

Precinct of Haverhill Corner  
Haverhill, New Hampshire

Planning Board

Subdivision Regulations

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## Table of Contents

	Page
SECTION 1 — Authority and Purpose.....	3
SECTION 2 — Definitions.....	3
SECTION 3 — Procedures	
A. General Requirements for Approval.....	6
B. Preliminary Consultation and Review (Pre-application).....	6
C. Design Review Phase.....	7
D. Lot Merger.....	7
E. Lot Line Adjustment/Boundary Agreement.....	7
F. Minor Subdivision - Completed Application.....	8
G. Major Subdivision - Completed Application.....	9
H. Filing and Submission of Completed Applications.....	9
I. Board Action On Completed Application.....	9
J. Public Hearing.....	10
K. Notices.....	11
L. Fees.....	11
SECTION 4 — Preliminary Layout and Final Plat Requirements	
A. Preliminary Layout.....	12
B. Final Plat Requirements.....	14
C. Final Approval and Registering of Plat.....	15
D. Performance Bond.....	15
E. Offers of Cession.....	16
SECTION 5 — Minimum Lot Sizes.....	17
SECTION 6 — Premature Subdivision Development.....	25
SECTION 7 — General Requirements for the Subdivision of Land.....	26
SECTION 8 — Open Spaces.....	29
SECTION 9 — Road Design and Construction Standards.....	30
SECTION 10 — Utility Design and Construction Standards.....	39
SECTION 11 — Sediment and Erosion Control.....	40
SECTION 12 — Administration and Enforcement.....	42
SECTION 13 — Adoption and Certification .....	43
APPENDIX A — Instructions and Application Form for Subdivision Approval...	44
APPENDIX B — Subdivision Review Checklist.....	51
APPENDIX C — Restoration Requirements for Utility Installations.....	54
APPENDIX D — National Flood Insurance Requirements.....	55

Precinct of Haverhill Corner  
Haverhill, New Hampshire

## Subdivision Regulations

### **SECTION 1 — AUTHORITY AND PURPOSE**

#### **A. AUTHORITY**

Pursuant to the authority vested in the Planning Board by the voters of the Precinct of Haverhill Corner, New Hampshire on May 10, 1988 and in accordance with the provisions of Chapter 674, Sections 35-42, NH Revised Statutes Annotated, the Precinct of Haverhill Corner Planning Board adopts the following regulations governing the subdivision of land in the Precinct of Haverhill Corner, New Hampshire.

#### **B. PURPOSE**

The purpose of these regulations is to (1) promote the harmonious development of an economically stable and environmentally sound rural, agricultural community for current and future residents, (2) to provide uniform procedures and standards for observance by the Planning Board and subdividers, (3) to discourage the scattered and premature subdivision of land, (4) to provide for the proper arrangement and coordination of streets within subdivisions in relation to existing or planned streets, for streets with adequate design and construction for present and future traffic and emergency vehicle use, and for open spaces of adequate proportions, and (5) to protect the community against the danger to health, safety and prosperity occasioned by the lack of municipal water and sewer and to prevent the excessive expenditure of public funds for the supply of such services.

### **SECTION 2 — DEFINITIONS**

**ABUTTER:** Means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration.

**APPLICANT:** Means the owner of record, or his agent duly authorized in writing at the time of application.

**BOARD:** Means the Planning Board of the Precinct of Haverhill Corner, New Hampshire.

**COMPLETED APPLICATION:** Shall mean the application form, checklist, and supporting documents, as specified in these Regulations, which contains all the information the planning board needs to review a subdivision proposal and make an informed decision. All fees and administrative expenses as indicated in these

Regulations must be included.

**CONDOMINIUM:** A building or group of buildings in which units are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis. Condominiums shall be considered a subdivision under the requirements of RSA 356-B and reviewed accordingly.

**DITCHLINE:** A ditchline is measured from the center line of the road to the beginning edge of the ditch.

**DRIVEWAY:** A private way that serves not more than one (1) lot.

**ENGINEER:** The duly designated engineer of the Precinct of Haverhill Corner, or lacking such an official, the consultant or official named by the Precinct Planning Board.

**FINAL PLAT:** The final map(s), drawing(s) or chart(s) on which the subdivider's plan of subdivision is indicated, prepared as required in Section 4, and which, if approved by the Board, will be submitted, by the Board, to the Register of Deeds of Grafton County for recording.

**HEALTH OFFICER:** Means the Health Officer of the Town of Haverhill.

**LOT:** A parcel of land at least sufficient in size to meet the minimum area requirements. Such lot shall have frontage on a public road (CLASS I, II, IV, V) or a road constructed to meet Town standards provided that in no case of division or combination shall any residual lot or parcel be created which does not meet the requirements of these Subdivision Regulations and/or Zoning Ordinance(s).

**LOT LINE ADJUSTMENT:** Shall mean the exchange of abutting land among one or more owners which does not increase the number of owners, the number of lots, or create a lot which does not conform to local or state requirements.

**LOT MERGER:** Pursuant to RSA 674:39, lot owners may merge adjoining lots for municipal planning and taxation purposes. Merged lots may not be sold separately without subdivision approval.

**MASTER PLAN:** Shall mean a plan for development of the Precinct of Haverhill Corner developed in accordance with the provisions of RSA 674:1-4

**MAJOR SUBDIVISION:** These are all subdivisions that do not meet the requirements of Lot line adjustments, Lot mergers, or Minor Subdivisions. Major Subdivisions usually involve more than 3 lots or three lots or fewer with subdivision potential.

**MINOR SUBDIVISION:** A subdivision proposal which involves three lots or less with no potential for subdivision and fronting on an existing public road (as defined above: see "Lot") or minor lot line adjustments or boundary agreements which do not create buildable lots.

**OPEN SPACE:** Land area without roads, buildings, or parking lots.

**PARKING SPACE:** An off street space for exclusive use as a parking area for one motor vehicle, with a minimum size of 9' x 20'.

**PRECINCT:** Precinct of Haverhill Corner

**PLANNING BOARD:** Planning Board of the Precinct of Haverhill Corner

**PRELIMINARY LAYOUT:** Means a layout plan prepared as required by the Planning Board as described in Section 4, and submitted according to Section 3.

**PRIVATE ROAD:** A road maintained by a subdivider, developer, or abutting land owners which meets Town standards.

**CERTIFIED SOIL SCIENTIST:** A person qualified in soil classification who is certified by the State of New Hampshire under RSA 310-A:75.

**SLOPE:** The average steepness of the land surface under consideration expressed in percent of slope. For the purpose of determining lot size, slope shall be determined by slope factors used by the National Cooperative Soil Survey soil classification.

**SOIL TYPE:** As defined and classified by the USDA Soil Conservation Service.

**STREET:** A state highway (CLASS I, II, IV), or a highway or road which is lawfully existing and maintained by the Town (CLASS V) for vehicular travel. The word "street" shall include the entire right-of-way. The term road may also be used.

**SUBDIVIDER:** An individual, firm, association, syndicate, partnership, corporation, trust or any other legal entity, or agent thereof, that undertakes the activities governed by these regulations. The term "subdivider" is intended to include the terms "developer" and "builder".

**SUBDIVISION:**

I. "Subdivision" means the division of the 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. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

II. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision under this title.

III. The grant of an easement in gross to a public underground utilities facility necessary for its transmission or distribution network 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 under this title, and shall not be deemed to create any new division of land for any other purpose.

Existing lots are those shown on the Haverhill Tax Maps.

TOWN: Town of Haverhill

WETLANDS: Lands containing soils classified using standards of the National Cooperative Soil Survey as poorly drained or very poorly drained.

## **SECTION 3 — PROCEDURES**

### **A. GENERAL REQUIREMENT FOR APPROVAL**

Whenever any subdivision is proposed and before any contract for the sale of, or offer to sell, rent or lease such subdivision or any part thereof shall have been negotiated, before any logging in proposed street right of way, land clearing, road construction, or building is begun, and before any permit for the erection of a structure within such subdivision shall be granted, the subdivider or his authorized agent shall apply in writing and receive approval from the Board for such subdivision. The establishment of a condominium under RSA 356-B including contractible condominiums, conversion condominiums and convertible land and space shall constitute a subdivision under these regulations to the same extent that a physically identical project, development or action under a different form of ownership would constitute a subdivision hereunder.

### **B. PRELIMINARY CONSULTATION AND REVIEW (PRE-APPLICATION)**

1. Prior to the formal submission of a preliminary layout as part of a completed application, the subdivider is encouraged to appear informally to discuss the proposed subdivision at a regular meeting of the Planning Board. Such discussion shall be directed toward:
  - a. reviewing the basic concepts of the proposal,
  - b. reviewing the proposal with regard to the Precinct Master Plan and zoning ordinance(s),
  - c. reviewing the Precinct's subdivision regulations as they may apply to this proposal and determination of the proposal as a major or minor subdivision, and
  - d. guiding the applicant relative to necessary state and local requirements.
2. Preliminary consultation and review shall not bind the applicant or the Board. Such discussion may occur without formal public notice as provided in Paragraph K. However, no discussion beyond the conceptual and general review shall take place without such notice.
3. Preliminary consultation and review shall be separate and apart from formal consideration under Paragraph E and F and the time limits for acting on shall not apply until a formal completed application is submitted.

### C. DESIGN REVIEW PHASE

1. Prior to submission of an application for Board action, an applicant may request to meet with the Board or its designee for non binding discussions such as road layouts and locations involving more specific design and engineering details of the potential application.
2. The design review phase may proceed only after identification of and notice to abutters and the general public as required by RSA 676:4,I(d).
3. Persons wishing to engage in pre application design review, shall submit a written request for preliminary review and associated fees not less than 15 days before the regularly scheduled meeting of the Board. The request shall include:
  - List of abutters and their addresses from municipal records not more than 5 days before submission, and
  - Check to cover mailing and advertising costs.
4. Statements made by Board members shall not be the basis for disqualifying said members or invalidating any action eventually taken on the application.
5. The Board shall not accept any submissions by the Applicant at this time.

### D. LOT MERGER

Pursuant to RSA 674:39-a, the owners of lots or parcels located in the Precinct of Haverhill Corner may merge them for municipal planning and taxation purposes. The merged lots can no longer be conveyed separately without subdivision approval.

### E. LOT LINE ADJUSTMENT/BOUNDARY AGREEMENT — COMPLETED APPLICATION

1. Defined as the exchange of abutting land among one or more owners which does not increase the number of owners or the number of lots, or create a non conforming lot or a buildable lot.
2. The applicant may first meet with the Board for preliminary consultation and review of the proposal as discussed in Paragraph. B.
3. A complete application for a lot line adjustment or boundary agreement shall consist of:
  - A Final Plat submitted in permanent black ink on a permanent linen or mylar film and three blue or black line paper prints. Sheet size shall be in accordance with requirements of the Register of Deeds but not larger than 24" X 36". Space shall be reserved on the plat for the endorsement of the Planning Board.
  - The Final Plat shall identify itself as a "minor lot line adjustment" or "boundary line

agreement" and shall contain the following statement: "The subdivision regulations of the Precinct are a part of this plat, and approval of this plat is contingent on completion of all requirements of said subdivision regulations, excepting only any variances or modifications made in writing by the Board, which are authorized by these subdivision regulations, and which are attached hereto."

- The Final Plat shall be based on an "on the ground" boundary survey with a maximum error of closure of 1 in 5,000 certified by a land surveyor licensed in the State of New Hampshire. The subdivision's boundary and survey shall be referenced to the nearest USGS survey benchmark. The location and description of each permanent landmark shall be noted.

