Town of Eaton

Subdivision Regulations

2018

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TOWN OF EATON SUBDIVISION REGULATIONS

SECTION 1
AUTHORITY

Pursuant to the authority vested in the Eaton Planning Board by the voters of the Town of Eaton and in accordance with the provisions of RSA 674: 4, 16, 21, 35 - 44, I and II of the State of New Hampshire, the Eaton Planning Board adopts the following regulations governing the subdivision of land in the Town of Eaton, New Hampshire.

SECTION 2
DEFINITIONS

Abutter: Any person whose property, located in New Hampshire, adjoins or is directly across the street or stream and any property sharing common boundaries with contiguous parcels and any property within 200 feet 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/her land will be directly affected by the proposal under consideration. For purposes of notification and receiving testimony, "abutter" means all affected Towns and the Regional Planning Commission(s) in the case of a development having regional impact, as determined by the Planning Board. In the case of an abutting property being under condominium or other collective form of ownership, the term "abutter" means president or registered agent of the collective or association, as defined in RSA 356-B:3 xxiii.

Applicant: The legal owner(s) or his authorized agent of the tract or parcel of land being subdivided. Synonymous with subdivider.

Approval: Shall mean recognition by the Planning Board, certified by written endorsement on the plat that the final plat submission meets the requirements of these regulations and satisfies, in the judgment of the Planning Board, all criteria of good planning and design.

Approval, Conditional: Recognition by the Planning Board that an application and plat appears to satisfy all requirements herein, and will become final without further public hearing upon certification to the Board by its designee, or based on evidence submitted by the applicant, of satisfactory compliance with the conditions imposed, as stated upon the records of the Planning Board. Only when the following conditions occur can a Final Approval be invoked per above:

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

All other conditions shall require a hearing and notice as provided in subparagraphs 3.06 and 3.07 except that additional notice shall not be required of an adjourned

session of a hearing with proper notice if the date, time and place of adjourned session were made known at the prior hearing. At the discretion of the Board a time frame can be imposed within which the Conditional Approval shall be exercised in the aforementioned manner. Any imposition of said time limit shall be determined by mutual agreement between the Board and the applicant at the time said Conditional Approval is granted.

Board: The Planning Board of the Town of Eaton.

Deeded Right of Way: A right of way, defined in width and length, legally recorded which is tied to the title of land through, or over, which it passes.

Developer: The individual, partnership or corporation which will be responsible for the construction of all improvements and subsequent sale of lots and/or dwelling units, or non-residential development. The developer may be the owner, owner's authorized agent, or applicant. Wherever reference to developer, owner, owner's authorized agent, or applicant is made, all obligations therein referred and/or implied are to be, jointly and/or severally, their responsibility, including, but not restricted to the owner of record of the property under consideration.

Development: The construction or improvements on a tract or tracts of land, including clearing or grading of land, whether or not such development includes a subdivision or a resubdivision of the tract or tracts.

Driveway: Any designated vehicular access from a single house lot to a public right of way. The Planning Board may allow a single driveway to service two (2) house lots, but in no instance shall a driveway be substituted for a private road.

Easement: An interest in land owned by another with an entitlement to certain rights and/or uses that are tied to the title of said land regardless of subsequent ownership.

Engineer: The (Consulting) Engineer of the Town of Eaton.

Final Plat: The final drawing or drawings on which the Subdivider's plan of submission is indicated, prepared as required under the provisions of Section 4.11 hereof.

Health Officer: The Health Officer of the Town of Eaton.

Master Plan: The comprehensive plan or plan of development for the community as amended from time to time.

Official Map: An adopted street or base map of the municipality as defined in RSA 674: 9-11.

Official Trail: Means a state or municipal trail legally established per RSA 216-F, RSA 230:74 and 75 or RSA 231-A.

Preliminary Layout: A plan prepared as required in section 3.03 d.

Private Road: A strip of land over which one or more individuals has the right to pass in a highway vehicle, and which is not a Class I through VI highway, and is not an Official Trail, and is not a driveway, and is not maintained by the Town. New private roads requesting subdivision approval must meet established Town standards.

