



Upper Valley Lake Sunapee  
Regional Planning Commission

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October 15, 2007

Town of Plainfield  
Planning Board  
P.O. Box 380  
Meriden, NH 03770

Dear Planning Board,

Please find attached a draft of the Plainfield Subdivision Regulations according to tasks 1a and 1b of the agreed scope of work. These changes can be classified into two groups: 1) those changes required by amendments in state law and policy; and 2) conceptual changes offered for the Board's consideration that are of a "more substantive" nature, primarily related to design and process elements. **Please review the draft changes for discussion at the October 29, 2007 Planning Board meeting.**

Enclosed are the following work products:

**1. Identification and amendment of regulations to maintain consistency with state and local law and policy changes.**

In order to help you see the proposed changes, I have "marked-up" the current subdivision regulations in red text and included notes to explain some of the more substantial changes. The amendments are primarily updates to make the regulations consistent with changes in state law. However, I have also proposed some additions such as provisions for site inspections, concurrent and joint hearings, and review of developments of regional impact.

I have also made some minor organizational changes but have been careful to maintain the basic structure and organization of the regulations.

**2. Identification of other amendments for the Planning Board's consideration.**

I see no problems with the basic structure and content of the regulations. The existing regulations are in keeping with the model

subdivision regulations suggested by the Office of Energy and Planning. However, there are some additions and/or amendments that the Board may consider to improve the regulations.

These recommendations include:

- Expedited Review Process  
In Article IV Procedure, the Board may consider the addition of an accelerated review process for certain subdivisions. Annexations and volunteer mergers can have an approval process that is abbreviated by excluding certain submission requirements and foregoing a public hearing.
- Enhance Design Requirements and Standards for Subdivision  
This is perhaps the most extensive revision suggested. Article V, Development Requirements contains standards for subdivisions in terms of roads, drainage, septic, lots, etc. Some of the standards, for instance roads, could be improved to include base course depth standards. Other design guidelines and standards, including those for stormwater and Low Impact Development may be considered.

Consider updating the following:

- a. Adopting the 2003 NHDOT road standards. These standards could replace the existing standards in full or in part. For instance, some municipalities are improving road standards for service roads or other road classifications that have been found less than adequate.
  - b. Incorporating Low Impact Design concepts
  - c. Improving standards for parks and open space
  - d. Improving standards for wetland buffers
  - e. Improving standards for sediment and erosion control
- Consider Defining the term “Active and Substantial” as it relates to Vesting  
Once a subdivision is approved by the Board and the plat recorded at the registry of deeds, the applicant is given a four year exemption from changes in local regulations that affect their project, provided that “active and substantial” development or building has occurred within 12 months (RSA 674:39) of approval. Defining “active and substantial” will avoid debating whether this condition is met when such circumstance arise. See supporting materials for example definitions.

Article 4.22(b) is the section of the current regulation that addresses “vesting”.

- Consider Requiring Preliminary Review  
New legislation effective July 6, 2004 provides that a municipality may, by ordinance or resolution, authorize the Planning Board to require preliminary review of subdivisions (a copy of the new legislation is attached). Without that authorization, the only step in the subdivision process that can be required by a planning board is the final subdivision review. The Board may consider requiring preliminary review for subdivisions of a sufficient size. In order for the Board to use this provision, it needs to be approved by voters at Town Meeting.
- Consider the Development of New Applications and Checklist Materials  
This could include consideration of application requirements such as the number of plans to be submitted and the fee schedule for subdivisions. For your review, I have enclosed an assessment of fees and a compilation of example applications that was completed for the Town of Newbury in 2004.

It may be helpful to discuss the Wetland Conservation District revisions when we meet on the 29<sup>th</sup> as well. When considering how to incorporate the new requirements, I noticed that it is proposed that “perennial” streams are included in the District. I think this somewhat muddles the intent of the district, given that it is proposed to include features (i.e. perennial streams) that are not consistent with the state wetlands definition (RSA 482-A:2). I recommend that the district be renamed, perhaps to the Water Resource Conservation District.

Please do not hesitate to contact me if I can clarify any points or be of further assistance. I’ll be on vacation between October 17<sup>th</sup> and 27<sup>th</sup>, however, will be attending your October 29<sup>th</sup> meeting to discuss these revisions and any comments you may have.

Sincerely,

Peter Dzewaltowski  
Senior Planner

Enc.

# PLAINFIELD, N.H.

## SUBDIVISION REGULATIONS

Posted on the web for information purposes only please contact the Plainfield Town Office before moving forward with any application materials.



Adopted February 3, 1971  
Last Revised October 6, 1996  
**REVISED DRAFT October 2, 2007**

**Town of  
Plainfield, New Hampshire  
Subdivision Regulations**

**FORWARD**

The Town of Plainfield, New Hampshire Subdivision Regulations were enacted in their original form by the Planning Board of the Town of Plainfield on February 3, 1971. A complete copy of the Town of Plainfield, New Hampshire Subdivision Regulations was recorded at the office of the Town Clerk of Plainfield and at the Register of Deeds of Sullivan County.

Jane Stephenson, Chair  
Ruth Cassidy  
Ron Liston  
Greg Estey  
Mike Sutherland  
Greg Davini, Alt.  
Desmond Hudson, Alt.  
Robert Taylor, Selectboard Representative

The Town of Plainfield, New Hampshire Subdivision Regulations have been subsequently amended by subsequent Planning Boards as follows:

December 03, 1973  
December 15, 1975  
October 11, 1978  
July 19, 1982  
September 25, 1989  
November 08, 1991  
October 07, 1996  
~~-Forthcoming-~~

# Plainfield Subdivision Regulations

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DRAFT

## Article I – Administration and Enforcement

### 1.1 Authority and Adoption

Pursuant to the authority vested in the Town of Plainfield Planning Board by voters at the annual Town Meeting of March 10, 1970 and in accordance with the provisions of ~~Chapter 36, Sections 19-29~~ RSA 674:35 of the New Hampshire Revised Statutes Annotated, ~~and 1955, all~~ as amended, the Town of Plainfield Planning Board adopts the following regulations governing the subdivisions of all land within the boundaries of the Town of Plainfield.

~~These regulations shall take effect upon their adoption, and all regulations or parts of regulations, inconsistent therewith, are hereby repealed.~~

### 1.2 Title

These regulations shall be known as the Town of Plainfield, New Hampshire Subdivision Regulations.

### 1.3 Amendments

These regulations may be amended or rescinded by the Board, but only following public hearing on the proposed change. The Chairman or Secretary of the Board shall transmit a record of any changes so authorized to the Register of Deeds of Sullivan County.

### 1.4 Separability

If any section, article, provision, portion or paragraph of these regulations shall be held to be invalid or unconstitutional by any court or competent authority, such holding shall not affect, impair or invalidate any other section, article, provision, portion or paragraph of these regulations.

### 1.5 Penalty

Any owner, or agent of the owner, of any land located within a subdivision in Plainfield, New Hampshire, who transfers or sells any land, before a plat of the said subdivision has been approved by the Planning Board and recorded or filed in the office of the Sullivan County Register of Deeds, shall forfeit and pay a penalty of five hundred dollars for each lot or parcel so transferred or sold; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. In any such action the prevailing party may recover reasonable court costs and attorney fees as same may be ordered by the court.

## 1.6 Other Regulations and Ordinances

In any case where a provision of these regulations is found to be in conflict with a provision of any other regulation, ordinance, code or covenant in effect in the Town of Plainfield, the provision which is the more restrictive shall prevail.

## 1.7 Relaxation of Requirements

Where the Board makes appropriate findings of fact that strict conformity to these regulations would cause undue hardship or injustice to the applicant or to the Town, a subdivision plat substantially in conformity with the regulations may be approved by the Planning Board, provided that the spirit of the regulations, public convenience, safety and welfare will not be adversely affected and that the relaxation granted will not necessitate an increase in the expenditure of public funds.

## 1.8 Implementation

These regulations shall be administered by the Planning Board. The enforcement of these regulations is vested with the Selectboard.

**Comment [PD1]:** An "implementation and Appeals process" were missing and are standard for subdivision regulation.

No subdivision regulation or amendment, adopted under RSA 674:35-42, shall be legal or have any force and effect until copies of such are filed with the Town Clerk.

A. Waivers: The requirements of these regulations may be waived or modified when, in the opinion of the Board, specific circumstances surrounding subdivision, or the condition of the land in such subdivision, indicate that such modifications will properly carry out the purpose and intent of the master plan and these regulations.

B. Penalties and Fines: Any violation of these regulations shall be subject to a civil fine as provided in RSA 676:16 and 676:17, as amended.

## 1.9 Appeals

Any person aggrieved by a decision of the Planning Board concerning a plat or subdivision may appeal said decision to the superior court pursuant to RSA 677:15, except when a disapproval by the Board is based upon non-compliance with the zoning ordinance, in which case an appeal can be taken to the Board of Adjustment.

## Article II - Definitions

### 2.1 Abutter

For the purposes of these regulations abutter shall be as defined in RSA 672:3.

**Comment [PD2]:** Some additional definitions were added. For instance a new definition for wetlands that is consistent with the state definition. Also, "subdivider" has become "applicant"

- 2.2 **Applicant**  
Means the owner of record of the land to be subdivided, or his/her designated agent.
- 2.3 **Application, Complete**  
Means a final plat and all accompanying materials and fees as required by these regulations.
- 2.4 **Annexation or Boundary Line Adjustment**  
  
means the sale, transfer or other conveyance which involves a transfer of land among two (2) or more adjacent owners and which does not increase the number of parcels, lots or owners.
- 2.5 **Approval**  
Means recognition by the Planning Board, certified by written endorsement on the plat, that the plat meets the requirements of these Regulations and in the judgment of the Board satisfies all criteria of good planning and design.
- 2.6 **Approval, Conditional**  
Means recognition by the Planning Board, certified by written endorsement on the plat, that the plat is not finally approved nor ready for filing with the Registry of Deeds until such time as certain conditions, set forth by the Board, are met. This is not to be confused with a plat that has been approved *subject to certain conditions* that would be met as part of the implementation of the plan.
- 2.7 **Block**  
Means a unit of land bounded by streets or by combination of street and public land, railroad rights-of-way, waterways, or any other barrier to the continuity of development.
- 2.8 **Board**  
Means the Planning Board of the Town of Plainfield, New Hampshire.
- 2.9 **Dead End Street**  
  
A local street, one end of which is closed and which provides only one route of access. The length of a dead end street shall be measured starting from the last point at which there are two independent means of access to the farthest point of the turn around on the dead end street.
- 2.10 **Development**  
Means any construction or grading activities on real estate for other than agricultural and silvicultural (tree care and harvesting) practices.
- 2.11 **Driveway**

shall mean an area located on a lot, tract or parcel of land and built for direct access to a garage or off-street parking space, serving not more than two lots, sites or dwelling units.

2.12 Easement

means an acquired privilege or right of use which one party may have in the land of another, normally being a strip of land used or intended to be used for a sanitary sewer or storm sewer line or other utility when such utilities are not included in the street.

2.13 Engineer

means the professional registered in the State of New Hampshire duly designated by the applicant.

2.14 Flood Prone Area

means the area of land lower in elevation than the land-water boundary along a watercourse flowing at its 1% frequency or those soils classified by the Soil Conservation Service as "Soils subject to flooding".

Zoning Definition- "Floodplain or Flood-Prone Area means any land susceptible to being inundated by water from any source (see definition of "Flooding")

**Comment [PD3]:** This is a different definition than is in Zoning. Need to make these consistent.

2.15 Frontage

Means the length of the lot bordering on the public right-of-way.

2.16 Layout

means a map, plan or drawing on which a subdivision of land is shown in less detail than is required for a plat.

2.17 Lot

Means a parcel of land capable of being occupied by one principal structure and its accessories, or used for one particular purpose and designated as such on a plat.

2.18 Lot of Record

Means a parcel, the plat or description of which has been recorded at the county register of deeds.

2.19 Lot Line Adjustment

Means adjustments to the boundary between adjoining properties, where no new lots are created.

2.20 **Off-Site Improvements**

means those improvements that are necessitated by a development but which are located outside the boundaries of the property that is subject to a subdivision plat or site plan approval of the Planning Board. Such Off-Site Improvements shall be limited to any necessary highway, drainage, and water and sewer upgrades pertinent to the development.

2.21 **Plat, Final**

means the final submission including all documents listed in Article VI.

2.22 **Public Hearing**

Means a meeting, notice of which must be given per RSA 675:7 and 676:4, I (d), at which the public is allowed to offer testimony.

2.23 **Public Meeting**

Means the regular business meeting of the Planning Board as required per RSA 673:10. Notice must be posted at least 24 hours in advance and the meeting must be open to the public, although participation by the public is at the discretion of the Board.

2.24 **Reserve Strip**

means a strip of land which might be used to control access to any land within the subdivision, or access from the subdivision to any neighboring property.

2.25 **Re-subdivision**

means a change in a map of an approved or recorded subdivision or re-subdivision if such change accomplishes any of the following: changes any street layout shown on such map; affects any area thereon reserved for public use; diminishes the size of any lot shown thereon, if any of the lots have been conveyed after the approval of such map.

2.26 **Right-of-Way**

means a strip of land, separate and distinct from the lots and parcels adjoining such right-of-way, not to be included within the dimensions or areas of such other lots or parcels, and will be intended for use as a street, crosswalk, or for other special public use.

2.27 **Setback**

means the distance between a legal boundary (right-of-way, lot line or property line) and any part of a building, including but not limited to

garages, green houses, porches and patios.

**2.28 Sewage Disposal System (Individual)**

Means any onsite sewage disposal or treatment system that receives either sewage or other wastes, or both. For the purposes of this regulation, this means all components of the system, including the leachfield.

**2.29 Special Flood Hazard Area**

means an area having flood, mudslide, and/or flood-related erosion hazards, and shown on an FHBM or FIRM as zone A, A0, AI-30, AE, A99, AH, V0, VI-30, VE, V, M, or E.

**2.30 Street**

means street, avenue, boulevard, road, lane, alley, viaduct, highway, freeway and other ways and includes the entire right-of-way.

**2.31 Street Pavement**

means the wearing or exposed surface of the roadway used by vehicular traffic and the width of it shall be measured at right angles to the center line of the street.

**2.32 Street Width**

means the width measured at right angles to the center line of the street.

~~2.20 Subdivider~~

~~means the registered owner(s) or the authorized agent(s) of the registered owner(s) of a subdivision.~~

**2.33 Subdivision**

shall mean the division of a lot, tract or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance, or building development. Subdivision shall include the re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among several owners shall be deemed a subdivision.

The grant of an easement in gross to a public utility for the purpose of placing and maintaining overhead and underground facilities necessary for its

transmission or distribution net work such as poles, wires, cable, conduit, manholes, repeaters and supporting apparatus, including any unmanned structure which is less than 200 square feet, shall not be construed as a subdivision and shall not be deemed to create any new division of land for any other purpose.

#### 2.34 Subdivision, Minor

shall mean the division of land constituting a subdivision into four or fewer lots, sites or other division of land and which shall require no new streets, the construction or extension of community utilities or the construction of other community improvements such as sidewalks, storm sewers, curbs and gutters.

Notwithstanding the foregoing, minor subdivision shall include a subdivision or re-subdivision for the purposes of annexation in which there is merely a sale or exchange of adjacent lands among two or more owners and which does not increase the number of owners.

A parcel of land which has been subjected to minor subdivision shall not be eligible for further subdivision under the minor subdivision procedures for a period of 10 years from the date of the most recent subdivision approval. A note detailing this restriction shall be shown on the plat to be recorded.

#### 2.35 Subdivision, Technical

Means a subdivision of land into two lots or sites for the purpose of conveying one such lot or site directly to an abutting landowner. The parcel to be conveyed does not constitute a separate building lot; however, said parcel may be used for building development in conjunction with contiguous land owned by the abutter.

#### 2.36 Undevelopable Land

means floodprone areas, wetlands and areas with slopes over 20%.

#### 2.37 Wetland

~~means those areas with soils identified and delineated by a qualified soil scientist as poorly drained, very poorly drained or subject to flooding. These soil types include: Chocorua, Greenwood, Hadley, Limerick, Lyman, Moosilauke, Naumberg, Ossipee, Pillsbury, Podunk, Raynham, Rumney, Saco, Stissing, Water, Winooski.~~

Means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

## Article III – Purpose, **Applicability**, and General Requirements

### 3.1 Purposes

The purpose of these regulations is to provide for the orderly present and future development of the Town by promoting the public health, safety, convenience and welfare of its residents.

### 3.2 Applicability

These regulations apply to Planning Board review and approval or disapproval of all subdivisions as defined by RSA 672:14 and minor lot line adjustments or boundary agreements. They do not apply to voluntary mergers as defined by RSA 674:39-a.

### 3.3 General Requirements

These subdivisions are intended to implement the power granted to the town under RSA 674:36, as amendment. These include but are not limited to:

- Prescribe minimum areas of lots so as to assure conformance with local zoning ordinances and to assure such additional areas as may be needed for each lot for on-site sanitary facilities; and
- Include provisions which will tend to create conditions favorable to health, safety, convenience or prosperity.
- Require the proper arrangement and coordination of streets within subdivisions in relation to other existing or planned streets or with features of the official map of the municipality;
- ~~Provide suitably located streets of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air, and access for firefighting apparatus and equipment to buildings, and be coordinated so as to compose a convenient system;~~
- Require, in proper cases, that plats showing new streets or narrowing or widening of such streets submitted to the Planning Board for approval shall show a park or parks suitably located for playground or other recreational purposes;
- Require that proposed parks shall be of reasonable size for neighborhood playgrounds or other recreational uses;

#### A. Preservation of Existing Features

**Comment [PD4]:** The section was somewhat reorganized. The language for this section is typically found in separate articles but is currently within one. My objective was to keep what was there but organize in categories- "general" requirements and those related to premature subdivision and preservation of existing features. Some of the information here is a bit too detailed for General Requirements, however, I left these elements in place. We can discuss removing these.

Wherever feasible, suitable steps shall be taken to preserve and protect significant existing features such as trees, scenic points, stone walls, rock outcroppings, water bodies, and historic landmarks. Where possible, the boundary line(s) should follow stone walls.

- Provide for the harmonious development of the municipality and its environs;
- Provide for open spaces of adequate proportions;

B. Premature Development

Provide against such scattered or premature subdivision of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, transportation, schools, or other public services, or necessitate an excessive expenditure of public funds for the supply of such services.

C. Character of Land

~~Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, ground water or other menace.~~

Land of such character that it cannot, in the judgment of the Board, be safely used for building development purposes because of exceptional danger to health or peril from fire, flood, poor drainage, excessive slope, or other hazardous conditions, shall not be platted for residential, commercial, or industrial subdivision, nor for such other uses as may increase danger to life or property, or aggravate the flood hazard.

D. Conformity to Official Map and Master Plan

Subdivisions shall conform to the Official Map, when such exists, and shall be in harmony with the Master Plan, when such exists.

3.4 Responsibility for Required Improvements

All costs of required improvements shall be borne by the applicant.

3.5 Certification

The applicant shall certify before any final plat is approved by the Board that all arrangements have been made with the appropriate governmental agencies, private utilities and others, including Town departments, to provide and install in

the manner customary in the Town all usual and necessary utilities and services to each of the lots in the subdivision, unless otherwise exempted by the Planning Board.

## Article IV. Procedure

### 4.1 General Administration and Applicability

The Planning Board of the Town of Plainfield, New Hampshire shall administer these regulations. The Planning Board shall follow the procedures set forth herein relating to the submission, completeness review and determination of compliance with the regulations.

Anyone wishing to divide ~~his~~ property into two or more lots, or to make a lot line adjustment (annexation) or to otherwise carry out a subdivision, ~~shall~~ **may** request to meet with the Board for an optional informal preliminary consultation, for an optional design review, or for the required final review.

### 4.2 Restrictions Prior to Subdivision Approval

Before any contract shall have been negotiated for the sale of, or offer to sell, rent or lease such subdivision or any part thereof, the applicant shall have obtained approval of the subdivision from the Plainfield Planning Board. No utility installations, no grading or construction of roads, no grading of land or lots, and no erection, construction or placement of buildings shall be done on any part of the land or lots within a subdivision until a final plat of such subdivision shall have been duly prepared, submitted, reviewed, approved and endorsed as provided in these regulations.