The plat shall contain the following information:

- a. Names and addresses of all owners of lands involved;
- b. Names and addresses of all abutters (as indicated in town records not more than 5 days before the day of filing);
- c. Existing buildings, streets, rights-of-way, streams and easements, precinct or village district boundaries
- d. Lot areas and dimensions;
- e. Natural features in the vicinity of the affected land;
- f. Name, address and seal of surveyor or engineer; and
- g. A small locational map indicating parcels in relation to major streets and intersections, the tax map and lot numbers and the zoning district.

4. A public hearing is required and all abutters must be notified as required in Section J.

## F. MINOR SUBDIVISION — COMPLETED APPLICATION

1. See Definitions, page 4.
2. The applicant may first meet with the Board for preliminary consultation and review of the proposal as discussed in Paragraph B to determine if it is a Minor Subdivision. The Board shall consider the parcel's potential for re-subdivision and its location. If it is determined by the Board to be a Minor Subdivision, the applicant shall submit:
  - a. a completed application, excluding the Preliminary Layout, and
  - b. a final plat as provided in Section 4.
3. Notice of submission shall be given as provided in Paragraph K below, and may be combined with the notice of the public hearing.
4. The completed application under this paragraph may be submitted and approved at one or more Board meetings but no application shall be approved without the full notice of abutters and public as required. A public hearing, duly noticed, shall be held only if requested by the applicant or abutters or if the Board determines to hold a hearing.

## **G. MAJOR SUBDIVISION — COMPLETED APPLICATION**

1. A completed application sufficient to invoke jurisdiction of the Board must include sufficient information to allow the Board to proceed with consideration and to make an informed decision.
2. The following shall be required for and constitute a completed application:

An application for subdivision approval properly filled out and executed by the applicant and filed with the Board in accordance with Paragraph F, together with the following:

1. The names and addresses of the applicant and all abutters as indicated in Town records not more than five (5) days before the day of filing,
2. A check payable to the Planning Board of Haverhill Corner to cover filing fees, mailing, advertising, recording, and other costs as provided in Paragraph K,
3. Three paper print copies of the preliminary layout in accordance with and accompanied by the information required in Section 4.

## **H. FILING AND SUBMISSION OF COMPLETED APPLICATIONS**

1. The completed application for both minor or major subdivisions shall be filed with the Secretary or the Chairman of the Board at least 15 days prior to a scheduled public meeting of the Board.
2. The completed application shall be formally submitted for acceptance to the Board only at a regularly scheduled public meeting after due notification to applicant, abutters, and the general public of the date the completed application will be submitted and received by the Board.

## **I. BOARD ACTION ON COMPLETED APPLICATION**

1. The Board shall begin formal consideration of the completed application within 30 days of its acceptance.
2. The Board will study the preliminary layout and shall take into consideration the general requirements of the community, the Town and Precinct Master Plans and the best use of the land to be subdivided and that of adjoining areas, and the requirements for land subdivision in Sections 5, 6, and 7.
3. After such review and the public hearing, the Board shall communicate, in writing, to the subdivider such changes, if any, which it will require in the Preliminary Layout and request that the subdivider prepare a Final Plat as required in Section 4 with the changes incorporated. The Board may disapprove of the Preliminary Layout in its entirety, but shall state its reasons for such disapproval.
4. The Board shall act to approve or disapprove the Final Plat or Completed Application, subject to extension or waiver as provided by RSA 676:4 (I)f. Any bond,

performance guarantee, or offers of land, shall have been developed and approved, as described in Section 4C.

5. Approval of the Final Plat shall be certified by written endorsement on the Final Plat and signed by the Chairman. The Chairman or Secretary shall transmit a copy of the endorsed Final Plat to the Register of Deeds of Grafton County. The subdivider shall be responsible for the payment of all recording fees. In case of disapproval of any plat submitted, the grounds for such disapproval shall be adequately stated in the records of the Planning Board and written notice given to the subdivider.

6. The Planning Board may grant conditional approval of a plat which approval shall become final without further public hearing, upon certification to the Board by its designee or based upon evidence submitted by the applicant of complete compliance with the conditions imposed. Final approval of a plat or application may occur in the foregoing manner only when the following conditions are met:

- a. Minor plan changes whether or not imposed by the Board as a result of a public hearing, compliance with which is administrative and which does not involve discretionary judgment; or
- b. Conditions which are in themselves administrative and which involve no discretionary judgment on the part of the Board; or
- c. Conditions with regard to the applicant's possession of permits and approvals granted by other boards or agencies.

7. By mutual agreement of the applicant and the Board the 90 day requirement may be extended, in 30 day increments, to allow for additional information to be provided, studies to be undertaken or other permits to be obtained.

8. If the Board has not taken action to approve or disapprove the completed application within 90 days of its acceptance and has not obtained an extension, the subdivider may petition the Precinct Commissioners for an order directing the Planning Board to act within 15 days. Failure of the Precinct Commissioners to issue such an order or for the Planning Board to act upon such order shall constitute grounds for the subdivider to petition the Superior Court as provided in RSA 676:4 I (c).

#### J. PUBLIC HEARING

A public hearing must be held on a subdivision application prior to its approval as required under RSA 676: 4 I (e). In accordance with these regulations any applicant, abutter, holder of conservation, preservation or agricultural preservation restriction or any person with a direct interest in the matter may testify. A public hearing shall be required for all subdivisions. Notice of said hearing shall be given in accordance with the provisions of RSA 676:4 I (d) as referenced in paragraph K below.

## K. NOTICES

Notice of the submission of a Preliminary Layout or a Completed Application shall be given by the Board as required under RSA 676:4 I (d) and reads in pertinent part as follows:

1. Notice to the applicant, holders of conservation, preservation, or agricultural preservation restrictions, abutters and the public shall be given as follows: The Planning Board shall notify the abutters, the applicant, holders of conservation, preservation, or agricultural preservation restrictions, and every engineer, architect, land surveyor, or soil scientist whose professional seal appears on any plat submitted to the Board by certified mail of the date upon which the application will be formally submitted to the Board. Notice shall be mailed at least 10 days prior to the hearing. Notice to the general public shall also be given at the same time by posting or publication as required by the subdivision regulations. The notice shall include a general description of the proposal that is the subject matter of the application and shall identify the applicant and the location of the proposal.
2. For any public hearing on the Preliminary Layout, the same notice as required for notice of submission of the Completed Application shall be given. If the notice of public hearing has been included in the notice of submission or any prior notice, additional notice of the public hearing is not required, nor shall additional notice be required of an adjourned session of a hearing if proper notice of the date, time and place of the adjourned session was made known at the prior hearing.

## L. FEES

1. A Completed Application for Minor or Major Subdivisions shall be accompanied by a filing fee as shown in Appendix A. Filing fees may be adjusted from time to time by the Selectboard with a minimum of 30 days notice.
2. Failure to pay any fees shall constitute valid grounds for the Board to terminate further consideration of the application and to disapprove the plat without a public hearing.
3. The Board may require special investigative studies, environmental assessments, a legal review of documents, administrative expenses, and other matters necessary to make an informed decision. The cost of such studies and investigations shall be paid by the Applicant prior to the approval or disapproval of the Final Plat. The Board may require advance payment by applicant of all costs associated with special studies, assessments or reviews.

## **SECTION 4 — PRELIMINARY LAYOUT AND FINAL PLAT REQUIREMENTS**

### **A. PRELIMINARY LAYOUT:**

The subdivider shall file with the Board three paper copies of a preliminary layout at a horizontal scale of not more than 100 feet to the inch showing or accompanied by the following information:

1. Proposed subdivision name, name and address of owner(s) of record, name and address of designer, planner or surveyor, date, north arrow and bar scale, vicinity map at scale of Town's base map.
2. Names and addresses of owners of record of abutting properties, abutting subdivision names, streets, easements, building lines, alleys, parks, and public open spaces, precinct or village district boundaries and similar facts regarding abutting property.
3. Location of outside property lines and their approximate dimensions, proposed lots, approximate acreage of each lot, and dimension of lot frontage on a public right-of-way, existing easements, buildings, watercourses, ponds or standing water, rock ledges and other essential site features.
4. Existing and abutting water supplies and mains, septic systems or sewers, culverts, drains and proposed water and sewerage facilities.
5. Location, name and widths of existing and proposed streets and highways with their grades and their rights-of-way. Centerline and sideline stakes at 50 foot intervals shall be in place prior to Planning Board site inspection.
6. A profile of proposed streets shall be included. The profile shall be drawn with:
  1. A horizontal scale of 1 inch to 50 feet.
  2. A vertical scale of 1 inch to 10 feet.
  3. Existing center line in fine black solid line with elevations shown every 50 feet.
  4. Existing right side line in fine black dash line.
  5. Existing left side line in fine black dotted line.
  6. Proposed center line grades and elevations in red, with elevations shown at every 50 foot station, except that vertical curve elevations shall be shown at every 25 foot station and at point of vertical curvature and point of vertical tangency.
  7. All existing intersecting walks and driveways shown on both sides.
  8. All elevations referred to the US Geological Survey Topographic map.
  9. Rates of gradient by percent of grade.
  10. All center lines, street lines, and curb lines (with elevations every 25 feet) of streets for 200 feet either side of each intersection on a connecting street.
7. Contours of the property to indicate the site topography at a contour interval of

not greater than (5) feet. The Planning Board may require 2 foot contours if deemed necessary.

8. Soil types shall be shown as determined by reference to the Soil Survey Report for Grafton County prepared by the USDA Soil Conservation Service, as amended. The Board may require additional, more detailed soil information prepared by a certified soil scientist.
9. Lot size in square feet including area of each soil type found on each lot.
10. Location and data for all soil test pits, percolation pits and wells; a minimum of one test pit 10 feet deep is required for each lot with a description of soil horizons, texture, depth to seasonal high water table, depth to observed water table and depth to restrictive layer or ledge. All test pits must be shown on plan and flagged on site, whether utilized or not.
11. Flood hazard areas from the latest Flood Insurance Rate Map and base flood elevation data.
12. Where the topography is such as to make difficult the inclusion of any facilities mentioned above, within the area so laid out, the preliminary layout shall show the boundaries of proposed permanent easements over or under private property. Such easements shall not be less than 10 feet in width and shall have satisfactory access to existing or proposed public ways.
13. Location of all existing and proposed fire ponds or dry hydrants.
14. A statement as to the adequacy of water in or near the subdivision for fire protection.
15. Location of all parcels of land proposed to be dedicated to common or public use and the conditions of such dedication, and a copy of such private deed restrictions as are intended to cover part or all of the tract.
16. Preliminary designs of any bridges or culverts which may be required.
17. Wetland soils to be identified and acreage shown.
18. Grading and drainage plan showing all pertinent engineering plans, cross sections, construction drawings and specifications, and other data on existing and finished grading, surface and subsurface drainage and storm drainage system when deemed necessary by the Planning Board.
19. A description of all site markings and ground control on the site, including color of all flagging, test pit numbering system, lot identification, etc.
20. Preliminary Erosion + Sediment Plan using standards in the publication "Erosion & Sediment Control Design Handbook", USDA Soil Conservation Service, as

amended.

21. A copy of the application and approvals as prescribed by law, from any other municipal, state or federal agency, which may have jurisdiction, including the NHWSPCC, the NH Wetlands Board, the NH Department of Public Works and Highways and the US Army Corps of Engineers.
22. Whenever the preliminary layout as submitted covers only part of the subdivider's entire contiguous holding, a Master Plan, in sketch form, showing the potential future extension of the subdivision must be submitted. A sketch of the prospective future street system of the area not subdivided shall be furnished as part of the Master Plan and this street system will be considered in relation to the street system shown on the preliminary layout.
23. An environmental and/or economic impact statement shall be prepared by a qualified consultant when required by the Board. Such a statement may require documentation on lot size, drainage, erosion, ground and surface water quality, traffic safety, public services, wetlands and any other factors that could impact the short and long term well being of the public in the Town of Haverhill and in the Precinct of Haverhill Corner as referred to in their Master Plans.

