

1210.6.5. Where non-residential uses in the Village Center District abut existing residential land, additional vegetative buffers beyond the required 50-foot buffer may be necessary.

1210.6.5.1. Buffers within the Village Center District are not necessary.

1210.7. Land Use Mix.

1210.7.1. Each proposal shall demonstrate how their site plan will be consistent with Village Center District's overall recommended land use mix to achieve the goals and purposes outlined in both the Site Plan Regulations and the Zoning Ordinance.

1210.7.2. Multiple land owners/developers are encouraged to cooperate to allow a land use mix to be shared or interspersed between two or more separate areas. For example, one developer could contract with an adjacent parcel to develop residential while a second developer could bring a commercial use to the adjacent parcels.

1210.8. Village Center Phasing Plan.

1210.8.1. The Village Center District will only be achieved through the coordination and the cooperation of multiple stakeholders including developers, landowners, applicants, municipality and citizens. Each proposal that comes before the Planning Board needs to demonstrate how their plan will bring together previous and future phases within the District.

Adopted and certified by the Windham Planning and Zoning Board following a public hearing held on October 15, 2008.

Phillip LoChiatto, Chairman

Nancy Prendergast, Vice Chairman

Rick Okerman, Secretary

Walter Kolodziej, Regular Member

Pamela Skinner, Regular Member

Ruth-Ellen Post, Regular Member

Kristin St. Laurent, Alternate

Louis Hersch, Alternate

Sy Wrenn, Alternate

Bruce Breton, Selectmen Member

Galen Stearns, Selectmen Alternate
