

SECTION C

Town of Amherst AMHERST NON-RESIDENTIAL SITE PLAN REVIEW REGULATIONS

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SECTION C

AMHERST NON-RESIDENTIAL SITE PLAN REVIEW REGULATIONS

ARTICLE I – GENERAL PROVISIONS

Section 1.1 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 tracts of land for all uses other than one- and two-family residential, prior to the issuance of a building permit, whether or not such development includes a subdivision or re-subdivision of land, and to assure that minimum standards will be attained so as to provide for and protect the public health, safety, and general well-being, in accordance with NH RSA 674:43.

In addition, the Planning Board when considering applications for public utility structures may, under RSA 674:30A (II), designate a Building Official of the Town empowered to waive specific requirements of a Non-Residential Site Review as its agent. A public hearing shall be held if requested by Abutters, the applicant or the Planning Board.

Section 1.2 Applicability.

- A. These regulations shall apply to all site plans for the development of tracts of land for all uses other than one- and two-family residential, expansion or change of use.
- B. Development activities subject to regulation under this part shall not commence until the proponent has obtained final approval of the site plan.

Section 1.3 Administration and Enforcement.

- A. All construction shall be performed in accordance with the plans, profiles, typical sections and details approved by the Planning Board.
- B. The Office of Community Development shall review minor site plan revisions for overall consistency with the approved site plan or as-built site plan for compliance with the standards below. For the purposes of this section, a minor revision by definition is an administrative decision that does not constitute a site plan. The Community Development Director or his authorized designee shall approve, conditionally approve, disapprove or refer an application to the Planning Board. The procedures and standards for minor revisions are as follows:
 - 1. Minor changes in lot coverage, location, and siting and height of buildings and structures may be authorized by the Community Development Director if required for reasons or circumstances not foreseen at the time the site plan was approved. No change authorized

by this paragraph may increase the dimensions of any building or structure by more than 10% in the aggregate, or one thousand square feet (1,000SF), whichever is less. No change authorized by this paragraph may permit an accessory structure whose size is greater than five hundred square feet (500SF). Changes in landscaping, such as plant materials, minor alterations in the location of plantings, changes in plant quantities or sizes, changes to the location of internal sidewalks, minor changes in utility locations that do not impact the overall site design, or changes in location or number of parking spaces may be authorized by the Community Development Director.

2. The Community Development Director may require a revised site plan or as-built plan delineating all approved changes.
 3. Changes in use depicted and permitted on an approved site plan or approved as-built plan may be approved by the Community Development Director provided it is a permitted use within the zoning district and does not exceed an area of thirty-three (33%) percent of the total building or two thousand square feet (2,000 SF), whichever is less.
- C. No occupancy permits shall be granted for any structure until all work shown on an approved site plan is complete to the satisfaction of the Building Inspector, Fire Department, Public Works Department and Office of Community Development, as applicable. In certain cases, for good cause and reason shown, a temporary certificate of occupancy may be granted for a site provided the owner provides a performance guarantee in an amount and form acceptable to the Town, to serve as surety that remaining improvements not yet completed will be satisfactorily completed within a pre-determined period of time.

ARTICLE II -- GENERAL STANDARDS

Section 2.1 General Standards.

- A. In the review of any non-residential site plan conducted under these regulations, the Planning Board shall ascertain that adequate provisions have been made by the owner or his authorized agent for the following:
1. Traffic circulation and access including adequacy of adjacent streets, entrances and exits, traffic flow, sight distances, curb cuts, turning lanes, and existing or recommended traffic signalization.
 2. Pedestrian and bicycle safety access.
 3. Off street parking and loading.
 4. Emergency vehicle access, including review by Fire Department, Police Department, and Highway Department.

5. Stormwater drainage, based upon a ten (10) year storm intensity occurrence, utilizing on-site absorption wherever practical, and taking into account the contour of the land.
 6. Water supply, wastewater disposal, and solid waste disposal.
 7. Environmental factors such as pollution, noise, odor, and protection of natural land features.
 8. A landscape plan in keeping with the general character of the surrounding area.
 9. Signing and exterior lighting.
 10. Conformance with all existing codes.
 11. Cooperation with the Planning Objectives of the Town, i.e. regarding green areas, scenic setbacks, easements, etc.
- B. 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.

ARTICLE III -- SUBMISSION PROCEDURE

Section 3.1 Submission Procedure.

- A. All applications made to the Planning Board for Non-Residential Site Review shall be submitted to the Office of the Zoning Administrator at least thirty (30) days prior to the date of a Planning Board meeting at which the applicant or his agent wishes to appear.
- B. Applications and plans will be reviewed by the Zoning Administrator for conformance with site review requirements and must be accompanied by a completed application form, six (6) copies of the plan, a complete list of abutters, a stamped self-addressed envelope, and the payment of a fee as per approved schedule of fees.
- C. Applicants will be notified in writing of any deficiencies which must be corrected in order to be placed on a Planning Board agenda for Planning Board acceptance and formal consideration.
- D. After such notice, the applicant may revise the plan/s. The revised plan, which may provide the information required by site review regulations, as reflected on appropriate checklist, shall be resubmitted at least fifteen (15) days prior to the Planning Board meeting at which the applicant wishes to appear.
- E. Approval of State agencies is not mandatory for an application to be considered but such approvals must be provided as a condition of final approval.

- F. Adherence to these requirements will place completed applications on the next available Planning Board agenda for acceptance and formal consideration, within constraints imposed by the number of applications received. Assignment to agenda will be in order of receipt. (6-19-85)

Section 3.2 Submission Requirements.

When the owner of the property or his authorized agent makes formal application for site plan review, his application shall contain at least the following exhibits and information.

- A. A fully executed and signed copy of the application for site plan review and fee payment.
- B. Six (6) copies of site plan drawn to scale sufficient to allow review of the items listed under the preceding general standards, but not more than fifty (50) feet to the inch for that portion of the total tract of land being proposed for development, and showing the following:
1. Owners name, address, and signature.
 2. Names and addresses of all abutting property owners according to the Town tax records.
 3. Sketch map showing general location of the site within Town.
 4. Boundary of the entire parcel held in single ownership regardless of whether all or part is being developed at this time.
 5. The bearing and distances of all property lines and the source of this information.
 6. Zoning classification(s) of the property and the location of the Zoning boundaries if the property is located in two (2) or more zones.
 7. Soil types and location of soil boundaries as certified by the Hillsborough County Conservation District.
 8. The location of all building setbacks required by the Zoning Ordinance.
 9. The location, size, and character of all signs and exterior lighting.
 10. The lot area of the parcel, street frontage, and the Zoning requirements for minimum lot sizes and frontage.
 11. The location of all existing and proposed buildings (including size and height), driveways, sidewalks, parking spaces, loading areas, open spaces, large trees, open drainage courses, service areas, easements, and landscaping.
 12. The location of all buildings within fifty (50) feet of the parcel to be developed and the location of intersecting roads or driveways within two hundred (200) feet of the parcel.
 13. A stormwater drainage plan showing:

- a. The existing and proposed methods of handling stormwater runoff.
 - b. The direction of flow of the run-off through the use of arrows.
 - c. The location, elevation, and size of all catch basins, dry wells, drainage ditches, swales, retention basins, and storm sewers.
 - d. Engineering calculations used to determine drainage requirements based upon a ten (10) year storm frequency, if the project will significantly alter the existing drainage pattern due to such factors as the amount of new impervious surfaces (such as pavement and building areas) being proposed.
14. Existing and proposed topography of the site at two (2) foot contour intervals.
 15. A utility plan showing provisions for all existing and planned utilities on the site.
 16. A buffer zone of dense planting where the site abuts a zone boundary.
 17. Location of Monitoring wells. All wells to be sampled yearly and environmental report submitted to the Town (unless otherwise specified by the Planning Board). All baseline data shall be submitted to the Town prior to the issuance of any building permits.
 18. All site plans show the location, type, and size of all trees over five (5) inches in diameter and located from the edge of the existing traveled way to a point fifty (50) feet back from the Town or State ROW line; and from five (5) feet outside the sideline property lines to thirty (30) feet inside the property lines for a distance of one-hundred (100) feet back from the ROW line. (8-15-01)
 19. All site plans shall be submitted with three (3) copies of 8" x 10" photographs of the site taken from across the abutting street (about sixty [60] feet) and taken from:
 - a. Directly opposite the site; and
 - b. Diagonally opposite each corner of the site. (8-15-01)
 20. As part of the Site Plan submittal, all applicants are required to have one (1) sheet of the set of plans showing the proposed construction reduced to no larger than 11"x17" with no less than ten (10) copies. (8-15-01)
 21. All site plans must have the following Certification by a Licensed Land Surveyor. "I certify that the street line(s), topography and physical features shown are accurate and true."
Date:_____ Name:_____ LLS.
- C. Copies of any proposed or existing easements, covenants, deed restrictions, etc.
- D. Copies of all applicable State approvals and permits:
1. Approval of the New Hampshire Water Supply and Pollution Control Commission of any proposed septic System/s, or additions to septic systems as may be required.

- 2. Approval of the New Hampshire Special Board and the Zoning Board of Adjustment for the relocation, filling, dredging, or rechanneling of any natural or man-made drainage area.
- 3. Approval of the New Hampshire Department of Public Works and Highways or Board of Public Works for any required driveway permits or curb cuts.
- E. The Planning Board may require the posting, prior to final approval of any plans, of a bond or escrow agreement in such amount as is approved by the Board as being reasonably necessary to ensure completion of all improvements required as conditions of approval of such plan, in such form as may be approved by the Board and Town Counsel.
- F. The Planning Board may require the owner or his authorized representatives to fund any professional review of a site plan or bear reasonable off-site improvement costs when it has been demonstrated that these costs will occur as a result of and are connected in any way with the proposed development. (2-90-91)

ARTICLE IV -- GROUNDWATER and/or SURFACE WATER MONITORING

Section 4.1 Groundwater and/or Surface Water Monitoring Data Procedures.

A. GROUNDWATER MONITORING. Groundwater monitoring wells shall be installed as required by the Planning Board in accordance with accepted installation procedures. A minimum of one (1) up gradient and one (1) down gradient will normally be required. Baseline monitoring of all wells shall be performed using the following methods or their equivalent:

- 1. Volatile organic compounds SW846 8260
- 2. Semi-volatile organic compounds SW846 8270
- 3. Total metals SW846 6010/7471

Well sampling is to be performed in accordance with the procedures found in SW846 and the analysis shall be performed by state certified laboratory. All samples will be collected as “zero (0) head space samples” in sterile containers, packed in ice and delivered to the laboratory within twelve (12) hours for analysis.

B. SURFACE WATER MONITORING. Surface water quality sampling will be conducted at least once per year during August or September within twelve (12) hours of a .5” storm event. Samples are to be taken from detention/retention ponds, treatment swales or at a point of discharge from the property. All samples will be collected as “zero head space samples” in sterile containers, packed in ice and delivered to the laboratory within twelve (12) hours for analysis. Analysis is to be performed by a State Certified Lab and will consist of the following methods or their equivalent:

- 1. Volatile organic compounds SW846 8260
- 2. Semi-volatile organic compounds SW846 8270

3. Total metals

SW846 6010/7471

C. RECOMMENDED SURFACE WATER ANALYSIS:

- 1. Nitrates EPA 353.3
- 2. Chlorides SW846 9252
- 3. Total Kjeldahl Nitrogen EPA 351.3
- 4. TOC

D. REPORTING. Unless otherwise required by the Planning Board as a condition of site plan approval, a baseline groundwater monitoring report shall be submitted to the Zoning Administrator prior to the issuance of a Certificate of Occupancy. The report shall contain well specifications and installation data, boring logs, laboratory analytical reports, and the plan showing the location and identification of each well or sampling point. Copies of all annual water quality analysis reports will be submitted to the Town of Amherst Zoning Administrator by October 31 of each year.

E. SAMPLING FREQUENCY. Groundwater monitoring and surface water monitoring, including retention and detention ponds, swales, and other run off areas, shall be conducted annually. If after the first year of analysis, the groundwater sampling results show no degradation of groundwater quality in relation to the baseline results, the monitoring program may be modified to reduce sampling frequency after approval of the Planning Board. (4-5-97, 5-7-97)

ARTICLE V -- LANDSCAPING STANDARDS

Section 5.1 General.

The purpose of these standards is to protect, enhance and promote and economic, ecological and aesthetically pleasing landscaping by breaking up visual expanse and connected impervious areas, delineating areas of vehicular and pedestrian traffic to improve safety, and to enhance the gateways to Amherst. In addition, soil and landscaping play an important role in stormwater quality and quantity. These standards are intended to increase absorption and cleansing of rainfall and runoff so that the quantity and quality are more reflective of the natural hydrology where vegetation will thrive with minimal need for additional water, pesticides and fertilizers.

A landscape plan shall be prepared in sufficient detail to indicate compliance with these regulations. The Plan shall be prepared by a Professional Landscape Architect who is licensed by the State of New Hampshire. The Landscape Architect shall sign and appropriately endorse the Plan as a requirement for a complete Site Plan application. The Planning Board may waive the requirements of this section where the overall cost of site improvements and building are less than five hundred thousand (500,000) dollars.

The landscape plan shall identify existing and proposed trees, shrubs, ground cover, walls and fences. Existing native vegetation shall be preserved and site disturbance shall be minimized wherever possible. The applicant shall use native plants, shrubs and trees wherever possible. Invasive species are prohibited (See NH Department of Agriculture Prohibited Invasive Plant Species Rule, as amended). Plant species

selected should be hardy for the particular area in which they will be located. The size, number and type of plants shall be identified on the landscape plan.

Where an applicant proposes leaving a significant portion of health non-invasive species and other mature vegetation within the proposed construction area, the Board may consider alternative landscaping design. Removal of existing invasive species on the property is strongly encouraged.

Section 5.2 Site Features and Layout.

Landscaping should be designed to encourage biodiversity, remain functional and attractive during all seasons of the year through a thoughtful selection of deciduous, evergreen, flowering and non-flowering plant varieties.

Prominent natural or man-made features of the landscape such as mature trees, surface waters, natural rock outcrops or roadways should be retained and incorporated in to the landscape plan where possible. Stone walls must be retained in accordance with RSA 472:6 and biodiversity of species is encouraged. The addition of ornamental rocks, fencing and other features new to the landscape are encouraged.