## B. FINAL PLAT REQUIREMENTS

The subdivider, after official notification by the Board with respect to any revisions of the preliminary plan shall file a final plat of the type and size required by the Grafton County Registry of Deeds and street profiles, if required, along with four paper copies. Adequate space shall be provided for the necessary endorsements. The scale shall not exceed 100 feet to the inch and shall show:

1. Proposed subdivision name or identifying title, the name and address of owner(s) of record and subdivider, and the name, license number and seal of the surveyor, date, scale, and north point.
2. Boundary survey including bearings, distances, and location of permanent markers.
3. Lot lines, dimensions, square footage, and numbering.
4. Topography at 5 or 2 foot contour intervals, as required by the Board.
5. Detailed Soil Map, if required.
6. Existing and final proposed lines of streets, ways, lots, easements for utilities and/or drainage and public areas within the subdivision.
7. Sufficient data to determine the exact location, direction, and length of every street line, easement, lot line and boundary line and to reproduce these lines upon the ground. All dimensions shall be shown to hundredths of a foot and

bearings to at least half minutes. The error of closure shall not exceed 1 to 5,000.

8. Existing and proposed streets with names and right-of-way widths.
9. Final road construction specifications, cross sections and profiles.
10. Final drainage system and erosion + sediment plan.
11. Final location of septic systems and leach fields and WSPCC subdivision approval, if required.
12. Location of existing and proposed wells.
13. Location of all soils, groundwater and percolation test pits.
14. 4. Buildings and other man-made features to remain.
15. Open space, including ownership and management system.
16. Deed restrictions, easements, rights-of-way.

#### **C. FINAL APPROVAL AND REGISTERING OF PLAT**

Plats approved by the Planning Board and signed by the Board Chairman or designee shall be recorded at the Grafton County Registry of Deeds by the Planning Board Chairman or Clerk or their designee. Recording fees shall be paid by the applicant.

#### **D. PERFORMANCE BOND**

In lieu of the completion of street work and utilities prior to final approval the Planning Board shall require the subdivider to post a performance bond in an amount sufficient to cover the costs of preparation, improvements or installation of streets, public utilities, the extension of public water and sewer lines (where available), the installation of storm drains, under drains, monuments, erosion control, and other improvements to the public utility where reasonable and necessary. The amount of the bond shall be based on the estimate of costs provided by the subdivider and, at the discretion of the Planning Board, reviewed by a registered/licensed engineer. The cost of such review shall be borne by the subdivider.

1. This bond shall be approved as to form and sureties by the Precinct Commissioners and their counsel and conditioned on the completion of such improvements within one (1) year of the date of the bond. Said bond may be: (1) a surety bond, issued by a surety company authorized to do business in New Hampshire and filed with the Board in a manner and amount satisfactory to it, or (2) cash or financial instruments endorsed to the Town and deposited in the name of the Board.

2. The amount of the performance bond shall include fees to cover the cost of periodic inspections.
3. Where electric lines or other utilities are to be installed by a corporation, municipal department or public utility, a letter of intent shall be required stating that the work will be done within one (1) year without expense to the Town or Precinct.
4. The Planning Board may recommend a maximum extension of 12 months to the guaranteed performance period when the subdivider can demonstrate, to the satisfaction of the Board and other interested officials or agencies, good cause for such extension. Such recommendation for extension shall be referred to the Commissioners for determination.
5. No lots shall be sold by the subdivider until all required improvements as specified in the final plan to the subdivision have been completed and inspected, including the complete construction of any new road(s) to Town standards as certified by the Town Road Agent. Such certification shall in no way obligate the Selectboard to accept said road as a Town maintained road.
6. The performance bond shall not be released until the Commissioners have certified completion of the required improvements in approved subdivision plans, and those deeds covering the land to be used for public purposes, easements and right-of-ways, and rights-to-drain are submitted in a form satisfactory to Town Counsel.
7. Prior Work: The Board shall not authorize nor permit any work in a subdivision, including clearing and rough grading, prior to its approval of the final plat. If the Board determines that any work undertaken on the subject property does not represent orderly and planned development, the Board may require the subdivider to restore the site, as nearly as possible, to a status satisfactory to the Board as a condition of the approval of any plat.

#### E. OFFERS OF CESSION

The subdivider shall tender offers of cession in a form certified as satisfactory by the Town Counsel of all land included in streets, highways, or parks not specifically reserved by him; however, approval of the plat by the Board shall not constitute acceptance by the Town of the dedication of any street, highway, park, or other public open space.

## SECTION 5 — MINIMUM LOT SIZES

A. In the absence of municipal sewerage facilities minimum lot sizes shall meet the lot size requirements specified in Table 1, Minimum Lot Sizes by Soil Classification), pages 19-24

This requirement is subject to the following qualifications:

1. Where more than one soil type is found on a lot, a weighted average of those soils occurring on the lot shall be used to determine the minimum lot size. In the case of cluster or planned unit developments subdivisions, the overall density of lots for development within the parcel shall be determined by using Table 1 or Table 2 and computing a weighted average of all soils. Each lot will not exceed four (4) bedrooms per lot. Road area, wetlands or slopes over 25% shall not be utilized in calculating overall density.
2. All lots shall have a minimum of 20,000 square feet of contiguous area which has at least 3 feet of natural soil material above bedrock, contains no wetland soils and has slopes less than 25%.

B. In the Precinct the minimum lot size is one acre or the minimum requirement stated in Table I, subject to the zoning ordinance requirements.

C. Minimum lot sizes for residential developments with greater than three (3) bedrooms per unit and for commercial and industrial developments shall be determined as follows:

1. For residential use with 3 or more bedrooms per unit, the minimum lot size shall be proportionately larger than the lot size indicated in Table 1 as determined by the formula:  
Lot Size (in sq. ft.) = Number. of Bedrooms / 3 x Lot Size from Table 1
2. For duplex use, the lot size shall be increased by 50% of the minimum lot size as determined by Table 1.
3. For commercial and industrial uses, the lot sizes (in sq. ft.) will be determined by the formula:

$$\text{Lot Size} = \text{Gal. of wastewater per day} / 1837 \times \text{Lot Size [Table 1]} + \text{Land Required for well radius}$$

Gallons of wastewater discharged per day shall be determined from NH Code of Administrative Rules, Part W, 107.02(b), "Unit Design Flow Figures."

D. No subsurface wastewater disposal system shall be constructed within 75 feet of any designated wetland area.

## E. DETERMINATION OF SOIL TYPE

1. Soil type determination for use in this section shall be done from published soil information or performed by a certified soil scientist when, in the opinion of the Board or the applicant, more detailed soil information is necessary.
2. Soil data shall be provided as a part of the subdivision plan at the scale and dimensions required. Any cover letters or explanatory data provided by the certified soil scientist shall also be submitted.
3. Such tests shall be performed with the advice and under the direction of the Planning Board or its designated agent.
4. All costs of performing such investigations shall be borne by the applicant.

**TABLE 1**  
**MINIMUM LOT SIZE BY SOIL CLASSIFICATION**

SYMBOL	SOIL NAME	LOT SIZE	SLOPE	STATE SYMBOL
1*	OCCUM FINE SANDY LOAM, FREQUENTLY FLOODED	N/A	0-5%	1
1	ONDAWA FINE SANDY LOAM, FREQUENTLY FLOODED	N/A	0-5%	101
1H*	OCCUM FINE SANDY LOAM, OCCASIONALLY FLOODED	N/A	0-5%	401
1H	ONDAWA FINE SANDY LOAM, OCCASIONALLY FLOODED	N/A	0-5%	201
2	SUNDAY LOAMY SAND	N/A	0-5%	102
2*	SUNCOOK LOAMY FINE SAND	N/A	0-5%	2
4	PODUNK FINE SANDY LOAM	N/A	0-5%	104
4*	POOTATUCK VERY FINE SANDY LOAM	N/A	0-5%	4
5	RUMNEY FINE SANDY LOAM	PD	0-5%	105
5*	RIPPOWAM FINE SANDY LOAM	N/A	0-5%	5
6	MEDOMACK SILT LOAM	VP	0-5%	106
8	HADLEY SILT LOAM, FREQUENTLY FLOODED	N/A	0-5%	8
8H	HADLEY SILT LOAM, OCCASIONALLY FLOODED	N/A	0-5%	108
9	WINOOSKI SILT LOAM	PD	0-5%	9
009	LIMERICK SILT LOAM	PD	0-5%	109
12A	QUONSET LOAMY SAND	40,000	0-3%	310A
12B	QUONSET LOAMY SAND	40,000	3-8%	310B
12C	QUONSET LOAMY SAND	45,000	8-15%	310C
15	SEARSFORD MUCKY PEAT	VP	0-5%	15
22A	COLTON LOAMY SAND	40,000	0-3%	22A
22B	COLTON LOAMY SAND	40,000	3-8%	22B
22C	COLTON LOAMY SAND	45,000	8-15%	22C
24A	AGAWAM FINE SANDY LOAM	40,000	0-3%	24A
24B	AGAWAM FINE SANDY LOAM	40,000	3-8%	24B
26A	WINDSOR LOAMY FINE SAND	40,000	0-3%	26A
26B	WINDSOR LOAMY FINE SAND	40,000	3-8%	26B
26C	WINDSOR LOAMY FINE SAND	45,000	8-15%	26C
26E	WINDSOR LOAMY FINE SAND	N/A	15-60%	26E
27A	GROVETON FINE SANDY LOAM	40,000	0-3%	27A
27B	GROVETON FINE SANDY LOAM	40,000	3-8%	27B

28A	MADAWASKA FINE SANDY LOAM	60,000	0-3%	28A
28B	MADAWASKA FINE SANDY LOAM	60,000	3-8%	28B
30A*	HITCHCOCK SILT LOAM	50,000	0-3%	130A
30B*	HITCHCOCK SILT LOAM	50,000	3-8%	130B
30C*	HITCHCOCK SILT LOAM	75,000	8-15%	130C
30E*	HITCHCOCK SILT LOAM	N/A	15-60%	130E
30E	SALMON VERY FINE SANDY LOAM	N/A	10-60%	630E
36A	ADAMS LOAMY SAND	40,000	0-3%	36A
36B	ADAMS LOAMY SAND	40,000	3-8%	36B
36C	ADAMS LOAMY SAND	45,000	8-15%	36C
36E	ADAMS LOAMY SAND	N/A	15-60%	36E
54B	MONADNOCK AND HERMON SOILS	40,000	3-8%	254B
54C	MONADNOCK AND HERMON SOILS	45,000	8-15%	254C
54D	MONADNOCK AND HERMON SOILS	60,000	15-25%	254D
55B	MONADNOCK AND HERMON SOILS, VERY STONY	40,000	3-8%	255B
55C	MONADNOCK AND HERMON SOILS, VERY STONY	45,000	8-15%	255C
55D	MONADNOCK AND HERMON SOILS, VERY STONY	60,000	15-25%	255D
55E	MONADNOCK AND HERMON SOILS, VERY STONY	N/A	25-35%	255E
55RC	HERMON FINE SANDY LOAM, EXTREMELY BOULDERY	45,000	8-15%	355C
55RD	HERMON FINE SANDY LOAM, EXTREMELY BOULDERY	60,000	15-25%	355D
55RE	HERMON FINE SANDY LOAM, EXTREMELY BOULDERY	N/A	25-35%	355E
56B	BECKET FINE SANDY LOAM	50,000	3-8%	56B
56C	BECKET FINE SANDY LOAM	75,000	8-15%	56C
56D	BECKET FINE SANDY LOAM	100,000	15-25%	56D
57B	BECKET FINE SANDY LOAM, VERY STONY	50,000	3-8%	57B
57C	BECKET FINE SANDY LOAM, VERY STONY	75,000	8-15%	57C
57D	BECKET FINE SANDY LOAM, VERY STONY	100,000	15-25%	57D
57E	BECKET FINE SANDY LOAM, VERY STONY	N/A	25-35%	57E
59B	WAUMBEK LOAMY SAND, VERY STONY	50,000	3-8%	59B
59C	WAUMBEK LOAMY SAND, VERY STONY	75,000	8-15%	59C
62B	CHARLTON FINE SANDY LOAM	40,000	3-8%	62B
62C	CHARLTON FINE SANDY LOAM	45,000	8-15%	62C
62D	CHARLTON FINE SANDY LOAM	60,000	15-25%	62D

