Chapter 275

SITE PLAN REVIEW

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[HISTORY: Adopted by the Planning Board of the Town of Hudson as amended through ~~10-14-2015~~ ___2026. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Driveways — See Ch. 193.

Excavation of soil — See Ch. 200.

Administrative requirements and definitions — See Ch. 276.

Subdivision of land — See Ch. 289.

Stormwater management — See Ch. 290.

Zoning — See Ch. 334.

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ARTICLE I
General Provisions

§ 275-1. Title; definitions.

The official title of this chapter is the "TOWN OF HUDSON PLANNING BOARD SITE PLAN Review Regulation," hereinafter referenced as "this chapter."

Words in all capital letters are those with special definitions as noted in § 276-2 of the LAND USE REGULATIONS.

§ 275-2. Authority.

This chapter is authorized and adopted pursuant but not limited to RSA 674:43 and 674:44.

§ 275-3. Purpose.

The purpose of this chapter is to provide for PLANNING BOARD review and approval or disapproval of all SITE PLANS (and subsequent revisions thereto) for all uses (or change of use) other than one- and two-family residential, prior to the commencement of the use, the change of use or the issuance of a building permit. This chapter is to assure that minimum standards shall be attained, so as to provide for and protect the public health, safety and general wellbeing.

§ 275-4. Approval required; jurisdiction.

No person, persons, partnership, proprietorship, company, trust or corporation shall commence a new use, change a use or commence any site DEVELOPMENT activity (other than one- or two-family residential activity) without first securing SITE PLAN approval from the Hudson PLANNING BOARD pursuant to this chapter. These regulations shall apply to the DEVELOPMENT or change or expansion of use of tracts for nonresidential uses or for multifamily dwelling units which are defined as any structures containing more than two dwelling units, whether or not such DEVELOPMENT includes a SUBDIVISION or RESUBDIVISION of the site. For the purpose of these regulations, change of use occurs when the use of any land or building is changed from one land use classification to another or from one category to another category within a land use classification as specified in the TOWN OF HUDSON Zoning Ordinance, Chapter 334 of the Code of the Town of Hudson. (See § 334-6, the definition of "use, change of.") No building permits shall be issued until SITE PLAN approval has been obtained from the TOWN OF HUDSON PLANNING BOARD. No building permits shall be issued until the approved SITE PLAN is recorded at the Hillsborough County Registry of Deeds.

~~ARTICLE II~~
~~**Application Procedures**~~

§ 275-~~7~~ 5. Forms and procedure required.

Form and procedure requirements shall be in accordance with § 276-3.

§ 275-~~8~~ 6. Application submission.

All applications for SITE PLAN PERMITS shall comply with the provisions of §§ 276-3 and 276-11 of the LAND USE REGULATIONS.

~~A. (Reserved)~~

~~B. (Reserved)~~

§ 275-~~13~~ 7. Effective and expiration dates of PLAN approval.

A. A SITE PLAN is approved and becomes effective upon the final PLANNING BOARD vote of approval. As a condition of approval, the approved SITE PLAN is valid for ~~two~~ three years from the date of PLANNING BOARD meeting final approval, provided that:
~~[Amended 8-14-2019]~~

(1) The SITE PLAN is property recorded at the Registry of Deeds.

(2) Active and substantial DEVELOPMENT or construction shall have commenced on the site by the owner, in accordance with the approved plan, within said ~~two~~ three-year period.

(3) If the SITE PLAN is not properly recorded at the Registry of Deeds and no active and substantial DEVELOPMENT or construction occurs as specified in Hudson Town Code § 275-~~13~~ 9A(1) above, the SITE PLAN approval becomes null and void and expires after ~~two~~ three years from the date of PLANNING BOARD meeting final approval.

B. A SITE PLAN submitted for approval or reapproval after having expired as specified in Hudson Town Code § 275-~~13~~ 9A(2) above shall be subject to SITE PLAN regulations and zoning ordinances in effect at the time of any subsequent submission.
[Amended -------- 2026]

§ 275-~~5~~ 8. Effective date of this Chapter.

This chapter, and amendments thereto, shall become effective upon passage (majority vote) by the PLANNING BOARD and upon filing in accordance with RSA 675:6.

ARTICLE ~~III~~ II
General requirements

§ 275-~~6~~ 9. In the review of any nonresidential SITE PLAN conducted under this regulation, the PLANNING BOARD shall require that adequate provisions be made by the OWNER or his/her/its authorized agent for the following:

A. The safe and attractive DEVELOPMENT of the site and to guard against such conditions as would involve danger or injury to health or safety, and no significant diminution in value of surrounding properties would be suffered.

B. Traffic circulation and access, including adequacy of entrances and exits, traffic flow, sight distances, curb cuts, turning lanes and traffic signalization.

C. Pedestrian and bicycle safety and access.

D. Off-street parking and loading.

E. Emergency vehicle access, including fire lanes.

F. Stormwater ~~drainage~~ management and groundwater recharge in accordance with the Stormwater Management Regulations (See Ch. 290).

G. Water supply, wastewater disposal and solid waste disposal.

H. Elimination of undesirable and preventable elements of pollution, such as noise, smoke, soot, particulates or any other discharge, into the environment which might prove harmful to persons, structures or adjacent properties.

I. Adequate provision for fire safety, prevention and control.

J. Harmonious and aesthetically pleasing DEVELOPMENT of the municipality and its environs.

K. Suitably located travelways of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air and ACCESS for fire-fighting apparatus and equipment to buildings and be coordinated so as to compose a convenient system.

L. Landscaping in keeping with the general character of the surrounding area, showing trees, shrubbery and grass areas and other reasonable landscape details.

M. Signage and exterior lighting.

N. Conformance with all existing codes.

O. (Reserved)

P. Compliance with the provisions of the Zoning Ordinance.[1]

Q. The minimization of encroachment on neighboring land uses.

R. Green areas, open space, conservation easements, pedestrian easements, slope easements and such other easements as may be applicable.

S. The use of a shared DRIVEWAY for ACCESS to two or more proposed SITE PLANS shall be allowed.

T. Installation of improvements.

(1) The PLANNING BOARD shall weigh the burden that proposed DEVELOPMENT places on

public facilities, infrastructure, sewers and amenities and shall require the installation of public improvements, both on-site and off-site, to compensate for this burden. Improvements may include, but are not limited to:

(a) Granite curbing.

~~1. Editor's Note: See Ch. 334, Zoning.~~

(b) ~~Sidewalk and~~ STREET trees and landscaping.

(c) Improvements to existing roadways and drainage.

(d) Traffic control devices.

(e) Open space.

(f) Recreational space.

(g) Moneys granted in lieu of land for recreational space, which shall be held by the Town in a nonlapsing fund for the future purchase and DEVELOPMENT of recreational space/ facilities to serve this particular neighborhood/DEVELOPMENT.

(h) Improvements to nearby traffic corridors as warranted by the Town's cost allocation procedure traffic study.

~~(2) All requested improvements, whether on site or off, shall be consistent with the standards enunciated by the New Hampshire Supreme Court and this legislature.~~

U. The PLANNING BOARD shall require the APPLICANT to execute a DEVELOPMENT agreement. This agreement shall detail the terms, conditions and responsibilities of the APPLICANT and the Town in conjunction with an approved plan.

V. Installation or placement of outside appurtenances: e.g., utility boxes, storage containers trash receptacles and/or air-conditioning equipment.