### 4.3 Informal Preliminary Consultation (Optional)

Before the submission of a subdivision plat for final subdivision review, an applicant may request a meeting with the Planning Board by filing an application for informal preliminary consultation at least seven (7) days prior to the date of a regular meeting of the Board. The applicant, or agent, may appear at the scheduled meeting and submit a rough sketch to inform the Planning Board about the nature, scope, location, intensity and public impact of the proposed plan.

The Planning Board and the applicant may review the development concept but must limit the discussion to general topics such as desirability of the proposed development given the content of the Master Plan **and Zoning Ordinance**. Suggestions which might be of assistance in resolving problems when meeting formally on the proposal may be offered by the Board. The need for other local, state or federal permits and approvals may also be discussed.

Any advice, recommendations or suggestions shall not be considered a ruling of law or

finding of fact by the Board and shall not be binding upon or necessarily consistent with the Board's formal action on the proposal. Statements made by members of the Board shall not be the basis for disqualifying said members or invalidating any action taken.

#### 4.4 Fees

Applications for design review, major and minor subdivision final application review, annexations, and site plan review shall be accompanied by a filing fee to cover administrative costs and expenses of the Board. A fee schedule is available at the Town office.

**Comment [PD5]:** This may also be a good time to reevaluate the fee structure for subdivision applications. See "Land Use Regulation Fee Structure" in supporting materials.

In addition to filing fees, the Board may impose reasonable fees to cover the costs of special investigative studies, review of documents and other matters which may be required by particular applications. Such fees may be imposed by the Board to cover fees and disbursements of consultants to the Board, including, but not limited to, engineers, surveyors, lawyers, soil scientists and community planners. Such fees shall be paid or provided for in advance to the satisfaction of the Board.

#### 4.5 Design Review

Before the submission of a subdivision plat for final subdivision review, an applicant may request a meeting with the Planning Board by filing an application for design review at least twenty (20) days prior to the date of a regular meeting of the Board. The applicant, or agent, may appear at the scheduled meeting and submit information and plans, including, but not limited to, subdivision layout, soils data, utilities, highway or traffic data. At this time, the Board may engage in non-binding discussions with the applicant beyond conceptual and general discussions which involve more specific design and engineering details; provided, however, that the design review may proceed only after identification of and notice to abutters and the general public as required in Section 4.7. Statements made by Planning Board members shall not be the basis for disqualifying said members or invalidating any action taken.

#### 4.6 Submission for Final Application Review

If a person wishes a formal review of his their project, they shall apply to the Planning Board in writing on the appropriate application form and pay the required fee (See Section 4.4). Applications shall be filed with the Planning Board by delivery of the complete application as specified in Article VI, not later than twenty (20) days prior to the regular meeting of the Board at which the application will be submitted for review. Applications shall be accompanied by a subdivision plat depicted on plans which conform to the requirements of Article VI and the other documents and information set forth in Article VI as elements of the completed application. This information includes the names and complete addresses of abutters to the proposed plan. The applicant shall certify that the names and addresses as listed reflect the state of the record title as of a date not more than five (5) days before the day upon which the application is filed

with the Board. Failure of the applicant to provide a complete and correct list will result in the application being ruled incomplete, thereby nullifying any subsequent action of the Board on said application.

Final review for a subdivision consists of both a completeness review and a public hearing. ~~If the application is found complete, the completeness review and the public hearing may immediately follow the completeness review.~~

#### 4.7 Notification of Abutters and the Public

Not less than ten (10) days before the date of the regular Planning Board meeting at which a design review or submission of a final application is scheduled, the Planning Board shall mail by certified mail, return receipt requested, to each abutter listed by the applicant, a notice that a design review is scheduled or that a final application has been submitted. The notice shall also specify the time, date and place of the meeting, the name of the applicant and/or agent, the number of lots proposed, the street or highway providing main access to the subdivision, ~~the location~~ and whether or not the subdivision shall be supplied by a community water and/or sewer system.

Notice of the public hearing shall also be by advertisement in a newspaper of general circulation in the Town and by notices posted at the place of the meeting and two other public locations within the town. Public places being used for notice posting shall be on file with the Selectboard's Office.

~~If the notice for the public hearing was included in the notice of submission or any prior notice, additional notice of the public hearing is not required. Additional notice is not required of an adjourned session of a hearing provided that the date, time, and place of the adjourned session was made known at the prior meeting.~~

#### 4.8 Completeness Review

The Planning Board shall review all applications for subdivision approval filed in accordance with Section 4.6, to determine if the application as filed is complete and contains all information required to make an informed decision thereon. Completeness review will be guided by the list of elements of a completed application in Article VI.

If the Planning Board determines that an application is incomplete, it shall so notice the applicant and shall specify the categories determined by the Board to be incomplete. Upon determination that the application is incomplete, there shall be no further action on the same application.

If the Planning board shall determine that the application as filed is complete, it shall accept the application for further consideration ~~of its merits~~ under these regulations and shall notify the applicant of the acceptance of the application.

#### 4.9 Public Hearing

The Planning Board shall hold a public hearing on all subdivision applications accepted as complete prior to making a decision on the application.

~~Unless such a hearing shall have been scheduled and notice therefore given at the time of filing, notice of such hearing~~ Notice shall be given to the public and abutters not less than ten (10) days before the hearing date in the same or substantially the same form as provided in Section 4.7 above. Any person shall be allowed to testify at the hearing.

#### 4.10 Formal Consideration and Action by the Board

The Planning Board shall begin formal consideration of the application after its acceptance and shall render a final decision thereon within sixty-five (65) days after the date of the acceptance of the application, unless the Selectboard shall grant an extension of ninety (90) days or unless the applicant shall waive the sixty-five (65) day limit. During the application's review, a public hearing will be held. After the public hearing, the Planning Board shall ~~consider~~ deliberate the application and shall approve or disapprove the plat.

An approved plan shall be recorded by the Planning Board with the County Register of Deeds of within 90 days of approval. Any subdivision plan not filed within this timeframe shall be considered void. Approval of the plat shall be made by the written endorsement of the acting Chairman of the Board on the copy of the final plat which shall be filed with the Register of Deeds of Sullivan County by the Board.

If the Planning Board should disapprove the plat, the ground or grounds therefore shall be specified in the record of the Planning Board and the applicant shall be given notice of the disapproval and the grounds therefore. The notice of decision shall constitute the record of the decision and the grounds therefore.

#### 4.11 Planned Unit Development/Conservation Design

An applicant may apply for a Planned Unit Development/Conservation Design subdivision, as authorized by RSA 674:21, if the plan meets the requirements of Section 3.15 of the Plainfield Zoning Ordinance.

**Comment [PD6]:** We can include more guidance here if the Board would like.

#### 4.12 Conditional Approval

~~The Board may grant Conditional Approval~~

The Board may grant conditional approval of an application (according to RSA 676:41(i)), but the plat will not be signed or recorded until all of the conditions have been met. If the applicant has not complied with the conditions of approval within one (1) year, the approval is considered null and void and the applicant must submit a new

subdivision application. A further public hearing is not required when such conditions:

- 1) are administrative in nature;
- 2) involve no discretionary judgment on the part of the Board;
- 2) involve the applicant's possession of permits and approvals granted by other boards or agencies, such as the Department of Transportation, the Wetlands Board, or Water Supply and Pollution Control Division; however, any subsequent change to the plan required by such approvals would constitute grounds for a new application process.

#### 4.13 Failure to Act

Upon failure of the board to approve or disapprove the application within sixty-five (65) days, the applicant may obtain from the Selectboard an order directing the board to act within thirty (30) days. Failure of the Planning Board to act on this directive from the Selectboard within forty (40) days must approve the application unless it is found, in writing, that the plan does not comply with local regulation. In the event the Selectboard fail to act, the applicant may petition superior court to approve the plan.

**Comment [PD7]:** The timeframes associated with a "failure to act" has changed in state law.

#### 4.14 Modification of Design and Improvements

If at any time before or during the construction of the required improvements, it is demonstrated that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the board may authorize modifications, provided these modifications are within the spirit and intent of the Board's approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the Board. The Board shall issue any authorization under this paragraph in writing.

#### 4.15 Revision After Approval Voids Plat

No changes, erasures, modifications or revisions shall be made in any subdivision plat after approval has been given by the Board and endorsed in writing on the plat, unless the said plat is first re-submitted to the Board and the Board approves any modifications. In the event that any such plat is recorded without complying with this requirement, the same shall be considered null and void, and the Board shall institute proceedings to have the plat stricken from the records of the Sullivan County Register of Deeds.

#### 4.16 Inspection of Improvements

At least five (5) days prior to commencing construction of required improvements, the applicant shall pay to the Town an amount of money estimated by the Board to fully compensate the Town for all inspection and testing charges deemed necessary for such

improvements and also at that time shall notify the Board in writing of the time when he proposes to commence construction of such improvements so the Board may cause inspection to be made to assure that all Plainfield's specifications and requirements shall be met during the construction of required improvements, and to assure the satisfactory completion of improvements and utilities required by the Planning Board.

#### 4.17 Security Requirements

Before final approval of a plat, the Board shall require the applicant to file a performance bond and irrevocable letter of credit, or establish an escrow agreement, or other form of security as may be approved by Town council of sufficient collateral, with an appropriate agent, in an amount equivalent to the full cost of the required improvements, including water and sewer facilities, plus 10% of said full cost to cover potential damage to adjacent property and waterways as set forth in Section 4.19 below. The full cost of the improvements shall be in an amount determined by the Board. The bond or other form of security shall be submitted to the Town legal counsel for his approval as to form and sureties. The conditions of the bond or other form of security shall be to guarantee the initial satisfactory completion of all public improvements, correction of all improvement deficiencies or failures, repair of damage and guarantee of improvement installation.

#### 4.18 Release of Security

The security shall be fully released when the Board is satisfied that the applicant has complied with all applicable provisions of these regulations and the applicant's engineer certifies such compliance, including the total rectification of original installation, guarantee and damage deficiencies. If the applicant has not totally complied within three (3) years of date of the original approval of the subdivision plat, the security in total or any part not previously returned to the applicant shall be forfeited. The Board may extend the date for the total completion of public improvements, upon the written request of the applicant, if reasonable conditions exist delaying the completion of the subdivision. A applicant may be granted only one extension, to be limited to not more than six (6) months. Fifty (50) percent of the performance security collateral shall be released by the Board, providing no deficiencies exist, upon written certification by the applicant and verification by the Board that seventy-five (75) percent of the improvements have been satisfactorily completed.

#### 4.19 Proper Installation of Improvements

The applicant shall notify the Board in writing when the improvements are completed. If the Board determines, after inspections and tests have been made, that any of the required improvements have not been completed in accordance with plans and specifications as filed by the applicant, the Board shall notify the applicant in writing of such deficiency and have the applicant rectify all deficiencies at the expense of the applicant. If the applicant does not substantially rectify all deficiencies within sixty (60) days of notice, the Board shall notify the applicant's bonding company or security agent and take all necessary action to protect and preserve the Town's rights and interests.

#### 4.20 Guarantee of Improvement Installation

One year after completion of all improvements or one year after the correction of all deficiencies referred to in Paragraph 4.17 of these Regulations, whichever occurs last, the Board shall have the required improvements inspected and tested, as it deems necessary to determine completeness and sufficiency. If the Board finds that the improvements have failed for any reason or do not meet the specifications as filed by the applicant and as required by the Town, the Board shall notify the applicant in writing of such failure and have the applicant rectify all failures at the expense of the applicant. If the applicant does not substantially rectify all failures within sixty (60) days of notice, the Board shall notify the applicant's bonding company or security agent and take all necessary action to protect and preserve the Town's rights and interests.

#### 4.21 Damage to Adjacent Public and Private Property, Drainage Facilities and Waterways, Streams and Brooks

If at any time before all public improvements are approved by or finally accepted by the Town and before the bond is totally released, should any condition within the approved subdivision cause damage to adjacent public or private property, drainage facilities and waterways, streams and brooks, including but not limited to soil erosion and damage to standing vegetation, the Board shall notify the applicant in writing of such damage and have the applicant correct all damage at the expense of the applicant. If the applicant does not substantially correct all damage within sixty (60) days of notice, the Board shall notify the applicant's bonding company or security agent and take all necessary action to protect and preserve the Town of Plainfield's rights and interests.

#### 4.22 Abandonment and Re-submission/Revocation of Approval

A. Abandonment. A final plat shall be considered to have been abandoned by the applicant if he has not complied with the bond requirements of this Article, any other conditions of approval established by the Board and has not submitted the final plat for endorsement by the Chairman of the Board within sixty (60) days after being notified of approval by the Board. The applicant may be granted only one extension to be limited to not more than sixty (60) days by the Board upon written application, and for adequate reason in the Board's judgment. An abandoned final plat shall require a complete new submission for further consideration by the Board.

#### B. Revocation of Planning Board Approval

The Planning Board may revoke approval if:

(a) At the request of, or by agreement with, the applicant or the applicant's successor in interest.

(b) When the applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to

the statements, plans or specifications upon which the approval was based, or has materially violated any requirement or condition of such approval.

(c) When the applicant or successor in interest to the applicant has failed to perform any condition of the approval within a reasonable time specified in the approval, or, if no such time is specified, within the time periods specified in RSA 674:39.

(d) When the time periods specified in RSA 674:39 have elapsed without any vesting of rights as set forth therein, and the plat, plan or other approval no longer conforms to applicable ordinances or regulations.

(e) When the applicant or successor in interest to the applicant has failed to provide for the continuation of adequate security as provided by RSA 674:36, III (b) and 674:44, III

(d) until such time as the work secured thereby has been completed.

Prior to recording any revocation under this section, the Planning Board shall give notice, as provided by RSA 676:4, I(d), to the public, the applicant or the applicant's successor in interest, and all abutters and holders of conservation, preservation, or agricultural preservation restrictions. The notice shall include the Planning Board's reasons for the revocation. A hearing with notice as provided in RSA 676:4, I (d) shall be held at the request of any party receiving such notice, submitted within 30 days of receiving such notice, or if the Planning Board determines to hold a hearing.

A declaration of revocation, dated and endorsed in writing by the Planning Board, and containing reference to the recording information for the plat, plan or other approval being revoked, shall be filed for recording with the Registry of Deeds, no sooner than 30 days after written notification of the revocation is served on the applicant or the applicant's successor in interest, in person or by certified mail, or 30 days after any public hearing, whichever is later. If only part of an approval is revoked, that portion of land subject to revocation shall be clearly identified in the declaration. The declaration shall be recorded under the same name or names as was the original approval, as well as the names of subsequent owners, if any, of the land or part thereof subject to revocation, as identified by the municipality.

A revocation under this section may be appealed pursuant to RSA 677:15. Nothing in this section shall affect the municipality's ability, either before or after such a revocation, to pursue other remedies or penalties as set forth in RSA 676:15-17.

~~a) the owner requests or agrees to it, or~~

~~b) when any requirement or condition to approval has been violated, work is done on the site which is materially different from what was approved, or~~

~~c) a condition of approval is not met within the time period set out in RSA 674:39, or within a lesser time frame set by the Board, or~~

~~d) a plan which has not become vested under RSA 674:39 no longer conforms to current ordinances and regulations, or~~

~~e) the owner's security for required roads and utilities, etc., lapses before that work has been completed.~~

#### 4.23 Site Inspections

**Comment [PD8]:** 4.21 and 4.22 were missing from the existing regulates.

- 1) Whenever the Board deems it necessary for the consideration of an application to visit the site, the Board shall arrange a time that is reasonable for the applicant.
- 2) Such a site inspection shall be posted as a meeting of the Board pursuant to the Right-to-Know provisions of RSA 91-A. If there is a quorum present at the site inspection, minutes shall be kept.
- 3) All applications are conditioned upon the owner allowing access to the property, to the extent reasonable and necessary to properly review the application. Denial of access automatically terminates any further consideration of the proposal.

#### 4.24 Concurrent and Joint Hearings

The applicant or the Planning Board may request a joint hearing with one or more land use boards in conjunction with a subdivision hearing if approval from all boards is required for the same project.

#### 4.25 Professional Review

The Planning Board may require the applicant to pay the cost of a professional review of various parts or of the whole of the proposed subdivision upon such terms and conditions as the Planning Board deems to be appropriate as provided by RSA 676:4-I (g). By way of example, the Planning Board may request professional reviews by a civil engineer, attorney, environmental consultant, soil scientist, wetland scientist, wildlife biologist, etc. The Planning Board shall select the professional(s). For each professional review required by the Planning Board on a particular subdivision application, the Planning Board shall determine an amount to be placed in an escrow account with the Town for the estimated cost of the scope of services to be provided by the consultant chosen by the Planning Board. The applicant must deposit this amount with the Town to establish this escrow account before the consultant will begin his/her review for the Planning Board and before the application will proceed in the review process.

**ARTICLE V - Development Requirements**

5.1 Street Layout & Design

- A. Conformance with Official Map: The layout of all streets shall conform to the Official Map, if such exists.
- B. Conformance with Construction Standards: All streets shall be constructed in conformance with the construction standards and specifications adopted by the Town of Plainfield and set forth herein. All bridges, culverts, drainage structures, storm sewers, gutters, drainage ditches, and other improvements shown on the Final Plat and required by accompanying documents, if any, shall be installed in conformance with the construction standards and specifications adopted by the Town and set forth herein.

The Board, on the advice of an engineer representing the Town, reserves the right to request more than the minimum standards of road construction as specified in Section 5.0 and or Appendix A.

- C. Classification of Streets: The classification of existing streets shall be as defined in the Town Master Plan or Official Map or by the Board where such Master Plan or Official Map does not exist. The classification of new streets shall be as determined by the Board in accordance with Section 5.1D following.
- D. Standards for Street Design: The following standards of design shall apply to new streets.

**STANDARDS FOR STREET DESIGN**

	<u>Local (1)</u>		<u>Collector</u>		<u>Arterial</u>
	Minor	Major	Minor	Major	
a. Average Daily Traffic (2)	0-48	49-96	97-248	249-400	401-up
b. Minimum Right-of-Way (4)	50	60	70	80	50-100
c. Minimum Travel Surface Width in Feet (4)	18	20	22	24	(5)
d. Minimum Shoulder Width in Feet Each Side (4)	2	2	3	4	(5)
e. Minimum Distance from Center of Road to Center of Ditch in Feet (4)	18	20	22	(5)	(5)
f. Minimum Horizontal Curve Radii in Feet	(5)	(5)	(5)	(5)	(5)
g. Minimum Vertical Curve					

Length in Feet	(5)	(5)	(5)	(5)	(5)
In no case less than 20' for each 1% difference in grade.			In no case less than 30' for each 1% difference in grade.		

h. Minimum Length of Tangents					
Between Curves	(5)	(5)	(5)	(5)	(5)
i. Maximum Grade	10%	10%	8%	8%	5%
j. Minimum Vertical Sight Distance	(3)	(5)	(5)	(5)	(5)

- 
- (1) Local streets cover not only lightly developed through streets, but also dead end and margin access streets.
  - (2) Shall be future anticipated traffic. (Assuming 8 trips per day per dwelling unit.)
  - (3) Sight distance shall be measured between two points along the centerline of the street on a straight line entirely within the street right-of-way and clear of obstructions, one of the points to be at the surface and the other thirty-nine (39) inches above the surface.
  - (4) All cross-section horizontal distances shall be measured perpendicular to straight-line sections and radial to curved sections.
  - (5) Curve radii for local roads shall be established based on a minimum design speed of 35 MPH. Curve radii for local roads shall be subject to approval of the Board after being reviewed by an Engineer designated by the Board. The length of vertical curves and minimum length of tangents between curves shall be subject to approval of the Board after being reviewed by an Engineer designated by the Board.

The Board may modify the maximum and minimum gradient for short lengths of streets where, in its judgment, existing topographic conditions or the preservation of natural features indicate that such modification will result in the best subdivision of land. The Board may require greater width of right-of-way where, in its judgment, the demands of present or future traffic make it desirable or where topographic conditions create a need for greater width for grading.

The Planning Board may waive design speed or pavement requirements for minor local roads if collector roads are unpaved, if grades are less than 6%, and if the proposed and future potential development of the surrounding area is so limited that paving and design speed requirements are excessively restrictive.

