

**Town Of Unity
Office of the Planning Board**

**Site Plan Review
Regulations**

Revised at Town Meeting – March 9, 2010

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SECTION I: AUTHORITY

Pursuant to the authority vested in the Planning Board by the voters of the Town of Unity on March 8, 2005, and in accordance with the provisions of 674:43 and 44, New Hampshire Revised Statutes Annotated, as amended, the Unity Planning Board hereby adopts the following regulations governing the development, or change, or expansion of use of tracts for non-residential uses, or multi-family dwelling units (more than two units), whether or not such development includes a subdivision or re-subdivision of the site.

SECTION II: PURPOSE

The purpose of these Site Plan Regulations is:

- To protect public health, safety and welfare
- To promote balanced growth
- To promote the timing of development
- To prevent premature and uncoordinated development of land
- To prevent growth/development of land without the adequate provision of public services and facilities
- To ensure sound site utilization
- To avoid development which may result in negative environmental impacts
- To guide the character of development

The Site Plan Review Procedure in no way relieves the developer or his/her authorized agent from compliance with the Land Use Ordinance, Subdivision Regulations or any other ordinance which pertains to the proposed development. No site plan will be approved until it complies in all respects with any and all pertinent ordinances and regulations.

SECTION III: SCOPE OF REVIEW

The Planning Board shall have the responsibility for making the final decision as to the necessity of the Site Plan Review.

In accordance with procedures outlined in these regulations, the owner of the property or his/her authorized agent shall apply for and secure, from the Planning Board, an approval of such proposed site development:

- Whenever any development or change or expansion of use of a site is proposed, or
- Whenever any changes are proposed that differ from an existing site plan as previously approved by the Planning Board, or
- Before any construction, land clearing, building development or change is begun, or
- Before any permit for the erection of any building or authorization for development on such site shall be granted

Where there is any doubt as to whether or not a project requires Site Plan Review, the affected party shall apply to the Planning Board.

In an effort to clarify what constitutes a change of use of sufficient magnitude or impact to trigger Planning Board action, the following guidelines will be observed:

A. Activities Not Subject to Site Plan Review

- Proposals that involve no change in use or level of activity.
- Internal building modifications of a non-residential use that does not affect the scale or impact of the existing use

SECTION IV. DEFINITIONS

The definitions contained in the Town of Unity's Land Use Ordinance and the Subdivision Regulations shall apply to the Site Plan Regulations.

SECTION V: APPLICATION PROCEDURE

The application procedures as outlined in the Unity Subdivision Regulations shall apply to Site Plan Review.

A. Expedited Review

The Planning Board may provide for an expedited review of minor site plans. The Criteria the Planning Board will use to determine whether an application qualifies as a minor site plan includes, but are not limited to, the following:

- When there is no new construction.
- When new construction is no greater than 2,500 square feet in area.
- When site impacts are not expected to be significant, in terms of traffic, noise, parking, lighting, etc

Under the expedited review procedure, the Planning Board may waive certain submission requirements.

SECTION VI: SUBMISSION REQUIREMENTS

A completed application shall be submitted at least 30 days in advance of the next scheduled Planning Board meeting and shall consist of the following items unless the Planning Board grants a written request for waiver(s):

A. Completed Application Form and Checklist

Accompanied by:

- A letter of authorization from the owner(s) of record, if the applicant is not the owner
- Names and addresses of all abutters, taken from the town records not more than five (5) days before the day of filing
- Names, addresses and seal of all persons preparing the plat, as applicable
- Names and addresses of all holders of conservation, preservation or agricultural preservation restrictions
- Payment to cover filing and notification fees
- One (1) mylar and five (5) paper copies of the Plat, prepared according to the standards of the NH Land Surveyors Association and the County Register of Deeds

B. Plats Required Information

- Plats shall be at any scale between 1"= 20' and 1"=400'
- The outside dimensions of the plat shall be 22" X 34". as specified by the County Registry of Deeds
- The material composition shall be suitable for electronic scanning and archiving by the County Registry of Deeds
- All plats shall have a minimum ½" margin on all sides including an ell step in the upper right hand corner that leaves a three (3) inch square area with no outside borders as required by the County Registry of Deeds
- All title blocks shall be located in the lower right hand corner