W. Exterior storage or display areas.

~~X. (Reserved)~~

X. Sidewalks shall be required along the following STREETS or within 1/4 mile of these STREETS within Town limits: Lowell Road (Route 3A), Central Street (Route 3A & 111), Ferry Street (Route 111), Derry Road (Route 102) , and Chase Street (Route 3A). Providing Sidewalks on all other STREETS shall be at the discretion of the PUBLIC WORKS DIRECTOR.

ARTICLE III
Parking

§ 275-10. Parking Calculations and Requirements

A. In addition to the general regulations, notations of, or showing compliance with, the following shall be required of all SITE PLAN APPLICATIONS:

~~(1) Parking Calculations and Requirements.~~

(2) Parking Calculations. The calculations for required off-street spaces shall be computed in accord with the specifications listed below. Any use not listed shall provide parking as required by the PLANNING BOARD. The PLANNING BOARD may vary these requirements if the APPLICANT can demonstrate that fewer spaces than required below are consistent with the proposed use:

(a) Automotive fuel stations: one space for each fuel dispenser, plus two spaces for each working bay, plus one space per employee on the largest shift. Automotive fuel stations with general retail shall provide, in addition to the foregoing parking requirements, one parking space per 200 square feet of gross leasable area established for the general retail use. Automotive fuel stations with fast-food establishments shall provide, in addition to the foregoing parking requirements, one parking space per 100 square feet of gross leasable area established for the fast-food use.

(b) Beauty parlors and barber shops: three spaces per operator.

(c) Eating and drinking establishments:

[1] Eating and drinking establishments (without a bar): one space per 100 square feet of gross leasable area.

[2] Eating and drinking establishments (with a bar): one space per 75 square feet of gross leasable area.

[3] Fast-food eating and drinking establishments (with and without drive-through window service): one space per 100 square feet of gross leasable area.

[4] All other eating and drinking establishments not indicated above shall provide a minimum of one space per 100 square feet of gross leasable area.

[5] Eating and drinking establishments having drive-through window service shall provide a minimum of 12 vehicle stacking spaces or a number of stacking spaces determined appropriate by the PLANNING BOARD for the use served.

(d) Funeral homes: one for each 75 square feet of floor space in slumber rooms, parlors and individual service rooms.

(e) Hospitals and nursing homes: one per ~~five patients~~ 400 square feet of gross floor area.

(f) Furniture sales showrooms: one per 100 square feet of showroom area.

(g) Industrial: one for each 600 square feet of gross floor space or 0.75 space per employee

of the combined employment of the two largest successive shifts, whichever is larger.

(h) Laundromats: one space for each two washing machines.

(i) Medical office and/or clinics: one parking space per each 300 square feet of gross floor area in the building.

(j) Motel or hotel: one per guest sleeping room plus one per employee of the largest shift.

(k) (Reserved)

(l) Private club or lodge: one per four members.

(m) Professional offices and business services: one for every 300 square feet of gross leasable area.

(n) Recreational areas: 3.5 parking spaces per tennis court and 20 spaces per ball field; other requirements as stipulated by the PLANNING BOARD.

(o) Residential units: ~~two~~ one per unit.

(p) Retail business and personal service establishments: one space per 200 square feet of gross leasable areas.

(q) Stadium, theater or other place of public assembly: one space per four seats.

(r) Wholesale establishments: one per employee plus one per company (ungaraged) vehicle operating from the premises.

(s) Banks: one space per 250 square feet of gross leasable area plus one space per employee plus a minimum of five stacking spaces per drive-up window.

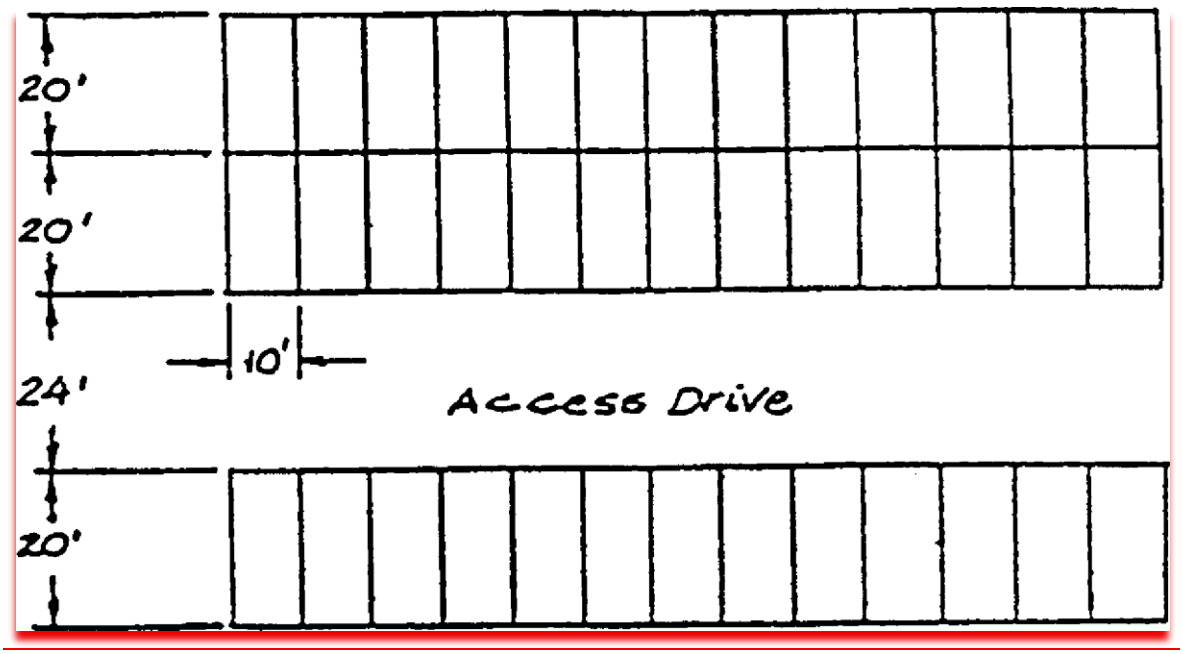
(3) Statement of Parking Space Calculation: A note stating the number of parking spaces provided is to be included on the plan.

(4) Parking space dimensions shall be 10 feet by 20 feet, except that the PLANNING BOARD may vote to allow dimensions of nine feet by 18 feet.