Existing natural vegetation should be retained where possible. Existing trees and shrubs to be preserved may be substituted for any compatible required plantings. Maximum effort should be made to preserve small stands of trees rather than individual trees to minimize the potential for serious damage due to wind, grade changes or soil compaction. No construction materials, equipment, vehicles or temporary soil deposits shall be located within the drip line of existing trees to be preserved. Protective barriers shall be installed around each plant and/or groups of plants that are to remain on site. Snow fence installed around the drip line of the tree canopy is an example of an acceptable barrier.

Natural re-growth, mulched planting beds and alternative ground cover plant varieties are preferred to large expanses of lawns. Lawn areas should not be planted in strips of less than six (6') feet in width, especially adjacent to roads or parking areas, since such areas require watering but have little utility and are less likely to thrive.

Native, hybrid and naturalized non-invasive species are encouraged and should be used to meet the minimum requirements of this Section. Plant varieties selected should be hardy, drought and salt resistant (as necessary) and require minimal maintenance. Less hardy, exotic or higher maintenance plant varieties may be used to supplement minimum landscaping requirements where appropriate, but are not encouraged. Species listed on the current Invasive Species list for New Hampshire and Massachusetts are prohibited.

To promote on-site water retention and filtration, landscaped areas shall be designed in a manner that guides stormwater from on-site roof areas, impervious roads, parking areas, sidewalks and walkways to vegetated areas or approved retention areas.

Curbing or equivalent barriers shall be required to protect vegetation from vehicular damage. Barriers shall be designed with openings that allow stormwater to flow into vegetated areas. All curbing in the Town right-of-way shall be granite.

When irrigation systems are proposed, a temporary watering plan/schedule or low volume (drip irrigation) system shall be required. Irrigation systems shall be designed and installed for efficient and effective water use to the landscaped area. Permanent irrigation shall utilize water saving technologies, including rain sensors, flowmeters and management systems that monitor current weather conditions.

Section 5.3 Soil Preparation.

For all newly landscaped areas a minimum of six (6") inches of topsoil, preferably with organic matter incorporated shall be spread in all planting and turf areas.

Section 5.4 Mulching.

Mulching trees, shrubs and plants helps retain soil moisture, moderates temperature fluctuations, provides protection from mechanical damage by mowers and trimmers and serves as temporary covering of exposed soil until understory plants and ground covers fill in. Excessively thick mulch applications should be avoided. Mulch against tree trunks fosters poor plant health and should be avoided. Mulches for stormwater management areas should be heavier and not a type that will float away. Man-made materials such as recycled tires are not acceptable for mulch materials.

Section 5.5 Landscape Buffers.

Landscape plans shall be designed to provide buffers in an effort to mitigate impacts to neighboring properties. Buffers are intended to physically separate one use or property from another so as to visually shield or block, noise, lights, provide a water quality benefit and to minimize other impacts.

- A. Along the periphery of a property, buffers are required in the following instances:
 1. Where a proposed non-residential use abuts a residential zoning district.
 2. Where a proposed non-residential use abuts an existing residential use.
 3. Where a proposed roadway abuts an existing property line or is within twenty (20') feet of a property line where the existing use is residential.
- B. On the periphery of a property:
 1. A landscaped buffer shall be at least ten (10') feet in width and six (6') feet in height to effectively screen from adjacent properties and may consist of evergreens, berms, mounds, fencing or combinations thereof in conjunction with complimenting shrubs and perennials. Chain link fence with privacy slats is discouraged.
 2. Where appropriate existing trees and vegetation shall be incorporated into landscape buffers.
- C. Within a property, buffers are required to provide visual screens in the following instances:

1. Outdoor storage areas
2. Utility installations
3. Loading areas
4. Refuse and recycling collection areas

D. Within a property:

1. Buffers shall be located to prevent visibility of the above listed items from the parking areas, traveled right-of-way or neighboring properties.
2. Buffers shall be at least six (6') feet in height and may consist of fencing, evergreens, berms, mounds or combinations thereof. Chain link fence with privacy slats is discouraged.
3. All outdoor refuse and recycling facilities shall be located on a raised six (6") inch concrete pad.

Section 5.6 Landscaping Along Building Frontages.

Landscaping shall be provided along all building frontage. A minimum of one (1) shrub for every five (5') feet of building frontage shall be provided. In instances where it is not possible to locate all required shrubs along the building frontage due to doorways, walkways or other impervious surfaces, the required shrubs shall be utilized within the parking lot or landscape buffers. Plant locations are designed to be flexible and not necessarily in even spaced intervals.

Section 5.7 Landscaping Parking Lots and Access Ways.

All parking lot landscaping shall promote the safe flow of vehicular and pedestrian traffic within and out of the site.

- A. Peripheral landscaping shall be required along all sides of a parking lot or access way that abuts adjoining property or a public right-of-way as follows:
 1. A landscaped strip at least ten feet (10') in width shall be located between the paved area and the abutting property lines or public right-of-way except where driveways or other openings may be required; and
 2. At least one (1) tree for each thirty feet (30') of landscaped strip shall be provided. These trees shall be complemented by suitable ground cover and shrubs.
- B. Landscaping within parking lots or green space encompassing not less than five (5%) percent of the total parking area shall be required. A minimum of one (1) tree for every fifteen (15) parking spaces shall be provided. These trees shall be complemented by suitable ground cover and shrubs.

- C. Parking lots with more than fifty (50) parking spaces shall have curbed planting areas. Planting areas shall be placed within or at each end of a parking row. No parking row shall contain more than thirty (30) contiguous parking spaces without a curbed planting area.
1. Curbs around parking lot plantings shall have a shallow descending cut that is a minimum of five (5') feet wide to allow drainage to flow from the parking lot into the curbed planting areas for infiltration.
 2. Such planting areas shall be underlain by a suitable layer of crushed stone or other water holding reservoir, with an overlay of filter fabric to minimize clogging by superfine soils.
- D. Within the interior of the parking lot, landscaping should be used to delineate vehicular and pedestrian circulation patterns. Clear and legible signs, different color and texture paving materials, raised areas, and other techniques should be used to further direct the flow of both vehicular and pedestrian traffic within the site.
- E. A minimum four (4) foot wide landscape area shall be provided surrounding each free-standing sign base and should be designed to screen the foundation of the sign without blocking the view of the signage information.
- F. Bare soil is not acceptable. The introduction of groundcovers and/or perennials planted *en masse* and the use of mulch or other natural material as a soil covering is acceptable. However, no more than twenty (20) percent of the minimum landscaped area may be covered with non-living landscaping materials such as bark mulch, woodchips or leaf litter.
- G. Use of Existing Landscaping Towards Requirements:
1. Each existing healthy and native or non-invasive tree, with a caliper of three (3) inches or greater, preserved using proper protection methods within the interior parking lot area may be substituted for one tree required for every fifteen (15) parking spaces.
 2. Where an applicant proposes leaving a significant portion of healthy non-invasive trees and other vegetation within the proposed parking area, the Board may consider alternative landscaping designs.

Section 5.8 Planting Specifications.

All trees, shrubs and ground cover shall be planted according to accepted horticultural standards.

A. Trees and Shrubs

1. Minimum for shade or canopy trees shall be three (3") inches in diameter measured at breast height, with a height not less than twelve (12') feet.
2. Minimum size for small or minor shade trees shall be two and a half (2.5") inches in diameter measured breast height, with a height of not less than nine (9') feet.

