

Proposed Site Plan Changes
to Include Minor Site

Adopted: 05/23/2024

§ 110-4. Applicability

The following criteria specifies the level of review necessary for a proposal to develop a nonresidential or multifamily site:

A. **Site Plan Review** not applicable. The determination of "not applicable" by the designee of the Board shall mean that no site plan review approval is necessary, although other types of approvals or permits may be necessary per other municipal codes and an application shall be kept on file. The site plan review regulations shall be deemed not applicable for the following:

1. Temporary events which require no permanent alterations to the site and which function safely within the approved configuration of the site as determined by the designee of the Board.
2. Special events approved by the Board of Selectmen.
3. Agricultural buildings as defined in Chapter [190](#), Zoning, of the Conway Code (see § [190-31](#), Definitions).
4. Small undertakings where it is demonstrated that:
 - a. All proposed changes to the structure and/or site conform to all other applicable codes and reasonably conform to the site design standards of this chapter;
 - b. Proposed changes do not increase the intensity of use on the site beyond the service capacity of existing on-site infrastructure (including but not limited to parking, traffic generation and septic loading);
 - c. Any net reduction in greenspace on the lot is less than or equal to 2,000 square feet;
 - d. Any increase in structure floor space is less than or equal to 1,000 square feet; and
 - e. In order to ensure that cumulative impacts can be evaluated by the Planning Board in a public forum, this Subsection [A\(4\)](#) shall not be applied if its application, combined with prior applications since the latest review by the Planning Board, would result in a cumulative decrease of greenspace greater than 4,000 square feet or in a cumulative increase in structure floor space greater than 2,000 square feet.
5. Where the Planning Board finds that the change of use and/or physical changes to the site are insignificant relative to the existing development.

B. **Minor Site Review required. Minor Site Review shall be required for proposed commercial and multifamily developments which meets the following criteria:**

Proposed Site Plan Changes to Include Minor Site

Adopted: 05/23/2024

1. The establishment of a three (3) to five (5) unit multifamily development, or the redevelopment of a current multifamily development with an increase of no more than five (5) units;
2. A reduction of greenspace greater than 2,000 but less than 10,000 square feet;
3. An increase in commercial structural floor area of greater than 1,000 but less than 5,000 square feet or no greater than a 35% increase in commercial square footage, whichever is less;
4. Lot-line adjustments or Lot mergers;
5. Changes of use which may require a waiver from Site Plan Regulations or a Zoning Board of Adjustment decision but are determined not to increase site intensity beyond current capacity.
6. Minor Site Review applications will be reviewed by the Technical Review Committee (TRC) at a public hearing and must address the following:
 - a. Submit a completed application to the Planning Department in accordance with the checklist attached to the application form to include a detailed narrative of all existing and proposed site features.
 - b. A plan indicating the following:
 1. Any public way and significant natural or constructed feature within 250'
 2. A scaled plan which represents existing site details and proposed changes; including but not limited to, structures, setbacks, overlay districts, parking and loading areas, signage, lighting, landscaping, architectural changes, utilities, and amount of area disturbed. Plans are not required to be prepared by a professional engineer or licensed surveyor unless deemed necessary by Town Staff or the TRC.
 3. Wetlands, watercourses and water bodies, significant natural or topographic features, or other significant environmental site aspects may require delineation by a licensed professional If determined necessary by Town Staff or the TRC.
 4. A lot line adjustment shall require plans prepared by a licensed land surveyor.
 - a. A Minor Site Review application must adequately represent the proposal, Adhere to Chapter 190, Zoning Regulations and comply with Chapter 110 Site Plan Review, Article III Design Standards. All applicable Subdivision Regulations shall apply for Lot-Line Adjustment applications. Depending on the scale or impact of the development, Town staff or the TRC may

Proposed Site Plan Changes
to Include Minor Site

Adopted: 05/23/2024

require additional reviews, more detailed plans, site visits, or other information to ensure the application is in compliance with all applicable regulations. The TRC may determine that Minor Site Review is not acceptable to address all possible concerns and full Site Plan Review is required.

- C. Full Site Plan Review. Unless a proposal is deemed not applicable pursuant to Subsection A, or qualifies for Minor Site Review under subsection B, a site plan review by the Planning Board shall be required for all commercial development or the creation of multifamily housing. Site Plan Review is also required for the establishment of a commercial use.