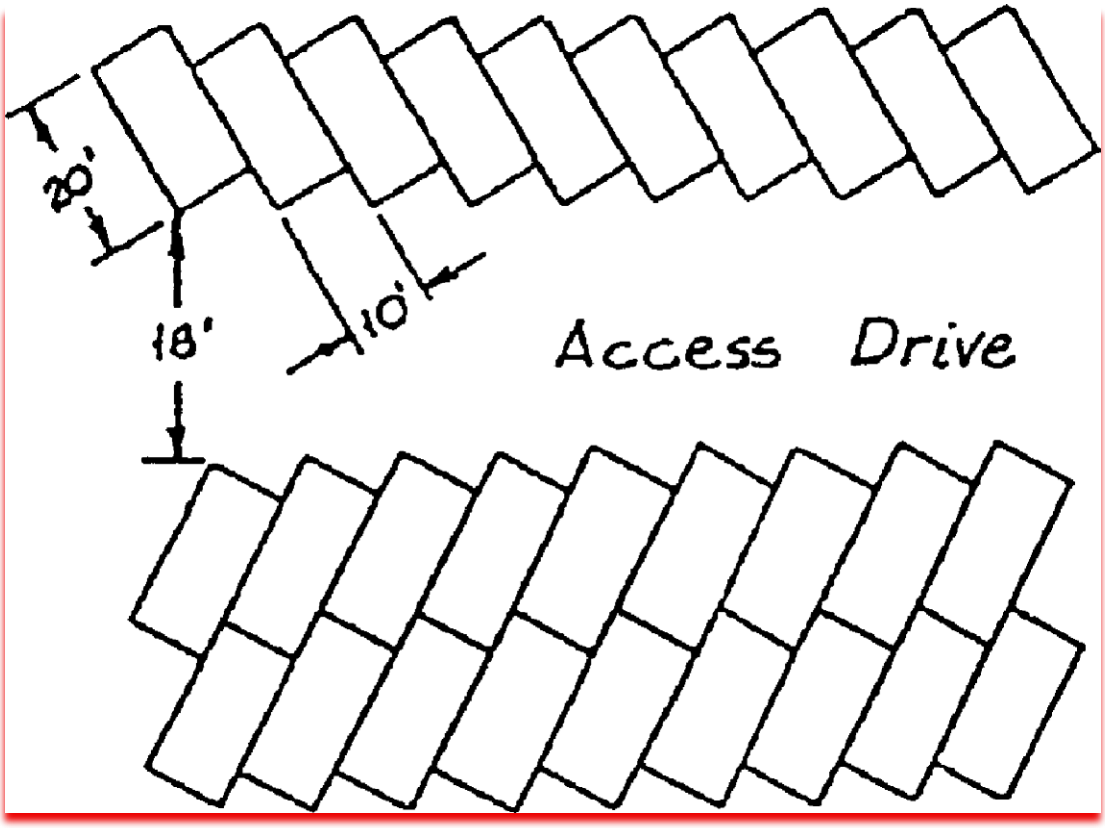
(5) Minimum aisle widths for various parking PLANS are as listed and shown below. When any combination of PLANS is used facing the same drive aisle, the greatest width requirements shall prevail:

Angle to Travel Lane	**Aisle width**
90 degrees	24 feet (2-way traffic)
60 degrees	18 feet (1-way traffic)
45 degrees	13 feet (1-way traffic)
30 degrees	11 feet (1-way traffic)
0 degrees (parallel)	12 feet (1-way traffic)

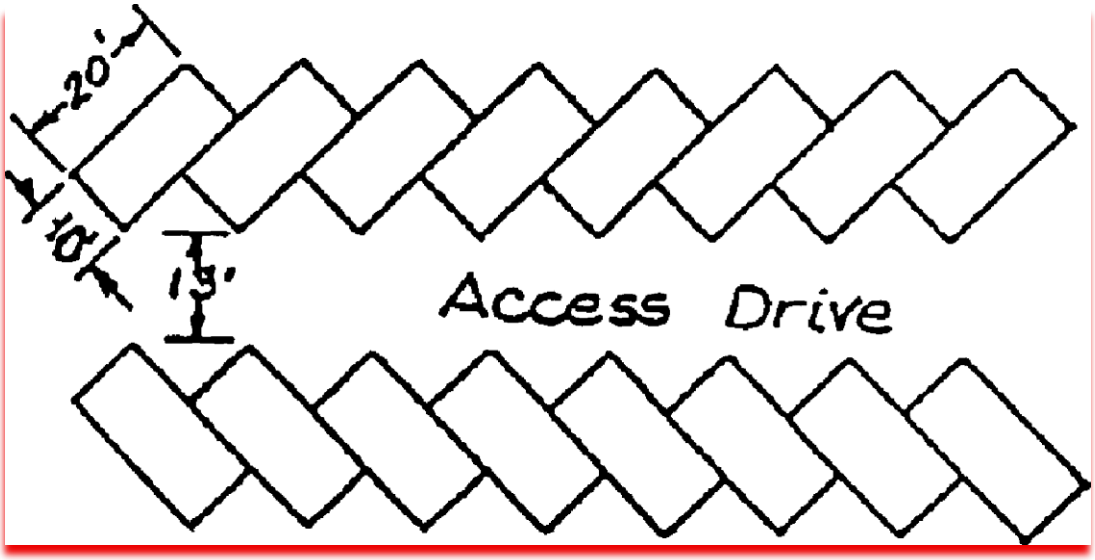
~~(a) Ninety-degree (perpendicular) parking: 24 feet (either one-way or two-way circulation).~~



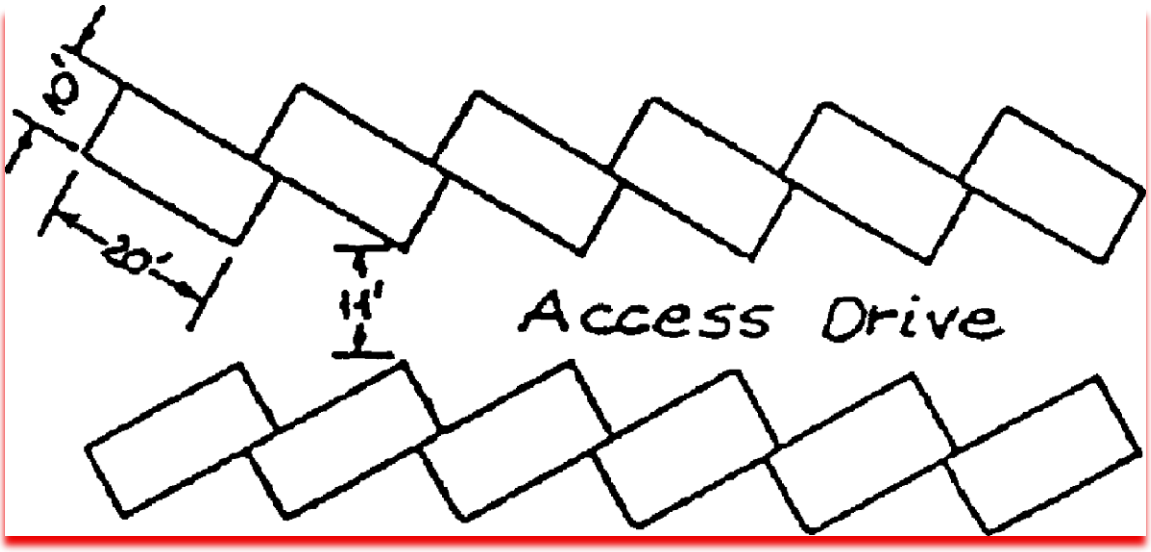
~~(b) Sixty-degree (angle) parking: 18 feet (one-way circulation only).~~



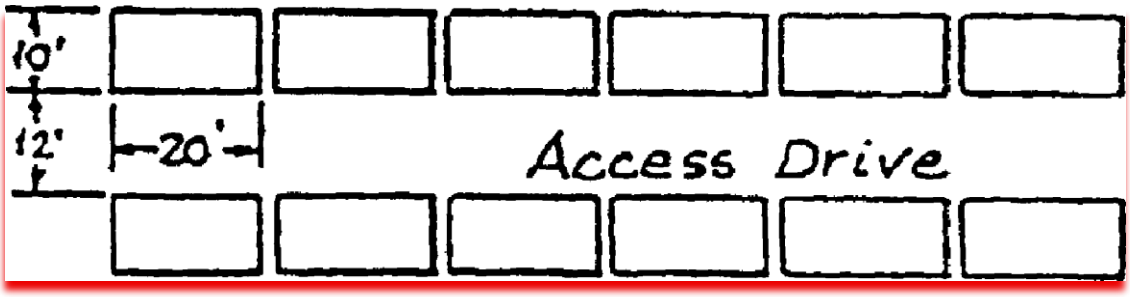
~~(c) Forty-five-degree (angle) parking: 13 feet (one-way circulation only).~~



~~(d) Thirty-degree (angle) parking: 11 feet (one-way circulation only).~~



~~e. Zero-degree (parallel) parking: 12 feet (one-way circulation only).~~



(6) Off-street loading spaces required for the acceptance or distribution of materials or merchandise by vehicles shall be provided as follows:

(a) Spaces required. Every nonresidential building or structure having 5,000 square feet or less of gross floor area shall provide at least one loading and/or unloading space. One additional space shall be provided for every additional 10,000 feet of gross floor area.