3. Minimum size for ornamental or flowering fruit trees shall be two (2") inches in diameter measured at breast height, with a height of not less than seven (7') feet.
4. Minimum size for evergreen trees shall be six (6') feet in height.
5. Minimum size for a shrubbery shall be one and a half (1.5') feet in height or spread.

B. Planting Specifications

1. All trees, shrubs and plantings shall be planted according to accepted horticultural standards.
2. All trees and shrubs shall be appropriately pruned after planting with all broken or damaged branches removed.

C. Retention of Existing Vegetation

1. The boundary of areas to be cleared will be well defined on-site with tree markings, construction fencing, snow fencing or silt fencing as appropriate to avoid unnecessary cutting or removal. Care should be taken to protect root systems from damage due to excavation or compaction. Individual trees, rock formations and other landscape features to be retained should also be clearly marked and bounded on-site.

Section 5.9 Landscaping Standards – Subdivisions – New Roads.

Where cul-de-sacs are permitted, the island or center area of the cul-de-sac shall remain in a natural vegetated state, with any invasive species removed. If it will be used as a biofilter for stormwater treatment, the area shall be vegetated with a combination of living plant material including trees, shrubs and groundcovers. Non-living landscape materials may cover up to twenty (20%) percent of the island or center area. When planting of vegetation is required, cul-de-sac landscaping shall be installed after construction of the road is complete.

Section 5.10 Maintenance of Landscaping.

Low maintenance, drought, insect and disease resistant plant varieties are encouraged so that buffer areas and other required landscaping can be maintained with minimal care and the need for watering, pesticide or fertilizer use is minimized. For these reasons, native, hybrid and naturalized non-invasive species are preferred since such plant species are well adapted to the local environment.

To avoid maintenance problems and excessive watering, organic matter such as compost or peat should be added to the soil before planting as appropriate to increase the water holding capacity of the soil and to provide nutrients.

The owner and their representative shall be responsible for providing, protecting and maintaining all landscaping in healthy and growing condition, and replacing it when necessary to insure continuous conformance with these guidelines. Any landscape element that dies, or is otherwise removed, shall be promptly replaced with the same, if not similar to, height or texture element as originally intended.

In addition, landscaped areas shall be kept free of all debris, rubbish, weeds and tall grass. Tall grass is acceptable when incorporated as a design element in an approved landscape plan.

If the ownership of a site is conveyed to a new property owner, the new owner shall be responsible for maintaining all landscaping in accordance with the approved final landscaping plan.

Section 5.11 Enforcement.

An inspection of all plantings to ensure compliance with the approved landscaping plan shall be conducted prior to the issuance of a Certificate of Occupancy.

Ongoing inspections of landscapes shall be conducted to ensure compliance of the site with the approved landscape plan in perpetuity.

Section 5.12 Landscaping Time Frame.

All landscaping should be completed prior to the issuance of a Certificate of Occupancy. If the landscaping cannot be completed prior to issuance of a Certificate of Occupancy, the owner shall be required to submit a security to the Community Development office to cover the complete cost of all planting, materials and labor required to complete the landscaping plan as depicted on the approved plan. A detail sheet itemizing the breakdown of costs shall accompany all bonds.

All landscaping shall be complete within one year of issuance of a Certificate of Occupancy.

ARTICLE VI -- PARKING

Section 6.1 Parking Areas.

A. PARKING AREAS.

1. Planting islands should be used to define vehicular and pedestrian circulation patterns and to break up large expanses of pavement. In general, islands should be distributed throughout the parking lot. A combination of end cap islands and linear islands running parallel to parking rows are preferred. Islands should include trees and be planted with either grass or evergreen shrubs.
2. There shall be landscaped open space within the parameter of the parking areas in the minimum amount of five (5) percent of the gross parking area.
3. Break parking areas into sections not to exceed one hundred forty (140) cars; separate sections by landscaped buffers with combination of divider and terminal islands.
4. Provide minimum area of two hundred (200) sf per landscaped island and at least one (1) tree per island; trees must be minimum four (4) feet from curbing.

- B. DIVIDER ISLANDS. Provide at least one (1) island for every four parking rows at least ten (10) feet wide; space trees not more than fifty (50) feet apart in each contiguous landscape area; or provide one (1) tree per two hundred (200) sf of ground area.
- C. TERMINAL ISLANDS. Provide at ends of parking rows at least every twenty-five (25) spaces; provide at least two (2) trees per island and evergreen shrubs three (3) feet on center, or grass/ground cover with approval of Planning Board. All landscape areas shall contain shrub and ground cover plantings. They may not be totally covered with mulch.

Section 6.2 Adjacent Buildings.

- A. Provide minimum ten (10) feet deep area with trees and shrubs around building sides with public access.

Section 6.3 Signage Landscape Strip.

- A. Require minimum four (4) foot wide area around each free standing sign.
- B. Existing vegetation which is preserved may be substituted for required plantings.

Section 6.4 Screening of Unsightly Features.

- A. Must locate storage/stockpile areas out of view of public or in screened area: fenced enclosure required.
- B. Must locate loading docks/receiving areas out of view or in screened area.
- C. Minimum one evergreen tree per linear foot of screen perimeter; minimum tree height equal to one-half (1/2) maximum height of items to be screened.
- D. May substitute enclosure with material compatible with principal structure for screening requirements.

Section 6.5 Maintenance.

- A. Landscaping must be maintained in good condition.

- B. Provide permanent water supply system (sprinkler or hose bibs).
- C. Provide maintenance bond for one (1) year.
- D. A note shall be provided on the plan stating "All conditions on this plan shall remain in effect for perpetuity."

ARTICLE VII -- OUTDOOR LIGHTING GUIDELINES (5-17-00)

Section 7.1 Purpose.

- A. Design outdoor lighting to provide a uniform distribution of light without compromising safety and security.
 - 1. Areas of high pedestrian and vehicle use should maintain a minimum footcandle of 1.0 measured four (4) feet above the ground surface at the point of least illumination and a maximum foot-candle of 7.0, measured four (4) feet above ground surface directly beneath the light source.
 - 2. The intensity of light fixtures should be restricted to two hundred fifty (250) watts, with metal halide lamps recommended for parking areas. The total cutoff of light should occur within the property lines of the parcel to be developed.
 - 3. Parking areas should have light fixtures that have a total cutoff of all light at less than ninety (90) degrees and a beam cutoff of less than seventy-five (75) degrees.
 - 4. Attached building or wall pack lighting should be screened by the buildings architectural features or contain a forty-five (45) degree cutoff shield. Select lighting and posts that are complementary to the general architectural style of the development and surrounding neighborhood.
 - 5. Lighting manufacturers carry fixtures ranging from contemporary to period styles designed to enhance the visual qualities of the development they serve without significantly adding cost. Select light poles that are in scale with proposed or surrounding buildings.
 - 6. The maximum light fixture height for properties shall be twenty (20) feet.
 - 7. For pedestrian walkways and plazas, consider using lights in bollards (three [3] to four [4] foot high posts) where appropriate. Lighting should not conflict with shade trees within landscaped islands.
 - 8. Select lower mounting heights, below the canopy of trees, rather than high mounted fixtures which may create shadows or dark spots.