SYMBOL	SOIL NAME	LOT SIZE	SLOPE	STATE SYMBOL
70B	TUNBRIDGE-LYMAN COMPLEX	60,000	3-8%	90B
70C	TUNBRIDGE-LYMAN COMPLEX	80,000	8-15%	90C
70D	TUNBRIDGE-LYMAN COMPLEX	N/A	15-25%	90D
71B	TUNBRIDGE-LYMAN-ROCK OUTCROP COMPLEX	60,000	3-8%	61B
71C	TUNBRIDGE-LYMAN-ROCK OUTCROP COMPLEX	80,000	8-15%	61C
71D	TUNBRIDGE-LYMAN-ROCK OUTCROP COMPLEX	N/A	15-25%	61D
71E	TUNBRIDGE-LYMAN-ROCK OUTCROP COMPLEX	N/A	25-60%	61E
72B	BERKSHIRE LOAM	40,000	3-8%	72B
72C	BERKSHIRE LOAM	45,000	8-15%	72C
72D	BERKSHIRE LOAM	60,000	15-25%	72D
73B	BERKSHIRE LOAM, VERY STONY	40,000	3-8%	73B
73C	BERKSHIRE LOAM, VERY STONY	45,000	8-15%	73C
73D	BERKSHIRE LOAM, VERY STONY	60,000	15-25%	73D
73E	BERKSHIRE LOAM, VERY STONY	N/A	25-35%	73E
73RC	BERKSHIRE LOAM, EXTREMELY BOULDERY	45,000	8-15%	173C
73RD	BERKSHIRE LOAM, EXTREMELY BOULDERY	60,000	15-25%	173D
73RE	BERKSHIRE LOAM, EXTREMELY BOULDERY	N/A	25-35%	173E
76B	MARLOW FINE SANDY LOAM	50,000	3-8%	76B
76C	MARLOW FINE SANDY LOAM	75,000	8-15%	76C
76D	MARLOW FINE SANDY LOAM	100,000	15-25%	76D
77B	MARLOW FINE SANDY LOAM, VERY STONY	50,000	3-8%	77B
77C	MARLOW FINE SANDY LOAM, VERY STONY	75,000	8-15%	77C
77D	MARLOW FINE SANDY LOAM, VERY STONY	100,000	15-25%	77D
77E	MARLOW FINE SANDY LOAM, VERY STONY	N/A	25-35%	77E
78B	PERU FINE SANDY LOAM	60,000	3-8%	78B
78C	PERU FINE SANDY LOAM	90,000	8-15%	78C
79B	PERU FINE SANDY LOAM, VERY STONY	60,000	3-8%	79B
79C	PERU FINE SANDY LOAM, VERY STONY	90,000	8-15%	79C
79D	PERU FINE SANDY LOAM, VERY STONY	N/A	15-25%	79D
214A	KINSMAN SAND	FD	0-5%	614A

295	GREENWOOD MUCKY PEAT	VP	0-5%	295
299	UDORTHENIS, SMOOTHED	*		299
313A	DEERFIELD LOAMY FINE SAND	60,000	0-3%	313A
330B	BERNARDSTON SILT LOAM	50,000	3-8%	330B
330C	BERNARDSTON SILT LOAM	75,000	8-15%	330C
330D	BERNARDSTON SILT LOAM	100,000	15-25%	330D
331B	BERNARDSTON SILT LOAM, VERY STONY	50,000	3-8%	331B
331C	BERNARDSTON SILT LOAM, VERY STONY	75,000	8-15%	331C
331D	BERNARDSTON SILT LOAM, VERY STONY	100,000	15-25%	331D
331E	BERNARDSTON SILT LOAM, VERY STONY	N/A	25-35%	331E
334B	PITTSTOWN LOAM	60,000	3-8%	334B
334C	PITTSTOWN LOAM	90,000	8-15%	334C
336B	PITTSTOWN LOAM, VERY STONY	60,000	3-8%	336B
336C	PITTSTOWN LOAM, VERY STONY	90,000	8-15%	336
336D	PITTSTOWN LOAM, VERY STONY	N/A	15-25%	336D
341A	STISSLING SILT LOAM, VERY STONY	PD	0-3%	341A
341B	STISSLING SILT LOAM, VERY STONY	PD	3-8%	341B
360B	CARDIGAN-KEARSARGE COMPLEX	60,000	3-8%	360B
360C	CARDIGAN-KEARSARGE COMPLEX	80,000	8-15%	360C
360D	CARDIGAN-KEARSARGE COMPLEX	N/A	15-25%	360D
360E	CARDIGAN-KEARSARGE COMPLEX	N/A	25-35%	360E
361B	CARDIGAN-KEARSARGE-ROCK OUTCROP COMPLEX	80,000	3-8%	361B
361C	CARDIGAN-KEARSARGE-ROCK OUTCROP COMPLEX	100,000	8-15%	361C
361D	CARDIGAN-KEARSARGE-ROCK OUTCROP COMPLEX	N/A	15-25%	361D
361E	CARDIGAN-KEARSARGE-ROCK OUTCROP COMPLEX	N/A	25-35%	361E
395	CHOCORUA MUCKY PEAT	VP	0-5%	395
399	ROCK OUTCROP	*		399
514A	WALPOLE-BINGHAMVILLE COMPLEX	PD	0-5%	114A
532A*	DARTMOUTH SILT LOAM	75,000	0-3%	132A
532B*	DARTMOUTH SILT LOAM	75,000	3-8%	132B
532A	NICHOLVILLE VERY FNE SANDY LOAM	75,000	0-3%	632A
532B	NICHOLVILLE VERY FNE SANDY LOAM	75,000	3-8%	632B
533*	BINGHAMVILLE SILT LOAM	PD	0-5%	534

SYMBOL	SOIL NAME	LOT SIZE	SLOPE	STATE SYMBOL
533	PEMI SILT LOAM	PD	0-5%	633
547A	LYME AND MOOSILAUKE SOILS, VERY STONY	PD	0-3%	347A
547B	LYME AND MOOSILAUKE SOILS, VERY STONY	PD	3-8%	347B
558B	SKERRY FINE SANDY LOAM	60,000	3-8%	558B
559B	SKERRY FINE SANDY LOAM, VERY STONY	60,000	3-8%	559B
559C	SKERRY FINE SANDY LOAM, VERY STONY	90,000	8-15%	559C
559D	SKERRY FINE SANDY LOAM, VERY STONY	120,000	15-25%	559D
612E	QUONSET LOAMY SAND	N/A	15-60%	310E
613A	CROGHAN LOAMY SAND	60,000	0-5%	613A
622E	COLTON LOAMY SAND	N/A	15-60%	622E
647A	PILLSBURY FINE SANDY LOAM, VERY STONY	PD	0-3%	647A
647B	PILLSBURY FINE SANDY LOAM	PD	3-8%	647B
701B	BECKET-SKERRY ASSOCIATION, GENTLY SLOPING, VERY STRONG	**		701B
701D	BECKET-MONADNOCK ASSOCIATION, STEEP, VERY STONY	**		703D
701E	BECKET-MONADNOCK ASSOCIATION, STEEP, VERY STONY	**		703E
707B	SKERRY-TUNBRIDGE ASSOCIATION, UNDULATING, VERY STONY	**		724B
707D	BECKET-TUNBRIDGE ASSOCIATION, HILLY, VERY STONY	**		709D
707E	BECKET-TUNBRIDGE ASSOCIATION, STEEP, VERY STONY	**		709E
710B	SKERRY-LYMAN-ROCK OUTCROP COMPLEX, UNDULATING	**		730B
710D	BECKET-LYMAN-ROCK OUTCROP COMPLEX, HILLY	**		710D
710E	BECKET-LYMAN-ROCK OUTCROP COMPLEX, STEEP	**		710E
711B	MONADNOCK-HERMON ASSOCIATION, UNDULATING, VERY STONY	**		711B
711D	MONADNOCK-HERMON ASSOCIATION, HILLY, VERY STONY	**		711D
711E	MONADNOCK-HERMON ASSOCIATION, STEEP, VERY STONY	**		711E
712B	HERMON-MONADNOCK ASSOCIATION, UNDULATING, EX. BOULDERY	**		712B
712D	HERMON-MONADNOCK ASSOCIATION, HILLY, EX. BOULDERY	**		712D
712E	HERMON-MONADNOCK ASSOCIATION, STEEP, EX. BOULDERY	**		712E
713B	HERMON-WAUMBEK ASSOCIATION, UNDULATING, VERY STONY	**		713B
713D	HERMON-WAUMBEK ASSOCIATION, HILLY, VERY STONY	**		713D
717	LYME-PEACHAM ASSOCIATION, VERY STONY	**		717

719B	PERU-TUNBRIDGE ASSOCIATION, UNDULATING, VERY STONY	**			719B
719D	MARLOW-TUNBRIDGE ASSOCIATION, HILLY, VERY STONY	**			719D
719E	MARLOW-TUNBRIDGE ASSOCIATION, STEEP, VERY STONY	**			719E
720D	MARLOW-LYMAN-ROCK OUTCROP COMPLEX, HILLY	**			720D
720E	MARLOW-LYMAN-ROCK OUTCROP COMPLEX, STEEP	**			720E
721B	PERU-MARLOW ASSOCIATION, GENTLY SLOPING, VERY STONY	**			721B
721D	MARLOW-BERKSHIRE ASSOCIATION, MOD. STEEP, VERY STONY	**			722D
723B	PERU-PILLSBURY ASSOCIATION, GENTLY SLOPING, VERY STONY	**			723B
726D	ROCK OUTCROP-LYMAN COMPLEX, HILLY	**			726D
726E	ROCK OUTCROP-LYMAN COMPLEX, STEEP	**			726E
727	RUBBLE LAND	**			727
727B	WAUMBEK-LYME ASSOCIATION, UNDULATING, VERY STONY	**			729B
731	PEACHAM AND OSSIME SOILS, VERY STONY	**			731
734D	SURPLUS-SISK ASSOCIATION, MODERATELY STEEP, VERY STONY	**			734D
735E	SADDLEBACK-RICKER-ROCK OUTCROP COMPLEX, STEEP	**			735E
740D	HERMON-REDSTONE ASSOCIATION, HILLY, VERY STONY	**			740D
741D	REDSTONE-CANAAN-ROCK OUTCROP COMPLEX, HILLY	**			741D
741E	REDSTONE-CANAAN-ROCK OUTCROP COMPLEX, STEEP	**			741E
G.F.	PITS, GRAVEL	**			278
QU	PITS, QUARRY	**			398
W	WATER				
N/A	NOT ALLOWED				
PD	POORLY DRAINED				
VP	VERY POORLY DRAINED				
*	ON SITE NECESSARY				
**	ORDER III MAPPING, MORE DETAILED SOIL SURVEY NECESSARY				

## SECTION 6 — PREMATURE SUBDIVISION DEVELOPMENT

- A. Scattered or premature subdivision of land as would involve danger or injury to health, safety, or prosperity by reason of lack of water supply, drainage, transportation, school, fire department, or other public services, or that would necessitate an excessive expenditure of public funds for the supply of such services, shall not be approved by the Planning Board.
- B. The Board may, if the situation warrants, approve an entire subdivision, allowing only a portion thereof to be developed each year. Such phased development would help permit an orderly expansion, within the Precinct and Town, of its services to match growing needs.
- C. The following factors shall be considered in determining whether the proposed subdivision is scattered or premature. The subdivider may be required to have studies made, under guidelines established by the Planning Board, to determine the effect of the proposed subdivision on these factors:
  - 1. Distance from nearest school.
  - 2. Capacity of the school system and effect of school bus transportation requirements.
  - 3. Adequacy of access street(s) and / or sidewalk(s).
  - 4. Adequacy of water supply for domestic needs as well as for firefighting purposes.
  - 5. Potential health problems due to onsite sewage systems and / or water supply.
  - 6. Potential fire protection problems due to location and / or special conditions relative to type of use.
  - 7. Potential special policing problems.
  - 8. Potential drainage problems both onsite and downstream.
  - 9. Potential for causing excessive expenditure of public funds.
  - 10. Any other potential problems within the purpose and meaning of this section.