(b) Dimensions. Each off-street loading space shall be at least 12 feet in width and at least 60 feet in length, exclusive of aisle and maneuvering spaces, and shall have vertical clearance of at least 14 feet. However, when it is demonstrated that a particular loading space will be used by shorter trucks, the minimum length may be reduced to 35 feet.

(c) Location. All required loading and/or unloading spaces shall be located on the same LOT as the use served. No loading space for vehicles over 13,000 pounds (empty) shall be closer than 100 feet to any property in a residential zone, unless completely enclosed by a fence, wall or screen.

(d) Required maneuvering area. Off-street loading space shall be designed and constructed so that all maneuvering for loading and/or unloading can take place entirely within the

property lines of the use. Off-street loading spaces shall not hinder the free movement of pedestrians and vehicles over a sidewalk, street, road, HIGHWAY or deeded rights-of-way.

(7) Landscaping requirements. See § 275-12. Landscaping, Buffering, and Site Planting Standards.

~~(a) A minimum of 10% of the interior of a parking LOT shall be set aside for landscaping areas exclusive of paved pedestrian surfaces.~~

~~(b) The landscaped area shall be calculated as 10% of the total area and drive aisles.~~

~~(c) A minimum of one shade tree shall be planted per 1,600 square feet of paved area, or one shade tree per every five parking spaces, whichever is greater.~~

~~(d) Landscaped areas may include grass and other similar groundcover vegetation, shrubs, trees, flowering plants, mulch and other similar landscaping materials. One shrub per 200 square feet of paved area shall be planted or 1.6 shrubs per every parking space.~~

~~(e) This section shall not apply to parking areas consisting of a single access lane.~~

~~(8) Screening shall be provided for visual separation of incompatible uses. Screening shall be required between parking or loading areas and, if present, an abutting residential zone. Screening may also be required between abutting nonresidential sites. Where screening is required, it shall provide a reasonable effective visual buffer by:~~

~~(a) Use of existing vegetation and terrain where possible; or~~

~~(b) New plantings (type, size and spacing to be approved by the PLANNING BOARD), grade separations, fences or similar features.~~

(9) All parking spaces provided pursuant to this section shall be on the same LOT as the use however the Planning Board may approve parking in an adjacent lot by way of covenant or easement.

(10) Entrance design and construction shall conform with the requirements of Chapter 193, DRIVEWAYS, except that SITE PLAN approval shall constitute the issuance of a DRIVEWAY Permit.

(11) ~~Handicap accessibility~~ Parking for people with disabilities shall be provided in accordance with the latest ADA Regulations. Appropriate ~~handicap~~ accessible parking spaces and other details associated with parking and pedestrian ACCESS must be shown and detailed. The PLAN shall provide a note indicating that it complies to the best of the designer's knowledge with the latest ADA requirements and shall include the latest revision date for the ADA Regulations used.

ARTICLE IV
Noise Impact Study

§ 275-11. Applicability.

As part of site plan review, the Planning Board shall require a Noise Impact Study when one or more of the following conditions apply:

A. Proximity to Noise-Sensitive Uses

The proposed development includes outdoor operations, truck activity, amplified sound, or exterior mechanical equipment within 500 feet of:

(1) A residential zoning district;

(2) An existing or approved dwelling; or

(3) A school, daycare, hospital, nursing home, assisted-living facility, place of worship, library, public park, or similar noise-sensitive use.

The distance shall be measured from the proposed noise source to the nearest property line of the noise-sensitive property.

B. Nighttime Operations

The proposed development includes regular outdoor operations, loading, deliveries, vehicle staging, refuse collection, amplified sound, or exterior noise-generating equipment between 9:00 p.m. and 7:00 a.m.

Emergency activities and temporary construction performed in accordance with this chapter shall not, by themselves, require a Noise Impact Study.

C. Uses with Potential Noise Impacts

A Noise Impact Study shall be required for uses involving outdoor activity, truck traffic, amplified sound, or substantial mechanical equipment, including:

(1) Manufacturing, processing, fabrication, or assembly facilities;

(2) Warehouses, distribution centers, trucking terminals, and freight facilities;

(3) Solid waste, recycling, composting, transfer, or material-processing facilities;

(4) Vehicle repair facilities, body shops, car washes, contractor yards, and equipment storage facilities;

(5) Commercial kennels, animal boarding facilities, and veterinary facilities with outdoor animal areas;

(6) Outdoor recreation, entertainment, event, racing, or athletic facilities;

(7) Quarries, excavation, blasting, crushing, screening, or mineral-processing operations;

(8) Utility, energy-generation, energy-storage, pumping, or electrical facilities;

(9) Data centers and facilities with substantial exterior cooling, ventilation, generator, or transformer equipment; and

(10) Uses involving outdoor loudspeakers, public-address systems, or amplified music.

D. Truck and Loading Activity

A Noise Impact Study shall be required when the development includes:

(1) Twenty or more loading-dock doors;

(2) Fifty or more anticipated heavy-truck trips in a 24-hour period;

(3) Five or more anticipated heavy-truck trips between 9:00 p.m. and 7:00 a.m.; or

(4) Truck queuing, staging, idling, refrigerated trailers, or loading activities within 500 feet of a dwelling or residential zoning district.

A heavy truck is a vehicle with a gross vehicle weight rating greater than 10,000 pounds.

E. Mechanical Equipment

A Noise Impact Study shall be required when:

(1) Two or more exterior generators are proposed;

(2) A generator, compressor, chiller, cooling tower, transformer, exhaust fan, or similar equipment is within 300 feet of a dwelling or residential zoning district;

(3) Exterior mechanical equipment will regularly operate between 9:00 p.m. and 7:00 a.m.; or

(4) The combined sound from multiple pieces of equipment cannot be adequately evaluated using manufacturer specifications.

A full study may be waived for a single emergency generator when manufacturer sound data demonstrates compliance at the property line.

F. Project Size

A Noise Impact Study shall be required for:

(1) Nonresidential development containing 100,000 square feet or more;

(2) Development containing 200 or more parking spaces;

(3) Development expected to generate 100 or more vehicle trips between 9:00 p.m. and 7:00 a.m.; or

(4) A phased development that meets any threshold when considered in its entirety.

A project shall not be segmented or phased to avoid this requirement.

G. Waiver

The Planning Board may waive a Noise Impact Study when the applicant demonstrates through plans, calculations, manufacturer specifications, operating restrictions, or other competent evidence

that:

(1) The development will comply with all applicable noise limits;

(2) No significant exterior noise source will adversely affect a noise-sensitive use;

(3) Noise impacts can be adequately evaluated without field monitoring or computer modeling; and

(4) The waiver is consistent with the purpose and intent of this chapter.

The reasons for granting a waiver shall be stated in the Planning Board's decision.

H. Minimum Study Requirements

The Noise Impact Study shall be prepared by a qualified acoustical consultant, acoustical engineer, professional engineer experienced in environmental sound analysis, or other professional accepted by the Planning Board.