Slope: The average steepness of the land surface under consideration. For the purpose of determining lot size, slope shall be determined by slope factors used by the National Cooperative Soil Survey soil classification (where B = 0% to 8%; C = 8% to 15%; D = 15% to 25%; and E = 25% and greater.)

Soil Scientist: A person qualified in soil classification who has been certified and/or licensed by the State of New Hampshire.

Soil Type: As defined by the Society of Soil Scientists of Northern New England in its publication "HISS Maps for New Hampshire".

Street: A public way. The word "street" shall include the entire right-of-way. "Street" means, relates to and includes street, avenue, boulevard, lane, alley, viaduct, highway, freeway and other ways.

Subdivision: Any subdivision not meeting the definition of a Minor Subdivision, but in accord with the following:

a. "Subdivision" means the division of the lot, tract, or parcel of land into 2 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 resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

b. 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.

c. The grant of an easement in gross to a public utility for the purpose of placing and maintaining overhead and underground facilities necessary for its transmission or distribution 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 subdivision of land for any other purpose.

d. The granting of an easement for any purpose other than to a public utility is a minor subdivision.

Subdivision, Minor:

a. The subdivision of land into three or fewer lots, with no potential for resubdivision, and requiring no new roads, utilities or other municipal improvements; or

b. The creation of lots for non-building development purposes, including conservation easements; or

c. Minor lot line adjustments or boundary agreements which create no new lots (buildable or otherwise), nor create a new lot which would become substandard for the district in which it lies.

Surveyor: A person licensed or certified as such by the State of New Hampshire.

Tract Development: Construction or improvements on a tract or tracts of land, including clearing or grading of land for residential building sites, building erection, or offering for sale, rent, condominium conveyance or lease, by a developer of:

a: more than four (4) detached single-family units; or
b: more than two (2) duplex units; or
c: a combination of the above totalling more than four (4) units; or
d: cluster development, regardless of the number of units;

whether or not such development includes a subdivision or resubdivision of the tract or tracts.

Wetlands: Land containing poorly drained or very poorly drained soils including, but not restricted to, marshes, shallow ponds, swamps, bogs, seasonally flooded flats, poorly drained meadows and, in general, areas that are inundated or saturated with groundwater at a frequency or duration to support a prevalence of wetlands vegetation adapted for life in saturated soil conditions.

SECTION 3
APPLICATION PROCEDURE

3.01 General Procedure

Whenever any subdivision of land is proposed, before any construction, land clearing, or building development is begun, before any permit for the erection of any building in such proposed subdivision shall be granted, before any contract or offer for sale, rent, condominium conveyance or lease of lots in the subdivision shall have been negotiated, before converting a property to condominium or time-sharing ownership, and before any subdivision plat may be filed in the office of the Register of Deeds of Carroll County, the subdivider or his authorized agent shall apply in writing to the Board on a form provided by the Board and secure approval of such proposed subdivision in accordance with these regulations.

3.02 Preliminary Consultation and Review

3.02 a. The applicant may appear at a regular meeting of the Planning Board to discuss a proposal in conceptual form and in general terms. Such preliminary consultation shall be informal and directed toward:

i) Reviewing the basic concepts of the proposal,

ii) Reviewing the proposal with regard to Eaton's Master Plan and zoning ordinance,

iii) Reviewing Eaton's Subdivision Regulations as they may apply to this proposal and determination of the proposal as a major or minor subdivision, and

iv) Guiding the applicant relative to necessary state and local requirements.

3.02 b. Preliminary consultation and review shall not bind the applicant or the Board. Such discussion may occur without formal public notice as provided in sections 3.06 and 3.07. However, no discussions beyond the conceptual and general review shall take place without identification of and notice to abutters and the general public as described in sections 3.06 and 3.07.

3.02 c. Preliminary consultation and review shall be separate and apart from formal consideration under Sections 3.04 and 3.05, and the time limits for acting under Sections 3.08 and 3.09 shall not apply until a formal completed application is accepted.

