

**TOWN OF SUNAPEE - PLANNING BOARD OF ADJUSTMENT
MEETING WILL BE HELD THURSDAY, MAY 16, 2024, AT 7:00 PM,
AT THE SUNAPEE TOWN MEETING ROOM ON THE FOLLOWING:**

Join Zoom Meeting

<https://us06web.zoom.us/j/81034448697?pwd=OxhOAu99MjMkeO9jPxOWTERIUPUHPm.1>

Meeting ID: 810 3444 8697

Passcode: 616831

1. Call to Order/Roll Call
2. **Notice is hereby given that the Sunapee Planning Board will hold a Public Hearing on Thursday, May 16, 2024, at 7:00 PM at the Town Hall to receive public input on the amendments to the Town of Sunapee Site Plan Review and Subdivision Regulations. The proposed amendments with full text are shown below.**
3. Review of Planning Board Rules of Procedure
4. Review of Minutes from Previous Meeting(s)
5. Other Business:
 - a. Volunteer Interest for Alternate Members:
 - i. Doug Carey

NOTE: In the event the meeting is cancelled, the agenda will be continued to the next scheduled Zoning Board meeting.

Town of Sunapee Planning Board

Site Plan Review Amendments

Article III.C. Phase II. Design Review

First Paragraph - Unchanged

The design review shall be conducted only at formal meetings of the Board. The Board may review the proposal in detail and receive testimony in person or writing from any applicant, any abutter or any other person as permitted by the Board. The Board will notify the applicant that the design review phase is complete within 10 days of the hearing completion. The review shall bind neither the applicant or the Board. A formal meeting on a particular design review may be adjourned to continue on a specific date with no further notice of the reconvened meeting required. *No time limits for this phase unless the provisions of RSA 676:12 VI apply.*

Article III. I. Formal Consideration: Time Limits

The Board shall begin form consideration of the final application within thirty (30) days after the date of the regular public hearing at which the completed application is submitted to and accepted by the Board. The Board shall act to approve or disapprove the application within sixty-five (65) days after acceptance. ~~The Board may apply to the Selectmen of the Town for an extension not to exceed an additional ninety (90) days before acting to approve or disapprove the application.~~ The applicant ~~may waive the requirement for the~~ and Planning Board ~~may mutually agree to an extension of the time period action within the foregoing time periods and consent to such an extension~~ as may be mutually agreeable. *If the parties cannot agree on an extension of the review period, the requirements of RSA 676:4 shall govern.*

Second Paragraph - Unchanged

Article IV: Procedure when Special Exception, Variance or Subdivision Approval is Required

When a special exception or variance is required by the zoning Ordinance, the applicant shall first obtain the special exception or variance before applying for site plan approval. *An applicant may have a Phase I Consultation and Conceptual Review without the special exception or variance in place.* Any conditions imposed by the Zoning Board of Adjustment shall take precedence over the requirements contained in these regulations, although additional conditions may be required by the Planning Board as a part of the Site Plan Approval. When both subdivision and site plan approval are required for a proposed development, the Board may hold the Site Plan Review hearing at the same time ~~as the hearing required by the subdivision regulations~~ as the *Subdivision Review* hearing.

Article V - A: Application for the final Site Plan approval shall be accompanied by ~~4~~ 2 copies of the proposed Site Plan, *a PDF of the site plan and relevant documents.* ~~With a~~ *The map shall be* drawn to the scale of 1" = 20', or ~~on~~ a scale acceptable to the Board. The following information shall be included:

Article V - A16: Drainage design showing the location and site of existing and proposed drainage structures including culverts, pipes, and catch basin, manholes, ditches, ~~holding detention or retention~~ basins, etc... This shall be supported by copies of the design computations based on a ~~40~~ 25-year flood design frequency for all major culverts and brooks that affect any Town or State Highways and by documentation showing that all existing and proposed drainage is adequate to prevent increased run-off into adjacent lands;

Article X Bonding

The Planning Board shall, where an site improvements are proposed by the applicant or required by the Planning Board, as a condition of approval, require the applicant to ~~complete said improvements or~~ provide security of the completion of said improvements within the time period established by the Planning Board ~~as the Planning Board~~ *it* determines to be appropriate. The amount of security required shall be no less than a fair estimate of the costs of the *site* improvements plus an appropriate amount to account for future inflation. *Security shall be in the form of a bond or letter of credit from a bank or other financial institution.* As the project