## SECTION 7 — GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND

The subdivider shall observe the following general requirements and principles of land subdivision and shall duly note them on the preliminary and final plat:

A. Land of such character that it cannot be safely used for building purposes because of exceptional danger to health or peril from fire, flood or other menace shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property or aggravate the flood hazard.

B. Areas shall be set aside for open space, parks or playgrounds to be dedicated to or reserved for the common use of and maintained by all property owners by covenant in the deed. This requirement may be waived by the Planning Board on subdivisions of 5 lots or less. (See Section 8H)

C. Where a subdivision is proposed in a location where a water supply for fire fighting purposes is not readily accessible, the Planning Board shall, as a condition of final approval, require the developer to provide, at the developer's expense, for the installation of fire protection devices including, but not limited to, fire ponds, dry hydrants or storage tanks and require the developer to allow access to such devices by reserving water and maintenance easements to the Town or Precinct, as the Planning Board may deem appropriate.

In the case of a subdivision which includes water frontage, the applicant shall provide for an easement or easements, if appropriate, of not less than thirty (30) feet in width to allow the Fire Department unobstructed access from the nearest public right-of-way to the shoreline, for the purpose of installing and/or maintaining a dry hydrant, or other water access device, for year-round access to a supply of water for fire protection purposes. Such easement shall provide that no obstructions may exist within the easement area.

The Planning Board shall require construction and maintenance of a roadway of suitable materials to facilitate access of fire fighting equipment and maintenance equipment to the shoreline or dry hydrant. In addition, the Planning Board, pursuant to RSA 674:36, shall require the applicant to provide a performance bond or irrevocable letter of credit to secure to the Town the actual construction and installation of such fire fighting access facilities and devices within a specified period of time, but in any event such construction shall be completed before occupancy of any units on the proposed subdivision.

D. Streets which join or are in alignment with streets of abutting or neighboring properties shall bear the same name. Names of new streets shall not duplicate, nor bear phonetic resemblance to the names of existing streets within the Town of Haverhill All street names shall be approved by the Selectboard.

E. In areas not currently served by public sewer systems it shall be the responsibility of the subdivider or his agent to provide adequate information to prove that each lot is adequate to permit the installation and operation of an individual sewerage disposal

system (septic tank and drain field). Such information shall consist of a report regarding seepage and other tests satisfying the requirements and having the approval of the State of New Hampshire for sewage disposal systems. The subdivider or his agent shall be required to provide the necessary equipment and labor for the making of these tests. Test pits and percolation test holes may be inspected by the Commissioners or their agent. These shall be suitably marked on the site and be located on the plat. Compliance with this paragraph does not relieve the applicant from compliance with the building regulations.

**F. The proposed subdivision shall conform to the Zoning Ordinances of the Precinct and all other pertinent ordinances of the Town and Precinct, whichever regulation is more restrictive.** Where strict conformity to the Subdivision Regulations would cause undue hardship or injustice to the owner of the land, a subdivision plan substantially in conformity with regulations may be approved by the Board provided that the spirit of the Regulations and public convenience and welfare will not be adversely affected.

G. The Planning Board may require at its discretion restrictive covenants to be placed in the deeds of lots sold. Such covenants shall be recorded on the final plat.

H. Long, narrow lots or lots with irregular shapes shall not be accepted by the Board, especially if, in the opinion of the Board, these lots will create unusable, inaccessible areas of land. Lots with a width to depth ratio greater than 1 to 4 shall not be approved.

I. Land designated for community or public use may not be subdivided for any purpose. (See Section 8H)

J. Any natural drainage ways and their easements shall be so incorporated that no flooding will occur and all storm water can be disposed of properly.

K. The Board shall require that a proposed subdivision design show respect for such features as trees, streams, topography, and other natural assets.

L. Due regard shall be given to preservation of existing features, trees, scenic points and other natural and historic resources within the subdivision. The Board may require additional tree planting and other landscaping appropriate to the area being developed. Removal of stripped topsoil or surplus materials from the subdivision area shall not be permitted unless considered reasonable by the Board. Existing trees on lots and open space land shall be preserved wherever feasible or unless otherwise directed by the Board.

M. Flood Hazard Areas: All subdivision proposals and proposals for other developments governed by these regulations having lands identified as Flood Hazard Areas in the "Flood Insurance Study for the Town of Haverhill, NH as amended" together with associated Flood Insurance Rate Maps of the Town of Haverhill, as amended, shall meet the following requirements:

1. All subdivision proposals and proposals for other developments shall be located and designed to assure that all public utilities and facilities, such as sewer,

electrical, and water systems are located and constructed to minimize or eliminate flood damage and adequate drainage is provided to reduce exposure to flood hazards.

2. All new subdivision proposals and other proposed developments including proposals for manufactured home parks must include base flood elevation data with their applications.
3. Subdivision proposals and other proposed new developments shall include 100 year flood elevation data when any portion of the development is within the flood plain.
4. In riverine situations, prior to the alteration or relocation of a watercourse, the applicant for such authorization shall notify the New Hampshire Office of State Planning and Wetlands Bureau and submit copies of such notification to those adjacent communities as determined by the Planning Board. Within the altered or relocated portion of any watercourse, the applicant shall submit to the Planning Board certification provided by a NH registered professional engineer assuring that the flood carrying capability of the watercourse has been maintained.
5. Where new replacement water and sewer systems (including onsite systems) are proposed in flood prone areas, the applicant shall provide the Planning Board with evidence that new and replacement sanitary sewage systems are designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and onsite disposal systems are located to avoid impairment to them or contamination from them during flooding.
6. See also Appendix D, National Flood Insurance Requirements

N. Access to lots abutting existing Precinct, 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.

O. 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. Final approval of driveways is reserved to the Planning Board in consideration of a driveway permit application.

P. Pedestrian Walks, Sidewalks, and Bicycle Paths: Where necessary in the judgment of the Board, 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 shall require the subdivider to provide sidewalks and/or bicycle paths outside the subdivision.

## SECTION 8 — OPEN SPACES

### A. Community Open Space

Where a proposed community 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 the Town and Precinct Master Plans.

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 Precinct. The Board shall not require such in excess of 15 percent of the total area of the subdivision. If the open space area does not front on a road, the Board may require that reasonable access be offered to the Precinct.

### B. Subdivision Open Space

If no such community open space, park or playground is shown on either the Town or Precinct Master Plan within the boundaries of a proposed subdivision, the Board may, where it deems essential, require that the plat show one or more sites of character, size, shape and location suitable to be used by the future residents of the subdivision as open space or park, in area not to exceed 15 percent of the total area of the subdivision. The subdivider may of his own volition exceed the above area requirements.

**C. Open Space** shall be protected by recreational and / or conservation easements; or shall be leased or conveyed to be permanently protected in other suitable ways approved by the Planning Board so as to guarantee the following:

1. The continued use of such land for the intended purpose
2. Continuity of proper maintenance for those portions of the open space land requiring maintenance
3. When appropriate, the availability of funds required for such maintenance
4. Recovery for loss sustained as a result of casualty, condemnation or otherwise, and
5. In the case of a homeowners' association or similar form of ownership, that the membership and obligation of the residents of the Open Space be automatic upon conveyance of title or lease to individual dwelling units. A summary for the terms of ownership of the Open Space for a Planned Unit Development (PUD) as outlined in this section must be available at the time of Public Hearing.
6. Reserve strips of land which, in the opinion of the Board, show an intent on the part of the subdivider to control access to land dedicated or to be dedicated to public use shall not be permitted.

## **D. Development of Subdivision Open Space**

There shall be no depositing, dumping, or storage of waste or other natural or man-made material, supplies, or equipment, on any subdivision land designated as open space. No work, removing, or filling shall be done, nor shall the existing original condition until the subdivider's plans for recreational development of said open space have been reviewed and approved by the Board as part of the final plat submission. On land to be used as active recreation open space, undesirable growth and debris shall be removed. Wooded and brook areas shall be left natural; active recreation open spaces shall be properly maintained.

# **SECTION 9 - ROAD DESIGN AND CONSTRUCTION STANDARDS**

## **A. Road Design Standards**

Proposed streets and utilities shall be in harmony and conformance with existing and proposed streets, as shown on the Town Master Plan or Official Map. Street patterns shall give due consideration to contours and natural features. Where required by the Board, provision shall be made for the extension of the street pattern to abutting undeveloped property. Every proposed street in a subdivision shall be laid out and constructed to Town standards as set forth herein.

### **1. Road Layout and Intersections**

The arrangement of roads in the subdivision shall provide for the continuation of existing principal roads:

- a. Roads shall be laid out to intersect at a 90-degree angle or as nearly as possible. No street intersection shall be at an angle of less than 75 degrees.
- b. Center lines of not more than two streets shall intersect at any one point
- c. Curb radii at street intersections of 90 degrees shall be at least 25 feet. Where the angle of the street intersection is less than 90 degrees, a radius of at least 30 feet shall be required.
- d. Due consideration shall also be given by the subdivider to the attractiveness of the street layout in order to obtain maximum livability and amenity in the proposed subdivision.
- e. Apportionment of the right-of-way for roadway, sidewalks and possible grass strips shall be subject to the approval of the Board or the Town Select Board or its agent. The roadway shall be centered on the right-of-way.

### **2. Dead End Streets**

- a. Permanently designed dead-end streets shall not be longer than 500 feet.

- b. No street shall be designed with a permanent dead end when there is potential for further development on the lot or an adjacent lot. However, turnaround requirement referenced below must be followed as long as the street is temporarily dead-ended.
- c. Dead-end streets shall be equipped with a turnaround roadway at the closed end in the shape of a hammerhead of 100 feet by 50 feet, or a turnaround with an island with a radius of no less than 100 feet. Land in the center of a cul-de-sac shall not be considered open space.

### **3. Rights-of-way and Easements**

- a. The minimum width of a right of way shall be 50 feet. A greater width may be required for streets that have an average daily traffic in excess of 200 vehicles/day or to accommodate road safety on sloping land. This determination shall be made by the Planning Board after consultation with the Board of Selectmen of its agent.
- b. Easements or rights-of-way across lots shall be provided where necessary for utilities, access, and drainage. Such easements shall be centered on rear or side lot lines wherever possible. Side slopes of roads that extend beyond the right-of-way must be constructed with a suitable slope easement in place.

### **4. Design Traffic Volumes**

Roads shall be designed for specific traffic volumes by accepted current engineering practice. The average daily traffic (ADT) projected for a period of 10 years after the date of construction completion shall be the basis for the design. To determine the design traffic volume, use ten vehicle trips per day per household for the projected number of households in the design year.

### **5. Sight Distance**

Minimum sight distance shall be as shown in Table 2: "Minimum Geometric and Structural Guides of Local Roads and Streets." This distance is established based on a typical driver's eye level positioning and ability to spot a small object 6 inches tall in the road.