3.02 d. The applicant shall be guided by the Board as to the need for further meetings and the advisability of entering into the next stage. There is no time limit or application fee for this preliminary consultation and review.

3.02 e. After the preliminary phase, the Board may, at its discretion, require a two-stage application (Design Review Phase then Completed Application).

3.03 Design Review Phase

3.03 a. The design review phase may proceed only after identification of and notice to abutters and the general public as required by sections 3.06 and 3.07. However, the Board or its designee may engage in non-binding discussions with the applicant beyond conceptual and general discussion which involve minor specific design and engineering details. Statements made by Planning Board members shall not be the basis for disqualifying said members or invalidating any action taken.

3.03 b. The applicant shall submit a Preliminary Layout to the Town Hall not less than twenty (20) days before a regular meeting of the Board.

3.03 c. Notice of the submission of a Preliminary Layout shall be given as provided in Sections 3.06 and 3.07.

3.03 d. The Preliminary Layout shall be at a scale of not more than one-hundred (100) feet to the inch. Dimensions may be approximate and data may be tentative, but shall be sufficiently clear to illustrate all conditions. The Preliminary Layout shall include:

i) Name and addresses of all abutters and payment to cover mailing and advertising costs as stated in Section 3.10.

ii) Names and addresses of applicants; names and addresses of owners, if other than applicants; north point; property lines; lot lines; natural features; watercourses, size of site in acres; topographic contours; existing easements and deed restrictions; wetlands; soil types; land to be reserved or dedicated for public use; existing and proposed streets with street names, right-of-way widths, and locations; existing structures; flood hazard area; preliminary layouts of sewers, culverts, storm drains, catch basins, water mains and other utilities; and percolation test locations and data.

3.04 Completed Application

3.04 a. 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.

3.04 b. The following shall be required for and constitute a completed application:

i) An application for subdivision approval properly filled out in accordance with Section 3.05.

ii) The names and addresses of the applicant and all abutters as indicated in Town assessing records not more than five (5) days before the day of filing.

iii) A check payable to the Board to cover filing fees, mailing, advertising, recording, and other costs as provided in section 3.10.

iv) Six paper print copies of the preliminary layout in accordance with and accompanied by the information required in Section 4.08.

v) Evidence of approval of plans by any state or regional agency whose review is required by law, and

vi) If the applicant intends to submit a final plat on only a portion of the total land to be subdivided, the preliminary layout submission shall cover the entire area of the tract, and shall indicate the approximate outline and sequence of those portions of the tract for which subsequent final plats will be submitted.

3.05 Filing and Submission of Completed Application

3.05 a. The completed application shall be filed at the Town Hall at least twenty (20) days prior to a scheduled public meeting of the Board.

3.05 b. The completed application shall be formally accepted by 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 accepted by the Board.

3.05 c. An incomplete application filed by the applicant will not be formally accepted by the Board.

3.05 d. Applications may be disapproved by the Board without public hearing on grounds of failure of the applicant to supply information required by these regulations, including:

i) Abutters' identification and information required for preliminary layout,

ii) Failure to pay costs of notices or other costs and fees required under Section 3.10 of these Regulations,

iii) Failure to meet any reasonable deadline established by these Regulations.

3.05 e. In so far as foreseeable, the Board shall determine prior to formal acceptance of the Completed Application the kinds of special studies or additional documentation which may be required. These may include, but are not limited to, special investigative studies, environmental assessments, legal review of documents, administrative expenses and other matters necessary to make an informed decision. This shall not, however, preclude the possibility of the Board requiring additional studies or documentation during the decision-making process after acceptance of the completed application. The cost of such studies and investigations shall be paid by the applicant prior to the approval or disapproval of the Final Plat, as provided in RSA 676:4(g).

3.05 f. The Board or its designated agents may visit the subdivision site in order to thoroughly and knowledgeably review the proposal. Parcel boundaries and proposed lots should be flagged and numbered or otherwise made easily identifiable.