Appendix A. Parking Space Dimensions

- (1) ~~Normal vehicles~~ *Cars, SUVs and light trucks* require a rectangular space of at least ~~10 ft x 20 ft~~ *9 ft x 18 ft. Other vehicles may require larger spaces.*
- (2) **Unchanged**
- (3) *Handicap accessible spaces shall be provided at a rate of 1 space per each 25 parking spaces. A normal handicap accessible space shall be 1.5 times as wide as a regular parking space and a van handicap accessible space shall be 2 times as wide as a regular parking space.*

Appendix F. Fee Schedule – *All fees will be set by the SelectBoard*

~~(1) Base Fee (All Projects) – \$150 –~~

~~(2) Additional Fees (Home Business and Agricultural Uses Exempt)~~

~~(a) Non-Residential:~~

~~\$75.00 per 1000 sf Building Footprint over 2000 sf plus~~

~~\$75.00 per 5000 sf Additional Land Disturbed beyond Building Footprint~~

~~(b) Residential:~~

~~\$100.00 per dwelling unit after the first two units.~~

Town of Sunapee Planning Board

Subdivision Amendments

Section 2. Definitions

Delete the following definitions:

Approval, Conceptual

Approval, Preliminary

Approval, Final

Fix location of “Open Space” Definition

Update definition of **Wetlands**:

Wetlands means ~~areas of soils~~ any areas classified by the ~~Soil Survey of Sullivan County~~ Sunapee Zoning Ordinance as part of the Wetland Overlay District as ~~poorly drained and very poorly drained~~ plus any areas delineated by a Certified Wetland Scientist.

Section 3. New note after section heading:

The Selectboard shall set all fees and publish them in the Town of Sunapee Fee Schedule

Section 3.02. Design Review Phase

No change to paragraph 1

~~For a Subdivision and Annexation: \$ 75.00~~

~~For a Minor Subdivision: \$150.00~~

~~For a Major Subdivision: \$300.00~~

The applicant shall be guided by the Board as to the need for further meetings and advisability of entering the ~~Preliminary Plan~~ Final Plat stage. There is no time limit for this Design Review Phase ~~except as provided in RSA 676:12 VI. The Board shall give conceptual approval or with or without modification only to authorize the preparation of the Preliminary Plan Subdivision layout. A copy of this record shall be sent to the applicant.~~

Section 3.04. Final Plat Submission

No change to paragraph 1

Fees ~~for the Final Plat Hearing shall be as follows:~~ *shall be set by the Selectboard*

~~Base Fee (All Final Plat Submissions): \$150.00~~

~~Additional Fees:~~

~~Subdivision and Annexation: \$ 75.00~~

~~Minor Subdivision: \$150.00~~

~~Major Subdivision: \$300.00~~

Section 3.06 Action of the Board

Within 65 days of receipt of all material required in Section 6.04 for the Final Plat, and the Board's acceptance of the application as complete, the Board shall approve, approve with conditions, *deny without prejudice* or ~~disapprove~~ *deny* the Final Plat, unless time for action has been extended ~~an additional 90 days by the Board of Selectmen or extended~~ by mutual agreement of the Planning Board and applicant. Reasons for ~~disapproval~~ *denial* of the Final Plat shall be stated in the records of the Board. Approval shall be certified by *a written decision* ~~written endorsement on the Plat and signed~~ and signatures by members of the Board *on the final mylar*.

Section 3.07 (A)(ii) Boundary Line Agreements/Minor Lot Line Adjustments

(ii) Minor Lot Line Adjustments: The applicant shall apply to the Planning Board for review and approval. The application shall be considered at a regular meeting of the Planning Board. No public notice will be required for such a proposal, except for the normal notification of a Planning Board meeting. A mylar, *PDF*, and ~~four~~ *three* copies shall be submitted to the Planning Board on or before the posted deadline date of the meeting at which the plan will be considered. The applicant shall pay *a fee as determined by the Selectboard* ~~an administrative fee of \$75.00 to the Town of Sunapee~~ at the time of submission.