C. Title Block Required Information

- Type of survey
- Owner(s) of record
- Title of plan
- Name of the town(s)

- Tax map and lot number
- Plan date and revision dates

D. Plat Submission Items

- Name of project or identifying title; names and addresses of owners of record; and tax map and lot number
- North arrow, date of the plat, scale appropriate to the scope of the development; name and address of person preparing the plat; signature block for Planning Board approval
- Vicinity sketch at an appropriate scale showing the location of the site in relation to the existing public streets
- Physical features and uses of abutting land within 200 feet of the property
- Boundary lines, their source, approximate dimensions and bearings, and the lot area in acres and square feet
- The shape, size, height, location and use of existing and proposed structures located on the property and those existing within 200 feet of the property
- Location, name and widths of any existing and proposed roads on the property and those existing within 200 feet of the property. (See road standards under Section X; subsection “F”, second bulleted line.)
- New and existing road profiles, centerline stationing and cross-sections and grades.
- Location of existing and proposed sidewalks, crosswalks, driveways and traffic control devices, with indication of direction of travel for any, which are one-way. Both vehicular and pedestrian circulation shall be shown
- Identification of access to the property, sight distance at the access point(s), curb cuts and proposed changes (if any) to existing streets; and copy of any driveway permit(s)
- Location and design, total number of parking spaces; loading spaces and other similar facilities associated with the use
- A landscape plan, describing the number, location, types, and size of all existing and proposed landscaping and screening
- The location, type, and nature of all existing and proposed exterior lighting and signage
- Water courses, ponds, standing water, rock ledges, stonewalls; existing and proposed foliage lines; open space to be preserved; and any other man-made or natural features
- The size and location of all existing and proposed septic water mains, sewers, culverts, proposed connections or alternative means of providing water supply and disposal of sewage and surface drainage
- Location of existing and proposed well, with 75-foot radius on its own lot
- The location and distance to any fire hydrants and/or fire ponds and cisterns
- Existing and proposed topographic contours based upon the USGS topographical data, with spot elevations where necessary
- Soil and wetland delineation (see Subdivision Regulation)
- Location of percolation tests and certified test results and an outline of septic area with any applicable setback lines
- Copy of certification by a licensed septic designer that an existing system is adequate to meet the needs of the proposed use
- Location of any existing or proposed easements, deed restrictions, covenants
- Base flood elevations and flood hazard areas, based on available FEMA maps

E. Additional Requirements

- Plan for Storm Water Management and Erosion Control, if applicable (See Section X, subsection “I”)
- State approval for new septic systems: septic design approval where applicable, or certification by septic designer of adequacy of existing system
- Alteration of Terrain Permit from NH Department of Environmental Services
- State/Town driveway permit, as applicable
- Recommendations from the Fire Chief, Police Chief, Health Officer and/or Town Conservation Commission
- Approval for municipal water/sewer connections
- Any deed restrictions; and all deeds covering land to be used for public purposes, easements and rights-of-way over property to remain in private ownership, and rights of drainage cross private property, submitted in a form satisfactory to the Planning Board's counsel
- For subdivisions and site plans that involve land designated as “Special Flood Hazard Areas” (SFHA) by the National Flood Insurance Program (NFIP):
- The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State Law, including Section 404 of the Federal Water Pollution Control Act Amendment of 1972, 33 U.S.C. 1334.
- The Planning Board shall require that all proposals for development greater than 50 lots or 5 acres, whichever is the lesser, including Base Flood Elevation (BFE) data within such proposals (i.e. floodplain boundary and 100- year flood elevation).
- The Planning Board shall require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a determination that:
 - (i) All such proposal are consistent with the need to minimize flood damage;
 - (ii) All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
 - (iii) Adequate drainage is provided so as to reduce exposure to flood hazards.
- Any other state and/or federal permits
- An impact analysis may be required, which takes into account the following items to the extent the Planning Board deems applicable:
 - Demographic Description
 - Community Facilities Impacts
 - Environmental Impacts
 - Regional Impacts
- If the Planning Board determined that some or all of the above described information and any additional reports or studies are deemed necessary to make a informed decision, the applicant(s) will be notified in writing within ten (10) days of the meeting at which these determinations were made.