The study shall include:

(1) Proposed operations, hours, equipment, truck activity, loading activity, and significant sound sources;

(2) Existing daytime and nighttime ambient sound measurements;

(3) Predicted sound levels under normal and maximum operating conditions;

(4) Combined sound from stationary and mobile sources;

(5) Evaluation of tonal, impulsive, intermittent, repetitive, and low-frequency sound;

(6) Predicted levels at property lines and nearby noise-sensitive receptors;

(7) Supporting manufacturer data, assumptions, calculations, and modeling methods;

(8) Comparison with applicable noise limits;

(9) Proposed mitigation measures and resulting sound levels;

(10) A plan showing sound sources, receptors, barriers, buildings, grading, and mitigation; and

(11) Post-construction testing when required by the Planning Board.

I. Independent Review

The Planning Board may retain an independent acoustical consultant to review the study, assumptions, modeling, mitigation, or post-construction testing. The reasonable cost of the review shall be paid by the applicant in accordance with applicable law and the Town's adopted fee schedule.

~~**§ 275-9. Final application acceptance.**~~

~~Within 90 days of preliminary application acceptance (or any other date mutually agreed upon by the PLANNING BOARD and APPLICANT), the PLANNING BOARD shall grant final application acceptance, provided that the following exhibits and information have been approved (or deemed~~

unnecessary) by the PLANNING BOARD:

A. A STORMWATER MANAGEMENT PLAN* including and using the following guidelines. NOTE: In preparing the STORMWATER MANAGEMENT PLAN, please refer to and comply with the requirements provided in Chapter 290, Stormwater Management and Erosion Control, of these LAND USE REGULATIONS.

(1) No STORMWATER RUNOFF in excess of rates existing prior to new construction shall be allowed to be discharged onto a public way or into a drainage system unless there is sufficient capacity to handle the additional runoff. All drainage shall be designed to achieve a zero increase in runoff for both peak and volume where practicable, except where the off-site drainage system has been designed to accommodate the site drainage.

(2) The direction of runoff flow through the use of arrows.

(3) The location, elevation and size of all catch basins, dry wells, drainage ditches, swales, retention basins and storm sewers. If infiltration systems are proposed as part of a stormwater management plan, test pit and percolation test data in the vicinity of the proposed infiltration system(s) must be provided.

(4) Engineering calculations used to determine drainage requirements shall be based upon minimum storm frequency design events as follows:

(a) Ten-year storm event for closed drainage systems and local roadside ditches.

(b) Twenty-five-year storm event for culverts, major ditches and swales and detention ponds.

(c) Fifty-year storm event for bridges.

(5) Certification by a licensed professional engineer (see RSA 310-A).

(6) Any other specific study, calculation or investigation as requested by the Town Engineer.

[*NOTE: Generally speaking, the STORMWATER MANAGEMENT PLAN is probably the single most important element of the entire SITE PLAN. Yet, traditionally, it has been one of the most neglected elements. The Hudson PLANNING BOARD recognizes that only a professional engineer, licensed in accordance with RSA 310-A, can certify the adequacy of proposed drainage plans. APPLICANTs are expected to make the same recognition or to discuss this matter with the PLANNING BOARD. The PLANNING BOARD emphasizes that the criteria listed in § 275-9A(1) through (6) are minimum requirements stated for these general regulations. It is expected that the Town Engineer shall have the latitude to more precisely define the criteria once a specific proposal is before the PLANNING BOARD.]

B. If required by STAFF at the time of APPLICATION or at any time by the BOARD, a traffic study.

C. If required by STAFF at the time of APPLICATION or at any time by the BOARD, a noise study.

D. If required by STAFF at the time of APPLICATION or at any time by the BOARD, a fiscal impact study accepted by the PLANNING BOARD.

E. A utility PLAN showing provisions for all existing and planned utilities, on- or off-site, necessary for the DEVELOPMENT.

F. Copies of any proposed or existing easements, covenants, deed restrictions or any other similar document pertinent to the SITE PLAN.

G. A copy of all applicable Town, state, county or federal approvals or permits, such as but not limited to (as applicable):

(1) Chapter 270, Sewers.

(2) Floodplain permit.

(3) Special exception to the Wetlands Ordinance.[2]

(4) Septic system construction approval from the New Hampshire Water Supply and Pollution Control Commission.

(5) Approval of the New Hampshire Wetland Bureau for the relocation, filling, dredging or rechanneling of any natural or man-made drainage area.

(6) Approval of the New Hampshire Department of Public Works and Highways for any required DRIVEWAY PERMITS or curb cuts.

(7) New Hampshire Revised Statutes Annotated 149:8-a PERMIT relative to the prevention of pollution from dredging, filling, mining, transporting forest products or other constructions.[3]

H. (Reserved)

I. If required by the PLANNING BOARD, an environmental impact study accepted by the BOARD.

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2. Editor's Note: For provisions relating to the Wetlands Conservation Districts, see Ch. 334, Zoning, Art. III.

3. Editor's Note: RSA 149, Water Pollution and Disposal of Wastes, was repealed in 1989. See now RSA 485-A:17.

§ 275-10. Escrow deposit.

An escrow deposit in accordance with § 276-12 may be required.

§ 275-11. Failure to submit final application; reapplication.

Unless otherwise acted upon, failure of the APPLICANT to submit the final application (within the time frame identified in § 275-9) shall result in an automatic vote to not accept the application for PLAN approval. The PLANNING BOARD shall hereafter advise the APPLICANT of such action in writing stating reason therefor. Any resubmitted application for PLAN approval shall be subject to all SITE PLAN review regulations in force at the time of the second or subsequent submission. Such resubmissions must first receive preliminary application acceptance in accordance with § 275-8.

ARTICLE V
Landscape Regulations

§ 275-12. Landscaping, Buffering, and Site Planting Standards

A. Purpose

The purpose of these landscaping regulations is to:

(1) Enhance the visual appearance of development.
(2) Preserve and strengthen community character.
(3) Reduce stormwater runoff and improve water quality.
(4) Minimize heat island effects.
(5) Provide shade and improve pedestrian comfort.
(6) Buffer incompatible land uses.
(7) Preserve significant existing vegetation whenever practical.
(8) Define areas for pedestrian and vehicular circulation.

(9) Break up the mass of buildings and impervious areas.

(10) Improve wildlife habitat and biodiversity through the use of native vegetation.
(11) Conserve water and reduce outside water use.

B. Applicability

These standards shall apply to:

(1) All new commercial, industrial, institutional, and multifamily developments.
(2) Mixed-use developments.
(3) Expansions or changes to existing commercial, industrial, institutional, and multifamily sites except for Minor SITE PLAN applications under § 275-27.

The Planning Board may modify these requirements where existing site constraints or redevelopment conditions make strict compliance impractical, provided the intent of these regulations is maintained.

C. Landscape Plan Required

Applications subject to Site Plan Review shall include a landscape plan prepared by a licensed landscape architect, certified planner, professional engineer, or other qualified design professional.

The Landscaping Plan shall include:

(1) Existing vegetation to remain and vegetation proposed for removal.
(2) Prominent natural and manmade features including large trees, rock outcrops and stone walls.
(4) Stormwater management features utilizing vegetation.
(5) Proposed buffers and screening.
(6) Irrigation (if proposed).
(7) Snow storage areas.
(8) Proposed plant species, sizes, and quantities.
(9) Planting details.
(10) Maintenance Plan.
(11) Tree protection fencing limits if any.
(12) Best practices for controlling and/or eliminating any invasive species on the development site.