9. Spacing of light poles in parking areas should be staggered rather than aligned, to maintain a uniform distribution of light.
 10. In all cases, light poles should be located within landscaped islands for safety and aesthetic reasons.
- B. All requests for waivers shall be filed with the application thirty (30) days in advance of the meeting. The waiver(s) requested shall be identified and an explanation of the request(s) provided. (5-17-00)
 - C. Before any Certificate of Occupancy or Temporary Certificate of Occupancy is issued, the Planning Board shall hold a public hearing to determine that the improvements shown and conditions of approval have been substantially satisfied. The applicant shall provide the Planning Board with an as-built plan of the improvements at the same scale as the original plan, seven (7) contact prints and two (2) mylar copies to be used as overlays. The applicant is responsible for all required data to notify abutters, including appropriate fees. This regulation shall not apply to subdivisions of single family homes. All applications shall be filed no later than twenty (20) days before the requested meeting. (5-17-00)
 - D. All construction sites, including residential and non-residential, shall provide suitable containers to hold construction debris. Owners and contractors shall be responsible for keeping construction sites clean of debris and trash. (5-17-00)
 - E. Site plans shall contain a note stating that the landscaping will be kept in good condition and that dead shrubs, trees, and similar items shall be replaced. (5-17-00)

ARTICLE VIII -- PARKING SPACE REQUIREMENTS

(Moved from Zoning 3-6-03)

Section 8.1 Parking Space Requirements. *(Moved from Zoning 3-6-03)*

- A. The following parking spaces shall be provided and maintained by the owner/developer of a property for each proposed new or altered building, or other uses which may not include buildings or structures.
 1. Residential use – two (2) per unit.
 2. Commercial use.
 - a. Offices – four (4) per one thousand (1,000) square feet gross floor area.
 - b. Retail – five (5) per (1,000) square feet gross floor area.
 - c. Shopping Center – six (6) per (1,000) square feet gross floor area.

- d. Restaurant – one-half (.5) per seat + three-tenths (.3) per employee.
 - e. Hotels, motels – one (1) per rented room.
3. Industrial use – one (1) per six hundred (600) square feet manufacturing area.
 4. Auditorium, theater – three-tenths (.3) per seat.
 5. Church – three-tenths (.3) per seat.
 6. College/University – one-half (.5) per student + one (1) per staff.
 7. Senior high school – three-tenths (.3) per student + one (1) per staff.
 8. Elementary & Junior high school - 1 per classroom and 1 per staff.
 9. Hospital – one and one-half (1.5) per bed.
- B. All parking spaces shall be on the same lot with the proposed building or use or on a lot within five hundred (500) feet of the proposed building or use.
- C. Parking space requirements not specifically mentioned in this Ordinance shall be determined by the Planning Board in the exercise of the authority granted to it pursuant to site review regulations.

ARTICLE IX -- UNDERGROUND STORAGE TANKS

(11-5-97)

Section 9.1 Underground Storage Tanks. (11-5-97)

- A. The minimum standard for non-residential underground storage tanks within the Town of Amherst is a fiberglass-coated or cathodic protected, three hundred sixty (360) degree double-walled steel tank. The underground storage tank shall meet the standards set forth by the New Hampshire Code of Administrative Rules Part WS 411 and the Town of Amherst Regulations for:
1. Label requirements.
 - a. Standard of design by which the tank was manufactured.
 - b. Year in which the tank was manufactured.
 - c. Dimensions and capacity of tank.
 - d. Name of manufacturer.
 - e. Date of installation.
 - f. Petroleum products identified which may be stored and percentage by volume of petroleum products which may be permanently and compatibly stored within.

2. Wear Plates.
 - a. Must be at a minimum of twelve (12) inches by (12) inches.
 - b. Constructed of ten (10) gauge steel or heavier.
 3. The tank must be certified pressure tested by the manufacturer for tightness.
 4. Fabrication standards must meet all New Hampshire State Regulations. The thickness of the resin/fiberglass coating applied to the exterior of the double-walled steel tank shall be a minimum of one hundred (100) mils after curing.
 - a. The coating shall possess a coefficient of thermal expansion which is compatible with that of steel, such that the coating shall maintain its bonding capability with the steel tank.
 - b. The coating shall be of sufficient strength to maintain its impermeable characteristics under normal conditions.
 - c. The coating must be non-corrosive under electrolytic or chemical exposure and must be compatible.
- B. The minimum standard for Secondary Containment for underground storage tanks within the Town of Amherst in addition to the fiberglass-clad, double walled steel tank is an impervious synthetic liner.
1. The secondary containment barrier must meet the standard set forth by the New Hampshire Code of Administrative Rules Part WS411 and the Town of Amherst requirements. The barrier must be petroleum insert synthetic membrane liner, one hundred (100) mils thick or membrane liner which will provide equivalent protection, installed in accordance with manufacturer's regulations.
 2. The backfill must be a homogeneous sandy material, neutral/non-corrosive in nature.
 3. All tanks must be anchored to resist buoyant forces in high groundwater locations and soil shifting in dry, well drained areas, in such a way as not to damage the liner.
 4. The site shall be capped with asphalt or concrete, sloped to drain away from the underground storage tank.
- C. The minimum standards for piping systems at underground storage tank facilities within the Town of Amherst:
1. The piping systems for underground storage tanks must meet the standards set forth by the New Hampshire Code of Administrative Rules Part WS 411 and the Town of Amherst requirements.
 - a. All underground pipes, fittings, and connections shall be made of fiberglass reinforced epoxy or galvanized steel. Steel pipes shall be schedule forty (40) or heavier and have an approved protective coating and be cathodically protected by impressed current or sacrificial anodes.

- b. All pipes shall be enclosed within a secondary containment barrier that shall be:
 - i. Water-tight.
 - ii. Joints sealed against water and petroleum products.
 - iii. Equipped with a continuous gas detection/monitoring system.
 - c. A float vent valve shall be installed at the vent line in a tee.
 - d. A line leak detector on piping systems employing a remote pumping system is required.
- D. The minimum standards for monitoring underground storage tanks and associated piping systems within the Town of Amherst:
- 1. The monitoring systems must meet the standards set forth by the New Hampshire Code of Administrative Rules Part WS 411 and the requirements of the Town of Amherst.
 - a. Tank.
 - i. The interstitial space of the double-walled tank shall be equipped with a pressure sensing device that monitors the pressure level or vacuum in the interstitial space, or a fluid sensing monitor which detects the presence of any liquid in the normally dry air space.
 - ii. The system will be equipped with a visual and audible alarm.
 - iii. The monitoring/alarm system will be inspected monthly.
 - iv. The tank shall be equipped with an automatic in-tank product volume monitoring system and high level alarm system.
 - b. Secondary containment (tank and piping): A secondary containment monitoring well shall be installed to the lowest point within the secondary containment.
 - i. The well shall be equipped with a thermal conductivity censoring system or equivalent petroleum sensor system which will detect the presence of stored product.
 - ii. The system will be equipped with a visual and audible alarm.
 - iii. The monitoring/alarm system will be inspected monthly.
 - c. The proponent shall be required to maintain a daily inventory control system which shall include all incoming/outgoing transfers and dates of all monitoring inspections with results.
 - d. The proponent must also provide redundant backflow and overfill protection that is acceptable to the Town.
 - e. The cathodic protection system for the piping must be inspected monthly by the proponent.
 - f. If at anytime the cathodic protection system, the interstitial space monitoring system, or the in-tank monitoring system is found to be defective, the tank and piping system shall be immediately tested for tightness.
 - g. The proponent shall submit a standard operating and maintenance procedure for the tank system as part of the permanent application.