E. Street Improvements: In rural areas, streets shall have a minimum travel surface width as prescribed in Section 5.1D with shoulders not less than two (2) feet wide. The Board may require a greater travel surface width and shoulders for Arterial or Collector streets. In urban or village areas, the Board may require a greater width of right-of-way and paving, together with curbs and sidewalks.

In the case of a subdivision involving the construction of one or more new streets, any existing street which provides either frontage to new lots or direct or indirect access to new streets shall meet the minimum standards established in Section 5.1D for such street. Where a subdivision requires undue expenditures by the Town to improve

existing streets to conform to minimum requirements, the Board shall disapprove such subdivision until the Selectboard shall certify that funds for the improvements have been assured to the Town. The applicant may be asked to bear that portion of the cost of the improvements associated with the need created by and the benefits conferred upon the proposed subdivision.

The Board shall impose reasonable limitations on the subdivision of areas served by existing streets which do not meet the minimum standards established in Section 5.1D. Factors to be considered in establishing such limitations may include, but are not limited to, the following: the standard to which the Town presently maintains such streets, the frontage and size of the proposed subdivision, the potential traffic increase from the proposed subdivision, the character and potential for development of the area served by such streets, the present and potential traffic on such streets and compliance with the Town's Master Plan. Such limitations shall be removed at such time as the Selectboard shall certify to the Board that funds have been assured to the Town to upgrade such streets to meet such standards.

- F. Design and Construction Details: See Appendix A.
- G. Street Layout with Concern for Topography: Streets shall be logically related to the topography and natural features so as to avoid a grid pattern and to produce usable lots, reasonable grades and safe intersections in appropriate relation to the proposed use of the land to be served by such streets.
- H. Arrangement of Streets: The arrangement of streets in the subdivision shall provide for the continuation of principal streets of adjoining subdivisions and for proper projection of principal streets into adjoining properties which are not yet subdivided, in order to make possible necessary fire protection, movement of traffic and construction of extension, presently or when later required, of needed utilities and public services such as sewers, water and drainage facilities. Where, in the opinion of the Board, topographic and other conditions make such continuance undesirable or impracticable, the above conditions may be modified.
- I. Layout Standards:
  1. The plan of any proposed subdivision shall show all work required to connect and complete the improvements and utilities between the proposed street pattern and any connecting street in an existing subdivision.
  2. Where a proposed subdivision abuts an existing street with an inadequate alignment, or right-of-way width, the subdivision plat shall include a street dedication of all land needed to meet the standards established by these regulations, and as approved by the Board.
  3. Where a proposed subdivision abuts an existing subdivision, the applicant shall make every attempt to design the street system of the proposed subdivision

to connect with dead-end or "stub" streets of the existing subdivisions in order to permit safe and reasonable inter-inter-subdivision traffic.

4. The layout of the street pattern shall be based upon a local street system connected to a collector street system connected to an arterial system.

5. Local residential streets shall be designed so as to discourage non local through traffic.

6. Curb cuts of local and collector streets onto arterial streets shall be minimized.

7. Local and collector streets shall not intersect with arterial streets less than eight hundred (800) feet apart, measured from center line to center line.

8. The minimum distance between center line offsets at local and collector street intersection jogs shall be one hundred fifty (150) feet.

9. Streets shall intersect so that within seventy-five (75) feet of the intersection (measured at the right-of-way lines) the street lines are at right angles. In no case shall the angle of intersection be less than seventy-five (75) degrees. No structure, planting, or embankment shall impair corner visibility.

10. The grade within fifty (50) feet of an intersection shall not exceed five (5) percent. The grades of local streets at intersections with collector streets shall drop at the rate of one (1) foot in fifty (50) feet for a distance of fifty (50) feet from the edge of the traveled way of the existing street. For grades in excess of eight (8) percent, the Board may require safety features such as guard rails and extended shoulders.

11. Multiple intersections involving a junction of more than two streets shall be prohibited; "T" type intersections are preferred to "four-way" type intersections.

12. Dead end streets shall not exceed twelve hundred (1200) feet in length and shall terminate in a cul-de-sac, hammerhead, or other conforming turnaround. The following standard shall apply to cul-de-sac type dead end streets:-

- a. The turnaround at the end of a cul-de-sac street shall be located so that it drains toward its entrance and to the side of the road.
- b. Unless there is the expectation of extending the street through to the adjoining property, a cul-de-sac street shall not be brought to the property boundary line, and shall be placed so that the lots can back on the property line of the subdivision.
- c. Turnarounds shall have a minimum of sixty (60) feet measured from

the center point of the circle to the inside edge of the roadway.

13. If a dead end street is of a temporary nature, a turnaround shall be provided and provisions made for future extension of the street thought to adjacent property and reversion of the excess right-of-way to the adjoining properties.

14. Streets shall be named in accordance with Town policy as adopted by the Selectboard. No street shall have a name which will duplicate or closely resemble the name of an existing street. The continuation of an existing street shall have the same name.

- J. Private Streets: There shall be no private streets platted in any subdivision. Every lot in a subdivision shall be served from a publicly dedicated street. Any lots platted which abut existing public streets for which no new access or streets within the subdivision shall be provided shall have the proposed access to such street approved prior to final subdivision approval pursuant to the provisions of RSA 249:17 if on a State controlled highway, and pursuant to provisions of the Town of Plainfield Driveway Permit Regulations if on a Town maintained highway.
- K. Curbs, Pedestrian Walks, Sidewalks, and Bicycle Paths: Where necessary in the judgment of the Board, curbs, rights-of-way for pedestrian and/or bicycle travel and access may be required between parts of the subdivision or between a subdivision and public property. When such need has been created by the subdivision, the Board may require the applicant to provide sidewalks and/or bicycle paths outside the subdivision.
- L. Tree Plantings: The Board may require the planting of trees within the street right-of-way in those subdivisions where, due to the nature and character of the land, it would be appropriate, and such tree plantings shall be indicated on the Final Plat. The Conservation Commission & Road Agent shall recommend to the Board specifications for the tree plantings.
- M. Marking of Proposed Streets: At the earliest practical stage during the application the applicant shall place on the ground clearly observable survey stakes or ribbons marking the center line of all proposed streets.
- N. Street Signs: All street signs and posts shall be provided and installed by the Town at the expense of the applicant.
- O. Street Lighting: Street lights shall be installed according to lighting and spacing standards established by the Selectboard. The installation is planned by the utility in conjunction with the planning for the underground electric service. The Town finances operation of the system.
- P. Parking: All subdivision development shall make provision for adequate, safe

and convenient off-street parking in order to provide for the most efficient road maintenance, snow plowing and access by emergency, police and fire vehicles. In the case of commercial subdivision, including commercial building development, and multi-unit residential building development, parking areas shall include appropriate and adequate landscaping and screening.

## 5.2 Excavation & Grading

- A. General: All excavating and filling required for construction of improvements shall be as specified herein. The entire area of work shall be brought to the required lines and grades by excavation or filling. Excavation material, if suitable, may be used in making embankments and in filling low areas. A minimum of three (3) inches of top soil shall be provided to cover over all finished slopes. This material shall be spread uniformly over all finished slopes. All streets shall be graded from property line to property line to approved grade and cross section.
- B. Suitable Materials Required: No stumps, wood, roots, sod, or other fibrous materials shall be placed in any embankment. In those locations where the alignment crosses swamp or marsh lands, or other similar soil that is incapable of withstanding expected loads, such inadequate soil shall be entirely removed and replaced with adequate material. The materials so removed shall not be placed in embankment, but may be used in flattening embankment slopes or for filling low spots outside the road section. The Board may require the developer to submit evidence of boring and/or other soil investigation to determine the depth, composition and stability of the subgrade within the road section.
- C. Embankments: Embankments shall be formed of suitable and acceptable excavated materials and brought to the required lines and grades. The materials for embankment shall be placed in successive horizontal layers not exceeding six (6) inches in depth extending across the entire fill area. They shall be spread by a bulldozer or other acceptable methods, and shall be thoroughly compacted. Successive layers shall not be placed until the layer under construction has been thoroughly compacted. Where embankments are made of rock, the rock shall be so deposited that all voids are filled with earth and in such a way that the compaction specified above may be secured.
- D. Subgrade: Upon completion of filling and excavating, the subgrade shall be formed to the required grade and contour, and the entire surface again rolled as specified above. High spots shall be removed and low spots filled with acceptable material and the process of leveling and rolling continued until no further depression results.
- E. Side Slopes: Side slopes in embankment and on roadside drainage ditches shall descend one (1) foot vertically for at least each three (3) feet horizontally (3 on 1). Suitable surplus material resulting from excavation of the road prism may be

used to flatten slopes of an embankment. Slopes in excess of five (5) feet of vertical height may be reduced to 2 on 1 if an approved guide rail system is provided. Cut slopes in solid rock may be cut to 1 1/2 feet vertically to 1 foot horizontal provided the rock is solid and free of loose broken rock. Where rock cuts have a face higher than ten (10) feet vertically, a three (3) foot berm shall be provided at each ten (10) foot level above the grade at the edge of the pavement. Side slopes shall not be graded so as to extend beyond the limits of the road right-of-way onto land not part of the subdivision unless a suitable slope easement has been properly established and granted by the affected property owner.

### 5.3 Utilities & Drainage

- A. General: All subdivisions shall make adequate provisions for water supply, storm water and sanitary sewage disposal, and required utilities and improvements. The Board may require the extension of public water and sewers to and within a proposed subdivision, without cost to the Town, where existing lines are, in the judgment of the Board, within a reasonable distance of the proposed subdivision.
- B. Underground Utilities: Electric, telephone, cable TV and other utility distribution systems shall be underground, including services to residences and to street lights. The applicant shall coordinate subdivision design with the utility companies to insure adequate and suitable area for underground installations.
- C. Utility Standards: Utility installation in a proposed subdivision shall be laid out and constructed as required by the following standards:
  - 1. The applicant shall install laterals from all utilities in the street right-of-way to ten (10) feet beyond the street property line of each building lot.
  - 2. All public utilities and facilities, such as sewer, gas, electrical, telephone and water systems shall be located, elevated, and constructed to eliminate flood damage. All sewage effluent produced on each lot shall be treated and disposed of on the same lot unless the lot is served by a municipal sewage system. All new or replacement water supply systems and/or sanitary sewage systems shall be designed to eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. On site waste disposal systems shall be located so as to avoid impairment of the water supply system and/or sanitary sewage system or contamination from them during flooding.
  - 3. All such utility system installations shall be at the expense of the applicant and shall be installed under the supervision of the appropriate private utility company or Town department.
- D. Drainage Standards: Installations of drainage systems shall be according to the

following standards:

1. An adequate surface storm water drainage system for the entire subdivision area shall be provided. Adequate drainage shall be provided so as to reduce exposure to flood hazards. Storm drainage shall be carried to existing water courses, or connect to existing storm drains. If the storm water drainage system creates any additional flow over any adjacent property, the applicant shall hold the Town harmless from any claims for damage resulting therefrom. The applicant shall also provide the Town with a Drainage Easement.
2. For the purposes of preparing drainage plans, the following basic design criteria shall be utilized: Storm sewers and subdivision drainage facilities shall be based upon a design flow with a minimum return interval of ten (10) years. The design of natural watercourse channels shall depend upon the drainage area according to the following table:

DESIGN RETURN INTERVALS FOR NATURAL WATERCOURSES

<u>Drainage Area</u>	<u>Recurrence Interval</u>
Above 20 square miles	100 years
Between 4 and 20 square miles	50 years
Less than 4 square miles	25 years

3. Culverts or other drainage facilities shall in each case to be large enough to accommodate potential runoff from the entire subdivision. The minimum size culvert installed shall be 15". There shall be at least 18" cover over culverts crossing roadways and for culverts larger than 15" greater depth of cover may be required. All culverts shall have headers. Header design shall be approved by the Board.
  4. Drainage from any spring or surface water that may exist either prior to or as a result of subdivision shall be located in the road right-of-way whenever possible.
  5. Open roadside drainage ditches in excess of five (5) percent grade shall be paved with stone or asphalt as required by the Board.
- E. Responsibility for Drainage Downstream: The applicant's engineer shall provide such information as the Board deems necessary to determine the effect of the subdivision on the existing downstream drainage facilities outside of the area of the subdivision. Where the Board anticipates that the additional run-off incident to the development of the subdivision will overload an existing downstream drainage facility so that there will be damage to private property or an increase in

the expenditure of public funds, the Board shall not approve the subdivision until the applicant and the Board of Selectboard agree to share the cost of the necessary improvement required. The Town's share shall be based upon the portion of run-off which the developed area downstream from the applicant's subdivision contributes to the necessary improvement, except that there shall be credited to the Town's share that portion of the need which can be met by existing facilities.

#### 5.4 Sediment and Erosion Control

- A. General: The purpose of this section is to control soil erosion and the resulting sedimentation from occurring in subdivision areas by requiring proper provisions for water disposal and the protection of soil surfaces during and after construction in order to promote the public health, safety, convenience and general welfare of the community. Land shall be subdivided and improved in reasonable conformity to existing topography in order to minimize grading, cut and fill, and to retain, insofar as possible, the natural contours, limit storm water runoff and conserve the natural cover and soil.
- B. Standards: The following standards shall be observed by the applicant in the design, layout and engineering of the proposed subdivision.
1. Stripping of vegetation, regrading or other development shall be done in such a way that will minimize soil erosion.
  2. Whenever practical, natural vegetation shall be retained, protected and/or supplemented.
  3. The disturbed area shall be kept to a minimum and the duration of exposure shall be a maximum of six (6) months. In no case shall completed areas be left after October 1 of the current year without being seeded and mulched.
  4. Temporary seeding and/or mulching shall be used to protect exposed critical areas during development.
  5. Provision shall be made to accommodate the increased runoff caused by changed soil and surface conditions during and after development.
  6. Sediment in the runoff water shall be trapped by the use of sediment basins or other acceptable methods.
  7. Necessary diversions, sediment basins and other erosion control structures shall be installed prior to any on site grading or disturbance of existing surface vegetation.
  8. The permanent final vegetation and structures should be installed as soon as

practical in the subdivision.

#### 5.5 Preservation of Natural Cover

Land shall be subdivided and improved in reasonable conformity to existing topography in order to minimize grading, cut and fill, and to retain, insofar as possible, the natural contours, limit storm water run-off, and conserve the natural cover and soil. After application for approval has been submitted to the Board, no topsoil, sand or gravel shall be removed from the subdivision for any purpose than to meet construction needs for that particular subdivision or to meet any requirements of these regulations.

#### 5.6 Preservation of Existing Features

Existing features which would add value to the subdivision, such as trees, watercourses and falls, brooks, historic spots, **stonewalls** and similar irreplaceable assets, shall be preserved, insofar as possible, through harmonious design.

#### 5.7 Open Space Shown on Town Master Plan

Where a proposed park, playground, or other open space shown on the Master Plan is located in whole or in part in a proposed subdivision, the Board shall require substantial compliance with such Master Plan. As a condition of approval of the Final Plat, the Board may require that the area shown thereon as open space be offered for dedication to the Town. The Board shall not require such dedication in excess of the proportionate share to be used by residents of the subdivision without reasonable compensation. If the Town does not take steps within a period of one year from the date of approval of the subdivision plat to acquire the portion of the open space in excess of said proportionate share, the applicant may submit to the Board a plan for subdivision of such portion, provided such additional subdivision meets the requirements of these regulations.

#### 5.8 Other Open Space & Recreation Area

Land shall be reserved for open space and recreation area or future municipal use as deemed necessary in proper cases by the Planning Board in any plat submitted to it for approval. Such land shall be either deeded to the Town or reserved for the common use of all property owners by covenant in the deed as determined by the Board. All such areas shall be of reasonable size, slope and character for neighborhood playground or other recreational uses, or future municipal use, including open space.

In cases where the Board and applicant agree that due to the size, topography, or location of the subdivision, land for park, playground or other recreation

purpose or future municipal use cannot be properly located therein, or, if in the opinion of the Board and the applicant it is not desirable, the Board may modify the requirement that the plat show land for such purposes. The Board and the applicant may then agree that the applicant will pay to the Town a sum of money equal to the equivalent lot area at the selling price of the lots. This cash payment shall be remitted to the Town for either land acquisition or development of public land for recreational purposes or future municipal use for the benefit of the residents of the subdivision, as deemed appropriate by the Board.

## 5.9 Lot and Site Layout

When laying out or planning a subdivision, the following regulations shall govern the layout of lots and sites:

- a. The lot size, width, depth, shape and orientation shall be appropriate for the parcel being subdivided, for the location of the subdivision and for the type of development and use contemplated. **All lot layouts must be compliant with the Town of Plainfield Zoning Ordinance.**
- b. The width of each lot, measured along its road frontage, shall not be less than 25% of the lot length measured perpendicularly to the straight line best approximating the road frontage. In the case of the larger parcels with high percentages of back land, good planning may dictate that some parcels be non-conforming in shape. In these cases boundaries shall be laid out so as to relate to the natural features of the land and so as to maintain, as far as possible, the integrity of the original parcel. The intent shall be to create patterns of ownership that simplify and encourage the preservation and proper management of the existing natural resources.
- c. All lots or sites shall **abut have road frontage** on (1) a Class V or better highway, or (2) a street shown on an approved subdivision plan, or (3) a driveway providing direct access to a Class V or better highway.
- d. Where extra right-of-way width has been indicated for widening of existing streets, lots shall begin at such extra width line.
- e. Block length and width or acreage within bounding roads shall be such as to provide for convenient access, circulation control and safety of street traffic.
- f. Access to lots abutting existing Town or State streets shall be by common driveways, or frontage streets, where appropriate in the judgment of the Board to minimize the number of driveways and/or new streets entering onto these existing streets.
- g. Driveways shall be designed to provide safe and convenient access and to control surface water runoff so that it does not damage the street to which the

driveway leads.

h. To the greatest extent practicable, driveways shared by two lots, sites or dwelling units shall be centered on the boundary common to both properties.

i. For the purposes of determining the allowable density of a planned residential development, road right-of-way, surface waters, wetlands, areas of slopes over 20%, and **flood prone areas** shall be excluded from the calculation of acreage. For the purposes of determining the acreage of lots in conventional subdivisions, undevelopable land shall comprise no more than 50% of the minimum lot area in the VR and RR Zones, and 2 acres in RCI and RCII Zones as specified in the Plainfield Zoning Ordinance.

j. All

#### 5.10 Fire Protection

Applications for new subdivisions shall be required to address water supply needs for fire protection. All new structures shall comply with the minimum requirements of the New Hampshire State Fire Code (NH Administrative Rules, Saf-C-6000).

The Fire Chief shall review all proposals to determine whether or not water supply should be addressed for that particular proposal; if so, the following requirements apply:

1. The Fire Chief shall complete an inspection of the proposed site to evaluate the availability of existing water supply in the area and site conditions as they related to fire protection.
2. The Fire Chief shall implement all applicable provisions of the State Fire Code (NH Administrative Rules, Saf-C-6000) and the National Fire Prevention Association's Standard on Water Supplies for Suburban and Rural Fire Fighting.
3. The Fire Chief shall recommend the type, size, location and spacing of any water supply (such as fire ponds, cisterns, etc.)
4. Following the inspection and evaluation, the Fire Chief will submit findings in writing to the Planning Board.
5. All proposed developments, whether including the provision of hydrants or other water supply facilities, shall be accessible to firefighting and other emergency equipment.

**Comment [PD9]:** There has been recent changes in the state fire code which have implications on subdivision. The proposed amendment removes the old standards and replaces them with guidance for the Authority Having Jurisdiction (i.e. Fire Chief) to recommend a plan to the Board using the recommended "standards" in the state fire code.

#### 5.11 Monuments (Lot Markers)

Monuments constructed of concrete or stone at least 4 x 4 inches on the top and at least thirty-six (36) inches long shall be set at all block

corners and iron pins or equivalent markers at all lot corners. The final plat shall be keyed to several block corner monuments within the subdivision.