3.06 Public Hearing and Notice

3.06 a. Prior to the approval of a subdivision, a public hearing shall be held as required by RSA 676:4 and notice to applicant and abutters and public shall be given in accordance with section 3.04. The public hearing shall be held within thirty (30) days after submission of the completed application, or at the next regularly scheduled monthly meeting.

3.06 b. Notice of the submission of a completed application shall be given by the Board to the abutters and the applicant by certified mail, return receipt requested, mailed at least ten (10) days prior to the submission, and to the public at the same time by posting in at least two public places in the Town and publication in a newspaper of general circulation. The notice shall give the date, time, and place of the Board meeting at which the application and/or other item(s) will be formally submitted to the Board, and shall include a general description of the proposal which is the subject of the application or of the item to be considered and shall identify the application and location of the proposed subdivision.

3.06 c. For any public hearing on the completed application, the same notices 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. Additional notice shall not be required of an adjourned session of a hearing with proper notice if the date, time, and place of the adjourned session was made known at the prior hearing.

3.07 Regional Notice

3.07 a. In accordance with RSA 36:54-58, any proposed subdivision which is likely to have impact beyond the boundaries of the Town of Eaton shall require additional notice and by State law require additional time for public notice.

3.07 b. Notice shall be sent by certified mail 14 days in advance of the scheduled public hearing to the North Country Council and to each Town likely to be affected, with each governmental entity to be considered an abutter.

3.08 Board Action on Completed Application

3.08 a. The Board shall consider the completed application within thirty (30) days of its submission or at the next regularly scheduled monthly meeting. After review of the completed application, and after a duly noticed public hearing as provided in Section 3.06, the Board may grant a conditional approval of the completed application. The Board may act to approve or disapprove the completed application and final plat within ninety (90) days after submission of the completed application, subject to extension or waiver as provided in accordance with RSA 676:4I. (c)

3.08 b. Approval of the final plat shall be certified by written endorsement on the final plat and signed by the Chairman of the Board. The Chairman or Secretary of the Board shall transmit a copy of the final plat with such approval endorsed in writing thereon to the Register of Deeds of Carroll County. The applicant shall be responsible for the payment of all recording fees. In case of disapproval of any plat submitted, the grounds for disapproval shall be adequately stated in the records of the Planning Board and written notice given to the applicant.

3.09 Failure to Act

3.09 a. If the Planning Board has not obtained an extension as provided in Section 3.08 and has not taken action to approve or disapprove the completed application within ninety (90) days of its acceptance, the applicant may obtain from the Board of Selectmen an order directing the Planning Board to act within fifteen (15) days. Failure of the Planning Board to act upon such an order from the Board of Selectmen shall constitute grounds for the applicant to petition the Superior Court as provided in accordance with RSA 676:4I.(c).

3.10 Fees

3.10 a. A completed application shall be accompanied by filing fees as calculated on page 5 of the application form.

3.10 b. All costs of notices, whether mailed, posted or published, shall be paid in advance by the applicant. Failure to pay costs shall constitute valid grounds for the Board to terminate further consideration and to disapprove the plat without a public hearing.

3.10 c. After approval of the final plat for a tract or cluster development, the Board may require special information or expertise prerequisite to making an informed decision and/or release of any existing performance guarantee. Reasonable fees may be charged to the developer by the Board to recover costs incurred in these matters.

3.11 Official Map

When there exists an official map of the town, the recording of the plats which have been improved as provided herein shall without further action modify the official map in accordance therewith. Recording of an approved subdivision plat shall not constitute acceptance by the Town of any street easement or open space shown thereon.

3.12 Acceptance of Streets and Open Space

No street or open space will be accepted by the Town until such time as all improvements have been carried out as shown on the final plat, in accordance with the requirements of these Regulations, and subject to any conditions established by the Planning Board at the time of final plat approval.