- h. Every six months a qualified manufacturer's representative shall conduct and/or witness the inspection of all monitoring systems associated with the underground storage tank and piping system.
 - i. The inspection shall include but not be limited to the following:
 - (a) Visual, electrical, and calibration testing of the interstitial system, all monitoring well petroleum sensing systems/alarms, and high level alarms.
 - (b) All monitoring wells will be inspected for water/petroleum presence. If water is present in any well, a sample will be analyzed for benzene, toluene, xylenes, and ethyl benzene by an EPA certified laboratory.
 - ii. A certified inspection report shall be submitted to the Town of Amherst within two (2) weeks of each semi-annual inspection.
 - i. On a monthly basis, the tank owner will inspect all monitoring systems and alarms for electrical and calibration / sensitivity integrity.
 - i. The owner must maintain a log book which summarizes the results and problems (if any) that were identified by the inspection.
 - ii. If a system (monitor or containment) experiences a failure, the owner must immediately notify the Town Officials and the owner must begin remedial/corrective action immediately.
 - j. In the event a spill or leak is detected, the Amherst Fire Department shall be notified immediately and all operations at the underground storage tank site must be discontinued until such time as the problem is corrected.
 - k. The Town reserves the right to inspect the underground storage tank system and monitoring wells, and collect samples of water for analyses, or analyze the "head space" of the monitoring wells for petroleum vapors at anytime, at the Town of Amherst's expense.
 - l. The tank owner must submit to the Town of Amherst a Petroleum Release Contingency Plan which addresses identification of release, notification of release, emergency clean-up, and site remediation.
 - m. Tank installations shall include a minimum of one (1) up-gradient groundwater monitoring well and two (2) down gradient groundwater monitoring wells outside of the secondary containment. Baseline sampling of the wells shall be performed prior to the introduction of product into the tank(s). At the minimum the wells shall be tested during September of each year or more frequently if specified in accordance with a groundwater monitoring plan approved by the Town. The results shall be submitted to the Town within thirty (30) days of sampling.
- E. The minimum standards for the installation of underground storage tanks, piping systems, and monitoring systems within the Town of Amherst must be performed in accordance with good engineering practice (GEP).

1. The installation of underground storage tanks, piping systems, monitoring systems, must meet the standards set forth by the New Hampshire Code of Administrative rules Part WS 411 and the Town of Amherst requirements.
 - a. The owner must submit plans, site plans, and specifications to the Planning Board for Planning Board and Fire Department review. The submissions must accurately describe the underground storage tank system and installation procedures and be certified by a professional engineer.
 - b. The installation of the underground storage tank, secondary containment, piping, monitoring system shall be conducted under the supervision of qualified manufacturer's representative.
 - c. The qualified manufacturer's representative shall submit a detailed report to the Town of Amherst certifying that the excavation, installation, pressure testing of the tank/piping system, and monitors were performed in accordance with acceptable engineering practice and the manufacturer's specifications and conform to applicable State and local regulations.

ARTICLE X -- AFFORDABLE HOUSING PROJECT SUITABILITY PROCEDURES

Section 10.1 Purpose.

- A. The purpose of the within regulations is to provide the implementation procedure for the Affordable Housing Zoning Ordinance passed by the Town of Amherst at the annual Town Meeting on March 14, 1989, as the same has, from time to time, been amended. Said Ordinance provides certain treatment for projects that meet the criteria set forth with respect to Affordable Housing and requires the Planning Board to review proposed projects as a preliminary matter to determine whether or not they are "suitable" within the meaning of said Ordinance. Additionally, by virtue of amendments to the Ordinance that were adopted in March of 2009, the Town has also sought to render the Ordinance compliant with the directives of the state "workforce housing" law, (SB 342 – 2008 legislative session).
- B. Said Ordinance also provides that the Planning Board may adopt regulations governing the process whereby the Affordable Housing Ordinance is implemented and these regulations are intended to accomplish that. In that regard, these regulations are intended to provide for a review process wherein the Planning Board will consider an applicant's project to determine the suitability of a particular project within the parameters of the Ordinance, but also to consider the issues of whether the housing units being proposed in the project are 'affordable' as that term is defined in the Ordinance, as well as the extent to which they can be realistically and reasonably constructed within those parameters. In this regard it is the intent of these regulations to provide a

process for the applicant to present such information to the Board to enable the Board to make a reasoned and enlightened judgment as to these issues as well as to whether and to what extent to consider any waivers that may be requested in accordance with the terms of the Ordinance.

- C. Said Ordinance also establishes a maximum number of units that may be approved in the Town in any calendar year and, accordingly, the Planning Board, in order to implement said Ordinance, must establish an appropriate procedural vehicle for the acceptance, review, and approval of suitable projects having in mind the limitation imposed by the Ordinance. Said regulations are also intended to provide for certain to ensure any project approved and implemented will continue to qualify as a suitable project after it is constructed.

Section 10.2 Application Procedure.

- A. APPLICATION. Applicants seeking to have the Planning Board approve a proposal for an Affordable Housing project that presents “affordable housing” within the meaning of the Ordinance, may apply to the Planning Board for a review of its project pursuant to the conditions set forth herein. Said application shall be received at any time during the year, but will not be approved for construction in any given year unless within the maximum permit number identified in the Ordinance or otherwise waived.
 - 1. Form of Application. An applicant desiring to apply for a suitability determination pursuant to these regulations shall make application on a form designated by the Town of Amherst Planning Board and shall contain all of the information required to enable the Planning Board to assess said proposal project with reference to the criteria set forth in Section 8.5 of the Town of Amherst Zoning Ordinance.

Section 10.3 Governing Standards.

It is understood that the application process for an affordable housing project will require, as a threshold matter, a determination that:

- A. The project is “affordable” as that term is defined in the Ordinance; and
- B. The project, if approved and constructed, will comply with the affordable housing in general and specific criteria, as more particularly set forth in the Ordinance.
- C. Also, if an applicant is seeking any waivers from the general and specific criteria, it shall present sufficient information to inform the Board of the basis for such waiver requests and to address the criteria for such waivers as set forth in the Ordinance at Section 14.4 C.

Section 10.4 Required Information.

- A. The applicant must present sufficient information to enable the Planning Board to identify the project as complying with the applicable standards. Such information may include, but not necessarily limited to, a preliminary site plan, a land appraisal reporting a current market value as if limited to the legally permissible highest and best use prior to any regulatory allowances, a development cash flow prospectus of sufficient detail demonstrating economic viability or a lack thereof in support of waivers sought under the application, architectural renderings, topographical maps, landscape plans showing existing and / or proposed vegetation, and other information that is necessary, in the judgment of the Planning Board, to enable the Planning Board to make a judgment as to whether or not said proposal meets the general and specific criteria and / or the standards for any requested waivers, as set forth in the Ordinance.
- B. The Planning Board and its administrative staff shall endeavor to advise applicants, when possible, during the period in which applications are received for filing of any additional specific requirements that the Planning Board feels are necessary in order to make a proper determination as to the suitability of a particular project. Failure of an applicant to provide requested information by the time of review of such application may result in a denial of the application.

Section 10.5 Hearing Process.