(13) Measures to be used to protect existing natural vegetation that will be retained during

construction.

D. Preservation of Existing Natural and Manmade Features

Priority shall be given to preserving:

(1) Existing mature vegetation whenever practical.
(2) Mature trees greater than 12 inches DBH (Diameter at Breast Height).
(3) Significant specimen trees.
(4) Healthy woodland edges.
(5) Surface waters
(6) Wetland buffers.
(7) Riparian vegetation.
(8) Stone walls with associated vegetation.
(9) Natural rock outcrops

E. General Requirements

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.

Maintenance of exiting vegetation, natural re-growth, mulched planting beds and alternative ground cover plant varieties are generally 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 have little utility and are unlikely to thrive.

Plantings shall be of specimen quality conforming to the American Standards for Nursery Stock and shall be guaranteed for at least two growing seasons.

(1) Native Plant Materials. At least 70 percent of all required trees, shrubs, and groundcover shall consist of species native to New Hampshire or the New England region.

(2) Invasive plant species. The use of invasive plant species identified by the New Hampshire Department of Agriculture shall be prohibited.

(3) 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.

(4) Plant selection should emphasize:

(a) Salt tolerance.
(b) Drought resistance.
(c) Pollinator habitat.
(d) Wildlife value.
(e) Climate resilience.
(f) Seasonality.

F. Recommended Native Tree Species

(1) Sugar Maple (*Acer saccharum*)
(2) Red Maple (*Acer rubrum*)
(3) White Oak (*Quercus alba*)
(4) Red Oak (*Quercus rubra*)
(5) Swamp White Oak (*Quercus bicolor*)

(6) American Basswood (*Tilia americana*)
(7) American Elm (disease-resistant cultivars)
(8) Eastern White Pine
(9) White Spruce
(10) Eastern Hemlock (where appropriate)
(11) Black Gum (*Nyssa sylvatica*)
(12) River Birch (*Betula nigra*)

G. Recommended Native Shrubs

(1) Winterberry Holly
(2) Arrowwood Viburnum
(3) Highbush Blueberry
(4) Red Chokeberry
(5) Black Chokeberry
(6) Summersweet
(7) Sweetfern
(8) Witch Hazel
(9) Red Osier Dogwood
(10) Bayberry
(11) Ninebark

H. Best Evergreen Shrubs

(1) Inkberry Holly (*Ilex glabra*) – Native; excellent alternative to boxwood.
(2) Eastern Red Cedar (*Juniperus virginiana*) – Native, drought tolerant, and valuable for wildlife.
(3) Northern White Cedar (*Thuja occidentalis*) – Native and effective for screening.
(4) Eastern Hemlock (*Tsuga canadensis*) – Suitable in shaded locations where hemlock woolly adelgid is not a concern.

I. Shrubs for Stormwater Facilities

(1) Winterberry Holly
(2) Red Osier Dogwood
(3) Buttonbush (*Cephalanthus occidentalis*)
(4) Sweet Pepperbush (Summersweet)
(5) Virginia Sweetspire (*Itea virginica*)

J. Salt-Tolerant Shrubs

For commercial developments and parking lots, the best shrubs are those that tolerate road salt, drought, snow storage, compacted soils, and variable moisture while providing year-round visual interest and ecological value. Native species are generally (but not always) preferred because they support pollinators and birds and require less maintenance once established. Near roads and parking lot edges, these species perform especially well:

(1) Northern Bayberry
(2) Ninebark
(3) Arrowwood Viburnum
(4) Sweetfern
(5) Rugosa Rose (*Rosa rugosa*) (non-native but widely used and very salt tolerant)

K. Tree Planting Requirements (for parking lot requirements, see subsection M, below)

(1) Where natural vegetation is not present, required buffers, green areas and landscaped areas shall provide one canopy tree per 2,000 square feet of landscaped area. Trees shall be planted no closer than:

(a) 5 feet from sidewalks
(b) 10 feet from utilities
(c) 15 feet from streetlights
(d) 25 feet from intersections

(2) Minimum installation sizes:

(a) Shade Tree - 3-inch caliber
(b) Ornamental Tree - 2-inch caliber
(c) Evergreen tree - 6 feet tall

Larger specimen trees are encouraged.

(3) No single species shall exceed 20% of the total tree count to diversify the landscape and reduce vulnerability to pests and diseases.

L. Soil Standards

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. Compacted construction soils shall be restored prior to planting.

M. Parking Lot Landscaping

Parking lots containing more than twenty spaces shall include interior landscaping. A minimum of 10 percent of the parking area shall consist of landscaped islands.

(1) Landscape islands shall:

(a) Occur at the ends of parking rows.
(b) Occur every 20 parking spaces provided that there is no interference with light fixtures.
(c) Contain at least one shade tree.
(d) Be protected by curbing or other protective measures.
(e) Be at least 9 feet wide to provide adequate rooting space for shade trees.

(2) Shade Requirements. One large canopy tree shall be planted for every 10 parking spaces. Within 15 years after planting, parking lot trees shall be capable of shading at least 50 percent of the paved parking area. Tree placement and parking lot lighting shall not conflict. Preferred canopy trees include:

(a) Red Maple
(b) Sugar Maple
(c) Red Oak
(d) White Oak
(e) American Linden
(f) Hackberry
(g) Black Gum
(h) River Birch

(3) At least 800 cubic feet of quality soil per large canopy tree, using structural soils or suspended pavement systems shall be provided where possible.
(4) Bioretention islands or rain gardens should be deployed where it is feasible to capture

stormwater and improve tree health.

N. Foundation Landscaping

Plantings around building foundations are encouraged to soften building facades visible from public streets and parking lots. Continuous rows of identical shrubs are discouraged. Building entrance areas should include enhanced landscaping where possible. Foundation landscaping should include a combination of:

(1) Evergreen shrubs
(2) Flowering shrubs
(3) Ornamental grasses
(4) Perennials
(5) Small trees
(6) Annuals if desired

O. Buffers Between Land Uses

Where commercial or industrial development abuts a residential use or zoning district boundary, landscaped buffers shall be required within the setback areas specified in §276-11.1.12. Buffers should preserve existing vegetation where possible and may include a mix of open lawn, wildflowers, evergreen trees, deciduous trees and shrubs as specified herein.

The PLANNING BOARD may require buffer areas to include screening as described in § 275-17.P.2, below.

P. Screening Requirements

(1) The following shall be screened from public view to the extent possible:

(a) Loading docks
(b) Outdoor storage
(c) Dumpsters
(d) Recycling areas
(e) Ground-mounted Mechanical, Electrical, and HVAC equipment
(f) Utility structures
(g) Propane tanks

(2) Screening shall consist primarily of landscaping supplemented by fencing or walls where necessary. Where screening is required, it shall provide a reasonable effective visual buffer by:

(a) Use of existing vegetation and terrain where possible, supplemented by additional plantings as needed to ensure effective year-round visual buffering.
(b) New plantings as specified herein.
(c) Berms, fences and other similar features.
(d) Evergreens should be used to provide year-round screening around loading docks, utilities, and around property edges as needed.

Q. Irrigation

Permanent irrigation systems are not required, however a watering plan during establishment of new plantings shall be provided.

(2) Appropriate drought-tolerant plant selection and use of mulching or other ground cover protections is encouraged.

(3) Where necessary, drip irrigation may be provided.