Section 3.07(B) Voluntary Merger

In cases where the proposal involves a voluntary merger of abutting properties, the applicant may file a Notice of Merger with the *Planning* Board provided that the merger will not violate any existing land use ordinances or regulations. Such application shall be considered at a regular meeting of the Planning Board. No public notice will be required for such proposal, except for the normal notification of the Planning Board meeting. The applicant shall pay *a fee as determined by the Selectboard* ~~an administrative fee of \$75.00 to the Town of Sunapee~~ at the time of submission.

Section 3.08 Failure to Act

If the *Planning* Board ~~has not obtained an extension from the Selectmen of the Town, and~~ has not taken action to approve or ~~disapprove~~ *deny* the Plat *within 65 days the requirements of RSA 676:4 shall apply* ~~such Plat shall be deemed to have been approved and a certificate of the Town as to the date of submission of the Final Plat for approval and the failure to take action thereon within the required time, shall be issued on demand and shall be sufficient in lieu of the written endorsement; provided that the Applicant may waive the requirement and consent to an extension of time.~~

Section 4.08 Lots

- (f) Side lot lines shall be substantially at right angles ~~or radial~~ to street lines, unless otherwise approved by the Board.

Section 5.07 Road Design

- (o) **Change 25-year return period to 50-year return period.**
- (x) **Change 2-year storm event to 10-year storm event**

Section 5.08 Road Improvements

Roads shall be constructed to the standards set forth above and in Appendix A. In rural areas, roads shall be paved or graveled to a minimum, widths prescribed above, with shoulders not less than two feet wide. The Board may require a greater width of paving or graveling and should for collector roads. In village areas, the Board may require a greater width of right-of-way and paving of all streets and roads, together with curbs and sidewalks. A greater width of right-of-way may be required in any case where drainage, slopes, or other site constraints would warrant such.

No change to paragraph 2

Section 5.09(C) – Driveway Standards

- (6) Drainage: The driveway shall not interfere with the street's drainage. Where necessary, culverts, water bars, ditches, and other drainage structures shall be installed to ensure adequate drainage of the street and to prevent excessive drainage from the driveway onto the road. *If the driveway grade exceeds 10% at any point, a full drawing of the entire driveway showing drainage improvements shall be submitted with the driveway permit application.* Culverts shall be at least 12" in diameter, and larger if considered necessary by the Road Agent. A minimum of 12" of fill shall be placed over the culverts.

Section 5.11 Utilities and Drainage

No changes to Paragraph 1 or 2

An adequate surface storm water drainage system for the entire subdivision area shall be provided. *Drainage design must include adequate retention or detention areas to keep the post-development stormwater flow equal to or less than pre-development flows and insure that existing watercourses or storm drain systems are not adversely impacted.* ~~Storm drainage shall be carried to existing watercourses or connect to existing storm drains. If the storm water drainage system creates any additional flow over any adjacent property, the subdivider shall obtain an easement from the adjacent owner and hold the Town harmless from any claims for damage resulting therefrom.~~

No changes to Paragraph 4 or 5

Section 6.04 Final Plat Documents

The Final Plat shall be drawn in permanent black ink on reproducible polyester film (*mylar*). *The original submission for review shall include two paper copies and a PDF of the plan. If the Board approves the plan, a PDF, one (1) mylar original, and four (4) three (3) paper print copies shall be submitted to the Board.* The information shall be sufficiently clear to illustrate all conditions, establish the basis, and clarify the design requirements for the subdivision. Final Plat Maps shall be at a scale of no more than 1" – 100' and include a north pint, bar scale, date and dates of any revisions. The Subdivision Plat shall be consistent with the approved Preliminary Layout, if such Preliminary Layout is required.

No changes to the remaining part of 6.04

Section 7.03 Performance Assurance

- a. A surety bond issued by a surety company authorized to do business in New Hampshire, to be filed with the Town in form and amount satisfactory to it.
- ~~b. Cash, or savings bank book properly endorsed to the Town of Sunapee in an amount to be determined by the Town, and to be deposited with it.~~
- e.b* Letter of Credit

No other changes to this section

Section 7.09 Penalties

Change \$500 to \$1000