### **6. Grades**

Minimum grade shall not be less than 0.5 percent. Maximum grade shall be 10 percent. A maximum grade of 2 percent will be allowed within 100 feet of an intersection to provide safe and adequate stopping area. Any road or section of road exceeding 5 percent grade shall be paved with a minimum of 2 inches rolled thickness of hot bituminous concrete (asphalt) meeting State specifications.

### **7. Alignment**

Alignment shall be to as high a standard as is commensurate with topography, terrain, and design traffic. Sudden changes between curves of widely different radii of long tangents and sharp curves shall not be permitted. Where crest vertical curves and horizontal curves occur in the same location, there shall be above minimum sight distance to assure that the horizontal curve is visible as drivers approach.

## **8. Geometric and Structural Guide**

The minimum geometric and structural guidelines for local roads and streets as published by the New Hampshire Department of Transportation are summarized in Table 2. These current regulations are based on the New Hampshire Department of Transportation Guidelines and the Town of Haverhill Subdivision Regulations, whichever is most stringent. Figure 1 shows the requirements in graphic form. (Refer to section 4.D, Performance Bond)

All roads or road sections over 5% grade shall have a wearing course of 2 inch rolled hot bituminous concrete. Stabilization fabric may also be required.

Table 2: Minimum Geometric and Structural Guides of Local Roads and Streets

Average Daily Estimated Traffic Count	0 to 50	50-200	200-700	700-1500	>1500
Pavement Width (feet)	18	20	20	22	24
Shoulder Width (feet)	2	2	4	4	8-10
Center of Road to Ditch Line (feet)	15	16	18	19-21	Varies
Pavement Type	Gravel	AST*	HB**	HB	HB
Slope of Roadway (inch / foot)	1 / 2	3 / 8	3 / 8	1 / 4	1 / 4
Base Course Depth ( inches) See notes 3,4, and 5					
	Crushed Gravel	6	6	6	6
	Gravel, Bank Run	12	12	12	18
Minimum Sight Distance (feet)	100	200	300	400	400
Minimum Horizontal Curve Radii (feet)	50	100	150	200	200
Minimum Vertical Curve Radii (feet)	50	100	150	200	200
Minimum Length of Tangents Between Curve (feet)	50	100	150	200	200

\* Asphalt Surface Treated "Liquid Tar Sealer" mixed with sand or 3 / 8 inch pea stone

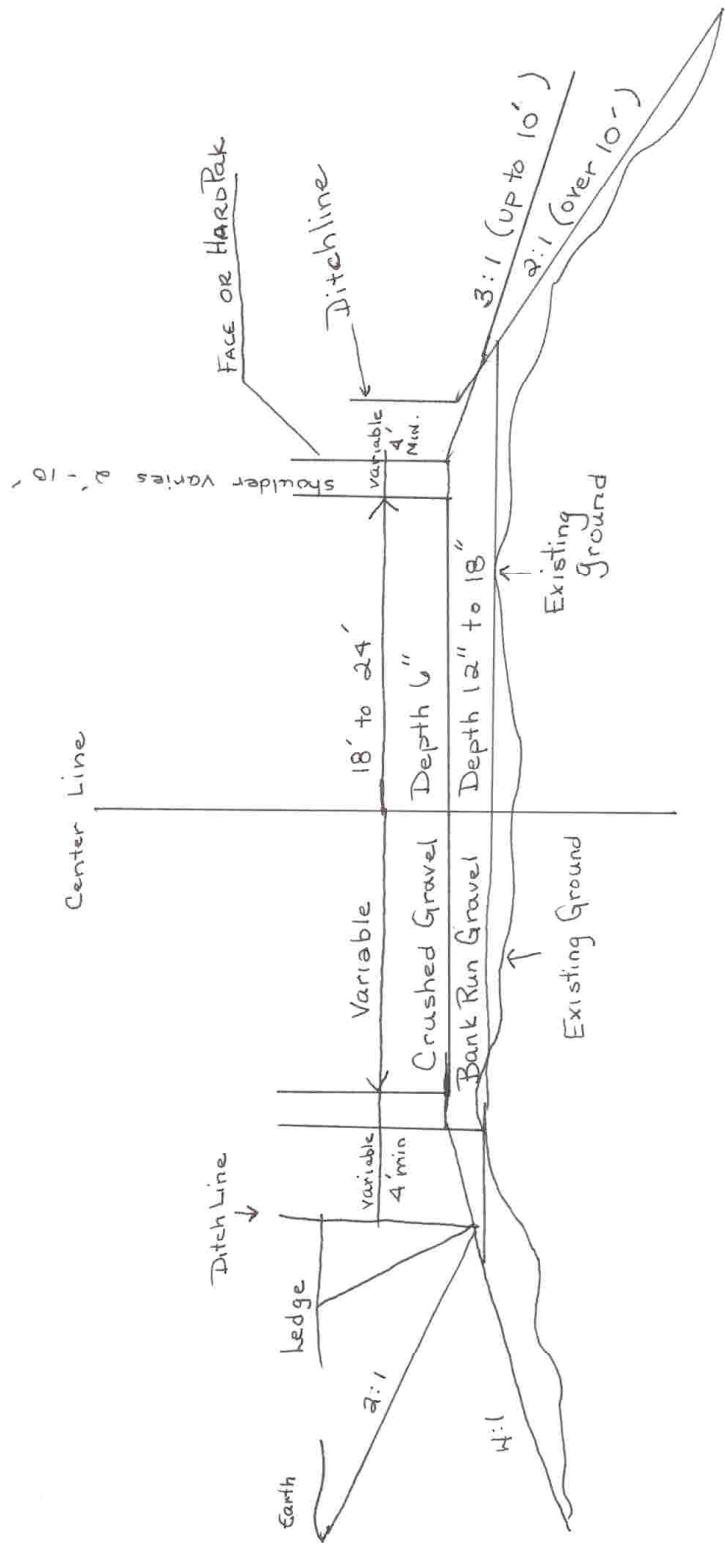
\*\* Hot Bituminous Concrete

NOTES:

1. Average daily traffic is based on 8 round trips per day per single family dwelling.
2. For Average Daily Traffic over 1,000 vehicles per day paved shoulders should be considered.
3. For details see section 9.B.3 Sub-grade Preparation
4. Gravel Surface should be paved where steep grades occur.
5. Base course depths may need to be increased in areas of poor soils.
6. All roads or road sections over 5% grade shall have a wearing course of 2" rolled hot bituminous concrete. Base course depths on all roads shall be a minimum of 18" of free draining gravel. Stabilization fabric may also be required.
7. Cross section elements may be modified when based on sound engineering design and approved by the Town or its designated engineer.
8. Material specifications shall conform to standard specifications for road and bridge construction by New Hampshire Department of Public Works and Highways, as amended.
9. Design standards shall conform to geometric design guides by the American Association of State Highway and Transportation Officials.

Figure 1

FIGURE 1: Typical Road Cross Section - Town of Haverhill Minimum Geometric and Structural Guideline for Local Roads and Streets



Note: Road or Street shall be completed in accordance with these regulations prior to subdivision lots being sold, as noted in Performance Bond Section 3:10, ¶15.

## **B. Road Construction Standards**

### **1. Clearing**

The entire area of each right-of-way shall be cleared of all trees not intended for preservation, stumps, brush, roots, boulders, and like materials.

### **2. Materials**

- a. Construction material specifications shall be those in Standard Specifications for Road and Bridge Construction by the New Hampshire Department of Public Works and Highways, as amended.
- b. Special specifications for those that differ from the State standard will be stated explicitly in the initial submission of design plans. Approval of materials must be made by the Planning Board or their appointed engineer, after consultation with the Board of Selectmen or their agent, prior to use in construction.
- c. A notarized letter of certification shall be provided by the owner(s) that all materials meet specifications.

### **3. Subgrade Preparation**

All loam and other yielding material shall be removed from the roadway surface. All boulders and ledge shall be removed to a uniform cross sectional depth and replaced with "bank run" free draining gravel plus an additional layer of crushed gravel as noted in Table 2.

### **4. Drainage**

Surface water shall be disposed of by means of culverts of sufficient capacity at watercourses as determined by standard hydraulic design methods and by construction for a longitudinal storm drainage system to relieve water in ditch sections.

### **5. Erosion Control**

Erosion shall be controlled by placing seeding and mulching or equivalent thereof on all surfaces disturbed by construction of the roadway and on all other surfaces where there is danger of eroded material being carried to the roadway area or watercourse.

### **6. Construction Supervision and Inspection**

Each road is to be considered individually. Developers and contractors are required to meet with the Board of Selectmen or their agent and the Road Agent before beginning construction. All work and material require the approval of the Board of Selectmen or its agent and the Road Agent. Inspection of roads under construction shall be made by the Road Agent at the beginning and end of each phase. This inspection is required if the road is to be dedicated to the Town and considered for acceptance. The sole purpose

of said inspections is to determine if Town road construction standards are in compliance. The Road Agent is not to act as engineer for the applicant. The cost of such inspections by the Road Agent shall be billed to the applicant and payment to the Town for such costs shall be a condition of subdivision approval. The Town retains the right to hire a consultant and it shall be the responsibility of the applicant to cover all costs incurred.

## **7. Subdivision As-Built Plans**

Before the final inspection and acceptance of a road or other improvements by the Board of Selectmen, the owner(s) shall have prepared and submitted as-built plans to the Planning Board. These plans should show as-built locations and elevations in a contrasting color (preferably red ink) on a print of the original road design or Final Plat. The as-built road plans shall show as-built centerline or street elevations, as-built drainage systems including culverts, catch basins, drainage easements, as-built guardrail and sign locations, and final grading showing swales and ditches. The as-built plan shall show the location of sewer and drain Y-branches, laterals, manholes, catch basins, hydrants, valves, curb shutoffs, and final grading showing swales and ditches. Plans shall also show easements and dedicated roads.

## **8. Road Description**

If the road is to be dedicated to the Town, a metes and bounds description prepared by a New Hampshire licensed surveyor shall be submitted to the Board of Selectmen. Accompanying the legal description shall be a certification by the owner's surveyor that the right-of-way bounds have been set at the locations shown on the road design plan.

## **9. Street Names**

Names of all streets and rights-of-way are under the jurisdiction of the Town Select Board, and must comply with Enhanced 911 policies.

## **10. Acceptance of Roads**

A road serving a subdivision, which has been constructed and to be maintained to Town standards as defined herein, will become eligible for potential acceptance by the Board of Selectmen when a minimum of three year-round dwellings to be serviced by said road are constructed in their entirety. No road shall be accepted by the Town until at least one year after becoming eligible so that the specific problems of each season (runoff, drainage, erosion, mud, etc.) can be corrected. If corrective work required is other than routine maintenance, then the year of eligibility must begin again.

## **11. Private Roads**

- a. In the event that a road is planned and designed as a private road, it must still meet Town road specifications as set forth herein. For all major subdivisions, this provision cannot be waived. The Road Agent shall perform a final inspection to determine that the road meets town specifications. Refer to Table 2 Minimum Geometric and Structural Guides for Local Roads and Streets.

- b. The owner(s) of any private road shall furnish the Planning Board with a notarized letter of the owner's legal responsibility for construction and maintenance of that road. Be advised that a driveway, by definition, can only serve one lot. (See Definitions, page 4)
- c. It is the policy of the Town that no private road shall be accepted as a Town road unless its design and construction meets Town standards as set forth in these regulations.

## **12. Road Improvements**

As provided for in NH RSA 674:36, any Class 6 road or existing substandard street which abuts and/or provides access to any lots in a subdivision must be improved by the subdivider to meet the Town standards set forth herein as a condition precedent to the approval of the final plat.

