

Proposed Site Plan Changes to Increase Greenspace

§ 110-29. Landscaping.

Every lot shall comply with the following standards in order to: enhance site design; enhance privacy; separate, screen and shield potentially conflicting land uses or abutters from undue impact; reserve a portion of the lot to remain undeveloped, permeable, and vegetated; control excessive stormwater runoff; prevent soil erosion and pollution of water bodies; reduce heat, glare and dust; not detract from the Town's aesthetic qualities; and help integrate the built environment with the natural environment.

A. Buffer areas. Every lot shall reserve a buffer area along and within its perimeter boundaries in accordance with the following:

- (1) The buffer area shall be defined as that area within the front, sideline, and back lot line setbacks as specified in Chapter 190, Zoning, of the Conway Code, and 100 feet from the platted right-of-way of the North-South Road between the extension of the center line of Barnes Road and the center line of Depot Road, except as limited in Subsection A(5) below, and setbacks from natural resources (such as from rivers or lakes) shall not apply;
- (2) The buffer area shall be vegetated with a mixture of deciduous and coniferous plantings, except for driveways and other features approved by the Board. The plantings shall be placed to shield structures and uses from the view of abutting properties where the abutting properties would otherwise be adversely impacted. [Amended 5-12-2022]
- (3) The buffer area shall not be used for merchandise display, vehicle parking or storage, or any other use which conflicts with the purpose and standards of this landscaping section;
- (4) Driveways shall cross the buffer areas at an angle of 90° +/-15° to the perimeter boundary;
- (5) In the Conway Village Commercial and North Conway Village Commercial Districts, the buffer shall not include the area within the front setback. The purpose of this exception is to permit activities related to the primary use within this area, such as outdoor restaurant seating or merchandise display. Such uses shall require Board approval under this chapter, and related site improvements such as additional parking and drainage shall be required; and
- (6) In order to mitigate nuisance to abutting residential uses and residentially zoned lands, the Planning Board may increase the buffer depth to as much as 50 feet. The Board may also require additional mitigation (including but not limited to vegetation and fencing) or a combination of mitigation strategies to protect abutting residential properties.

B. Greenspace. Greenspace, defined as a permeable area of vegetated ground surface, may be landscaped or left in its natural state and is calculated in all zoning districts as exclusive of wetlands, water bodies, 1-percent annual chance flood areas (also called one-hundred-year floodplains), ten-year floodplains adjacent to Pequawket Pond, and slopes over 25%.

(1) In all Residential and Industrial zoning districts (RA, CCVR, CVR, NCVR, I-1, I-2), greenspace shall comprise no less than 30% of the total lot area.

(2) In the Highway Commercial (HC) and Center Conway Village Commercial (CCVC) districts, greenspace shall comprise no less than 35% of the total lot area.

