

**Q&A on the proposed
Town of Cushing
Site Plan Review Ordinance**

**THIS ORDINANCE APPLIES ONLY TO COMMERCIAL ACTIVITY NOT
RESIDENTIAL BUILDING**

What is Site Plan Review?

Site plan review is a process, which allows the Planning Board, with input from the public, to review plans for a **commercial project** before it is built. Site plan review is intended to be a collaborative process designed to ensure that developments will not cause unreasonable burden on their neighbors. If a project will not meet the approval standards set forth in the ordinance as designed, the Planning Board may impose conditions – hopefully with the developer’s agreement – to help minimize adverse impacts of the development.

What types of projects will require Site Plan Review?

Business activities conducted on residential properties will generally *not* require site plan review.

Site plan review will be required if the business:

- Has more than three workers who do not reside on the property
- Has internally illuminated signs OR
- Requires exterior lighting that is not typical of a residential property

But only for the following types of NEW projects:

- New construction of structures totaling over 2,500 square feet and/or over 33 feet high.
- Construction of paved or other impervious surfaces totaling over 2,500 square feet.
- Conversions of structures and parking areas from residential use to non-residential use, or from one non-residential use to another non-residential use;
- Expansions of existing buildings by more than 500 square feet
- Establishment of a new non-residential use not requiring buildings, such as gravel pits, mineral extraction, golf courses.
- Junkyards, automobile recycling business, and automobile graveyards.
- Medical marijuana dispensaries

****Existing commercial / industrial uses will not need permits unless any of the above changes are to be made.****

What kinds of activities are exempt?

The ordinance does exempt several types of developments and activities from review, including:

- Agriculture, including seasonal stands, except as to the construction or expansion of commercial structures, paved areas or impervious surfaces that, due to their size, require review;
- Residences and residential subdivisions
- Forest management and timber harvesting
- Boat storage facilities
- Storage of a family's personal and commercial fishing gear

How burdensome is the site plan review process?

The process is designed to be simple and inexpensive for the most common types of projects. Only "high-impact" businesses (see the Ordinance for definition) will be required to have an engineer prepare a formal site plan. As long as applicants are diligent in working with the Code Enforcement Officer to make sure a complete application is presented, most applicants for low-impact businesses will only need one meeting in front of the Planning Board and will not need to pay any professional for assistance.

When can the Planning Board deny an application?

Almost all site plan applications are approved; some may just require a little more work than others. An application cannot be denied unless the Planning Board finds that the plan does not meet one of the specific approval standards in the Ordinance. In most cases, the applicant will be able to modify the plan in order to meet the standard, or will be able to agree to conditions of approval (such as hours of operation, methods to reduce noise or other accommodations) in order to ensure that approval standards are met and the project doesn't cause adverse effects to neighbors.

Is this ordinance anti-business or anti-development?

No! The ordinance is intended to provide a minimal review process to make sure that the Town and neighbors are allowed to have input into the design process for more significant commercial and industrial developments. The site plan process can actually help reduce disputes between commercial and residential neighbors by allowing potential issues to be addressed before they become real issues. This is especially important in a town that does not have zoning, since different types of uses are allowed to intermingle.