## **13. Parking**

All subdivision development shall contain off street parking to be provided at the rate of at least three (3) parking spaces per dwelling unit or one (1) space per 100 square feet of nonresidential buildings. In order to provide for the most efficient means of road maintenance, snow plowing and access by emergency, police and fire vehicles, no parking of vehicles within the street shall be permitted. **See also the Zoning Ordinance of the Precinct for further requirements.**

On-site parking areas serving a non-dwelling unit (s) shall:

1. Provide adequate access for emergency vehicles attempting to render emergency service.
2. Must adequately supply on-site parking during peak hours without reliance upon on-street parking.
3. Promote spaces close to the unit for people with disabilities based upon ADA requirements
4. Provide well-marked and visible on-site traffic circulation signage and signalization
5. Provide sidewalks connecting the unit to: transit stops or off-site, nearby residential neighborhoods, sidewalks located on surrounding roads located along lot boundaries and designated street crossings. The unit shall have sidewalks with curbing and ADA access along the side(s) of all unit entrances open to the public.

## **14. Incidental Construction**

**a. Bridges:** On stream crossings with a span of 10 feet or more, the structure shall be designed to H15-S20 loading per The American Association of State Highway and Transportation Officials (AASHTO) Specifications, unless otherwise approved by the Planning Board. The minimum roadway width shall be 26 feet.

**b. Sidewalks:** Sidewalks of 2-inch thick asphalt or its equivalent of a four-inch gravel base, not less than 4 feet in width and no closer than 22 feet to the street

centerline, shall be constructed on both sides of the street when, in the opinion of the Planning Board, such sidewalks are necessary.

**c. Highway Bounds and Signs:** Highway bounds of concrete or stone at least 36 inches in length and four inches square shall be installed at all intersections of streets, at all points of change in direction, and at any other points the Planning Board may deem necessary to designate the street lines. Signs shall conform to the Manual of Uniform Traffic Control Devices and be installed after construction is complete.

## **15. Drainage and Erosion Control**

The flow rate for drainage areas shall be computed by the Soil Conservation Service Method.

Culverts and drainage structure sizes shall be computed by a generally accepted hydraulic design method such as those developed by the State of New Hampshire. Culverts and drainage structures shall be designed for a 10 year return period. On all larger structures (over 36" diameter), analysis of headwater or backwater shall be made for a 25 year return period to see if damage will result to adjacent property. If the possibility of such damage exists, the 25 year return period shall govern the design. Culverts shall be a minimum of 18 inches diameter.

Erosion control shall be provided in roadside ditches and at drainage structure outlets. Such erosion control shall be based on an acceptable design method and shall be sod or stone, as the design dictates. No paved gutters or outlets will be allowed.

## **16. Traffic Control Devices and Signing**

Traffic control devices or signs shall be placed at locations where conflicting traffic movements will exist or where large traffic volume indicates necessity. Stop signs shall be provided at intersections where the street of lesser traffic volume enters that of a higher traffic volume. All signs and control devices shall conform to those standards set forth in the Manual of Uniform Traffic Control Devices.

# **SECTION 10 — UTILITY DESIGN AND CONSTRUCTION STANDARDS**

All subdivisions shall make adequate provisions for water supply, sanitary sewage disposal, and required utilities and improvements. All such utility system installations and any damages shall be at the expense of the subdivider. All utility systems shall be installed under the supervision of the appropriate Town, village district, or utility agent. All utilities, with the exception of street lighting shall be installed underground.

1. The Board may require an extension of public water and sewers to and within a proposed subdivision, without cost to the Town or Precinct, where existing lines are, in the sole judgment of the Board, within a reasonable distance of the proposed subdivision.

2. The Board may require the installation of street lighting in any subdivision where it deems necessary.
3. Water and sewer mains shall be constructed beyond the road and shoulder where possible. Any disturbance of roads and/or shoulder for the installation of water or sewer mains or lines will require complete restoration to specifications in Appendix C.
4. The subdivider 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. Restoration shall be made to the satisfaction of the Selectboard or their agent. All lateral utility installations under existing Town roads or roads to be dedicated to the Town will require sleeves. Open cuts are not permitted on paved Town roads without the expressed permission of the Selectboard or Road Agent.
5. All utility systems shall be placed in conformity with the terms and specifications of the utility company involved. If the utility company(s), require an easement to provide service, no final approval shall be granted by the Board until such easements are secured. If no easements are required, a letter of intent to provide service from the utility company(s) must accompany the application.
6. Where underground utilities are to be furnished from a public source, all necessary mains, branch offsets to each lot, and fire hydrants shall be installed by the subdivider, as approved by the corporation or municipal department having jurisdiction, and to the satisfaction of the Selectboard, and without expense to the Town.

## **SECTION 11 — SEDIMENT AND EROSION CONTROL**

1. **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.

The subdivider 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.

- 2. Storm Drainage:**

- a. The subdivider shall be required by the Board to carry away by pipe or open ditch any spring or surface water that may exist either previous to or as a result of the subdivision. Such drainage facilities shall be located in the street right-of-way where feasible, or in perpetual unobstructed easements of appropriate width. In the design of the drainage system, natural water ways

shall be utilized to the fullest extent feasible. Wherever possible natural drainage courses should be extended beneath a road and not diverted to roadside drainage ditches.

b. Culverts or other drainage facilities shall, in each case, be large enough to accommodate potential run-off from the entire subdivision. The Board shall approve the design and size of facilities based on anticipated run-off under conditions of total potential development. The subdivider's engineer shall provide such information as the Board deems necessary to the determination of the adequacy of the facilities.

c. The subdivider'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 or public property, the Board shall not approve the subdivision unless the subdivider underwrites the cost of the necessary improvements.

3. **Standards:** The following standards shall be observed by the subdivider in the design, layout and engineering of the proposed subdivision in both the preliminary layout phase and the final plat phase:

a. The Erosion and Sediment Control Design Handbook for Developing Areas of NH prepared by USDA-Soil Conservation Service, as amended, will be used in design.

b. An erosion and sediment plan shall be submitted as part of the completed application and it shall show locations of erosion and sediment practices and contain a narrative which will discuss and address the following:

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 supplemented.
3. The disturbed area shall be kept to a minimum and the duration of exposure shall be under a maximum of six months
4. Soil should not be left exposed during winter months.
5. Temporary seedings and / or mulching shall be used to protect exposed critical areas during development.
6. Provisions shall be made to accommodate the increased runoff caused by changed soil and surface conditions during and after development.

7. Sediment in the runoff water shall be trapped until the disturbed area is stabilized by the use of sediment basins or other acceptable methods.

## **SECTION 12 — ADMINISTRATION AND ENFORCEMENT**

These regulations shall be administered by the Planning Board. The enforcement of these regulations is vested with the Precinct Commissioners or Town Selectboard, as appropriate.

### **A. MODIFICATIONS**

The requirements of the foregoing regulations may be modified when, in the opinion of the majority of the Planning Board, specific circumstances surrounding a subdivision, or condition of the land in such subdivision, indicate that such modifications will properly carry out the purpose and intent of the Precinct or Town Master Plan and these regulations. Any modifications in the strict application of Town road standards must be approved by the Selectboard.

### **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. The Selectboard or their agent are designated as the local authorities to institute appropriate action under the provisions of RSA 676:17.

### **C. APPEAL**

Any person aggrieved by an official action of the Planning Board may appeal therefrom to Superior Court as provided by RSA 676:4.

### **D. CONFLICTING PROVISIONS**

Where these regulations are in conflict with other local, state or federal ordinances, the more stringent shall apply.

### **E. VALIDITY**

If any section or part of section or paragraph of these regulations shall be declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or sections or part of a section or paragraph of these regulations.

### **F. AMENDMENTS**

These regulations may be amended by the Planning Board following a public hearing on the proposed change. Such changes shall not take effect until a copy of said change, certified by a majority of the Board, is filed with the Town Clerk and the Grafton County Registry of Deeds.

## **SECTION 13 — ADOPTION AND CERTIFICATION**

### **PRECINCT OF HAVERHILL CORNER SUBDIVISION REGULATIONS**

**ORIGINAL ADOPTION:** May 10, 1988

**AMENDED:** January 5, 2005

**AMENDED:** February 7, 2007

**AMENDED:** February 6, 2008

Signed by: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Certification:** Certified to be a true copy, attest:

BY: \_\_\_\_\_  
Town Clerk

\_\_\_\_\_

date

**Appendix A**

**Precinct of Haverhill Corner**  
**Town of Haverhill**  
**Instructions for Applicants for Subdivision Approval**

Dear Applicant:

Enclosed is a copy of the Precinct of Haverhill Corner Subdivision Regulations and an application form. Please read them carefully. No subdivision of land can be recorded at the Grafton County Registrar of Deeds without first being approved by a vote of the Precinct Planning Board. A pre-application consultation is recommended by the Board but is not required.

**The Precinct of Haverhill Corner has Zoning Regulations in place. Please be familiar with them.**

There are three types of subdivisions as determined by state law:

1. **Lot Line Adjustment:** This is simply any exchange of land between adjacent landowners which creates no new lots or no increase in the number of owners. Although no new lots are created, state law requires planning board approval. A public hearing is required, and all of the abutters of all lots involved must be notified at least 10 days prior to the Planning Board taking any action.

The Planning Board may approve an application for a lot line adjustment at one meeting if all of the information required in Section 3 is received by the Secretary of the Board at least 15 days prior to a regularly scheduled meeting of the Board.

2. **Minor Subdivision:** A Minor Subdivision involves the creation of three lots or less with no potential for re-subdivision and no construction of new roads. In some cases, such as when one small lot is being subdivided from an existing large parcel, two or three lot subdivisions can be considered Major due to the potential for more lots be subdivided at a later date. Final determination rests with the Planning Board.

If your proposal is considered a Minor Subdivision, state law requires all abutters of the entire parcel be notified prior to formal discussions of the plan at the first meeting, provided that all the information required in Section 3 is provided to the Secretary of the Planning Board at least 15 days prior to a regularly scheduled meeting of the Board. However, if the application is incomplete, if an abutter or the Board asks for a public hearing or if the Board determines the plan to be a Major Subdivision, at least one additional meeting will need to be held.

3. **Major Subdivision:** These are all subdivisions that do not meet the requirements of #1 or #2 above. They usually involve more than three lots. State law requires that all abutters be notified before formal discussions of the plan take place. Additionally, a public hearing must be held on the proposal.

If all the information required in Section 3 is submitted to the Secretary of the Board 15 days prior to a regularly scheduled meeting and the Board accepts your application as complete, a public hearing is scheduled. Your application must be either approved or disapproved within 90 days of the acceptance of your complete application.

Regardless of the type of subdivision, the Planning Board, by law, cannot act until you provide all of the required information. The Board cannot accept an incomplete application. Please use the attached checklist to keep track of your application process. All subdivisions require at least a licensed surveyor to prepare the plan. Other professionals, such as engineers and soil scientists, may have to be consulted in some cases. All costs connected with reviewing a proposal must be borne by the applicant.

Approval of the Haverhill Corner Planning Board merely implies that the applicant is in compliance with Precinct regulations. The subdivider is responsible for acquiring approval from all other appropriate authorities, e.g., the State of New Hampshire for septic system approval.

See the enclosed booklet "Precinct of Haverhill Corner Water System Rules, Regulations and Rates" for information on how to apply for Precinct water service.

If you read the Subdivision Regulations carefully, prepare a complete application and send it to the Board at least 15 days prior to a Planning Board Meeting, your application will be reviewed and acted on in a timely fashion.

Sincerely,

Precinct of Haverhill Corner Planning Board

Send the completed application to:  
Haverhill Corner Planning Board  
PO Box 11  
Haverhill, NH 03765

The Haverhill Corner Planning Board meets on the first Wednesday of each month at 7 pm at the Haverhill Corner Fire House, 172 Dartmouth College Hwy, Haverhill.