#### 5.12 Performance and Maintenance Security

No subdivision plat filed with the Board shall be approved until the applicant shall have filed with Board an engineer's estimate of costs of streets, public improvements, drainage structures and other utilities, together with maps, plan and supporting data, accompanied by either:

Cash, escrow deposit, irrevocable letter of credit or surety bond, issued by a surety company authorized to do business in New Hampshire, to be filed with the Selectboard, and to be deposited with it. The amount of performance security shall include fees for inspection of improvements by the appropriate Town agents or their designated consultants and 10% of the cost of the improvements to cover potential damage to adjacent property and waterways. The Board, in its discretion, may waive security requirements and delay signing the final plat for recording until improvements are completed and accepted.

#### 5.13 Applicant's Restrictions

The owner of the subdivision may place restrictions on the subdivision greater than those required by these regulations, the Zoning Ordinance and any other State or local regulations. Such restrictions shall be attached to the plan and shall also, when applicable, be placed as covenants in the deeds of dedication to the Town.

#### 5.14 "Special Flood Hazard Area" as Determined by the National Flood Insurance Program (NFIP) Any subdivision that includes land designated as "Special Flood Hazard Area" by the NFIP will be subject to the following additional requirements:

- a) Receipt of all State and Federal Permits including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334,
- b) inclusion of flood elevation data on the subdivision plan,
- c) sufficient evidence to determine that: i. all proposals are consistent with the need to minimize flood damage, ii. all public utilities and facilities are located and constructed to minimize or eliminate flood damage, iii. adequate drainage is provided so as to reduce exposure to flood hazards.

#### 5.15 Scattered and premature Development and Off-Site Improvements

A. Scattered & Premature Subdivision Development: The Planning Board shall determine based on the information presented and other information available and made part of the record, whether or not the amount of development

contained in the proposed subdivision in relation to the quantum of services available will pose a danger to the public through insufficiency of services.

The Planning Board shall not approve a subdivision if such subdivision constitutes scattered or premature subdivision of land as would involve danger or injury to health, safety, or general welfare by reason of lack of water supply, drainage, transportation, school, fire department, or other public services, or necessitate an excessive expenditure of public funds for the supply of such services.

If a subdivision is determined by the Planning Board to be scattered and premature, the applicant may show through both on and Off-Site Improvements made at the expense of the applicant, that the subdivision is not scattered and premature or, if so, is overcome by remedial action of the applicant.

C. Off-Site Improvements: If the Planning Board determines that the proposed subdivision will adversely affect existing public facilities (including streets, sidewalks, drainage, sewer, and water supply) causing them to be inadequate to meet the additional needs created by the subdivision, then the applicant shall pay a reasonable share for such upgrading of the public facilities to an extent necessary to protect the public interest. If other properties benefit from the upgrading of such Off-Site Improvements, the Planning Board shall determine the portion of the cost to be paid by the applicant, taking into consideration the following elements:

- A. The character of the area;
- B. The extent that other public and private property will be benefited by the upgrading; and
- C. Any other factors that the Planning Board deems appropriate to establish a rational connection between the needs created by the subdivision and the amount to be paid by the applicant.

A refund of the exaction is due whenever the calculation of the exaction is based on some portion of the cost being borne by the municipality, and the municipality has not appropriated its share of the cost within 6 years from the date of collection.

## **ARTICLE VI - Submission Requirements**

### **6.1 Informal Preliminary Consultation**

Maps may be drawn in pencil; data may be tentative but shall be sufficiently clear to show all existing conditions on the property to be subdivided. Maps shall be at a scale of no more than 200 feet per inch and may contain or be accompanied by the following maps and information:

- a) Property survey map for the entire area of the parcel being subdivided plus an additional 100 foot area completely around said parcel, showing perimeter boundary of said parcel, topography and slopes, water area (both permanent and intermittent streams, rivers, ponds, lakes, marshes, wetlands), Wetlands Conservation District, Floodplain Overlay District, existing roads, easements, structures, and other existing physical features;
- b) Property location map showing proposed subdivision in relation to major roads, community facilities and utilities of the Town;
- c) The Board may request further detailing of information and additional meetings before advising the applicant to proceed with preliminary layout design. All material submitted in the survey phase will be included with subsequent preliminary layout and final plat submissions.

## 6.2 Design Review

Maps shall be at a scale of no more than one hundred (100) feet per inch unless otherwise specified by the Board. Eight (8) copies of drawings should be submitted. The following is a list of information which could be included in this phase in addition to Informal Preliminary Consultation requirements:

- (a) Name of municipality and subdivision, name and address of the subdivision and agent;
- (b) Boundaries and area of the entire parcel, whether or not all land therein is to be subdivided; north point, bar scale, date and dates of any revisions;
- (c) Names and addresses of abutting property owners, subdivisions and buildings within two hundred (200) feet of the parcel of land to be subdivided, and intersecting roads and driveways within two hundred (200) feet of the parcel of land to be subdivided;
- (d) Existing and proposed street right-of-way lines, street profiles, widths of streets, proposed names of new streets; existing and proposed driveways, existing and proposed lot lines with angles and dimensions;
- (e) Location of existing and proposed easements, deed restrictions, buildings, accessory buildings, building setback lines, parks and other open space, water courses, flood prone areas, large trees, foliage lines and significant natural and manmade features, water mains, sanitary sewers, storm water drainage lines, drainage structures and drainage ways;
- (f) Boundaries and designations of Zoning Districts lying within the subdivision, municipal boundary if any, land use designation from Master Plan including but not limited to the Wetlands Conservation District and Floodplain Overlay District

(g) Soil mapping units and unit boundaries, soil test and sewage disposal information as required;

(h) A statement of conditions of land as to soil suitability for development;

(i) A statement of the work required on existing streets to meet the minimum standards set herein;

(j) Existing and future subdivisions, if any, in and adjacent to the subject subdivisions;

(k) A statement and contours in sufficient detail to indicate clearly the method of storm water drainage on and off the subdivision, methods of sanitary sewage disposal and water supply;

(l) Watershed areas, preliminary drainage analysis and preliminary drainage computations.

(m) Such other information as the Board may deem necessary and appropriate.

### 6.3 Minor Subdivision

Submission procedure and documents for minor subdivisions shall be as required for final plat in Article IV and Section 6.5 below of these regulations, with the following exceptions:

a. The Board may waive the requirement for a perimeter survey of the entire parcel and require specific data only for the lot which is intended to be sold or leased.

b. The Board may waive the requirement of existing and proposed contours; existing and proposed plans for telephone, electricity and gas utilities; proposed storm drainage, drainage analysis map and watershed computations; and proposed methods of supplying water.

c. Whenever the Board waives the requirement for a perimeter survey of the entire parcel, there shall be submitted instead a perimeter sketch which shall indicate the size and shape of the entire parcel, the location of any structures thereon, the names of all abutters, the location of any zoning lines or boundaries, the location and names of existing roads, the location and nature of important topographical features and other such information as will assist the Planning Board in reviewing the subdivision request.

### 6.4 Technical Subdivisions

In addition to the provisions of Section 6.3, the Board may require for a minor subdivision the purpose of which is annexation, the following:

a. That the Final Plat depict the new common boundary line by its bearing to north and show that the boundary has been properly marked with suitable monuments.

b. A representation that the lot remaining after conveyance of the land to be annexed will be a conforming lot and any and all structures then existing thereon shall meet all setback, side yard and rear yard requirements of the then applicable zoning ordinance for the Town of Plainfield.

c. The following restriction which shall be incorporated in the conveyance by reference to its inclusion in the Final Plat as follows: This conveyance is made for the purpose of annexation, upon the conveyance shall merge with and become part of the land to which it is annexed, and shall not constitute a previously approved lot for the purposes of reconveyance unless and until the same shall have been approved in accordance with the subdivision regulations for the Town of Plainfield and/or any other law, ordinance or regulation, Federal, State or Local, then applicable.

d. Inclusion of Annexed Land Under Mortgages- When any landowner is to acquire property by way of annexation, which property would not in and by itself qualify as a lot because it fails to meet the minimum standards and criteria of either the Zoning Ordinance or these Regulations for frontage, lot size or other dimension requirement, or on account of any other standard, then the landowner so acquiring such property shall provide acceptable evidence to the Planning Board that all lienholders and mortgagees of the receiving property have been notified of the proposed annexation.

#### 6.5 Final Plat: Elements of the Completed Application

The following plans and documents must be submitted ~~with the application~~ or the requirement of submission must be waived by the Board; otherwise the application will not be complete and will not be accepted by the Board for review. Provide a minimum of three (3) copies of each item. The Planning Board may request additional copies if deemed necessary for the review of the project.

**Comment [PD10]:** Consider requiring additional copies. See Article VII Regional Impact and 5.10 Fire Protection.

I. Complete Subdivision Application

This includes a letter of authorization from the land owner, if the applicant is not the owner, and payment of all application and notification fees.

II. Maps:

A. Site Survey: The site survey will show the following information and be prepared according to the standards of the NH Land Surveyors

Association and the Sullivan County Register of Deeds, as follows:

1. Plats shall be at any scale between 1"= 20' and 1"=400'.
2. The outside dimensions of the plat shall be 8 ½" X 11", 11" X 17", 17" X 22", or 22" X 34", or as otherwise specified by the County Registry of Deeds.
3. The material composition shall be suitable for electronic scanning and archiving by the Registers of Deeds.
4. All plats shall have a minimum ½" margin on all sides.
5. All title blocks should be located in the lower right hand corner, and shall indicate:
  - type of survey
  - owner of record
  - title of plan
  - name of the town(s)
  - tax map and lot number
  - plan date and revision dates;
6. Be in permanent black ink on permanent reproducible polyester film, submitted in one (1) polyester film copy and a minimum of three (3) blue or black line paper prints;
- ~~7. Have sheet sizes in accordance with requirements of Sullivan County Register of Deeds but not larger than 22" x 34" or as otherwise permitted by the Board;~~
- ~~8. Have scale no more than one hundred (100) feet per inch and not smaller than three hundred (300) feet to the inch unless otherwise permitted by the Board;~~
9. Be prepared, signed and sealed by a New Hampshire Licensed Land Surveyor;
10. Include the name of municipality and subdivision, name and address of the applicant;
11. Show boundaries and area of the entire parcel, whether or not all land therein is to be subdivided (in whatever manner is practical,

the subdivision boundary shall be referenced to some point, i.e. public street intersection or U.S.G.S. benchmark); north point, bar scale, date and dates of any revisions;

12. Show names and addresses of abutting property owners. Existing subdivisions, buildings, driveways and road intersections within 200 feet of the parcel to be subdivided should also be shown.
13. Show names and addresses of all persons whose name and seal appears on the plat;
14. Show names and addresses of all holders of conservation, preservation or agricultural preservation restrictions;
15. Show existing and proposed street right-of-way lines, dimensions of tangents, chords and radii; have points of curvature and tangency of curved streets; and angles to lot lines; have names of existing and proposed streets;
16. Show existing and proposed lot lines, angles and dimensions, lot sizes in square feet and acres, consecutive numbering of lots, suitable markers at lot corners. All dimensions to be shown to the nearest hundredth of a foot, and bearings to the nearest minute;
17. Show location of existing and proposed easements and areas affected by existing and proposed covenants, reservations and restrictions, benefiting or burdening the property;
18. Show location of existing and proposed parks and other open space, and significant natural and manmade features;
19. Show location of existing and proposed utilities, wells, septic systems, buildings, drives, parking areas, storm water drainage lines, drainage structures, and drainage ways;
20. Show location and type of all proposed and existing survey monuments;
21. Space shall be reserved on the plat for endorsement by the Planning Board. The plat shall contain the following wording:-

*"The Subdivision Requirements of the Town of Plainfield are a part of this plat, and approval of this plat is contingent on completion of all the requirements of said Subdivision Regulations, excepting only any variances or modifications made in writing by the Plainfield Planning Board. Approved by the Plainfield Planning Board on \_\_\_\_\_. Certified by \_\_\_\_\_, Chairman".*

- B. Site Location Map: The site location map shall show the location of the proposed subdivision in relation to the general area of the subdivision, including public and private roads and utility lines and nearby buildings, wells and private driveways.
- C. Topographic Map: The topographic map shall be drawn to the same scale as the site survey and shall show existing topography and proposed changes in topography at the following intervals:
- | <u>Grade</u> | <u>Contour Interval</u>     |
|--------------|-----------------------------|
| 0-2%         | 2-foot plus spot elevations |
| 2+-5%        | 2-foot                      |
| 5%+          | 5-foot                      |

Also, all low points, high points and other areas needing spot elevations shall be shown. Contours shall be shown in dashed lines. Contour lines shall extend a minimum of two hundred (200) feet beyond the subdivision boundary. Contour lines are to be actual and not interpretations of USGS maps.

- D. Soils Map: The soil map shall show the location of all percolation test sites, soil test pits and borings and soil mapping units and boundaries. The soils map shall be prepared to conform with the soil classifications and standards prepared by the Society of Soil Scientists of Northern New England in their publication High Intensity Soil Maps for New Hampshire. A legend on the soils map shall identify soil mapping unit symbols and soil names. Also to be shown on the soils map are the results of all soil tests including dates, locations by reference to soil map, percolation rates, soil profile with depth to ledge, clay, hard pan and existing and seasonal high water table.
- E. Hydrology Map: The hydrology map shall be drawn to the same scale as the site survey and shall show all surface water on and within two hundred (200) feet of the site including rivers, streams, intermittent streams, lakes, ponds, marshes, wetlands, areas of high and moderate ground water favorability; Flood prone areas (see Section 2.6 of the Subdivision Regulations); and drainage ditches and swales.

II. Access:

An analysis of the traffic to be generated by the proposed subdivision including direct and indirect volume of traffic, impact on the area surrounding the

subdivision and the Town as a whole, capacity of the public roads leading to the area of the subdivision to serve the subdivision safely and efficiently, and statement of work required on existing roads serving or leading to the subdivision to meet the minimum road standards set forth in the Town's Subdivision Regulations. All proposed lots not served by pre-existing driveways must have received from the appropriate authority an approved Driveway Permit or certification of the availability of such permit to the satisfaction of the Board.

III. Soils:

Results of all soil tests including dates, locations by reference to soil map, percolation rates, soil profile with depth to ledge, clay, hard pan and existing and seasonal high water table, and analysis of suitability of soils in areas proposed for septic systems, roads, drives, and buildings. If the property is presently being farmed, describe the effect of the proposed subdivision on the farming activity.

IV. Sewage Disposal:

All proposed sewage disposal plans, in detail, including all computations and an analysis and description of impacts on surface and ground water quality, adequacy of site for septic system sewage disposal, identification of area(s) proposed for backup leach field(s) in the event of field failure, and provision for an adequate buffer zone between all portions of a septic system. Septic systems must be designed and constructed, at a minimum, in compliance with State Design Criteria; more stringent standards may be imposed in specific cases. A plan showing the location and size of existing and proposed sewer lines. Profiles of the sewer lines shall be included, whether existing or proposed.

V. Water Supply:

All proposed water supply plans, in detail, with a description and analysis of proposed water supply including computation of requirements and analysis of source in terms of flow rates and quality and with a plan showing the location and size of all existing and proposed water lines, valves and hydrants, profiles of the water lines shall be included whether existing or proposed.

Public Water Supply systems (systems which will serve more than twenty-five (25) persons for sixty (60) days or more per year) must be designed and constructed, at a minimum, in compliance with State Design Criteria. For hookup to existing water supply systems, provide two (2) copies of a statement of acceptance into the system by system management.

VI. Surface Water Runoff, Sedimentation, and Erosion:

All plans to control surface water runoff so as to protect surface water quality and prevent sedimentation and erosion. Such plans should include the following

information:

1. Identification of all easements, express or implied, for the drainage of surface water onto or across the property from other properties, and from the property onto or across other properties. Cross reference the easements to the documents provided in response to Item XVI of this application.
2. Identification of the complete watershed area within which the property is located with boundaries marked on the applicable USGS Topographic Maps.
3. Computation of rate of runoff before and after completion of the subdivision for a ten (10) year, twenty-four (24) hour rainfall.
4. Computation of storm water drainage capacity based on estimated rate of runoff for a ten (10) year, twenty-four (24) hour rainfall following completion of all phases of the subdivision including impact on downstream drainage structures.
5. Drawings, specifications and calculations for each proposed runoff, erosion and sediment control measure, including identification of and location of natural drainage ways on the property and surrounding area and the location of the proposed measures for runoff, erosion and sediment control including provision for adequate buffer zones (not less than one hundred (100) feet measured horizontally) between developed areas (e.g. roofs, drives, parking areas, etc.) and surface water, with the distance measured to the top of the bank above the surface water.
6. Analysis and description of the impact of the proposed subdivision on surface water quality.

VII. Grading and Drainage Plan:

This plan shall be submitted on a separate sheet or sheets and shall provide the following information for the entire area of the proposed subdivision, unless there is a determination by the Board that a lesser area is sufficient:

1. Basic street, driveway, and lot layout, with all lots numbered consecutively;
2. Location of all existing buildings and approximate location of proposed buildings, if known;
3. Contours of existing grade at intervals of not more than five (5) feet. Intervals less than five (5) feet may be required depending on the character of the topography. Contour lines shall extend a minimum of two hundred (200) feet beyond the subdivision boundary. Contour lines are to be actual and not interpretations of USGS maps;

4. Final identification, location, elevation, grades and/or contours at intervals of not more than two (2) feet (less interval may be required depending on topography) for the existing and proposed drainage ways, drainage easements, drainage structures and water bodies;
5. Final identification and relative location of proposed soil erosion and sediment control measures and structures;
6. Final drawings and specifications for each proposed soil erosion and sediment control measure in accordance with guidelines acceptable to the Planning Board;
7. Final drawings, details, and specifications for proposed flood hazard prevention measures and structures and for proposed storm water retention facilities;
8. Final slope stabilization details and specifications;
9. A timing schedule indicating the anticipated starting and completion dates of the subdivision development and time of exposure of each area prior to the completion of effective soil erosion and sediment control measures.

**NOTE:** The applicant shall bear the final responsibility for the installation and construction of all required drainage, slope stabilization, soil erosion and sediment control measures and structures according to the provisions of these regulations.

VIII. Solid Waste:

Description and analysis of solid waste to be generated by the proposed subdivision and plan for disposal of wastes, including hazardous wastes, other than ordinary residential waste.

IX. Open Space:

Description of areas to be set aside for park or playground use, open space, or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation.

X. Police Protection:

A description of any feature of the proposed subdivision which may require more than routine police protection.

XI. Fire Safety:

An analysis of and plans to assure fire safety including fire safety of buildings, access by emergency response personnel and equipment to the site and to buildings on the site, and availability and adequacy of water supply for fire fighting. Depending on the nature of the subdivision, an analysis of forest fire danger may be required.

XII. Existing and Planned Land Use:

A description of existing land use in the area of the proposed subdivision and any proposed changes known to the applicant. Comment on the relationship, compatibility and impact of the proposed subdivision on existing and proposed land use in the area. For commercial subdivisions describe plans for screening and building placement.

XIII. Impact of Subdivision:

Analysis of the proposed subdivision's direct and secondary fiscal impacts and direct and secondary impacts on population growth and school enrollment. The analysis should cover the development period on a year by year basis plus the fifth year following completion of the development. Fiscal impacts should be calculated on the basis of constant dollars and tax rates and assessment ratios in effect at the time the analysis is prepared. For subdivisions which are being carried out in phases, the analysis should reflect the timing and cumulative impact of all phases.

XIV. Construction Plans

A. Plans: Plans of all areas to be disturbed for construction of streets, drives, drainage ways, and structures; sewer, water and electric lines, erosion and sediment control structures, and other areas to be disturbed for the construction of improvements shall be made with existing topography shown in dashed lines and proposed contours shown in solid lines at a contour interval no greater than two (2) feet plus spot elevations, soil types and boundaries shown in dotted lines, existing tree lines and proposed trees and all other plantings, edge of all paved or graveled areas, location and size of all structures, piping and other materials, horizontal curve data at street center lines, center line stationing of all proposed roads at fifty (50) foot intervals and the location of all adjacent lot lines with the lot numbers of each lot taken from the site survey. Plans shall be drawn at a scale of not more than one (1) inch equals fifty (50) feet.

B. Profiles: Profiles of all proposed roadways (including drives) showing existing and proposed elevations along the center lines; and all structures, piping and other materials. Profiles shall be drawn at a scale of one (1) inch equals fifty (50) feet horizontal scale and one (1) inch equals five (5) feet vertical scale.