F. “As Built” Plans

Supplemental information may be required by the Planning Board to update the final plat to reflect "as built" conditions and details. The plan shall show any easements and dedicated roadways. A security bond may be required to guarantee performance of the applicant's obligations as described herein.

SECTION VII: DEVELOPMENTS HAVING REGIONAL IMPACT

All applications shall be reviewed for potential regional impacts and having made the determination that regional impact exists, the Planning Board:

- Shall furnish the regional planning commission(s) and the affected municipalities with copies of the minutes of the meeting at which the determination was made
- Shall send copies of the meeting minutes by certified mail within 72 hours of the determining meeting
- Shall notify the regional planning commission(s) and the affected municipalities, by certified mail at least 14 days in advance of the scheduled public hearing's date, time and place, and of their right to appear with the status of abutter(s) to offer testimony concerning the proposal

SECTION VIII: PERFORMANCE GUARANTEE

As a condition of approval, the planning board shall require the posting of a security in an amount sufficient to defray the costs of construction of streets and public utilities. The amount of the security shall be based on an estimate of costs provided by the applicants and at the discretion of the Planning Board, a licensed engineer. The amount of the security shall also include fees to cover the cost of periodic inspections. The applicant shall pay all costs incurred for such a review.

The Planning Board and the municipal counsel shall approve the security as to form and sureties. Where electric lines or other utilities are to be installed by a corporation or public utility, a letter of intent shall be required stating that the work will be done in a reasonable time and without expense to the Town. Each approved plat shall contain a time limit for the completion of all improvements. In accordance with the plan approved by the Planning Board, the performance guarantee shall be released in phases as portions of the secured improvements or installations are completed and approved by the Planning Board or its designee.

SECTION IX: GENERAL STANDARDS

A. Design of Development

- Should fit the existing natural and man-made environments with the least stress
- Site preparation is to be conducted with minimal disturbance to existing vegetation
- Stripped topsoil is to be piled, covered and reused on the site where needed
- A minimum of 4 inches of topsoil is to be placed on the disturbed area
- The site shall be adequately landscaped, as delineated in a landscape plan
- Landscape treatment shall consist of natural, undisturbed vegetation or features, or newly installed ground cover, shrubs, or trees where appropriate
- Grading and filling must be conducted to minimize the alteration of surface and subsurface drainage to, toward, or across abutting properties unless the written consent of the abutting landowner is obtained

B. Illumination

- A lighting plan shall be required and is to be prepared by a licensed engineer
- Outdoor lighting shall not glare on or light abutting properties or on public highways or streets
- Outdoor lighting is restricted to that which is necessary for advertising and security of the property

C. Pedestrian Safety

Sidewalks shall be provided for pedestrian traffic to provide connection between the main entrances of business, housing or industrial establishments and parking areas. In the event that pedestrian shoppers or employees are reasonably anticipated, provision shall be made for sidewalks running from the street line to the establishments. All such sidewalks shall be at least six (6) inches above grade and protected by curbing.

Crosswalks shall be required and designed in compliance with ADA and other State requirements

D. Off-street Parking and Loading Requirements

- Sufficient off-street loading and/or unloading space must be provided, including off-street areas for maneuvering of anticipated trucks or other vehicles
- Maneuvers for parking and/or loading or unloading must not take place from a public street
- Access, parking and loading areas are to be constructed so as to minimize dust, erosion, and runoff conditions that would have a detrimental effect on abutting or neighboring properties
- Permeable pavement may be used which might reduce the need for installation of drainage facilities to accommodate runoff; however, the Board may require that access, parking and loading areas be conventionally paved, if deemed appropriate.
- In site plans for more than one (1) use, the aggregate number of parking spaces shall be apportioned based on the various uses, with respective areas designated on the plan

