

2016-06-15

As we ponder the authority, purpose and scope of Site Plan Review (SPR) regulations we should also look at how and when SPR is required to see if we comply with empowering RSA constraints ...which are “non-residential and multifamily” uses.

I did a word search of the ZO for “site plan” and compiled the attached list. I find 3 areas where our use of SPR may be “out of bounds”:

1. For cluster subdivisions- these are neither non-residential nor multifamily projects
2. For expansions or changes to preexisting non-conforming uses/lots. If the use is one or two family residential then SPR is not authorized by RSA.
3. For flood zone development

Article	Section	subsection		non-res	multifam	
IV	9	C.2.b	Conditional Use Permit			does not cause SPR
V	2	F.1	Nursing homes, etc.		x	
V-A	5	A	Cluster			SPR required but not consistent with RSA 674:43
V-B	3		Home Occupation	x		
VII	2	A	Commercial and Light Industrial	x		
IX	7	A	mention w/r/t Wet area admin			does not cause SPR
IX-A	3	B	mention w/r/t Wellhead boundaries			does not cause SPR
IX-A	4	C	mention w/r/t Wellhead applicability			does not cause SPR
X	7	A	mention w/r/t Shoreland admin			does not cause SPR
XI	4	A	req'd for Telecommunications	x		
XI	6	B	site plan conditions listed	x		
XI	6	C	site plan info req'd	x		
XI	7	A	waivers allowed	x		
XI	7	B.2	subject to SPR requirements	x		
XIII	1	C	PENCU expansion	x		but not for expansion of 1 fam res
XV	2	B.1.a	prereq for Special Exception			what about 1 fam res
XXI	7	B	req'd for CUP in flood area			SPR required but not consistent with RSA 674:43
XXI	13	A	reference regarding documents			does not cause SPR