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- a. The redevelopment of a site in the HC and CCVC districts with less than 35% greenspace is required to provide a greenspace increase of 2.5% per site plan application. Redevelopment proposals should seek to bring existing sites into as close conformance with requirements as is practical.
 - b. New development with an occupiable floor area exceeding 10,000 square feet shall be subject to an additional 10% greenspace requirement. This requirement may be waived or reduced by the Board for developments which incorporate restricted long-term residential units.
- (3) In the Conway Village Commercial (CVC) and North Conway Village Commercial (NCVC) districts, greenspace shall comprise no less than 20% of the total lot area.
- a. Redevelopment proposals should prioritize the preservation of existing facades, rooflines, scale, walkability and character of the site while increasing greenspace as practicable.
- (4) Impervious surface coverage within the WWPO shall not exceed 25%; including but not limited to buildings, sidewalks, driveways, and parking areas as per 190-28 C.
- C. ~~In the Industrial-1 District, greenspace shall comprise no less than 25% of the total lot area, inclusive of wetlands, one hundred year floodplains (or ten year floodplains adjacent to Pequawket Pond), and exclusive of slopes over 25% and water bodies.~~ Industrial uses in the Industrial-1 District shall plant, at a minimum, trees 50 feet on center in the rear and side setback areas. Trees shall be planted 25 feet on center in all front setback areas. Where buffer areas are adjacent to sites that are landscaped, every effort shall be made to stagger tree plantings such that they fill in the existing voids on the adjacent site. Additionally, every effort shall be made to save existing trees on site. Additional tree plantings may be required by the Board to screen the visual impact of buildings and to aid in noise reduction.
- D. Trees. All lots regulated by this chapter (except those subject to Subsection C) shall have trees in accordance with Subsection D(1) through (11) below.
- (1) Trees, either newly planted or existing on the lot, shall be provided at the rate of one tree per 500 square feet of disturbed area, provided that, in the case of an expansion of an existing site, credit for existing trees shall be granted only for trees which the applicant demonstrates are in excess of the requirements for the existing site under this chapter;
 - (2) To be credited as landscaping, a tree shall have a caliper of at least three inches at a point six inches above the top of the root ball;
 - (3) Credit for landscaping shall only be given to existing trees within 70 feet of the proposed main structure(s) or parking lots;
 - (4) For existing trees which will be preserved, those with a caliper of 12 inches or more may be credited by the Board as two trees, and those with a caliper of 24 inches or more may be credited by the Board as four trees, provided the applicant complies with the relevant provisions of Subsection D(4), (5), (6), (7), (8) and (9) below;
 - (5) To be credited as landscaping, any tree which is planted within 25 feet of a street right-of-way shall not be of a salt-sensitive species, and appropriate documentation shall be presented with the landscaping plan;

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- (6) A minimum of 50% of the total number of required trees for the entire site shall be located in islands and along the borders of the required parking lot(s);
- (7) Lots which require traffic control islands pursuant to § 110-23 shall locate at least 10% of the total number of required trees for the entire site within the required traffic control islands;
- (8) Street trees are required to be planted as part of the landscaping required herein. Salt-tolerant trees as defined in the manuals referenced in Subsection D(10) below, of at least three-inch caliper measured at a point six inches above the root ball, shall be planted no more than five feet from the property line along all public and private rights-of-way, at a rate of at least one tree per 50 feet of right-of-way. Accordingly, trees should be planted 50 feet on center. Trees shall be planted between the road and the sidewalk where practical. A minimum of two street trees shall be required per lot. The Planning Board shall provide guidance as to the planting location of all proposed street trees; [Amended 4-11-2017 ATM by Art. 29; 4-14-2022]

Tree size and planting locations shall be selected so that the tree, upon reaching its mature size, shall not interfere with existing overhead utility lines, unless, as a part of the application, the overhead lines are to be relocated;
- (9) Planting and transplanting of trees shall be in accordance with accepted horticultural standards, as specified in The Planting and Care of Shade Trees (Maine Forest Service and NH Cooperative Extension Service, Bulletin No. 10, June 1985), or an equivalent technical manual approved by the Board; and
- (10) Existing trees that are to be credited as landscaping shall be protected during site construction activities. A snow fence shall be erected around the tree to protect the roots from soil compression and to help prevent branches from being broken. No storage of any materials or driving of any vehicles within the fenced-in area shall be permitted. The fence shall be no closer to the trunk of the tree than 8.5 feet, and additional distance may be required if the Board deems it necessary to carry out the purposes of this section. In addition, an undisturbed 8.5-foot radius shall be preserved around each existing tree that is to be credited as landscaping, measured from the trunk.

E. General standards. The following general standards shall apply to all lots:

- (1) Landscaping shall not obstruct the line of sight, or create other hazards for vehicular and pedestrian traffic;
- (2) Snow storage shall not be allowed in areas where the trees could be damaged or destroyed; and
- (3) Shrubs, flower beds and other vegetative landscaping shall be permitted at the property owner's discretion. Suitable vegetative ground cover shall be maintained to ensure soil stability.