File Number (PB use only) \_\_\_\_\_

Precinct of Haverhill Corner  
Planning Board  
Application for Subdivision Approval

Name of **applicant**: \_\_\_\_\_

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

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

Email address: \_\_\_\_\_  
\_\_\_\_\_

Name of **subdivision**: \_\_\_\_\_

Location: \_\_\_\_\_  
\_\_\_\_\_

Tax map #: \_\_\_\_\_ Lot/Parcel # \_\_\_\_\_

Total Acreage: \_\_\_\_\_ Number of proposed lots: \_\_\_\_\_

Name of **surveyor**: \_\_\_\_\_  
\_\_\_\_\_

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

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

Name of **agent**: \_\_\_\_\_  
\_\_\_\_\_

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

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

Name and address of all persons with 10% or more interest:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Names and addresses of all abutters, as defined by NH RSA 672:3:  
(use an additional page if necessary)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If a variance is requested please explain on an attached sheet.

The undersigned subdivider hereby submits to the Haverhill Corner Planning Board on \_\_\_\_\_ (date) a completed application as required by the Haverhill Corner Planning Board Subdivision Regulations, and respectfully requests its approval of said application. In consideration for approval and the privileges occurring thereto, the applicant hereby agrees:

1. To carry out the improvements agreed upon as shown and intended by said plat, including any work made necessary by unforeseen conditions which become apparent during construction.
2. To post all streets "private" until accepted by the Town of Haverhill and to provide and install any street signs as approved by the Town for all intersections.
3. To give the Precinct or Town on demand proper deeds for land or rights-of-way reserved on the plat for streets, drainage, or other purposes agreed upon.
4. To hold the Precinct and Town harmless from any obligation it may incur, or repairs it may make, because of the applicant's failure to carry out any foregoing provisions.
5. To make no changes whatsoever in the Final Plat as approved by the Board unless a revised plat or a plat of re-subdivision is submitted and approved by the Board.

The undersigned subdivider understands that the Haverhill Corner Planning Board must have on file a **completed application** as outlined in its subdivision regulations fifteen [15] days prior to a regularly scheduled meeting of the Board, and that, once the Board accepts the completed application at a regularly scheduled meeting, it has sixty-five [65] days to approve or disapprove the completed application subject to extension or waiver in accordance with NH RSA 676:4.

Application fee: See Application Fee Schedule

Cost of abutter notification, to include surveyor and applicant: See Fee Schedule

Recording Fees: See Fee Schedule

These fees are payable to the Precinct of Haverhill Corner upon submission of application.

I hereby designate \_\_\_\_\_

of \_\_\_\_\_

as the person / persons to whom all communications to the applicant may be addressed and the person to whom legal process may be served with any proceedings arising out of the agreement herein.

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

**For Planning Board use only:**

Date application received: \_\_\_\_\_

Date notices sent: \_\_\_\_\_

Date completed application submitted: \_\_\_\_\_

Date completed application accepted / rejected: \_\_\_\_\_

Date of Board site visit: \_\_\_\_\_

Date of public hearing: \_\_\_\_\_

Date(s) of continued hearing(s): \_\_\_\_\_

Date of driveway permit approval: \_\_\_\_\_

Date of conditional approval: \_\_\_\_\_

Date final plat approved: \_\_\_\_\_

Date of disapproval: \_\_\_\_\_

with written notice sent on \_\_\_\_\_

**For Planning Board use only:**

Precinct of Haverhill Corner  
Receipt of Completed Application  
(This copy for Planning Board files)

Name of applicant: \_\_\_\_\_

Name of subdivision: \_\_\_\_\_

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

The Haverhill Corner Planning Board had, as of this date, accepted your completed application.

The applicant understands that the Planning Board has sixty-five [65] days from the above date, subject to waiver or extension, in which to take action to either approve or disapprove the application. (NH RSA 676:4)

Haverhill Corner Planning Board

by: \_\_\_\_\_  
Chair or Vice-Chair

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Application approved on \_\_\_\_\_

Application disapproved on \_\_\_\_\_

Haverhill Corner Planning Board

by: \_\_\_\_\_  
Chair or Vice-Chair

**For Planning Board use only:**

Precinct of Haverhill Corner  
Receipt of Completed Application  
(This copy for Applicant)

Name of applicant: \_\_\_\_\_

Name of subdivision: \_\_\_\_\_

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

The Haverhill Corner Planning Board had, as of this date, accepted your completed application.

The applicant understands that the Planning Board has sixty-five [65] days from the above date, subject to waiver or extension, in which to take action to either approve or disapprove the application. (NH RSA 676:4)

Haverhill Corner Planning Board

by: \_\_\_\_\_  
Chair or Vice-Chair

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Application approved on \_\_\_\_\_

Application disapproved on \_\_\_\_\_

Haverhill Corner Planning Board

by: \_\_\_\_\_  
Chair or Vice-Chair

## Appendix B

### Precinct of Haverhill Corner Planning Board Subdivision Review Checklist

Owner's Name: \_\_\_\_\_ File # \_\_\_\_\_

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

Agent's Name: \_\_\_\_\_

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

I. PRELIMINARY CONSULTATION (date and comments) \_\_\_\_\_

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II. Compliance with Zoning Ordinance and other Precinct/Town regulations?

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### III. APPLICATION STEPS

#### A. Type of application (check one):

- Preliminary Layout for Major Subdivision
- Completed Application for Major Subdivision
- Completed Application for Minor Subdivision
- Lot Line Adjustment or Boundary Agreement
- Lot Merger

#### B. Contents of Filing:

- Filed at least 15 days prior to regular board meeting on \_\_\_\_\_.
- Includes name(s) and addresses(es) of applicant.
- Includes name(s) and addresses(es) of abutters.
- Includes check for mailing and advertising costs and application fee.
- Includes copies of Preliminary Layout or Final Plat, as required for specific application.

#### C. Review of Contents [to be completed by Planning Board]

- Submission is complete; 10-day notice sent to abutters, applicant and public on \_\_\_\_\_ (date)
- Submission is incomplete and applicant so notified on \_\_\_\_\_ (date)
- Hearing to consider whether to accept application as complete to be held on \_\_\_\_\_ (date)
- Board to visit site on \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

#### IV. Submission Requirements

##### A. Preliminary Layout for Optional Early Review of a Major Subdivision.

###### 1. Three copies of Site Survey Map (see Subdivision Regulations Section 4) with:

- name of subdivision
- name and address of owner
- name and address of subdivider
- name and address of surveyor/engineer
- date
- north arrow
- scale
- name and address of abutters
- natural features
- percentage of site in fields and in woods
- property lines
- existing buildings
- historic sites and structures
- existing streets with names or route designations
- flood plain land which should include:
  - base flood elevation data
  - floodway(s)
  - flood hazard (100-year) area
- size of site (in acres) with number of acres in Precinct
- topographic contours
- watercourses (year round and seasonal)
- wells/municipal water sources within 150 yards of site
- wetlands
- soils
- existing and proposed septic systems

###### 2. Three copies of Site Location Map drawn at a larger scale and shown on the Site Survey or Proposed Subdivision Map with:

- tax map page and lot/parcel numbers
- zoning classification, minimum lot size(s) and frontage(s)
- size of site (in acres)
- existing streets with names and route designations

###### 3. Three copies of Proposed Subdivision Plan (see Subdivision Regulations Section 4) with:

- buildings to remain
- deed restrictions
- preliminary drainage plan
- easements
- future subdivision proposals (on same site)
- lot lines
- soils and ground water test pits
- open space
- percolation test locations and data
- preliminary road-cross sections
- preliminary road profiles

- proposed streets / roads with:
  - locations
  - names
  - right-of-way widths
- water mains and other utilities (preliminary)
- EIS to be required
- overlays or special investigative studies to be required

**B. Final Submissions for Minor and Major Subdivisions:**

1. Four paper copies and one mylar, no larger than 24" x 36", with:
  - all items described in Preliminary Layout, except that the drainage, road plans, water and other utilities shall be final
  - bearings and distances of entire property and lot lines
  - lot areas in square feet or acres
  - lots numbered in accordance with town tax map policy
  - statement(s) as to subdivision regulation compliance
  - statement(s) as to street responsibility
  - statement(s) as to private road
  - space for Board Endorsement
2. Documents to be provided by Applicant:
  - confidential statement of applicant's financial condition (major subdivision)
  - estimate of costs of required improvements
  - WSPCC subdivision approval(s)
  - state driveway permit(s)
  - legal documents for owners' association or other arrangements for property and utility management
3. Written impact assessments to be obtained by the Board (major subdivision only):
  - fire protection
  - Precinct master plan
  - schools
  - roads (state and local)
  - police protection
  - local tax burden
  - water supply

**C. Final Plat for Minor Lot Line Adjustment or Boundary Agreement**

Four paper copies and one mylar, no larger than 24" x 36" with:

- Names and addresses of all owners of lands involved
- Names and addresses of all abutters
- Existing buildings, streets, rights of way, streams and easements
- Lot areas and dimensions
- Natural features in the vicinity of the affected land
- Name, address and seal of surveyor or engineer
- Small locational map indicating parcels in relation to major streets and intersections, the tax sheet and parcel numbers and the zoning district
- Subdivision Regulation compliance statement
- Space for Board endorsement

## Appendix C

### Restoration Requirements for Utility Installations.

A. General: Any disturbance of existing Town or Precinct roads and / or shoulders for the installation of water or sewer mains or lines is prohibited without the pre approval of the Town Road Agent or Precinct Commissioners as per the standards in this appendix:

#### B. Restoration standards

1. The subdivider shall provide plans to the Planning Board and the Road Agent or Precinct Commissioners which clearly show any proposed road cuts, disturbances or disturbances to shoulder areas.
2. All work within the traveled portion of the roadway will require traffic control provisions which meet the approval of the Road Agent. This may include signage, flagging and / or detours at the discretion of the Road Agent or Precinct Commissioners.
3. Road cuts are to be restored to grade with gravel base at the end of each construction day. Upon completion any lateral cut will be restored with at least 12" of crushed gravel at 95% compaction on gravel roads or 12" of crushed gravel at 95% compaction and at least 2" of bituminous concrete (asphalt) properly compacted on asphalt roads. Cold mix may be used temporarily if hot material is not available. Final restoration shall be hot mix. Aggregate size required shall be at the discretion of the Road Agent or Precinct Commissioners. Lateral edges on paved roads shall be saw cut for final restoration.
4. Longitudinal cuts on asphalt roads which extend beyond 100' or extend 2' beyond the edge of pavement toward the center line will require, in addition to restoration as in #3. above for asphalt roads, a half width overlay of at least 2" of fine aggregate bituminous concrete.
5. Restorations shall be warranted by the subdivider for 2 years after final acceptance by the Road Agent or Precinct Commissioners.

C. All work in shoulder shall require the pre approval of the Road Agent based on plans submitted to the Planning Board and the Road agent by the subdivider. Any material, grass, shrubs trees or structures removed must be restored to original or better condition. Traffic control may be required at the discretion of the Road Agent or Precinct Commissioners.

## Appendix D

### National Flood Insurance Requirements

Adopted at a public hearing on February 7, 2007 at the request of the State of New Hampshire, Office of Energy and Planning

For subdivisions and site plans that involve land designated as "Special Flood Hazard Areas" (SFHA) by the National Flood Insurance Program (NFIP):

- A. The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- B. The Planning Board shall require that all proposals for development greater than 50 lots or 5 acres, whichever is the lesser, include Base Flood Elevation (BFE) data with such proposals (i.e., floodplain boundary and 100-year flood elevation).
- C. The Planning Board shall require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow determination that:
  - i. all such proposals are consistent with the need to minimize flood damage;
  - ii. all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and,
  - iii. adequate drainage is provided so as to reduce exposure to flood hazards.

See also Section 7, M: Flood Hazard Areas.