C. Cross-Sections: Cross-sections of all proposed roadways at one hundred

(100) feet stations and at all catch basins, bridges, or culverts showing the roadway and all areas to be disturbed for the construction of all proposed roadways, existing grades, proposed subgrades, proposed final grades, and all utilities and other structures. Cross-sections shall be drawn to a convenient scale of not more than one (1) inch equals ten (10) feet, both the horizontal and vertical scales shall be the same.

D. Details: Construction details of all roadways, curbing, sidewalks, drainage structures, sediment and erosion control structures and any other required improvements shall be shown at a convenient scale.

XV. Performance and Maintenance Security:

1. Submit two (2) copies of the proposed bond or surety and security providing for and securing to the Town the completion of the actual construction and installation of all improvements and utilities and their maintenance for one (1) year.
2. Applicant's engineer shall furnish to the Board an estimate of the full cost of all improvements.
3. The Planning Board may endorse acceptance of the bond or surety and security in the form endorsed by the legal counsel to the Town. Documents establishing the bond or surety or security to be prepared and reviewed at applicant's expense and approved by Town counsel.

XVI. Title Matters and Legal Data:

1. All present or proposed easements, covenants, reservations or restrictions benefiting or burdening the property. The location of all areas affected or to be affected thereby shall be clearly identified by appropriate reference to the site survey;
2. Names and address of all persons having a beneficial interest in the property;
3. Most recent deed to the property;
4. Agreement to convey to the Town land to be used for streets, open space and other public purposes, with transfer of title to such interests to be effective on such date as the Town accepts such land;
5. Description of easements and rights-of-way for public purposes over property to remain in private ownership;
6. Descriptions of easements to drain onto or across other property, whether public or private, including a street;

7. Performance and maintenance bonds, described in Section XV;
8. A written acknowledgment of the applicant's responsibility for maintenance of easement areas, and the assumption by the applicant of liability for injuries and damages that may occur on lands to be dedicated for public use, until such land has been legally accepted by the Town.

XVII. Agency Approvals:

Submit two (2) complete copies of all applications submitted to, communications with, and **final** approvals from any Federal, State, or Town Agency having jurisdiction over any aspect of the proposed subdivision including **but not limited to** the following:

1. New Hampshire ~~Water Supply and Pollution Control Commission~~  
Department of Environmental Services
  - **Significant** Alteration of Terrain (RSA 485:-A: 17)
  - Septic Systems
  - Water Supply Systems (**inc. Community Water Supply Systems**)
2. New Hampshire Department of Highways (**state roads**) or Town of Plainfield Highway Department (**local roads**)
  - Driveway Permit or
  - substitute acceptable to the Planning Board
3. New Hampshire Fish & Game Department
4. New Hampshire Water Resources Board
  - Dredge and Fill Permit
5. New Hampshire Wetlands Board
6. Plainfield Board of Selectboard
  - Building Permit

XVIII. Additional Information:

The Board reserves the right to call upon the applicant for additional information in the course of reviewing the proposed subdivision. All such calls will be in writing, addressed to the applicant ~~or his agent~~.

**Article VII Development of Regional Impact**

All applications shall be reviewed for potential regional impacts. Upon such a finding, the Board shall furnish the regional planning commission(s) and the

affected municipalities with copies of the minutes of the meeting at which the determination was made. The copies shall be sent by certified mail within 72 hours of the meeting.

At least 14 days prior to the scheduled public hearing, the Board shall notify by certified mail the regional planning commission(s) and the affected municipalities of the date, time and place of the hearing, and of their right to appear as abutters to offer testimony concerning the proposal.

#### **Article VIII Previously Approved Subdivisions**

If any land shown on a subdivision plat has been part of any previous subdivision approved, constructed, or created by conveyance no more than five (5) years prior to the new proposal, any such previous subdivision will be treated as part of the new proposal for purposes of analyzing its effect and applying all review criteria.

**Comment [PD11]:** Should this be 10 years? See section 2.34

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## APPENDIX A

### Construction Details and Specifications for Land Development

#### SECTION 1 CONSTRUCTION SPECIFICATIONS

##### 1.01 Construction of Roads, Streets, Drainage Facilities and Fire Protection Facilities

A. Materials - General: All materials to be used shall meet the requirements as specified, unless the same are altered by specific requirements under any itemized specification or by modifying notes shown on the approved plans. In the absence of specific reference to specifications, the material(s) to be incorporated into any project and the work performed are intended to conform to the New Hampshire Department of Public Works and Highways specifications, and determined by the Town Engineer.

##### 1.02 Basis of Construction

In order to assure the structural integrity of the subgrade and crushed stone foundation course, the following rules shall apply:

A. Underground utilities shall be constructed outside the travelled shoulder areas and ditches of the roadway.

B. Where utilities and/or culverts cross the roadway, the trenches shall be backfilled with acceptable bank run gravel or select earth backfill (approved by the Town Inspector) and shall be compacted in six(6) inch layers with vibrating compaction equipment. NOTE: The developer will be responsible for assuring compaction of all trenches crossing the roadway including utility trenches.

C. After properly shaping and obtaining approval from Town designated agencies of the subgrade, the crushed stone foundation course may be placed. The entire foundation course, including shoulders, shall be thoroughly compacted with vibratory compaction equipment.

D. Where embankments (fills) are constructed under the roadway section, the entire height of the embankment shall be constructed with the use of standard and appropriate compaction equipment. This equipment shall consist of the sheepskin rollers, vibratory rollers or similar equipment. The embankment area shall be compacted to 95% modified AASHO density. If required by the Town Inspector, the developer shall provide certified compaction test results from a competent soils testing laboratory.

##### 1.03 Roadway Excavation

The entire roadway section shall be cleared and grubbed. All sod and topsoil is also to be removed from the roadway section and stockpiled on the site for later use. All stumps, brush, trees, and other rubbish shall be disposed of in a manner satisfactory to the Town Inspector.

#### 1.04 Subgrade Preparation

A. Work: All topsoil, other unsuitable soil and organic material shall be removed from the area under the "Typical Road Sections" prior to constructing or shaping the subgrade.

B. Method: The subgrade shall be excavated and shaped following the depth and alignment of the stakes established by the Project Engineer for this purpose. The stakes shall be at intervals of no more than fifty (50) feet and twenty-five (25) feet when ordered by the Town Engineer.

After excavation to the proper depth, the subgrade shall be graded and crowned 3/8 inch for each foot of width on each side of the centerline and as shown on the "Typical Road Section". The subgrade shall then be rolled with a ten (10) ton or vibratory roller. Any unsuitable material found below the subgrade shall be removed and replaced with bank run gravel or select earth backfill approved by the Town Inspector. Should the grade become rutted, it shall be regraded and rolled prior to the placement of the crushed stone base.

No base material shall be placed over unsuitable trenches or soft spots in the subgrade. Should such a complication exist, the soil is to be removed and replaced with bank run gravel or select earth fill approved by the Town Inspector and thoroughly reshaped and compacted.

#### 1.05 Road Base (Foundation Course)

A. Work: The contractor shall furnish, place, and compact road base materials including crushed stone and crushed gravel in six (6) inch maximum lifts.

B. Material: The crushed stone shall conform to the standards established by ASTM Specification D2940 Graded Crushed Stone Bases and Sub-bases. Where gravel base material is to be used, certification of the materials compliance with Division 300, Section 304, Items 1-3 of the New Hampshire Department of Public Works and Highways Specifications for Road and Bridge Construction must be supplied to the Town Engineer at least fourteen (14) working days in advance of the use of such material. All such certification must be compiled by a competent soils testing laboratory. In no case shall the material passing the NO. 200 sieve be greater than ten percent (10%) by weight.

C. Method: The base shall be placed on a graded, crowned and compacted

subgrade free of ruts and disturbed earth as follows:

1. After proper shaping and compaction of the subgrade, the gravel base course material and crushed gravel top course shall be placed and graded maintaining the specific crown of 3/8 inch per foot of width, and thoroughly compacted with a vibratory compactor producing a minimum dynamic vibration force of 27,000 lbs.

2. The final two (2) inches of crushed gravel top course shall be placed and graded, to conform to lines and grades shown on the plans and "Typical Road Section". The surface shall be graded, maintaining the specified crown of 1/4 inch per foot of width, and thoroughly compacted as noted in #1 above. Any open or bony areas shall be choked with Crushed Stone Dust and thoroughly compacted. Compaction shall be from the outside edge of the shoulder to the center line.

#### 1.06 Asphaltic Concrete Pavement

A. Work: The Board shall require the placement of pavement for all local streets, collector, and arterial streets. The contractor shall furnish and construct a 2-course asphaltic concrete pavement placed to conform to the required thickness and cross section as shown on the plans and on the "Typical Road Section", and further described in the following specifications.

B. Material: All materials shall conform to Division 400, Section 401, Plant Mix Pavements of the New Hampshire Department of Public Works and Highways Specification for Road and Bridge Construction. Upon request, the contractor shall furnish the Town Engineer with written certification of the materials compliance with these specifications.

C. Method: Prior to the placement of the material, the base material will be cleared of any foreign material e.g. soil, and graded and compacted as noted in 1.05 above.

The asphalt will be placed in two (2) courses consisting of a two (2) inch binder course and a one (1) inch wearing surface. The material will be placed with a self-propelled, asphalt spreader operated by competent operators. It should be noted that all thicknesses noted above are final compacted thicknesses and not placement thicknesses. Placement of the asphalt shall take place between May 1st and October 1st and only when the air and ground temperature, in the shade, at the paving site is 40% or above. Weather conditions shall otherwise be satisfactory for proper handling and finishing the asphalt. At no time will "cold patch", "winter mix", or "farmer's mix" be used.

Protection of new pavement shall be provided until properly set. This protection is necessary on subdivision streets where the traffic is primarily by cars starting and

stopping or by trucks.

#### 1.07 Drainage Structures

Culverts shall be constructed of RCP (Reinforced Concrete Pipe) or ACCMP (Asphalt Coated Corrugated Metal Pipe). Other pipe materials will be accepted only after approval by the Town Engineer.

A. All culverts shall be designed for proper strength classification by the Developers' Registered Professional Engineer with the calculations being submitted with the plans. When specifying the pipe to be used, the depth of cover, nature of foundation soil, type of bedding and trench width shall be considered. When design conditions cannot be met in the field, the developer shall be responsible for extra strength pipe, extra strength bedding, cradle or encasement so that design conditions are met. All pipe which falls under the roadway shall be designed so that it is capable of carrying H-20 loading at the pipe depth.

B. All culverts shall have both the inlet and outlet ends of the pipe protected by means of headwalls or rip-rap. Headwalls are to be constructed of either concrete or stone and shall be protected from any possible frost action. In no case will frozen concrete or mortar be accepted. When rip-rap is to be used, conforming to the roadway slopes, it shall comply with New Hampshire Department of Public Works and Highway Specification for Road and Bridge Construction Section 583, Rip-Rap. When approved by the Town Engineer, five (5) inch Crushed Stone may be considered. In the case of headwall construction, the following specifications from the above noted source shall apply:

1. Section 520, Concrete Masonry - Class B Concrete
2. Section 544, Reinforcing Steel
3. Section 570, Stone Masonry

C. Any special structures or construction shall be properly designed in accordance with and approved by the Town Engineer prior to the commencement of the work. Sufficient time must be allowed for the review of plans and specifications. Drainage inlets, headwalls, etc. shall be designed in accordance with these specifications and the typical details that follow.

D. All pipe, fittings, etc. shall be handled carefully so as to prevent damage. All joint surfaces and fittings shall be clean and shall fit in such a manner that all joints will be tight and free of leaks. proper workmanship and tools shall be used when handling and installing the pipe so that the quality and strength is not impaired. Where, in the judgement of the Town Inspector, the quality of strength of the pipe has been impaired, the materials will be rejected.

E. Necessary precautions shall be taken at all times to prevent the flooding of

adjacent property. Drainage ditches, necessary stream channel location or other positive means of diverting/controlling the water shall be employed. Water shall not be allowed to drain into a pipe or trench under construction. Water shall not be allowed to accumulate in the trenches but shall be drained or pumped away from the work area to established drainage channels.

F. In no case shall pipe be installed without grade stakes being set to the line and grade shown on the approved plans.

G. Prior to the installation of the pipe, the trench bottom shall be shaped flat to the designed line and grade. Low areas shall be filled to grade with suitable material and thoroughly compacted prior to installing the pipe. Where solid rock or boulders are encountered, the material shall be removed to a depth of at least eight (8) inches, and backfilled with suitable material and thoroughly compacted. When the trench bottom becomes soft, spongy or otherwise unsuitable, and special conditions are not specified on the approved plans, all such material under the pipe and for a width equal to three (3) diameters of the pipe shall be removed and replaced with gravel or other suitable material and thoroughly compacted.

H. Care must be taken when backfilling around and over the pipe. The backfill around the pipe and for a minimum height of twelve (12) inches above the pipe will be free of stone in excess of four (4) inches in its greatest dimension. This material will also be compacted in accordance with manufacturers specifications so that the pipe will be properly protected against deformation.

I. Where open drainage courses are constructed, all disturbed areas are to be seeded and/or rip-rapped as soon as possible after construction. When an area is not completed prior to October 1st, temporary seeding and mulching shall be applied to reduce erosion during the Winter and Spring.

1.08 Fire Protection Facilities

The criteria established in Section 5.10, Fire Protection in the Subdivision Regulations for the Town will be complied with. materials shall comply with those specified on the "Typical Details" unless otherwise approved in writing by the Fire Chief for the Town and/or the Town Engineer in concurrence with the Fire Chief.

A. Total Water Supply Required: This shall be the total minimum water supply available under all conditions. This further means the water available when the supply is covered with ice, at its seasonal low water level, silted in or similar phenomenon that can be technically or reasonably predicted.

B. Access: At no time shall any form of legal constraint(s) be placed on access to the water supply limiting access for fire fighting purposes. Access to the water supply will be provided so that fire equipment will be able to reach the supply at all times. Should the water supply be on private property, the Town shall be

supplied with the necessary easements for access. An access road a minimum of twelve (12) feet in width and complying with the construction criteria for a "Local Minor Street" shall be provided with a sufficient turnaround. In no case shall the turning radii be less than fifty (50) feet or grades steeper than eight percent (8%).

C. Drainage: Care shall be taken to accommodate drainage along the access road and eliminate siltation of the water supply. All exposed areas shall be seeded and/or rip-rapped as soon as possible to reduce erosion and subsequent siltation. All rip-rap shall comply with Section 1.07B Drainage Structures above.

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## Supporting Materials

## **Expedited Review Process**

Example language from the Model Subdivision Ordinance prepared by Southwest RPC.

**Expedited Review**

- 1) The Planning Board may allow for an expedited review of applications for lot line adjustments, technical subdivisions or minor subdivisions, as defined in Section III of these regulations.
- 2) The application may be submitted, accepted as complete and voted on at the same meeting, provided the public notice so indicates.
- 3) The Board may waive certain plat requirements for lot line adjustments, minor and technical subdivisions.

**Enhance design requirements and standards  
for subdivision**

## **New Hampshire Department of Transportation Suggested Minimum Design Standards for Rural Subdivision Streets**

These are suggested minimum design standards to be followed in the absence of local subdivision controls. Every effort should be made to exceed these minimums whenever possible. The circumstance of topography and other physical factors may require an occasional exception to these standards; however, the Selectmen should exercise reasonable judgment before granting such variations.

1. **GENERAL STREET PLAN:** Approval of the general development street plan should be required before allowing the construction of small integral phases of the plan.
2. **STREET LAYOUT:** Streets shall be laid out so as to intersect at right angles as nearly as possible and no street shall intersect another at less than 60 degrees. Streets shall be continuous and in alignment with existing streets as far as possible.
3. **DEAD-END STREETS:** Dead-end streets, designed to be so permanently, shall not be longer than 300m (1,000 ft.) and shall be provided with a turn around having an outside roadway diameter of at least 30 m (100 ft.).
4. **STREET NAMES:** All streets shall be named to comply with the provisions of the "Enhanced 911 System" (RSA 106-H:10,I; RSA 106-H:7, VII).
5. **RIGHT-OF-WAY:** The minimum width of right-of-way shall be 15.5 m (50 ft). A greater width may be required for arterial and collector streets.
6. **HIGHWAY RIGHT-OF-WAY BOUNDS:** Highway bounds, of a type approved by the Board of Selectmen, shall be installed at all intersection of streets, at all points of change in direction and at any other points the Board may deem necessary to designate the street lines.
7. **ALIGNMENT:** No streets shall be constructed with a curvature of less than a 30 m (100 ft.) radius.
8. **GRADES:** Street grades, where feasible, shall not exceed 10 percent, nor shall any be less than 0.50 percent. Special care shall be taken to provide flat grades at all intersections.
9. **CONSTRUCTION SUPERVISION:** Construction of the roadway, drainage facilities, sidewalks, curbs and all other elements of the highway must be done under the supervision of and with the approval of the Board of Selectmen.

10. **CLEARING:** The entire area of each street shall be cleared of all stumps, brush, roots, boulders, and like material, and all trees not intended for preservation.
11. **SUBGRADE PREPARATION:** All loam, humus and unsuitable material such as, but not limited to, stumps, vegetation, demolition debris, and structures shall be removed from the roadway and replaced with suitable fill material. All boulders and ledge shall be removed to a uniform cross sectional depth of not less than 300 mm (12 in.) below the subgrade and replaced with sand or gravel.
12. **DRAINAGE:** Surface water shall be disposed of by means of culverts of sufficient capacity at water courses as determined by standard hydraulic design methods and by the construction of longitudinal storm drainage systems whenever required to relieve water in the ditch sections. Construction shall be in accordance with New Hampshire Standard Specifications, 2002, Sections 603, 604 and 605.
13. **GRAVEL BASE:** All streets shall be constructed with a minimum of 300 mm (12 in.) of gravel per New Hampshire Standard Specifications, 2002, Section 304.
14. **ASPHALT SURFACE:** The asphalt surface may be a Bituminous Surface Treatment, Section 410 or Hot Bituminous Pavement, Section 403 of the New Hampshire Standard Specifications, 2002, as required by the Selectmen. The minimum traveled way width should be 6.0 m (20 ft.) for 51 to 750 vehicles per day, 6.6 m (22 ft.) for 751 to 1,500 vehicles per day and, 7.2 (24 ft.) for roads carrying over 1,501 vehicles. A 13.2 m (44 ft.) wide pavement may be required in areas where on-street parking is expected on both sides of the travel way. Angle parking shall not be allowed.
15. **GRAVEL SURFACE:** In unusual cases of low traffic volumes (up to 50 vehicles per day) where the Selectmen feel an asphalt surface is not required, the total usable roadway width shall be a minimum of 6.6 m (22 ft.). Provision for a wider section should be considered to allow for future upgrading to an asphalt surface as recommended above.
16. **GRAVEL SHOULDERS:** Gravel shoulders, equal to the base course depth, shall be constructed adjacent to all asphalt traveled way surfaces as follows: 51-200 vpd. 0.6 m (2.0 ft.); 201-1,500 vpd. 1.2 m, (4 ft.); over 1,500 vpd. 2.4 – 3.0 m (8-10 ft.).
17. **BRIDGES:** Bridges, as defined by State Law (RSA 234:2), are all structures of 3.048 m (10.0 ft.) or greater clear span, and shall be designed to MS-18 (HS-20) loading (AASHTO Specifications). The minimum roadway width shall be 7.2 m (24 ft.).
18. **SIDEWALKS:** Sidewalks of 50 mm (2 in.) thick asphalt, on a 100 mm (4 in.) gravel base, not less than 1.5 m (5 ft.) in width and no closer than 6.6 m (22 ft.) to the street centerline shall be constructed on one or both sides of the street, as directed by the Board of Selectmen, when in the opinion of the Board such sidewalks are necessary.