It is understood that the submission of an application under these regulations for suitability determination, constitutes a threshold requirement, but the Planning Board will not make a determination as to the suitability of a particular project unless the same is done at a public hearing with notification to the abutters of the proposed project in order that it may ensure proper input from abutting property owners and other persons who may be affected by the proposed project or who have any information that would be germane to the application. The Planning Board shall schedule the applications for a hearing and decide in a statutorily timely manner assuming all required information has been provided to the Board.

Section 10.6 Conditions of Approval.

- A. In order to ensure that the purpose of the Affordable Housing Ordinance is met, the applicant shall be required as a condition of the finding of suitability to provide, among any other requirements, to the Planning Board a document in the form of a Declaration of Covenants or some other type of instrument satisfactory to Counsel and the Board, in form suitable for recordation in the Hillsborough County Registry of Deeds which document will encumber the property which is the subject of the application with appropriate conditions and requirements to ensure that the sale or lease of the dwelling units proposed in said application will be restricted to those persons qualified pursuant to the definition of affordable housing contained in Section 8.5 of the Ordinance. The applicant will be required to submit a proposed form of this document in the course of the application for suitability determination and no permits for the construction of any dwelling unit approved hereunder shall be granted until such time as said document has been received by the

Planning Board, reviewed and approved by Counsel and the Board and is recorded in the Hillsborough County Registry of Deeds so as to restrict the property accordingly. Such document shall make adequate provision for the continuation of such restrictions for the length of the time designated in the Ordinance and shall identify, in such document, such private or public agency which will agree to monitor and administer the future sale(s) and / or occupancy of the property in a manner calculated to insure compliance with the intent and letter of the Ordinance.

- B. In the event the Planning Board determines a project not to be suitable, the Board shall make written findings of its reasons for the same and in the event that the Planning Board divides the available permits among successful applicants in a way that favors any particular application, the Planning Board shall also make findings in the record of the proceedings indicating the justification for its apportionment. (4-26-89, 5-5-10)

ARTICLE XI -- PERSONAL WIRELESS SERVICE FACILITIES (07-10-2013)

Section 11.1 Additional Application Submission Requirements

All Personal Wireless Service Facilities.

A. GENERAL FILING REQUIREMENTS.

1. Written statement signed by the landowner and carrier that the lease between the carrier and the landowner of the subject property contains the following provisions:
 - a. Land owner or carrier can enter into leases with other carriers for co-location.
2. A written and signed statement from the landowner and applicant that he/she agrees that the Town may enter the subject property to obtain RFR measurements, to ensure conformance with the FCC Guidelines, and to obtain noise measurements, all at the expense of the applicant, but not necessarily accompanied by, the applicant and/or landowner.
3. Proof by the carrier of adequate comprehensive general public liability insurance for the proposed personal wireless service facility that provides coverage for damage or injury to persons or property caused by the carrier or its facility.

B. SITE PLANS REQUIREMENTS:

Compliance with the Site Plan Review Checklist and the following:

1. Proposed location of antenna(s), mount(s), and equipment shelter(s).
2. Proposed security barrier, indicating type and extent as well as point of controlled entry.
3. The proposed lease area for the personal wireless service facility.

4. Distances, at grade, from the proposed personal wireless service facility to each building shown on the site plan.
5. Representations, dimensioned and to scale, of the proposed mount(s), antennas, materials used to reduce visual impact, equipment shelters, cable runs, parking areas, and any other construction or development attendant to the personal wireless service facility.
6. Excluding the reconstruction of existing facilities, Site Plans for ground mounted personal wireless service facilities shall show:
 - a. Average tree canopy height within a one hundred and fifty (150) foot perimeter of the mount, security barrier, or designated clear area for access to equipment, whichever is greatest.
 - b. Any proposed landscape easement that includes the bearings and distances of the easement and general conditions of the easement.

Section 11.2 Design Submittal Standards.

- A. BROCHURES. Equipment brochures for the proposed personal wireless service facility such as manufacturer's specifications or trade journal reprints shall be provided for the antennas, mounts, materials used to reduce visual impact, equipment shelters, cables, as well as cable and security barrier, if any.
- B. MATERIALS. Materials of the proposed personal wireless service facility specified by generic type and specific treatment (e.g., anodized aluminum, stained wood, painted fiberglass, etc.). These shall be provided for the antennas, mounts, materials used to reduce visual impact, equipment shelters, cables as well as cable runs, and security barrier, if any.
- C. COLORS. Colors of the proposed personal wireless service facility represented by a color board showing actual colors proposed. Colors shall be provided for the antennas, mounts, materials used to reduce visual impact, equipment shelters, cables as well as cable runs, and security barrier, if any. Also include a picture of similar equipment.
- D. DIMENSIONS. Dimensions of the personal wireless service facility specified for all three (3) directions: height, width, and breadth. These shall be provided for the antennas, mounts, materials used to reduce visual impact, equipment shelters, and security barrier, if any.
- E. PHOTOGRAPHS. Appearance shown by at least two (2) photographic superposition's of the personal wireless service facility within the subject property. The photographic superimpositions shall be provided for the antennas, mounts, materials used to reduce visual impact, equipment shelters, cables as well as cable runs, and security barrier, if any for the total height, width, and breadth.

- F. **LIGHTING.** If lighting of the site is proposed, the applicant shall submit a manufacturer's computer-generated point-to-point printout, indicating the horizontal foot-candle levels at grade, within the property to be developed and twenty-five (25) feet beyond the property lines. The printout shall indicate locations and types of luminaries proposed.
- G. **CO-LOCATION.** Carriers shall share personal wireless service facilities and sites where feasible and appropriate, thereby reducing the number of personal wireless service facilities that are stand-alone facilities in accordance with the Personal Wireless Facilities Ordinance. If the applicant intends to co-locate or to permit co-location, drawings and studies which show the appearance and operation of the personal wireless service facility with maximum co-location shall be provided, including the number of facilities and what type shall be permitted on site. All co-locations shall require a building permit.

Section 11.3 Noise Standards.

- A. The applicant shall provide a statement listing the existing and maximum future projected measurements of noise from the proposed personal wireless service facilities, measured in decibels Ldn (logarithmic scale, accounting for greater sensitivity at night). Such statement shall be certified and signed by an acoustical engineer, stating that noise measurements are accurate and shall not be greater than 65 dB at property line (including noise from the personal wireless service facility and back-up generator). Such statements shall include the following:
1. Existing or ambient: The measurements of existing noise.
 2. Existing plus the proposed personal wireless service facilities: maximum estimate of noise from the proposed personal wireless service facility plus the existing noise environment.
 3. Existing plus the proposed personal wireless service facilities plus cumulative: Maximum estimate of noise from the proposed personal wireless service facility plus the maximum estimate of noise from the total addition of co-located personal wireless service facilities plus the existing noise environment.

Section 11.4 Radio Frequency Radiation (RFR).

The applicant shall provide a signed and stamped certificate by an RF Engineer stating that the maximum radio frequency radiation of the personal wireless service facility and the cumulative RFR of any existing personal wireless service facilities at the site will not exceed the FCC Guidelines. The FCC Guidelines shall be incorporated as part of this certification.

Section 11.5 Environmental Filing Requirements.