E. Screening

Appropriate screening/buffers are to be maintained or installed to provide privacy and noise reduction to residential areas abutting non-residential sites:

- Buffer strips (20 feet minimum – distance largely dependent upon the density of development in the area) must be maintained between proposed use and residential uses.
- Buffer strip between non-residential and residential uses must contain vegetation that will screen non-residential uses from sight of the residential uses during winter months
- Storage areas must be fenced or screened from on-site or adjoining parking and neighboring properties
- Litter (garbage) collection areas must be screened
- The use of either fencing or hedges is permitted

F. Street Access/Traffic Pattern:

- Access to public streets will meet the requirements of the NH Department of Transportation and/or the Town of Unity
- Any new road construction shall conform to the road standards as specified in the Unity Subdivision Regulations
- Any internal traffic pattern will accommodate the proposed use, as well as providing easy, access for emergency vehicles
- Emergency vehicle access requires a review and written recommendations from the Unity Fire Chief

G. Water Supply and Sewage Disposal Systems

Water Supply and Sewage Disposal Systems must be sized to adequately meet the needs of the proposed use under the regulations of the NH Water Supply and Pollution Control Commission and/or the Town of Unity regulations. It shall be the responsibility of the applicant to provide adequate information to prove that the area of the lot is adequate to permit the installation and operation of an individual sewerage disposal system, and that existing systems are adequate to serve the needs of the proposed development.

H. Fire Protection

Applications for new subdivisions and developments shall be required to address water supply needs for fire protection. The Fire Chief shall review all proposals to determine whether or not water supply should be addressed for that particular proposal; if so, the following requirements apply:

- The Fire Chief shall complete an inspection of the proposed site to evaluate the availability of existing water supply in the area.
- The Fire Chief shall implement all applicable provisions of the National Fire Prevention Association’s Standard on Water Supplies for Suburban and Rural Fire Fighting.
- The Fire Chief shall determine the type, location and spacing of any water supply (such as fire ponds, cisterns, etc.)
- Following the inspection and evaluation, the Fire Chief will submit his findings in writing to the Planning Board.
- All proposed developments, whether including the provision of hydrants or other water supply facilities, shall be accessible to firefighting and other emergency equipment.

I. Storm Water Management and Erosion Control

The applicant shall submit storm water management and erosion control plans when one or more of the following conditions have been proposed:

- A cumulative disturbed area exceeding 20,000 square feet
- Construction of a street or road
- A subdivision involving three or more dwelling units
- The disturbance of critical areas, such as steep slopes, wetlands, floodplains

Standard agricultural and silvicultural practices are exempt from these provisions.

All storm water management and erosion control measures in the plan shall adhere to the “Erosion and Sediment Control Design Handbook for Developing Areas of New Hampshire”, published by the Rockingham County Conservation District, and the “Model Storm Water Management and Erosion Control Regulation”, published by the NH Association of Conservation Districts, Water Quality Committee.

The applicant shall bear final responsibility for the installation, construction, and disposition of all storm water and erosion control measures required by the Planning Board. Site development shall not begin before the plan is approved.

J. Fuel Storage Tanks

Shall comply with the standards of the NH Water Supply and Pollution Control Division, as set forth in Part Env-WS 411, NH Code of Administrative Rules.

K. Noise

In lieu of any other regulations governing noise in the Town of Unity, the following provisions shall apply:

Noise levels shall not exceed the Decibel standards set below (measured in DB (A)’s):

Residential Use Level	60 dba – Daytime Hrs.	50 dba – Nighttime Hrs.
Commercial Use Level	65 dba – Daytime Hrs.	55 dba – Nighttime Hrs.
Industrial Use Level	70 dba – Daytime Hrs.	65 dba – Nighttime Hrs.

- Daytime hours start at 7:00 AM and end at 8:00 PM
- Nighttime hours start at 8:00 PM and end at 7:00 AM
- Decibel level shall be measured using a sound level meter at the property line at least four (4) feet from ground level, and shall meet the standards as prescribed by the American National Standards Institute

- Construction authorized by a building permit allows for a temporary increased level of 75 DBA for daytime hours

L. Pollution Control

The applicant(s) shall employ the best standards and technology, economically available at the time of application, to avoid undesirable and preventable elements of pollution such as noise, smoke, soot, particulate, or any other discharges, which might prove harmful to the environment or a nuisance to persons, structures, groundwater, or adjacent properties.