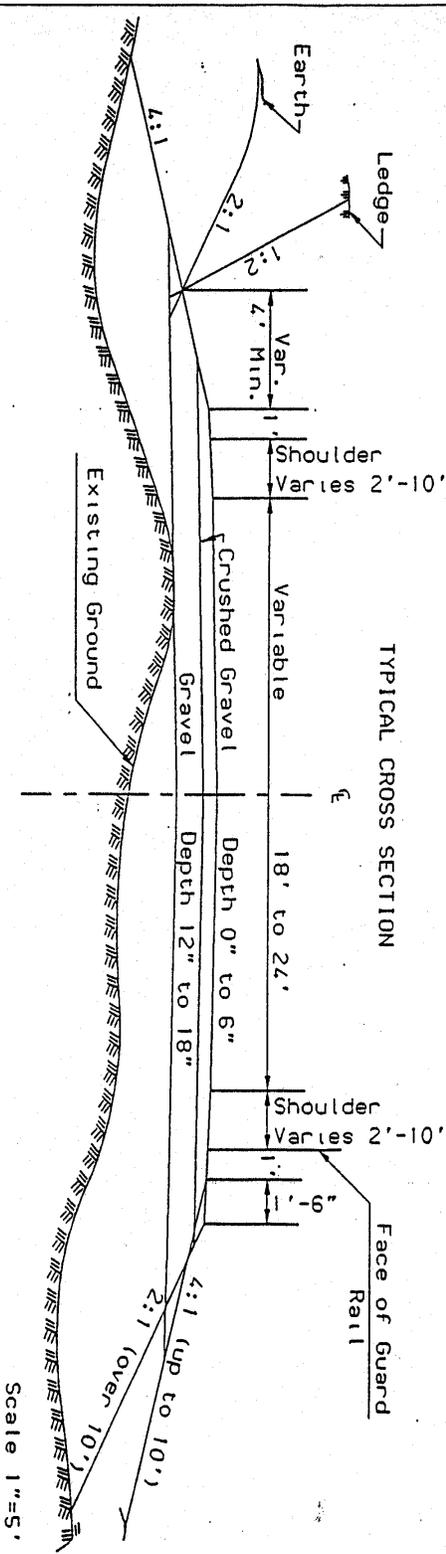
19. **WETLANDS:** Any work that requires impacts (fill, dredge, excavation, etc.) on wetlands or other jurisdictional areas (stream banks, undisturbed tidal buffer zones, etc.) requires coordination with the Department of Environmental Services Water Division (271-3503) to ensure that all applicable rules and regulations are adhered to.
20. **EROSION CONTROL:** A **Site Specific permit** is required from NHDES (271-3503) whenever a project proposes to disturb more than 100,000 square feet of terrain (50,000 sq. ft. if within the protected shoreland), and as of March 10, 2003, construction activity that disturbs 1 or more acre of land needs a **Federal storm water permit** (contact EPA at 617-918-1615).. Selection and design of erosion control measures may be found in the publication “Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire”, prepared by the Rockingham County Conservation District for the New Hampshire Department of Environmental Services, August 1992 (currently being updated).
21. **ENVIRONMENTAL IMPACTS:** Environmental documentation may also be required to address the natural, socio-economic, and cultural resource impacts. Contact N.H. Department of Environmental Services (271-2975) and N.H. Division of Historic Resources (271-3483) for assistance.
22. **UTILITIES:** Utility poles should be kept close to the right-of-way line, in no case closer than the ditch line and always well back of a curb. Water and sewer mains should be constructed outside the surface area and preferable outside the ditch line.
23. **SAFETY:** Safety is an important factor on all roadway improvements. On development roads it may not be possible or practical to obtain obstacle-free roadsides but every effort should be made to provide clear areas within the maintenance limits. The use of flatter slopes, the use of guardrail where necessary, and the use of warnings signs are other safety factors to be considered. These areas are addressed in the publication “Roadside Design Guide” by AASHTO, 2002.
24. **MINIMUM STANDARDS:** The use of more liberal values than these minimum standards is recommended. For additional guidance and design of local development roads and streets, reference should be made to the American Association of State Highways and Transportation Officials, “Guidelines for Geometric Design of Very Low-Volume Roads” 2001, and “Policy of Geometric Design of Highways and Streets” 2001.

# NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION MINIMUM GEOMETRIC & STRUCTURAL GUIDES FOR LOCAL ROADS AND STREETS

September 1990

Average Daily Traffic (Veh./Day)	0-50	50-200	200-750	750-1500	1500 & OVER
Pavement Width (Feet)	18 min.	20	20	22	24
Shoulder Width (Feet)	2	2	4	4	8-10
Center of Road to Ditch Line	15	16	18	19-21	Varies
Pavement Type	Gravel	Asph. Surf. Treated	Hot Bitum.	Hot Bitum.	Hot Bitum.
Slope of Roadway	4%	3%	2%	2%	2%
Base Course Depth-(Gravel)	12"	12"	12"	12"	18"
(Cr. Gravel)	-	-	4"	6"	6"

- Notes
1. Gravel surface should be paved where steep grades occur.
  2. For average daily traffic over 1000 veh./day paved shoulders should be considered
  3. Base course depths may need to be increased in areas of poor soils



## WHY THAT NEW DEVELOPMENT SHOULD USE CONSERVATION DESIGN

Carolyn Russell

In an effort to reduce sprawl and protect our quality of life, communities are looking for better ways to accommodate new development and reduce potential environmental impacts. Conservation design can be an important tool – with significant environmental benefits!

Conservation design ensures that the layout and design of a new development are consistent with the broader environmental and social goals of the community. These principles can be applied to master plans and subdivision plans as well as to individual residential, commercial and industrial sites. Conservation design goes beyond the simple goal of clustering buildings together and maintaining a portion of the landscape in natural, open space – although that certainly is a key component!

By encouraging developers and landowners to follow the principles of conservation design, a community can develop attractive, functional businesses and neighborhoods that help maintain New Hampshire's rural character, wildlife habitat, and environmental quality.

### Elements of Conservation Design

- Community goals for conservation of important greenway corridors and natural areas are reflected in the design and layout of new developments:
  - Wildlife areas and corridors are preserved
  - Roadways maintain rural character – scenic roadsides and vistas are undeveloped
  - Lakes, rivers, streams and wetlands are protected by significant natural buffers
  - Groundwater recharge areas are maintained in a natural state to maximize infiltration
  - Agricultural lands and prime soils are preserved
  - Public greens and recreation areas are provided
  - Site clearing and grading is minimized
- Roadways, parking areas, driveways, sidewalks and trails are designed to minimize impervious surface, reduce runoff, promote walkability, and provide character:
  - Roadways follow the lay of the land and are the minimum width necessary for safe travel, reducing the amount of impervious surface and increasing safety by slowing general traffic
  - Development setbacks are reduced, parking areas and driveways are limited in size
  - Sidewalks and trail systems connect the development to the surrounding community, providing for a more walkable/bikeable community and reducing the need for automobile use
- The potential for nonpoint source pollution of area lakes, rivers, and streams is reduced:
  - Impervious surfaces are disconnected - stormwater runoff is directed to vegetated areas and managed onsite
  - Opportunities for natural infiltration of stormwater are increased
- Resource needs of buildings and landscaping are minimized:
  - Buildings are designed to minimize heating and lighting needs, reducing air pollution from energy production
  - The area of lawn is reduced and sites are landscaped with native, drought tolerant species to reduce water and fertilizer needs
  - If a sprinkler system is needed, its use is regulated with a rain gauge system

## MODEL DEVELOPMENT PRINCIPLES

In many ways, the suburban landscape is a mix of three habitats. The first habitat is devoted to the automobile, and includes roads, driveways, and parking lots. The second is the habitat where we live and work, including our yards and homes. The third habitat includes the open spaces and natural areas that are relatively undeveloped. The size, appearance, location, and design of all three areas are determined in large part by local subdivision codes and zoning ordinances.

The model development principles generally fall into one of three areas which have been designated as follows:

- Residential Streets and Parking Lots
- Lot Development
- Conservation of Natural Areas

Each principle represents a simplified design objective in site planning. More detail on each principle can be found in the Site Planning Summary Sheets in Chapter 4.

### Residential Streets and Parking Lots

These principles focus on those codes, ordinances, and standards that determine the size, shape, and construction of parking lots, roadways, and driveways in the suburban landscape.

1. Design residential streets for the minimum required pavement width needed to support travel lanes; on-street parking; and emergency, maintenance, and service vehicle access. These widths should be based on traffic volume.
2. Reduce the total length of residential streets by examining alternative street layouts to determine the best option for increasing the number of homes per unit length.
3. Wherever possible, residential street right-of-way widths should reflect the minimum required to accommodate the travel-way, the sidewalk, and vegetated open channels. Utilities and storm drains should be located within the pavement section of the right-of-way wherever feasible.
4. Minimize the number of residential street cul-de-sacs and incorporate landscaped areas to reduce their impervious cover. The radius of cul-de-sacs should be the minimum required to accommodate emergency and maintenance vehicles. Alternative turnarounds should be considered.
5. Where density, topography, soils, and slope permit, vegetated open channels should be used in the street right-of-way to convey and treat stormwater runoff.
6. The required parking ratio governing a particular land use or activity should be enforced as both a maximum and a minimum in order to curb excess parking space construction. Existing parking ratios should be reviewed for conformance taking into account local and national experience to see if lower ratios are warranted and feasible.

7. Parking codes should be revised to lower parking requirements where mass transit is available or enforceable shared parking arrangements are made.
8. Reduce the overall imperviousness associated with parking lots by providing compact car spaces, minimizing stall dimensions, incorporating efficient parking lanes, and using pervious materials in spillover parking areas.
9. Provide meaningful incentives to encourage structured and shared parking to make it more economically viable.
10. Wherever possible, provide stormwater treatment for parking lot runoff using bioretention areas, filter strips, and/or other practices that can be integrated into required landscaping areas and traffic islands.

### **Lot Development**

Principles 11 through 16 focus on the regulations which determine lot size, lot shape, housing density, and the overall design and appearance of our neighborhoods.

11. Advocate open space development that incorporates smaller lot sizes to minimize total impervious area, reduce total construction costs, conserve natural areas, provide community recreational space, and promote watershed protection.
12. Relax side yard setbacks and allow narrower frontages to reduce total road length in the community and overall site imperviousness. Relax front setback requirements to minimize driveway lengths and reduce overall lot imperviousness.
13. Promote more flexible design standards for residential subdivision sidewalks. Where practical, consider locating sidewalks on only one side of the street and providing common walkways linking pedestrian areas.
14. Reduce overall lot imperviousness by promoting alternative driveway surfaces and shared driveways that connect two or more homes together.
15. Clearly specify how community open space will be managed and designate a sustainable legal entity responsible for managing both natural and recreational open space.
16. Direct rooftop runoff to pervious areas such as yards, open channels, or vegetated areas and avoid routing rooftop runoff to the roadway and the stormwater conveyance system.

## Conservation of Natural Areas

The remaining principles address codes and ordinances that promote (or impede) protection of existing natural areas and incorporation of open spaces into new development.

17. Create a variable width, naturally vegetated buffer system along all perennial streams that also encompasses critical environmental features such as the 100-year floodplain, steep slopes and freshwater wetlands.
18. The riparian stream buffer should be preserved or restored with native vegetation that can be maintained throughout the delineation, plan review, construction, and occupancy stages of development.
19. Clearing and grading of forests and native vegetation at a site should be limited to the minimum amount needed to build lots, allow access, and provide fire protection. A fixed portion of any community open space should be managed as protected green space in a consolidated manner.
20. Conserve trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native plants. Wherever practical, manage community open space, street rights-of-way, parking lot islands, and other landscaped areas to promote natural vegetation.
21. Incentives and flexibility in the form of density compensation, buffer averaging, property tax reduction, stormwater credits, and by-right open space development should be encouraged to promote conservation of stream buffers, forests, meadows, and other areas of environmental value. In addition, off-site mitigation consistent with locally adopted watershed plans should be encouraged.
22. New stormwater outfalls should not discharge unmanaged stormwater into jurisdictional wetlands, sole-source aquifers, or sensitive areas.

## ADAPTING THE PRINCIPLES FOR YOUR COMMUNITY

The following guidance is offered to township, city, and county officials as they adapt the model development principles to achieve better development.

- It should be clearly recognized that the principles must be adapted to reflect the unique characteristics of each community. Further, not all principles will apply to every development or community. In some cases, the principles may not always fully complement each other.
- The principles are offered as a benchmark to guide better land development. Communities should consider the principles as they assess current zoning, parking, street and subdivision codes.
- The principles will not only protect natural and aquatic resources, but can also enhance the quality of life in the community.
- The principles should be used as part of a flexible, locally-adapted strategy for better site planning.

- The principles should be considered together with the larger economic and environmental goals put forth in comprehensive growth management, resource protection, or watershed management plans.
- Where possible, infill and redevelopment should be encouraged to reduce new impervious cover in the landscape.
- These principles primarily apply to residential and commercial forms of development, but can be adapted, with some modifications, to other types of development.



# Keeping Stormwater Where it Falls

November 2003

## SELECTED WEBSITES: Stormwater Management Issues / LID

### **Background About Low-Impact Development/Stormwater Issues**

<http://www.stormwatercenter.net> The Center for Watershed Protection's Stormwater Center contains resources on stormwater management issues, including publications and manuals, slide shows, ordinance information, monitoring and assessment methods, and best management practices factsheets. [Note: this site may be accessed through the Center for Watershed Protection: <http://www.cwp.org> ]

<http://www.lowimpactdevelopment.org> The Low Impact Development Center is a non-profit research group that conducts research and training on LID and sustainable stormwater management. Resources include publications, pictures, design tools, and other resources.

<http://www.epa.gov/owow/nps/urban.html> The U.S. Environmental Protection Agency's Office of Water has downloadable factsheets on best management practices for urban stormwater, including bioretention, porous pavement, wet detention ponds, sample ordinances and more. The [www.epa.gov/nps/lid](http://www.epa.gov/nps/lid) page has special focus on LID documents, where the Prince George's materials can be downloaded.

<http://www.nrdc.org/water/pollution/storm/stoinx.asp> The Natural Resources Defense Council's on-line report that describes strategies for stormwater management. The report contains many case studies. Chapter 12 is devoted to LID. Chapter 4 discusses funding, and how to gain support for stormwater programs. The related NRCS site, at <http://www.nrdc.org/land/forests/roads/chap6.asp> has an on-line manual titled The End of the Road, and chapter 6 has bibliography of scientific studies on influence of roads and logging on aquatic ecosystems.

[http://www.wa.gov/puget\\_sound](http://www.wa.gov/puget_sound) Puget Sound Water Quality Action Team's resources for protecting the water quality and biological resources of Puget Sound. Programs for pollution prevention, natural resource protection, stormwater management, public education and involvement, and research are provided.

[http://www.wa.gov/puget\\_sound/Programs/LID.htm](http://www.wa.gov/puget_sound/Programs/LID.htm) has focus specifically on LID.

<http://www.ecy.wa.gov/programs/wq/wqhome.html> The Washington State Department of Ecology site includes information on water quality issues as well as the Stormwater Management Manual for Western Washington, technical information, and sustainability resources. Additionally, links to other organizations, newsletters, and community outreach resources are provided. Volume 5 of this manual, Runoff Treatment BMPs, can be accessed at <http://www.ecy.wa.gov/biblio/9915.html> Chapter 7 deals with infiltration BMPs.

<http://www.ecy.wa.gov/programs/wq/wqhome.html> The Washington State Department of Ecology site includes information on water quality issues as well as the Stormwater Management Manual for Western Washington, technical information, and sustainability resources. Additionally, links to other organizations, newsletters, and community outreach resources are provided. Volume 5 of this manual, Runoff Treatment BMPs, can be accessed at <http://www.ecy.wa.gov/biblio/9915.html> Chapter 7 of this volume deals with infiltration BMPs.

<http://www.forester.net/sw.html> An interesting on-line magazine about stormwater issues titled Stormwater: Journal for Surface Water Quality Professionals. Some very interesting articles, on a wide range of stormwater issues, from maintenance, design, database for inventory, evaluation of BMPs and landscape ideas.

<http://nemo.uconn.edu> Project NEMO: Non-Point [Pollution] Education for Municipal Officials at University of Connecticut. Site has many downloadable papers, a section on runoff and excellent case studies.

<http://www.goprincegeorgescounty.com/Government/AgencyIndex/DER/PPD/index.asp?h=20&s=&n=50> The Programs and Planning Division of Prince George's County, MD, Department of Environmental Resources homepage offers information on County programs and links to on-line information on watershed management & monitoring and low impact design concepts. Many downloadable materials, including the LID manual.

<http://www.lcbp.org/> Lake Champlain Basin Program, the LCBP, works in partnership with government agencies from New York, Vermont, and Quebec, private organizations, local communities, and individuals to coordinate and fund efforts which benefit the Lake Champlain Basin's water quality, fisheries, wetlands, wildlife, recreation, and cultural resources.

### **Technical Assistance**

[http://www.des.state.nh.us/water\\_intro.htm/](http://www.des.state.nh.us/water_intro.htm/) NH Department of Environmental Services page on Water Resource and Quality, with links to departmental water programs. Information about new Phase II rules is on <http://www.des.state.nh.us/StormWater/>

<http://www.vtwaterquality.org/resources.htm#sw/> VT Department of Environmental Conservation, Water Quality Division, links to assorted programs/resources. Download the new VT Stormwater Manual. For stormwater publications and permitting information, go to [www.anr.state.vt.us/dec/waterq/stormwater.htm](http://www.anr.state.vt.us/dec/waterq/stormwater.htm)

<http://www.wcc.nrcs.usda.gov/hydro/index.html> Part of the USDA's Natural Resources Conservation Service (NRCS) website on water and erosion issues. The site has technical papers to help user assess run-off from small sites, such as TR-55, and the TR-55 for Windows software to assist in this analysis (not easy to use).

<http://www.bmpdatabase.org/> A tool for evaluating stormwater Best Management Practices (BMP) effectiveness. This database provides access to BMP performance data in a standardized format for roughly 200 BMP studies conducted over the past fifteen years. The database may be searched and/or downloaded on this Web site, and is also available on CD-ROM. The database was developed by the Urban Water Resources Research Council (UWRRC) of American Society of Civil Engineers (ASCE) under a cooperative agreement with the U.S. Environmental Protection Agency.

<http://stormwaterfinance.urbancenter.iupui.edu/> A bibliography with case studies, links, archive and manual for financing stormwater projects. The website is developed by Center for Urban Policy and the Environment at Indiana University-Purdue University Indianapolis (IUPUI) in cooperation with the Watershed Management Institute, Inc.

<http://www.t2.unh.edu/> Site of the NH Technology Transfer Center, with many useful materials about road maintenance issues.

### **Urban Trees and Rain Garden Information**

<http://www.hort.cornell.edu/uhi/outreach/csc/index.html> Information about "structural soils" developed at Cornell for use with urban street trees. Soils permit infiltration, allow trees to thrive, even if paved. Information about the soils include "recipe" for the soil, slide shows about urban street trees, research papers, and materials to order.

<http://www.ci.Ithaca.ny.us/> (go to the DPW Parks and Forestry section), for a description of the volunteer-based bare-root tree planting program (called the "Ithaca Tree Works", as well as other interesting initiatives).

<http://www.raingardens.org/> Rain Gardens of West Michigan is one of the many water quality programs in Grand Rapids, Michigan. This website is an educational project to promote use of home-made rain gardens to help clean and retain stormwater.

### **EPA Phase II Information**

<http://cfpub1.epa.gov/npdes/stormwater/swphase2.cfm> Information about the new EPA-Phase II rules that extends coverage of the National Pollution Discharge Elimination System (NPDES) program to certain "small" municipal separate stormwater systems.

<http://www.uppervalleyleague.org>, the website of the League of Women Voters of the Upper Valley has many of the materials on display at this meeting on its STORMWATER page in PDF format.

**Consider definition for “Active and Substantial”**



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## OFFICE OF ENERGY AND PLANNING OEP News Archives

### 2004 Planning and Energy Legislation

**SB 414:** The biggest planning news of this legislative session is the enactment of SB 414, which reorganizes and amends [RSA 674:39](#) (four-year exemption and vesting of development rights), changes how impact fees are administered, reverses the impact of the Supreme Court's decision in [Simonsen v. Derry](#), and explicitly authorizes waiver of subdivision regulations. This bill is the product of the [SB 157 study committee](#) in 2003, which worked under the chairmanship of Senator Green to address confusion stemming from several court cases over the last few years, including [Simonsen \(2001\)](#), [AWL Power v. Rochester \(2002\)](#), and [R.J. Moreau Companies v. Litchfield \(2002\)](#). The bill was signed by Governor Benson on June 7 and is filed as Chapter 199.