- A. The National Environmental Policy Act (NEPA) applies to all applications for personal wireless service facilities. NEPA is administered by the FCC via procedures adopted as Subpart 1, Section

1.1301 et seq. (47 CFR Ch. I). The FCC requires that an environmental assessment (EA) be filed with the FCC prior to beginning operations for any personal wireless service facility proposed in or involving any of the following:

1. Wilderness area.
 2. Wildlife preserve.
 3. Threatened or endangered species.
 4. Historical site.
 5. Native American religious site.
 6. Floodplain.
 7. Wetland.
 8. High intensity white lights in residential neighborhoods.
 9. Excessive radio frequency radiation exposure.
- B. At the time of application, an EA that meets FCC requirements shall be submitted to the Town for each personal wireless service facility site that requires such an EA to be submitted to the FCC. In addition, a letter of concurrence substantiating the finding of the applicant for each of the NEPA checklist items shall be provided with the site plan application.
- C. The applicant shall list the location, type, and amount (including trace elements) of any materials proposed for use within the personal wireless service facility that are considered hazardous by the federal, state, or county government, or by the Town of Amherst.

Section 11.6 Structural Standards for Ground Mounted Personal Wireless Facilities

(Excluding Reconstruction of Existing Facilities).

The applicant shall provide a report prepared by a licensed professional structural engineer describing the facility and specifying the maximum number and types of antennas the facility is designed to accommodate. The report shall bear the seal of the engineer that prepared the report.

Section 11.7 Visibility Standards for Ground Mounted Personal Wireless Service Facilities

(Excluding Reconstruction of Existing Facilities).

- A. SIGHT LINES. Lines representing the sight line showing the viewpoint (point from which view is taken) and visible point (point being viewed) as described below:

1. Existing (before condition) photographs. Each sight line shall be illustrated by on four (4) inch by six (6) inch or larger color photograph of what can currently be seen from any public road or residential building identified above.
 2. Balloon Test. Within fourteen (14) days of the acceptance of the site plan application by the Planning Board, the applicant shall arrange for a balloon or crane test at the proposed site to illustrate the height of the proposed facility. The date, time, and location of such test shall be advertised in a newspaper of general circulation in the Town at least ten (10) days prior to the test, and the test must be left in place for a minimum of two (2) days (forty-eight [48] hours).
 3. Proposed (after condition) photographs. Each of the existing condition photographs shall have the proposed personal wireless service facility superimposed on it to show what will be seen from public roads and residences if the proposed personal wireless service facility is built.
- B. ELEVATIONS. Siting elevations, or views at-grade from the north, south, east, and west for a fifty (50) foot radius around the proposed personal wireless service facility plus from all existing public and private roads that serve the subject property. Elevations shall be at either one-quarter (1/4) inch equals one (1) foot or one-eighth (1/8) inch equals one (1) foot scale and show the following:
1. Antennas, mounts, materials used to reduce visual impact, and equipment shelter(s), with total elevation dimensions and AGL of the highest point.
 2. Security barrier. If the security barrier will block views of the personal wireless service facility, the barrier drawing shall be cut away to show the view behind the barrier.
 3. Any and all structures on the subject property.
 4. Existing trees and shrubs at current height and proposed trees and shrubs at proposed height at time of installation, with approximate elevations dimensioned.
 5. Grade changes, or cuts and fills, to be shown as original grade and new grade line, with two (2) foot contours above mean sea level.

ARTICLE XII – ARCHITECTURAL DESIGN STANDARDS

Section 12.1 Purpose.

The purpose of these standards is to promote compatibility, imagination, innovation and variety in new construction or renovation of buildings subject to non-residential site plan review; and to encourage continued economic development, energy conservation, improved transportation efficiency, conserve property values, and further enhance the visual appearance of the community and its gateways within the context of overall community character. Consideration must be given to human scale and pedestrian orientation for the design of or renovation of a structure.

These architectural design standards are not necessarily intended to apply to industrial buildings, however general compliance is encourage and additional screening may be required for industrial buildings.

Section 12.2 General Criteria.

- A. Plans shall show all building elevations and portray the design of all buildings and the relationship of the development to surrounding properties, buildings, natural features and built features.
- B. The Planning Board may require that development proposals be reviewed by a historic consultant or architect where applicable, and be designed by a NH licensed architect.
- C. Alternative architectural solutions may be considered by the Planning Board. Emphasis should be placed on compatibility, aesthetics and creativity.

Section 12.3 Standards.

- A. Monotony of design or warehouse style structures shall be avoided. Variation in detail, form, and siting shall be used to provide visual interest. All sides of a structure shall receive design consideration. A façade unrelated to the rest of the building is not an acceptable design.
- B. Buildings shall be sited so that entrances are clearly identifiable and street/unit numbers shall be visible from the point of entry.
- C. The size, mass and form of new structures must relate to the appropriate scale of neighboring buildings as well as the context of the district in which it is located. The following architectural features and treatments should be used to enhance the character of new development:
 - 1. Avoid blank walls at ground-floor levels through the use of windows, trellises, wall articulation, arcades, material changes, awnings or other features.
 - 2. Reduce the apparent scale of the building by introducing small-scaled architectural features, creating an irregular footprint and variations in roof forms and height of roof elements.
 - 3. Enhance definition of each floor of the building through terracing, articulated structural elements, changes in materials, belt courses and horizontal trim bands. Detail features should be crafted to provide visual interest and pedestrian scale.
- D. Roof Forms and Materials
 - 1. Rooflines shall be characteristically sloped and articulated with architectural features such as dormers, chimneys, gables, cupolas, etc.
 - 2. Long, unbroken expanses of roofs should be avoided through the use of dormers, chimneys, cupolas and changes in ridgeline.

3. Flat roofs are strongly discouraged unless the Planning Board finds that a proposal can provide appropriate visual appeal.
 4. In cases where pitched roofs are not practical, the use of false building fronts shall be used to imitate pitched roofs to vary the horizontal lines along portions of the façade to create the appearance of multiple attached buildings.
 5. Where appropriate, roofs shall provide adequate overhands for pedestrian activity.
 6. Roof materials shall be comprised of high quality, durable and architecturally consistent materials, including but not limited to, concrete tile, asphalt shingles and standing seam metal.
 7. In all cases, all roof top mechanical units shall be screened so as not to be visible from road level or from public areas from ground level. Screening may be accomplished through architectural treatments including walls, parapets, false chimneys or cupolas.
- E. Architectural features and details shall be considered in every building design.
1. Traditional features and details such as columns, pilasters, canopies, porticos, awnings or arches associated with Amherst's architectural heritage are strongly encouraged.
 2. Long expanses of repetitive architectural elements and flat unarticulated wall surfaces shall be avoided.
 3. Brick, clapboard, stone or tinted/textured architectural block are preferred for wall surfaces. EFIS, stucco, Texture 111, smooth-faced concrete block and pre-fabricated steel panels are discouraged.
 4. Large plate glass windows are discouraged unless broken with mullions or muntins. Mirrored glass or colored metal panels are discouraged.
- F. Existing buildings and structures of historic value should be preserved and, if renovated or expanded, shall be done in a manner that is respectful of the character, features and details of the existing structure.
- G. Public amenities are encouraged, such as: benches, bike racks, sidewalks along building façades with a customer entrance, public bathrooms and walkways connecting transit stops, parking lot crossings or street crossings.
- H. Signs
1. Signs shall comply with the Town of Amherst sign ordinance and should be designed to meet the needs of the individual uses while complementing the building, site and surrounds.

2. Wall signs should be appropriately scaled to the building or surface on which it is placed and should not obscure important architectural features.
3. Consideration should be given to form, color, lighting and materials that are compatible with the building and its surroundings.