M. Protection of Natural and Historic Features

All significant natural and historic features on the site, such as large or unusual trees, natural stone outcroppings, stone walls, etc. shall be shown on the plan. The applicant shall make all reasonable efforts to preserve such features.

N. Access Requirements

All buildings shall have access for handicapped persons as required by the ADA and State requirements.

O. Utilities

Where appropriate, the installation of any new utilities and/or transmission lines shall be buried underground.

SECTION X: REVOCATION OF PLANNING BOARD APPROVAL

The Planning Board's approval on an approved and recorded subdivision plat may be revoked, in whole or in part, under the following circumstances:

- At the request of or by agreement with the applicant(s)
- When any requirement or condition of approval has been violated
- When the applicant(s) has failed to perform any condition of approval within the time specified or within four years
- When the four years have elapsed without any vesting of right and the plan no longer conforms to the applicable regulations
- When the applicant(s) has failed to provide for the continuation of adequate security

SECTION XI: ADMINISTRATION AND ENFORCEMENT**A. Administration**

The Planning Board shall be the Administrators of these regulations. The Selectmen / Building Inspector shall not issue any building permit for construction that requires site plan approval until or unless such planned construction has received site plan approval by the Planning Board.

B. Enforcement

The enforcement of these regulations is vested with the Town of Unity Select Board.

C. Waivers

The Planning Board may waive or modify any portion of these regulations when, in its opinion, strict conformity would pose an unnecessary hardship to the applicant(s) and such waiver would not be contrary to the spirit and intent of these regulations.

D. Penalties and Fines

Any violation of these regulations shall be subject to a civil fine as provided in RSA 676:16 and 676:17, as amended.

E. Appeals

Any person aggrieved by a decision of the Planning Board may appeal said decision to the superior court pursuant to RSA 677:15, except when a disapproval by the Planning Board is based upon non-compliance with the Land Use Ordinance, in which case an appeal shall be taken to the Zoning Board of Adjustment.

SECTION XII: VALIDITY

If any provision of these regulations shall be held invalid for any reason by a court, such holding shall not invalidate, in any manner, any other provision contained herein.

SECTION XIII: AMENDMENTS

These regulations may be amended by a majority vote of the Planning Board after at least one (1) public hearing following the notification procedure outlined in Section IV, H & I.

Approved by the Planning Board on October 3, 2009

_____ Susan Lawrence	_____ Willard Hathaway
_____ Ethel Jarvis	_____ Bruce Howard
_____ Teresa Monteith	_____ Roberta Booth

A. Checklist Outline Form & Application

Date of Application: _____ Application Number: _____ Property Location _____
 Applicant(s) Name: _____
 Mailing Address: _____ Telephone: Home: _____ Office: _____
 E-mail Address: _____

SITE PLAN REVIEW CHECKLIST

Town of Unity

This checklist is to be used as a guide for complying with the Town of Unity Site Plan Regulations. It is to be used for each individual site plan review application submitted. The checklist information shall be required for an application to be complete. The Unity Land Use Ordinance, Site Plan Review Regulations, and Subdivision Regulations are available at the Unity Town Office. The items on this checklist for Site Plan Review are considered to be minimum requirements. The Planning Board reserves the right to request additional information if, in its judgment, the data is necessary in order to make an informed decision.