1. **Vesting.** RSA 674:39 has long been a source of confusion, largely because of its convoluted structure. SB 414 clearly breaks down the statute into its operative sections. Additionally, in light of the impact of the AWL Power case, it spells out to planning boards the importance of defining what is meant by the statute's terms "active and substantial development or building" and "substantial completion."
  - If a developer performs "active and substantial development or building" within the first year after approval, then the development is protected against most local regulatory changes (including changes to impact fees) for an additional three years (hence, the "four-year exemption").
  - If a developer performs "substantial completion of the improvements" shown on the plat at any time, then the development vests against any future changes to local regulations, with the exception of impact fees, which may be changed at any time (outside of the four-year exemption).
  - If a planning board fails to identify what is meant by "active and substantial development or building," then the approved development automatically gets the four-year exemption.
  - The planning board is not required to define these terms, but the benefit of doing so is to help avoid the problem faced by the City of Rochester in the AWL Power case.
  - Site plans must be recorded in the registry of deeds to gain the vesting benefits of this statute.
  - This section of the bill is **effective June 7, 2004**.
2. **Impact Fees.** SB 414 shifts some of the requirements for impact fees found in [RSA 674:21, V](#). First, impact fees will be required to be assessed at the time of planning board approval, and collected at the time of issuance of certificate of occupancy. This will be the default standard for assessment and collection, although the planning board and the developer are free to establish a different, mutually acceptable arrangement if they desire.
  - This section of the bill will become **effective on June 1, 2005**, allowing municipalities a year to change their impact fee ordinances, if necessary.
3. **Off-Site Exactions.** In its 2001 decision in [Simonsen v. Derry](#), the NH Supreme Court held that a planning board had no power to levy

exactions against a development for off-site improvements, unless the municipality had an impact fee ordinance in place. This surprising decision contravened 25 years of case law, and sent planners in a frantic search for alternatives. SB 414 provides a solution for much of the impact of Simonsen. It adds new subparagraph RSA 674:21, V(j), allowing planning boards to require developers to pay for off-site impacts related to highways, drainage, water, and sewer, even without an impact fee ordinance. All other impacts will still require a properly adopted impact fee ordinance.

○ This section of the bill is **effective June 7, 2004**.

4. **Subdivision Regulation Waiver.** Although the authority of planning boards to waive subdivision regulations has been recognized for years by the NH Supreme Court, this power was never formally recognized in statute, as has been the situation with site plan regulations. By providing this statutory authority, SB 414 codifies the Court's 1991 decision in *Frisella v. Farmington*.

○ This section of the bill is **effective June 7, 2004**

**HB 761.** This is another important piece of legislation, dealing with innovative land use controls and pre-application review by planning boards. HB 761 clarifies that municipalities may require innovative land use controls. Some planning boards have questioned the statutory authority to mandate cluster subdivisions, but now there should be no doubt about that power. The bill also changes [RSA 676:4](#), by enabling municipalities to empower their planning boards to mandate pre-application review of subdivisions. A possible technical correction in the future will be to extend this authority to apply to site plans. **Effective July 6, 2004.**

**SB 359.** With the passage of this bill, [RSA 674:41](#), the statute that addresses the problem of building on Class VI highways and private roads just got a bit more complex. This new law allows for construction on "certain pre-existing streets" that were approved by some local authority prior to the planning board receiving subdivision platting authority. The bill was apparently a response to a narrow issue in a single town, but it may have substantially broader implications. **Effective July 23, 2004.**

**HB 1148.** Defines "wetlands" for the purposes of [RSA 482-A](#), and requires municipalities to use that definition when including the term in local land use ordinances and regulations—this will be a new statutory section, RSA 674:55. The bill also provides an amendment to [RSA 215-A:15](#), by adding a paragraph that specifically exempts snow-traveling vehicles from local regulation. This may be seen as the first legislative response to the NH Supreme Court's April 2004 decision in *Lyndeborough v. Boisvert*, in which the Court found that municipalities were not preempted by RSA 215-A from regulating OHRV's. The statutory wetlands definition is **effective immediately**; the local portion is **effective January 1, 2005**. The preemption of local regulation of snow-traveling vehicles is **effective immediately**.

**HB 803.** Although originally touted as the "downtown development bill," the original bill language was removed and replaced with language that liberalizes the requirements relating to the establishment and expansion of tax increment financing districts, allowing greater use of TIFs by smaller communities. **Effective July 31, 2004.**

**HB 713.** Allows for the doubling of fines for repeat zoning violations, from \$275/violation to \$550/violation. **Effective January 1, 2005.**

And finally, [SB 534](#), which removes the Coastal and Estuaries programs from the NH Office of Energy and Planning (OEP) and assigns them to DES. The bill also formally adopts the OEP name (get used to it, folks), makes changes to the LCIP (not LCHIP!) fund, and removes OEP from the congregate/public moorings permitting process. **Effective immediately.**

Some bills that didn't survive the legislative process: HB 503 (septic permitting limits—Governor's veto sustained by the Senate); HB 1283 and HB 1284 (wetlands); HB 1357 (cluster zoning); HB 1359 (notice for zoning rehearings);

HB 1375 (conservation commission donations to land trusts); and HB 1392 (preapplication review—the opposite of HB 761).

You can search for the text of any of these bills on the Legislature's website at <http://www.gencourt.state.nh.us/>. If you have any questions about New Hampshire legislative activities, call (603) 271-2155.

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**Rochester definitions**

"Active and substantial development for this project is defined as follows: construction of one or more subdivision roads on a subdivision plan, through binder course of hot bituminous pavement, sufficient to cause eligibility for certificates of occupancy for structures on those lots as to which RSA 674:39 exemption is or will be claimed."

"Substantial completion for this project is defined as follows: the establishment of all on-site and off-site improvements specified in the subdivision approval, except for those improvements which are specifically deferred by recorded vote of the Planning Board prior to the expiration of the four (4) year period specified in RSA 674:39. To the extent that the Planning Board calls a bond or other security for such improvements and the funds are paid to the City, substantial completion of the improvements in the subdivision shall be deemed to have occurred."

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[Reference Library Subject List](#)

## **Consider requiring preliminary review**

No Attachments

## **Consider the Development of New Applications and Checklist Materials**

## Town of Newbury Land Use Regulation Fee Structure

All fees payable 21 days before each hearing.

### Subdivision Applications

Major Subdivision:	Preliminary review:	\$200 for each noticed hearing + \$4 for each abutter \$150 for each continued hearing
	Final review:	\$40 per lot application fee \$200 for each noticed hearing + \$4 for each abutter \$150 for each continued hearing
Minor Subdivision:	Preliminary review:	\$100 for each noticed hearing + \$4 for each abutter \$65 for each continued hearing
	Final review:	\$20 per lot application fee \$100 for each noticed hearing + \$4 for each abutter \$65 for each continued hearing
Annexation (as defined in 2.2 LSCR):		\$65 for each noticed hearing + \$4 for each abutter \$30 for each continued hearing
Conceptual Review:		No Charge

### Site Plan Review Applications\*

Preliminary Review:		\$150 for each noticed hearing + \$4 for each abutter \$100 for each continued hearing
Final Review:	Application fee of	\$.01 per square foot of disturbed land area + \$.05 per square foot of building foot print area \$150 for each noticed hearing + \$4 for each abutter \$100 for each continued hearing
Conceptual Review:		No Charge

### Excavation Permit Applications

Final Review:		\$100 for each noticed hearing + \$4 for each abutter \$65 for each continued hearing
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\* Site Plan fees cannot be implemented until regulations are amended.

Planning Board Fees  
July 2003

①

DATE: 1/7/04 TO: ALL BOARDS FROM: DAVID JESCAVAGE RE: PB FEES

Town	Site Plan Fees	Subdivision Fees	Lot Line Adjustment
Auburn	<p>Minor Site Plan Review: Application- \$175</p> <p>Major Site Plan Review: Application- \$250</p> <p>\$25 per 1,000 gross sf Notice Fees- Minor &amp; Major: \$2/ abutter (administrative) plus Publication and Postal Charges Inspection, Impact &amp; Engineering Fees Recording Fee (Minor &amp; Major)- \$35</p>	<p>Minor Subdivision: Application- \$100 \$100/ proposed lot</p> <p>Major Subdivision: Application- \$200 \$100/ proposed lot Notice Fees- Minor &amp; Major: \$2/ abutter (administrative) plus Publication and Postal Charges Inspection, Impact &amp; Engineering Fees Recording Fee (Minor &amp; Major)- \$35</p>	<p>Application- \$50 Notice Fees: \$2/ abutter (administrative) plus Publication and Postal Charges Recording Fee (Minor &amp; Major)- \$35</p>
Bedford	<p>Design Review- \$250 Final Review- \$250 Engineering Fees as applicable \$4.42/ abutter \$80/ 1,000 SF new commercial or industrial area approved</p>	<p>Design Review- \$250 Final Review- \$250 \$75 / new lot approved \$4.42/ abutter</p>	<p>\$100 application \$4.42/ abutter</p>
Candia	<p>Minor Application- \$75 Major Application- \$200 Notice Fees- \$50 \$5.42/ abutter Compliance Inspection Fees at Cost</p>	<p>Minor Application- \$100 + Major Application- \$150 + Notice Fees- \$50 \$5.42/ abutter Compliance Inspection Fees at Cost</p>	
Chester	<p>Application- \$125 \$5.00/ abutter Site Plan Review- As Required Road Design- As Required</p>	<p>Application for Subdivision, Cluster or Resubdivision- \$200/lot \$10.00/ abutter Recording Fees- \$32/ page Recording: \$30 (conditions of Engineering Review- As Required Newspaper Noticing- \$50</p>	<p>Application- \$100</p>
Derry	<p>Application- \$100 \$2.67/ abutter Outside Consultant Fee: Multi-Family- \$40/lot, Min \$450 Commercial/Industrial- \$450/acre or fraction of an acre</p>	<p>Application- \$20/lot \$2.67/ abutter Outside Consultant Fee: \$40/lot, Min \$300</p>	



Town	Site Plan Fees	Subdivision Fees	Lot Line Adjustment
Goffstown	Application- \$200 \$60/ 1,000 sf up to 100,000 sf \$30/1,000 sf buildings over 100,000 sf \$5.00/ abutter Conceptual Hearing w/ Plans- \$50 Parking Plans or Renewal of Site Plan Approval- \$100	Design Review (optional)- \$200 Final Review- \$200 Condominium Conversions- \$100 \$60/lot \$5.00/ abutter Fiscal Impact Study- \$500	Application- \$100 \$5.00/ abutter
Hooksett	Application- \$250 \$2/ linear ft of proposed new road \$5.00/ abutter	Application- \$250 \$125/lot or parcel shown on plan \$2/linear ft of proposed new road \$5.00/ abutter \$30 recording fee	Application- \$200 \$5.00/ abutter
Londonderry	Residential: Application- \$.005/sf Storm Drainage- \$75/increment Roads- \$75/increment Commercial & Industrial: Application- \$.004/sf (com) Storm Drainage- \$150/increment Roads- \$150/increment All: \$5/abutter and \$20 advertising	All Applications- 1-2 lots \$30/ lot 3-5 lots \$40/lot, 6+ lots \$55/lot Residential: Storm Drainage- \$75/increment Roads- \$75/increment Commercial & Industrial: Storm Drainage- \$150/increment Roads- \$150/increment All: \$5/abutter and \$20 advertising	
New Boston	Minor- \$0.05/sf or \$25 (greater one) Major- Same Secretarial Fee: Minor- \$50/application Major- \$100/application \$7/abutter Noticing- \$40	Minor Application- \$50/ lot Major Application- \$100/ lot Minor Secretarial Fee- Major Sec. Fee- \$100 for 4-9 \$250 increments for each add'l \$7/ abutter Noticing- \$40	
Raymond	Application- \$100 \$5.00/ abutter Administrative Fee- per sf of disturbed surface area \$0.10/sf for the 1st 10,000 sf \$.075/sf from 10,001 to 50,000 sf \$.05/sf from 50,001 to 100,000 sf \$.025/ sf 100,001 sf and over	Application- \$150 Plus \$150/ proposed lot \$5.00/ abutter	

Planning Board Fees  
July 2003

3

Town	Site Plan Fees	Subdivision Fees	Lot Line Adjustment
Weare	Hearing Fee- \$50 \$3.00/ abutter	Design Review Fee- \$200 Final Review Fee- \$200 plus \$75 per lot \$5.00/ abutter Recording Fee- \$35 Administrative Fee: \$75 for applications of 1-3 lots \$100 for applications of 4-9 lots \$250 increments for each	Application- \$100 \$5.00/ abutter Recording Fee- \$35

# Londonderry

## EXHIBIT 1

### FEE SCHEDULE

ITEM	Residential	Multi-family	Commercial	Industrial
Number of Lots				
1-2	\$30/lot	\$30/lot	\$30/lot	\$30/lot
3-5	\$40/lot	\$40/lot	\$40/lot	\$40/lot
6 or more	\$55/lot	\$55/lot	\$55/lot	\$55/lot
Municipal Storm Drainage/increment	\$75	\$75	\$150	\$150
Municipal Roads/increment	\$75	\$75	\$150	\$150
Notice to Abutters	\$5/abutter	\$5/abutter	\$5/abutter	\$5/abutter
Advertising	\$20	\$20	\$20	\$20

Roads and Drainage length increments will be determined from the following schedule:

#### Storm Drainage

0 - 500'	= 1 increment
501 - 1000	= 2 increments
1001 - 1500	= 3 increments
1501 - 2000	= 4 increments
2001 - 2500	= 5 increments

#### Roads

0 - 1000'	= 1 increment
1001 - 2000	= 2 increments
2001 - 3000	= 3 increments
3001 - 4000	= 4 increments
4001 - 5000	= 5 increments

Drainage lengths shall be based on the length of all drainage pipes, swales, channels, and travel length of overland flow.

Road length shall be based on the length of all roads that are to be improved or constructed.

NEW LONDON PLANNING BOARD

APPLICATION FEE FORM

NAME OF APPLICANT: \_\_\_\_\_

DATE FEE RECEIVED: \_\_\_\_\_ RECEIVED BY: \_\_\_\_\_

<u>TYPE OF APPLICATION</u>	<u>FEE SCHEDULE</u>	<u>FEE CALCULATION</u>
_____ MINOR SUBDIVISION	\$75 FILING FEE \$150 PER LOT/SITE/UNIT \$2.67 PER NOTICE FOR EACH ABUTTER + APPLICANT SUB-TOTAL	_____ _____ _____ _____
_____ MAJOR SUBDIVISION	\$150 FILING FEE \$300 PER LOT/SITE/UNIT \$2.67 PER NOTICE FOR EACH ABUTTER + APPLICANT SUB-TOTAL	_____ _____ _____ _____
_____ SITE PLAN REVIEW	\$150 FILING FEE \$75 PER 1,000 SQ. FT. BLDG. \$2.67 PER NOTICE FOR EACH ABUTTER + APPLICANT SUB-TOTAL	_____ _____ _____ _____
_____ HOME OCCUPATION— SITE PLAN REVIEW	\$50 FILING FEE \$2.67 PER NOTICE FOR EACH ABUTTER + APPLICANT SUB-TOTAL	_____ _____ _____
_____ ANNEXATION	\$75 FILING FEE \$2.67 PER NOTICE FOR EACH ABUTTER + APPLICANT SUB-TOTAL	_____ _____ _____
	<u>TOTAL FEE</u>	_____

PLEASE MAKE CHECKS PAYABLE TO: TOWN OF NEW LONDON

TOWN OF GRAFTON

VOLUNTARY MERGER OF LOTS OF RECORD

The undersigned, being the owner of two certain parcels of land situate in Grafton, in the County of Grafton and State of New Hampshire, as more particularly described in a deed(s) to the undersigned, dated:

, and recorded in the Grafton County Registry of Deeds, book: \_\_\_\_\_ page: \_\_\_\_\_, and a deed dated: \_\_\_\_\_, and recorded in the Grafton County Registry of Deeds, book: \_\_\_\_\_ page: \_\_\_\_\_, to which reference is made, and having requested approval by the Planning Board of the Town of Grafton to declare the land described in said deed(s) to be, in fact, a single lot of record, in consideration of mutual agreements, does hereby covenant, grant and agree to and with the Town of Grafton, its successors, and assigns, as follows:

- A. On behalf of himself, and his successors in title of this tract of land, agrees that those portions of this parcel or tract cannot be sold separately without lawful subdivision from the Grafton Planning Board.
- B. On behalf of himself, and his successors in title of this tract or parcel of land, understands and agrees that this tract or parcel will be treated as a single parcel of land for tax and other purposes.
- C. This Covenant shall run with and be binding upon the forgoing tract of land and every part thereof and shall be recorded in the Grafton County Registry of Deeds as evidence thereof. In each and every Deed to this parcel or tract the owner will undertake to insert a clause referring to this Covenant and binding the Grantee to it.

TAX MAP # \_\_\_\_\_ Lot # \_\_\_\_\_ TAX MAP # \_\_\_\_\_ LOT# \_\_\_\_\_

NAME OF PROPERTY OWNER: \_\_\_\_\_  
(Please type or print)

SIGNATURE OF PROPERTY OWNER: \_\_\_\_\_

DATE: \_\_\_\_\_

APPROVED BY GRAFTON PLANNING BOARD ON \_\_\_\_\_, 19 \_\_\_\_ .

SIGNATURE (CHAIRPERSON): \_\_\_\_\_

SIGNATURE (PLANNING BOARD MEMBERS):

_____	_____
_____	_____
_____	_____



TOWN OF  
**PETERBOROUGH**

OFFICE OF  
COMMUNITY DEVELOPMENT

1 Grove Street  
Peterborough, NH 03458  
Office: (603) 924-8000 ext. 104  
Fax: (603) 924-8001  
[www.townofpeterborough.com](http://www.townofpeterborough.com)

## Notice of Voluntary Merger of Pre-Existing Lots

Pursuant to RSA 674:39-a

(This Form Must Be Typed)

Property Owner Name(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Street Location of Parcels Affected by this Merger: \_\_\_\_\_

The Parcels Being Merged Are:

	<u>Old Number</u>	<u>New Number</u>	<u>Registry of Deeds</u>
Parcel Identification #:	_____	_____	Book/Page # _____
Parcel Identification #:	_____	_____	Book/Page # _____
Parcel Identification #:	_____	_____	Book/Page # _____

*I (we) understand that none of the parcels which are being merged by this document shall hereafter be separately transferred without subdivision approval from the Peterborough Planning Board.*

Signature(s) of Property Owners(s):

Signature: \_\_\_\_\_ Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Name: \_\_\_\_\_

**For Office Use Only**

Date Received: \_\_\_\_\_ Date Reviewed: \_\_\_\_\_

Endorsed by: \_\_\_\_\_ Date: \_\_\_\_\_

Office of Community Development

Gilsum Planning Board  
 Gilsum, NH 03448

## SUBDIVISION APPLICATION

### INSTRUCTIONS FOR APPLICANTS

1. Applications are filed with the Administrative Assistant during regular business hours. The filing deadline is no later than **21 days** prior to the Board's meeting.
2. The application consists of a completed Application Form, at least one paper copy of the plat, and a check to cover the filing fees (see Fee Schedule below).
3. Applicants are encouraged to meet with the Planning Board for a preliminary discussion prior to filing. At that time the Board will review the Subdivision Checklist and guide the applicant as to the items required for submission. The Planning Board meets on the first Tuesday of each month.
4. Applications can only be accepted by majority vote of the Planning Board at its regularly scheduled meeting. All public hearings on completed applications are scheduled in the order in which applications are filed with the Administrative Assistant.
5. At the time of the public hearing, the applicant must provide one Mylar, five (5) paper copies of the plat, and a check for recording approved plans at the Registry of Deeds (see Fee Schedule below).
6. If another person is representing the property owner a letter of authorization signed by the property owner must be submitted as part of this application.