R. Landscape Amenities

Landscaped areas, buffers and green areas may contain paved or unpaved walking/biking paths, benches, gazebos, fountains, art installations and other similar amenities consistent with the purpose of these landscaping regulations.

S. Maintenance

The owner and their representative shall be responsible for protecting and maintaining all landscaping in healthy and growing condition and replacing it when necessary to ensure continuous conformance with the approved Landscaping Plan. 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 within one growing season.

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.

T. Alternative Compliance

The Planning Board may approve alternative landscaping designs that achieve equal or greater environmental and aesthetic benefits, including:

(1) Preservation of mature woodland
(2) Enhanced stormwater landscaping
(3) Publicly accessible open space including seating and gathering areas.
(4) Innovative native planting designs.

U. 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 may be conducted to ensure compliance with the approved landscape plan as needed.

~~ARTICLE III~~
~~Review and Approval~~

~~§ 275-12. Procedure~~ ~~certification may be required.~~

~~The PLANNING BOARD shall begin formal consideration of the accepted application (proposal), provided that:~~

~~A. No proposal may be denied or approved without a public hearing on the application.~~

~~B. Formal consideration shall begin within 30 days after granting final application acceptance.~~

~~C. The PLANNING BOARD shall vote to approve or deny the application within 90 days of final application acceptance, except that:~~

~~(1) The PLANNING BOARD may apply to the Board of Selectmen for an extension, not to exceed an additional 90 days, before acting to approve or deny an application pursuant to RSA 676:4, I(e)(2).~~

~~(2) The PLANNING BOARD and the APPLICANT may mutually agree to an extension to any specific date, thereby establishing a deadline date other than that established by statute.~~

~~D. Any PLANNING BOARD vote to deny any application shall be in writing, stating the reason(s) for the denial.~~

~~E. As part of the approval of any application, the PLANNING BOARD may vote to require the posting of a bond or escrow agreement in such amount and in such form as may be determined and approved by the PLANNING BOARD as being reasonably necessary to ensure adherence to and completion of all improvements required as conditions of approval of such plan. Costs associated with the legal review of such bond or escrow agreement shall be borne by the APPLICANT. The PLANNING BOARD may stipulate, as a condition precedent to the approval of the plat, the extent to which and the manner in which streets shall be graded and improved and to which water, sewer and other utility mains, piping, connections or other facilities shall be installed. These regulations provide:~~

~~(1) For the conditional approval of the PLAT before such improvements and installations have been constructed, but any approval shall not be entered upon that plat; and~~

~~(2) That, in lieu of the completion of STREET work and utility installations prior to the final approval of a plat, the PLANNING BOARD may accept a bond or other security in an amount and with surety and conditions satisfactory to it providing for and securing to the municipality the actual construction and installation of such improvements and utilities within a period specified by the PLANNING BOARD and expressed in the bond or other security; and, further, that the TOWN OF HUDSON is granted the power to enforce such bonds or other securities by all appropriate legal and equitable remedies.~~

~~F. Application requirements.~~

~~(1) Prior to recording a SITE PLAN at the Hillsborough County Registry of Deeds, a copy of the PLAN shall be provided in electronic form acceptable to the Town.~~

(a) The electronic drawing shall incorporate the following information and layer configuration shall meet the requirements of § 276-11.

ARTICLE IV
Fees and Waivers

§ 275-14. Fees.

Fees associated with review of a SITE PLAN application or SITE PLAN, not mentioned in foregoing sections of this chapter, are identified in § 276-6.

§ 275-15. Waivers.

Waivers may be granted as specified in § 276-7.

ARTICLE V
Incomplete and Inactive SUBDIVISION or SITE PLAN Application PLAN Sets

§ 275-16. Return of plan sets; refund.

All refunds and returns of PLANS shall be specified in § 276-8.

ARTICLE VI
(Reserved)

§ 275-17. (Reserved)

ARTICLE VII
Performance Sureties

§ 275-18. Requirements.

The requirements for sureties shall be in accordance with § 276-4.

ARTICLE VIII
Period of Validity of Approved PLANS

§ 275-19 11. PLANS approved by PLANNING BOARD but not signed and recorded at Hillsborough County Registry of Deeds.

PLANS approved by the PLANNING BOARD but not signed and recorded at the Hillsborough County Registry of Deeds are valid as specified in § 276-9.

ARTICLE IX

Utilities

§ 275-20. Installation requirements.

Installation of all utilities shall comply with § 276-13.

ARTICLE X
Application Completeness

§ 275-21. Determination of application completion.

All applications shall be reviewed for completion pursuant to § 276-14.

ARTICLE VI
Outdoor Lighting

§ 275- ~~17~~ 13 Outdoor Lighting Requirements

A. Purpose and Intent. The purpose of these regulations is to provide clear guidelines for the installation of outdoor lighting on commercial, industrial and multi-family residential sites. These requirements are intended to encourage outdoor lighting that will enhance safety while minimizing energy consumption, reducing glare, controlling light pollution, enhancing the character and appearance of the town, and fostering enjoyment of the nighttime sky.

B. Terms Used. The following words and terms related to outdoor lighting are defined as follows:

(1) Disability Glare - The eye's Line-of-Sight contact with a direct light source, which causes a partial blindness

(2) Foot-candle - A unit of measure for illuminance. A unit of illuminance on a surface that is everywhere one foot from a uniform point source of light of one candle and equal to one lumen per square foot

(3) Full cut off type fixture - A luminaire or light fixture that; by design of the housing, does not allow any light dispersion or direct glare to shine above 90 degree, horizontal plane from the base of the fixture. Full cut-off fixtures must be installed in a horizontal position as designed, or the purpose of the design is defeated, and disability glare will result.

(4) Horizontal Illuminance - The measurement of brightness from a light source, usually measured in foot-candles or lumens, which is taken through a light meter's sensor at a horizontal position.

(5) Light Trespass - Light from an artificial light source that is intruding into an area where it is not wanted or does not belong.

(6) Uplighting - Any light source that distributes illumination above a 90 degree horizontal plane.

C. Illumination Plan. When outdoor lighting is part of a proposed project, an illumination plan shall be submitted along with the Site Plan application and shall be prepared in sufficient detail to demonstrate illumination levels throughout the subject property. The plan shall provide details of all fixtures, including accent lighting. The color and height of all light poles to the top of the fixture shall be noted on a detail of the poles.

D. General Lighting Requirements.

(1) All new lighting sources, appurtenances, and construction thereof shall be acceptable to the Planning Board. Light emitting diode (LED) fixtures, or similarly efficient lighting, shall be used wherever possible.

(2) The use of motion detectors, timers, remote controls, and photocells to reduce waste and conserve energy is encouraged.

(3) Pole-mount or wall-pack luminaries should be consistent with the architectural theme of the building/development or be decorative in nature.

(4) All site and parking area lighting shall be full cut-off type fixtures that provide a reasonably uniform level of illuminance and do not direct light beyond the boundaries of the site.

(5) All exterior lights shall be designed, located, installed, and directed in such a manner as to

prevent objectionable light and glare across property lines and disability glare at any location on or off the property. The "maintained horizontal illuminance recommendation" set by the Illuminating Engineers Society of North America (IES), latest edition, shall be observed.

(6) Light shall not trespass onto abutting properties or onto adjacent streets.

(7) Externally lit signs, display, building and aesthetic lighting must be shielded to prevent direct glare and/or light trespass over property lines.

(8) Bare light bulbs shall not be visible from any street or abutting property.

(9) Internal pedestrian walkways and a minimum of 30% of required parking shall be illuminated to a minimum of 0.4 foot-candles.