IS THIS A DEVELOPMENT HAVING REGIONAL IMPACT? __ YES __ NO

PLAT SUBMISSION ITEMS

Submitted Date		Waived Date
_____	1. Name of project; name and address of owner(s) of record; tax map/lot number	_____
_____	2. North arrow, date of plat, scale; name, address and seal of person preparing plat; signature block	_____
_____	3. Vicinity sketch and zoning district(s)	_____
_____	4. Names and addresses of all abutters and all holders of conservation, preservation, or agricultural preservation easements (on the plat and on separate sheet)	_____
_____	5. Boundary lines, approximate dimensions and bearings; lot area in acres and square feet	_____
_____	6. Physical features and use of abutting land within 200 feet of the subject property	_____
_____	7. Shape, size, height, location and use of existing and proposed structures located on the subject property and within 200 feet of the subject property	_____
_____	8. Location, name and widths of any existing and proposed roads on the subject property and within 200 feet of the subject property	_____
_____	9. Location of existing and proposed sidewalks and driveways, with indication of travel for both pedestrian and vehicular traffic	_____

- _____ 10. Access to the site, sight distance at access point(s), curb cuts and any proposed changes to existing streets; copy of driveway permit _____
- _____ 11. Location and number of parking spaces; loading spaces _____
- _____ 12. Location, types, size of all existing and proposed landscaping and screening _____
- _____ 13. Location, type and nature of all existing and proposed exterior lighting and signage _____
- _____ 14. Surface water, rock ledges, stonewalls, existing and proposed foliage lines; open space to be preserved; other natural features _____
- _____ 15. Size and location of all existing and proposed water mains, sewers, culverts, and distances to existing fire hydrants and/or fire ponds _____
- _____ 16. Existing and proposed grades and contours _____
- _____ 17. Soil and wetland delineation _____
- _____ 18. Location of test pits, test results; outline of 4,000 square- foot septic area with setback lines _____
- _____ 19. Location of all on site existing and proposed wells showing the 75-foot radiuses on the property _____
- _____ 20. Location of any existing or proposed easements, deed restrictions, covenants _____
- _____ 21. Base flood elevations _____

OTHER

- _____ 1. Storm Water Management and Erosion Control Plans _____
- _____ 2. State subdivision approval for septic; design approval, and/or certification of adequacy of existing system(s) _____
- _____ 3. Alteration of Terrain Permit _____
- _____ 4. State/Town Driveway Permit _____
- _____ 5. Reports from Police, Fire, Conservation Commission _____
- _____ 6. Approval for municipal water/sewer connection _____
- _____ 7. Deed restrictions, easements, covenants; deeds for lands devoted to public use _____

- _____ 8. Any other state/federal permits _____
- _____ 9. Impact Analysis _____
- _____ 10. Plans consisting of five (5) complete sets of 22" x 34" paper maps and one (1) complete 22" x 34" mylar map using permanent black ink _____
- _____ 11. Copy of original property deed _____

** The Planning Board prefers that the surveyor, agent or owner(s) of record supply the secretary with three addressed sticky labels for each abutter to be notified.

SITE PLAN REVIEW REGULATIONS APPLICATION FORM

PLANNING BOARD

TOWN of UNITY, NH
(To be filled out by Owner)

1. Site Plan Name: File # _____ (Official Use Only)

2. Site Plan Location: _____

3. Owner of Record (Name): _____

Address: _____ Phone: _____

4. Has an Agent Been Appointed to Represent the Owner? Yes _____ No _____

5. Agent (Name - To Be One Individual, Not a Corporation):

_____ Phone: _____

Address: _____

6. Number of Lots Proposed: _____

7. Does the Site Plan comply with the Local Master Plan?

Yes _____ No _____ NA _____

If Not, Indicate Inconsistencies (Attach Additional Sheets if Needed) _____

9. Are There Any Zoning Restrictions? Yes _____ No _____ NA _____

If so, Indicate All Restrictions (Attach Additional Sheets, if Needed) _____

10. Agreed Date of Initial Consultation and Review: _____

11. Abutter's Notices to be mailed by (Date): _____

12. Public Notice to Appear (Date): _____

13. General Comment: _____

14. The Undersigned Hereby Requests an Opportunity to Consult and Review the Above Identified Site Plan Proposal with the Planning Board. (Please type or print)

NAME OF PROPERTY OWNER(s): _____

ADDRESS: _____

SIGNATURE OF PROPERTY OWNER(s): _____

DATE: _____

1. Date Received by the Secretary / Clerk of the Planning Board: _____

2. Signature (Secretary / Clerk): _____

3. Fees Paid (Amount): _____