<b>Subdivision Fee Schedule</b>	
Item	Fee
<b>Filing Fees: (Checks or Money Orders made out to the Town of Gilsum)</b>	
Preapplication Consultation	None
Basic Application Filing Fee	\$100
Per Lot Application Filing Fee Waived for Lot Line Adjustments	\$50 per lot, for total number of lots at completion of subdivision.
Abutters/Notification Fee	\$4.00 per notification per hearing.
Newspaper Notice Fee	\$40 per notification per hearing.
<b>Total for Filing</b>	
<b>Approval Fee: (Made out to Cheshire County Register of Deeds)</b>	
Registry Recording Fee	<ul style="list-style-type: none"> <li>◆ 8 1/2 x 11 or 11 x 17 = \$11</li> <li>◆ 17 x 22 = \$16</li> <li>◆ 22 x 34 = \$26</li> </ul>
Applications that are determined to be of Regional Impact will require additional notification.	
All Fees are subject to change. Notice of any changes will be posted in the Town Offices and Post Office. Applicants are responsible for verification with the Gilsum Planning Board that they have the latest revision of the application form and the latest fee structures.	

## APPLICATION FOR SUBDIVISION

- **Major Subdivision** (4 or more lots created)
- **Minor Subdivision** (up to 3 lots created) Number of proposed lots: \_\_\_\_\_
- **Lot Line Adjustment/Technical Subdivision** (no new lots created)

---

1. Name, Mailing Address and Telephone Number of Property Owner of Record:

\_\_\_\_\_

2. Name of and Location of Subdivision/Tax Map and Lot Number(s):

\_\_\_\_\_

3. Abutters: Attach a separate sheet listing the names, mailing addresses and tax map and lot numbers of all abutters, including those across a street, brook or stream; any person whose seal appears on the plan, and any holders of conservation, preservation, or agricultural preservation easements. Abutters' names should be taken from the Town tax records no longer than five (5) days prior to the filing of the application. The abutters' list shall also include the names of all holders of conservation, preservation, or agricultural preservation restrictions, and any engineer, architect, land surveyor, or soil scientist who professional seal appears on the plat.

4. The Subdivision Checklist on the following pages lists the items to be shown on the plat, or to accompany this application.

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I, \_\_\_\_\_ hereby give the Gilsum Planning Board, the Road Agent/Engineer and any other representative of the Planning Board permission to enter upon the subject property as necessary.

\_\_\_\_\_  
Property Owner's Signature

\_\_\_\_\_  
Date

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**FOR INTERNAL USE ONLY**

Application # \_\_\_\_\_

***Is this a project that has Regional Impact?***

Yes \_\_\_\_\_ No \_\_\_\_\_

**Summary:**

Application Received by Administration: \_\_\_\_\_

Date: \_\_\_\_\_

Application Submission Not Accepted as Complete by the Planning Board: \_\_\_\_\_

Date: \_\_\_\_\_

Application Submission Accepted as Complete by the Planning Board: \_\_\_\_\_

Date: \_\_\_\_\_

Application:

Approved

Date: \_\_\_\_\_

Conditionally Approved (see Attached)

Date: \_\_\_\_\_

Disapproved

Date: \_\_\_\_\_

**Comments:**

## SUBDIVISION CHECKLIST

NOTE: The following items are considered to be the minimum requirements for an application. The Board reserves the right to request additional information if the Board deems it necessary in order to make a reasoned decision. Applications for minor or technical subdivisions may not need to provide all of the items listed below. The Board will make that determination at the time of application submission. (Checkmarks are placed in the boxes for those items that are generally required in any case.)

Required			Sub. Reg. Citation	Submitted	
Yes	No			Yes	No
✓		1. Plat prepared according to RSA 478:1-a and Cheshire County Register of Deeds	Sec. IX, C.1		
✓		2. Name of subdivision; name and address of subdivider.	Sec. IX, C.1		
✓		3. Name, license number and seal of surveyor; north arrow, scale and date of Plan	Sec. IX, C.2		
✓		4. Names of abutting subdivisions, streets, easements, building lines, & other facts regarding abutting properties. (Sec. IX, B.3)	Sec. IX, C.3		
✓		5. Locus plan showing zoning designations.	Sec. IX, C.4		
✓		6. Boundary survey and location of permanent markers.	Sec. IX, C.5		
✓		7. Existing and proposed easements.	Sec. IX, C.7		
✓		8. Existing and proposed rights-of-way and driveways.	Sec. IX, C.7		
✓		9. Existing and propose buildings and other structures.	Sec. IX, C.7		
✓		10. Location of property lines.	Sec. IX, C.8		
✓		11. Lot areas in square feet and acres; tax map and lot number.	Sec. IX, C.8		
✓		12. Setback lines.	Sec. IX, C.8		
✓		13. Existing and proposed street names, classifications, widths of travel surface and right-of-way.	Sec. IX, C.10		
		14. Watercourses, ponds, standing water.	Sec. IX, C.9		
		15. Rock ledges, stone walls, other natural features.	Sec. IX, C.9		
		16. Existing and proposed foliage lines.	Sec. IX, C.9		
		17. Any open space to be preserved.	Sec. IX, C.9		
		18. Final road profiles, centerline stationing and cross-sections.	Sec. IX, C.11		
		19. USGS contour lines.	Sec. IX, C.12		
		20. Soil data, designating wetlands.	Sec. IX, C.13		
		21. Special flood hazard areas.	Sec. IX, C.13		
		22. Location & profiles of existing and proposed water mains, sewers, culverts, drains and connections.	Sec. IX, C.6		
		23. Percolation test results; location of perc tests and of 4,000 square-foot septic area.	Sec. IX, C.14		

Required			Sub. Reg. Citation	Submitted	
Yes	No			Yes	No
		24. Location of 75-foot well radius on property.	Sec. IX, C.14		
		25. Plans for soil erosion and sedimentation control.	Sec. IX, D.1		
		26. Copy of state septic approval or certification from septic designer.	Sec. IX, D.2		
		27. Copy of driveway permit.	Sec. IX, D.3		
		28. Copies of any other state or federal permits.	Sec. IX, D.4		
		29. Copy of any deed restrictions	Sec. IX, D.5		
		30. Copy of deeds covering land to be used for public easements and rights-of-way.	Sec. IX, D.5		
		31. Any additional reports or information required by the Board.	Sec. IX, D.6		

**COMMENTS:**

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TOWN OF  
PETERBOROUGH  
PLANNING BOARD

DO NOT WRITE IN THIS SPACE  
File Number: \_\_\_\_\_  
Date App. Rec'd \_\_\_\_\_  
Amount Rec'd \_\_\_\_\_  
Clerk: \_\_\_\_\_

# Subdivision Application

Office of Community Development  
1 Grove Street  
Peterborough, NH 03458  
Office: (603) 924-8000 ext. 104  
Fax: (603) 924-8001  
Email: [ocd@townofpeterborough.us](mailto:ocd@townofpeterborough.us)  
Web Page: [www.townofpeterborough.com](http://www.townofpeterborough.com)

# **Subdivision Application Procedure**

1. All applicants are encouraged to consult with OCD prior to submitting an application. This is especially encouraged for larger subdivisions or housing developments to ensure compliance with all the applicable regulations and for applicants who are not familiar with the requirements or process.
2. All projects must comply with the Town's Zoning Regulations before being considered for subdivision. Any approvals required from the Zoning Board of Adjustment must be obtained before submitting the application for Subdivision.
3. Enclosed you will find a list of the Plan Requirements that need to be submitted as part of a completed application. As part of your application, please check off the documentation that has been submitted or items that you are requesting waivers for. Waivers may be granted if it is determined that they are consistent with the overall objectives of the Subdivision Regulations. All requests for waivers must be requested in writing at the time an application is submitted. If there is no letter requesting waivers or if said letter does not provide the reasons for requesting waivers, the application shall be determined to be incomplete. If the review identifies items which have not been submitted, the applicant or preparer will be notified so that the plans can be corrected.
4. When the application (which includes the plan) is complete, it will be placed on the agenda within thirty (30) days or for the next available formal public meeting for acceptance of the application. The Office of Community Development will send written notification by certified mail of the time, date, purpose, and place of the meeting, at the applicant's expense, to the applicant, holders of conservation, preservation or agricultural restrictions, abutters and every engineer, architect, land surveyor, or soil scientist whose professional seal appears on the plan. As part of a completed application, the applicant is responsible to submit a mailing list of all those who are required to be notified.
5. The Planning Board shall first make a determination at a properly noticed public meeting as to whether an application is complete or incomplete. If the application is complete, the Board will approve or disapprove the application within sixty-five (65) days of acceptance of the application. When possible, the Board will take action during the same meeting that an application is determined by the Board to be complete.
6. The applicant shall receive a copy of the minutes from all Planning Board meetings pertaining to the application, including the final vote to approve or disapprove the application.

**TYPE OF APPLICATION:**

- Major Subdivision** (4 or more lots created)
- Minor Subdivision** (up to 3 lots created)
- Lot Line Adjustment/Technical Subdivision** (no new lots created)

\_\_\_\_\_  
Name of Applicant or Owner's Agent: \_\_\_\_\_

Address of Applicant or Owner's Agent: \_\_\_\_\_

Phone Number of Applicant or Owner's Agent: \_\_\_\_\_

Name of Owner(s) of Property: \_\_\_\_\_

Address of Owner(s): \_\_\_\_\_

Phone Number of Owner(s): \_\_\_\_\_

Address of Proposed Subdivision: \_\_\_\_\_

Peterborough Parcel Identification Number: \_\_\_\_\_

Name of Preparer, if other than Applicant: \_\_\_\_\_

Address of Preparer: \_\_\_\_\_

Phone Number of Preparer: \_\_\_\_\_

Proposed Number of Lots: \_\_\_\_\_

Proposed Use (Be Specific): \_\_\_\_\_

\_\_\_\_\_

**Zoning District  
(Check All That Apply)**

- |                     |       |                                 |       |
|---------------------|-------|---------------------------------|-------|
| Family              | _____ | West Peterborough               | _____ |
| General Residence   | _____ | Industrial                      | _____ |
| Rural               | _____ | Commerce Park                   | _____ |
| Commercial          | _____ | Retirement Community            | _____ |
| Downtown Commercial | _____ | Office                          | _____ |
| Village Commercial  | _____ | Monadnock Community Health Care | _____ |

**SUBDIVISION APPLICATION FEE**

1. Subdivisions shall be charged a fee of one hundred dollars (\$100.) for the first lot plus Twenty-five (\$25.) for each additional lot. -- \$100.00 + (\$25.00 x \_\_\_\_\_ Lots) = \$ \_\_\_\_\_
2. Lot Line Adjustments or Annexations (a subdivision that does not create any additional lots) shall be charged a fee of seventy-five dollars (\$75.). ----- \$ \_\_\_\_\_
3. A Condominium Conversion shall be charged a fee of one hundred fifty dollars (\$150.) plus twenty-five dollars (\$25.) per unit. - \$150.00 + (\$25.00 x \_\_\_ Units) = \$ \_\_\_\_\_
4. In addition to the following application fees, there will be a fee for the cost of abutter notification at three dollars (\$3.) per notification and Registry fees for recording of any documents. ----- \$3.00 x \_\_\_\_\_ Abutters = \$ \_\_\_\_\_
5. Notification of licensed professionals whose professional seal appears upon submittal documentation. ----- \$3.00 x \_\_\_\_\_ Professionals = \$ \_\_\_\_\_

Total Subdivision Fee = \$ \_\_\_\_\_

**Signature Page**

I, the applicant or owner's duly authorized agent, do hereby submit this plan for review as required by the Subdivision Regulations of the Town of Peterborough, New Hampshire. I agree to be fully responsible for payment of all fees, costs, and expenses incurred with respect to this application. I understand that if I am not the owner of the property named above, this application must be signed by the owner(s) of the property showing recognition and approval of the subdivision application and approval for the applicant/duly authorized agent to represent the owner(s) in this subdivision application. I further grant the Planning Board Staff, Office of Community Development Staff, and authorized agents the right to enter the premises at reasonable times for the purpose of gathering additional information during the review process and inspections of the project during this construction phase.

Applicant/Agent: \_\_\_\_\_

Owner: \_\_\_\_\_

Signature: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

If the application is not signed or has been changed in any manner, it will not be processed.

# SUBDIVISION REGULATIONS CHECKLIST

NOTE: This checklist is for purposes of administrative efficiency. It does not take the place of the comprehensive requirements of the Subdivision Regulations. This checklist is used for either a minor or a major subdivision. For minor subdivisions the Board may waive certain items if they are deemed not relevant.

Required			Submitted		Waived
YES	NO		YES	NO	
		<b>General Plat Requirements</b>			
		1. Plat scale is between 1" = 20' and 1" = 400'.			
		2. Outside dimensions of the plat are 8 1/2" X 11", 11" X 17", 17" X 22", or 22" X 34", or as otherwise specified by the Registry of Deeds.			
		3. All plats shall have a minimum 1/2" margin on all sides.			
		4. All title blocks should be located in the lower right hand corner, and shall indicate: <ul style="list-style-type: none"> <li>• type of survey</li> <li>• owner of record</li> <li>• title of plan</li> <li>• name of the town(s)</li> <li>• tax map and lot number</li> <li>• plan date and revision dates</li> </ul>			
		<b>Plat Information</b>			
		1. Proposed subdivision name or identifying title; name and address of the owner of record; parcel identification number.			
		2. North arrow, scale – written and graphic, date of the plan; name, license number and seal of the surveyor or other person whose seal appears on the plan.			
		3. Signature block for Planning Board endorsement.			
		4. Locus plan showing general location of the total tract within the town and the zoning district(s).			
		5. Bearings and horizontal distances on all pertinent property lines; curved boundary lines showing radius, delta, and length.			
		6. All monuments set or found.			
		7. Names of all abutting subdivisions, streets, easements, building lines, parks and public places, and similar facts regarding abutting properties.			
		8. Lot areas in square feet and acres; lots numbered according to the Town tax map numbering system.			
		9. Location and amount of frontage on all rights-of-way.			
		10. Location of building setback lines.			
		11. Location of existing and proposed buildings and other structures.			
		12. Location of all parcels of land proposed to be dedicated to public use.			
		13. Location and description of any existing or proposed easements or covenants.			

Required			Submitted		Waived
YES	NO		YES	NO	
		14. Existing and proposed water mains, culverts, drains, sewers; proposed connections or alternative means of providing water supply and disposal of sewage and surface drainage.			
		15. Existing and proposed streets with names, classification, travel surface widths, right-of-way widths. (See Appendix A for road standards.)			
		16. Final road profiles, center line stationing and cross sections.			
		17. Location and width of existing and proposed driveways. (See Chapter 237, Driveway Regulations)			
		18. Water courses, ponds, standing water; existing and proposed foliage lines; rock ledges, stone walls; open space to be preserved; and any other natural or man-made cultural or historic features.			
		19. Existing and proposed topographic contours based upon the USGS topographical data, with spot elevations where necessary.			
		20. Soil and wetland delineation.			
		21. Location of percolation tests and test results; certification of Town official witnessing the tests; and outline of 4,000 square-foot septic area with any applicable setback lines.			
		22. Location of existing and proposed well, with 75-foot well radius on its own lot.			
		23. Base flood elevations and flood hazard areas, based on current FEMA maps.			
		<b>Other Information</b>			
		1. State subdivision approval for septic systems; septic design approval where applicable; or certification by septic designer of adequacy of existing system.			
		2. Alteration of Terrain Permit from NH Department of Environmental Services, if applicable.			
		3. Plan for Stormwater Management and Erosion Control, if applicable (See Appendix B).			
		4. EPA Phase II approval, if applicable.			
		5. State/Town driveway permit, as applicable.			
		6. Report from the Fire Chief, Police Chief, and/or Town Conservation Commission.			
		7. Approval for municipal water/sewer connections.			
		8. Any deed restrictions; and all deeds covering land to be used for public purposes, easements and rights-of-way over property to remain in private ownership, and rights of drainage across private property, submitted in a form satisfactory to the Board's counsel.			
		9. Any other state and/or federal permits.			
		10. Any additional reports or studies deemed necessary by the Board to make an informed decision, including but not limited to traffic, school, fiscal and environmental impact analyses.			

## COMPLIANCE WITH ZONING ORDINANCE

ZONING DISTRICT	LOT SIZE	FRONTAGE	FRONT SETBACK	SIDE/REAR SETBACK
§245-6 Family	40,000 sq. ft. single family	150 feet	30 feet	25 feet
	50,000 sq. ft. two-family			
§245-7 General Residence	20,000 sq. ft. one-or two-family	100 feet	30 feet	25 feet
	10,000 sq. ft./unit multi-family			
§245-8 Rural	3 acres	200 feet	50 feet	30 feet
§245-9 Commercial	None <sup>1</sup>	None <sup>2</sup>	30 feet <sup>3</sup>	15 feet
§245-9.1 Downtown Commercial	5,000 sq. ft.	None	5 feet <sup>4</sup>	15 feet <sup>4</sup>
§245-9.2 Village Commercial <sup>5</sup>	None	None	None	None
§245-9.3 West Peterborough	None	None	None	10 feet
§245-10 Industrial	40,000 sq. ft.	None	100 feet	25 feet <sup>6,7</sup>
§245-10.1 Commerce Park	20,000 sq. ft.	100 feet	25 feet	20 feet <sup>8</sup>
§245-11 Retirement Community	50 acres	None	100 feet <sup>9</sup>	100 feet <sup>9</sup>
§245-11.1 Office	1 acre for Office Building	None	100 feet over 10 acres	100 feet over 10 acres
	5 acres for Office Park	None	50 feet less than 10 acres	30 feet less than 10 acres
§245-11.2 Monadnock Community Health Care	25 acres	None	10 feet	10 feet <sup>10</sup>
§245-12 Shoreland Conservation				
§245-13 Floodplain				
§245-14 Aquifer Protection				
§245-15 Wetlands Protection				
§245-15.2 & 15.3 Gateways				

<sup>1</sup> One acre for uses permitted by special exception

<sup>2</sup> 100 feet of frontage for uses permitted by special exception.

<sup>3</sup> No building shall be erected closer to any ROW than the setback established by custom or otherwise.

<sup>4</sup> May be reduced to zero by the Planning Board during Site Plan Review under certain conditions.

<sup>5</sup> The lot must be wide enough and so configured as to accommodate adequate access for fire and emergency equipment, appropriate setbacks and buffering.

<sup>6</sup> By Special Permit storage buildings shall be 100 feet from any State highway and 30 feet from all other boundaries if the storage unit complex is less than 10 acres.

<sup>7</sup> 50-foot setback when abutting a residential district.

<sup>8</sup> Not less than 100 feet when abutting a residential district boundary.

<sup>9</sup> 150-foot setback when the land abuts a State highway.

<sup>10</sup> A 75-foot setback is required around the perimeter of the District.

## COMPLIANCE WITH MASTER PLAN

The following two checklists are intended to serve as guidance, by bringing Town planning documents to the attention of applicants. There is no requirement to fill these out, but the applicant should be aware that these are issues deemed important through the planning process.

DOES THE PROPOSAL:	YES	NO	NOT APPLICABLE
1. Encourage development that is consistent with the scale and character of Peterborough?			
2. Preserve the "look and feel" of Peterborough?			
3. Encourage a balance of mixed-use development and redevelopment of existing buildings?			
4. Promote in-fill development in downtown and increased density in the village districts?			
5. Facilitate new small businesses in village districts and in the downtown neighborhoods?			
6. Protect the natural environment?			
7. Revitalize the existing plazas?			
8. Reduce through-traffic in the downtown and increase traffic safety at intersections?			
9. Encourage traditional neighborhoods rather than disconnected subdivisions?			
10. Protect current and future water supplies?			
11. Support the building and retention of workforce housing?			
12. Consider the financial tax impact on residents?			

## COMPLIANCE WITH ECONOMIC POLICY PLAN

DOES THE PROPOSAL:	YES	NO	NOT APPLICABLE
1. Contribute to Peterborough's role in the regional economy?			
2. Respect Peterborough's natural, cultural and historic heritage?			
3. Contribute to a financially healthy, pedestrian-friendly core commercial center?			
4. Contribute to a balance of residential, industrial/commercial, and open space?			
5. Contribute to the municipal infrastructure?			

### [For Official Use Only]

### IS THIS A DEVELOPMENT HAVING REGIONAL IMPACT?

DOES THE PROPOSAL:	YES	NO
1. Increase the housing stock by more than 25%		
2. Anticipate emissions (light, noise, etc.) that could transcend town boundaries?		
3. Locate on the border of another community?		
4. Have the potential for regional traffic impacts?		
5. Affect natural resources that cross town boundaries?		
6. Call for shared public facilities?		