E. Height Requirements. For the purposes of these regulations, the mounting height of a lighting fixture shall be the vertical distance from the grade elevation of the surface being illuminated to the bottom of the light fixture. The height of poles and luminaire mounts should emulate the architecture and scale of the area within and surrounding the site.

(1) Light Pole Bases. The exposed height of concrete bases used to anchor pole mounted fixtures shall conform to the following:

(a) A maximum of 4' when the pole is within a parking field

(b) A maximum of 0'-6" when the pole is in landscaped or lawn areas

(c) A maximum of 0'-4" when the pole is within the limits of hard- surfaced sidewalks and pedestrian walkways.

(d) The use of ornamental bases shall be encouraged with all new light-pole installations.

(e) Lighting of areas used exclusively or primarily for outdoor recreation may be mounted at any height with approval of the Planning Board.

F. Flood Lighting. Flood lighting is discouraged but, if used, must be shielded to prevent: glares for drivers or pedestrians, light trespass beyond the property line, and light above the horizontal plane (90 degrees). Wall-pack fixtures shall be shielded.

G. Gas Station Island/Canopy Lighting. It is the purpose of this Subsection to provide standards that allow for lighting that will create security while avoiding light trespass, skyglow and glare.Light fixtures mounted under the canopy shall be recessed and flush with the underside so as to not direct the light anywhere but the ground below.

(1) No lighting fixtures, other than internally illuminated signs as may be permitted under Article XII (Signs) of the Zoning Ordinance, shall be mounted on the sides or on the top of the canopy.

H. Uplighting. Lights that face upward are discouraged, unless used to highlight specific architectural features of a building or signage and are shielded so that their light does not spill outward.

I. Proposed lighting installations that are not covered in this section may be approved if the Planning Board finds that they are designed to minimize glare, do not direct light beyond the boundaries of the area being illuminated or onto adjacent properties or streets, and do not result in excessive lighting levels.

ARTICLE ~~XI~~ VII
Special Site Review Committee

§ 275-~~22~~ 14. Establishment of committee.

In accordance with RSA 674:43, III, and a vote by means of Article 43 at the 1999 TOWN OF HUDSON Annual Town Meeting, a Special Site Review Committee is hereby established to review and act upon minor SITE PLANS as defined in § 275-27.

§ 275-~~23~~ 15. Membership.

The Special Site Review Committee shall consist of the TOWN PLANNER or his or her authorized representative (authorized representatives to include and to be limited to the Development Services Director and/or the Building Official), one member of the PLANNING BOARD (appointed by the Chairman of the PLANNING BOARD), and one member from the Board of Selectmen (appointed by the Chairman of the Board of Selectmen). The member of the PLANNING BOARD shall serve as the Chairman of the Committee.

§ 275-~~24~~ 16. Committee actions.

Submission of minor SITE PLAN applications shall comply with the requirements listed in the SITE PLAN regulations and shall be in accordance with the provisions set forth in RSA 674:43, III. Upon receipt of a minor SITE PLAN application, the Committee shall notify the APPLICANT and ABUTTERs (at the APPLICANT's expense) at least 10 days prior to the date on which the Committee shall review the application. Notification shall indicate that the PLAN shall be available for inspection in the Development Services Department prior to the date on which the Committee shall review the plan. No formal public hearing shall be held; however, any ABUTTER may be heard on an application upon request. All provisions of RSA 676:4 shall apply to actions by the Special SITE PLAN Review Committee; provided that PLAN acceptance and public hearing shall occur at the same meeting. Where necessary for proper evaluation of a minor SITE PLAN, the Committee may require, at the APPLICANT's expense, that the PLAN be reviewed for technical input by Town STAFF or consultants.

A. The Committee shall act to approve or disapprove within 45 days after submission of a completed application unless the time for action shall be extended, or waived by the APPLICANT, in accordance with RSA 676:4, I(f). On an as-needed basis, the Committee shall conduct one meeting every month to review minor SITE PLAN applications, and this meeting shall be scheduled on the Monday preceding the monthly PLANNING BOARD workshop.

B. A decision of the Committee may be appealed to the full PLANNING BOARD, so long as a notice of appeal is filed within 20 days of the Committee's decision. Any one member of the Committee can require that the application be sent to the PLANNING BOARD for SITE PLAN or conceptual SITE PLAN review. Whereupon, after STAFF determines the SITE PLAN application is complete, a public hearing shall be scheduled on the earliest available regular PLANNING BOARD meeting.

C. The PLANNING BOARD shall be notified of the Committee's decision at the next scheduled PLANNING BOARD meeting after the decision is rendered. A copy of the minor SITE PLAN shall be included as part of the notification.

§ 275-~~25~~ 17. Minimum requirements.

In order to meet the minimum requirements for a minor SITE PLAN review, the APPLICANT must have a valid, signed SITE PLAN. In addition, the site must not have any code violation(s) within the previous 24 months. The exceptions are

A. If the minor SITE PLAN application seeks to correct any outstanding violation(s) or any outstanding SITE PLAN compliance/requirement issues.

B. Development proposed within the limits of §275-27 on a site lawfully in existence prior to the adoption of Planning Board Nonresidential Site Plan Review Requirements, or

C. A change of use within an existing building on any site where no increase in building square footage, impervious surface area, driveway access, parking and other similar improvements is proposed.

D. Existing parcels with only a single-family or two-family dwelling pursuing a Conditional Use Permit.

§ 275-~~26~~ 18. Certification.

Upon approval of a SITE PLAN by the Special Site Review Committee, certification shall be executed when the application is filed in the Development Services Department:

A. One copy (24 inches by 36 inches), black- or blue-line, of the final SITE PLAN for signing by the Chairman of the Special Site Review Committee or his/her designee.

B. Where required, a performance bond, irrevocable letter of credit, or escrow account in a form satisfactory to the Town Attorney and in an amount established by the Committee.

C. All formal legal instruments where required in these regulations, such as deeds, easements and irrevocable offers of dedication to the public of all streets, utilities and parks, in a form approved by the Town Attorney.

§ 275-~~27~~ 19. Minor SITE PLANs.

Minor SITE PLANS shall include the following types of DEVELOPMENT:

A. Parking area additions of six spaces or less and which comply with all zoning requirements and SITE PLAN regulations.

B. Building additions of no greater than 20% of the existing structure or 1,000 square feet, whichever is less, and which comply with all zoning requirements and SITE PLAN regulations.

C. Outdoor seasonal sales at site-plan-approved business locations shall be allowed twice annually for not more than three days each.

D. Outdoor display of merchandise shall be allowed as long as designated parking spaces are not used for merchandise and vehicular/pedestrian traffic is not impeded.

E. Conditional Use Permits on existing parcels with only a single-family or two-family dwelling for temporary or permanent Wetland Buffer Impacts of 300 square feet or less individually and 500 square feet or less cumulatively.

F. Any other proposed building or site change which the Special Site Review Committee reasonably determines is consistent with the intent of this section.

Note: All stipulations/conditions included on the original approved SITE PLAN shall remain in full force and effect.

§ 275-~~28~~ 20. Nonqualified minor SITE PLANs.
Unless a SITE PLAN is specifically provided for in § 275-~~27~~ 19, it shall not be considered a minor SITE PLAN.

§ 275-~~29~~ 21. Review of minor SITE PLANS by BOARD.
At the request of the APPLICANT, minor SITE PLAN applications may be reviewed by the full BOARD, using the criteria specified in §§ 275-~~24~~ 16 through 275-~~28~~ 20.