SECTION 4
PLAN REQUIREMENTS (General)

4.01 Compliance with Regulations

4.01 a. No subdivision of land shall be made, and no land in any subdivision shall be sold or offered for sale or lease, and no street or utility construction shall be started until a final plat, prepared in accordance with the requirements of these Regulations, has been approved by the Board, and other required permits have been issued. Violations are subject to penalties as provided in Section 5:08.

4.01 b. The applicant shall familiarize himself with all State and Town regulations relative to health, buildings, roads, and other pertinent data, so that he is aware of the obligations and standards expected.

4.02 Character of Land and Subdivision

All land to be subdivided shall be, in the judgment of the Board of such a character that it can be used for building purposes without danger to public health or safety, or to the environment. Land subject to periodic flooding, poor drainage or other hazardous conditions, shall not ordinarily be subdivided. Land with inadequate capacity for sanitary sewage disposal shall not be subdivided unless connected to public sewers. Plats for the subdivision of land shall conform with all State and Town regulations and ordinances.

4.03 Reserved Strips

No privately owned reserved strip, except on open space area, shall be permitted which controls access to any part of the subdivision or to any other parcel of land from any street, or from any land dedicated to public use, or which may be so dedicated, except where specifically provided in these regulations.

4.04 Lot Layout

The layout of lots shall conform to the requirements of the Zoning Ordinances and shall be appropriate for the intended construction. Corner lots shall have extra width to permit a setback on each street. Side lot lines shall generally be at right angles to straight street lines or radial to curved street lines. Where extra width has been dedicated for widening of existing streets, lots shall begin at such extra width line.

4.05 Preservation of Existing Features

Due regard shall be given to the preservation of existing features, trees, scenic points, brooks, rock out-croppings, water bodies, other natural resources and historical landmarks.

4.06 Minimum Lot Sizes (High Intensity Soil Survey Requirements)

In the absence of municipal sewerage facilities minimum lot sizes within all subdivisions shall, in addition to meeting the requirements of the zoning ordinance for the district wherein the subdivision is proposed, also meet the lot size requirements specified in Table 1 Minimum Lot Sizes Based on Soils and Slopes, for residences of not more than four bedrooms .

This requirement is subject to the following qualifications:

4.06 a. 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 subdivisions, the overall density of lots for development within the parcel shall be determined by using Table 1 and computing a weighted average of all soils (excluding wetlands) found in the parcel proposed for subdivision.

4.06 b. No subsurface wastewater disposal system shall be constructed within 125 feet of any wetland area.

4.06 c. Minimum lot size formula for 5-10 bedrooms:

i) For residential use with five (5) to ten (10) bedrooms, the minimum lot size shall be proportionately larger than the lot size indicated in Table 1 as determined by the formula:

$$\text{Lot size (Sq. ft.)} = \frac{\text{\# of bedrooms}}{4} \times \text{(lot size from Table 1)}$$

ii) Final Site Plan approval for non-residential development which is of such nature or character as to require state or federal permits for pre-treatment and discharge or subsurface disposal shall not be granted until all such permits are secured. The conditions upon which such permits are issued shall comply with state and local regulations and be made part of the record before the Planning Board.

4.06 d. Determination of soil type shall be subject to the following qualifications:

i) Tests for determining soil information for use in this section shall be performed by a certified/licensed soil scientist, in accordance with standards for High Intensity Soil Surveys.

ii) Soil data shall be provided as a part of the sub-division plan at the scale and dimensions required. Any cover letters or explanatory data provided by the certified/licensed soil scientist shall also be submitted.

iii) All costs of performing such investigations shall be borne by the subdivider.

4.06 e. Upon request, High Intensity Soil Survey requirements may be waived at the discretion of the Planning Board if the Subdivision creates a lot of five (5) or more acres.

4.07 Premature or Scattered Development (ref RSA 674:36 II (a))

Scattered or premature subdivision and/or development of land as would involve danger or injury to public health, safety or property by reason of lack of water supply, sewer, drainage, transportation, school, fire protection or public funds for the supply of such services shall not generally be approved by the Board.

4.08 Completed Application

4.08 a. To obtain an official Planning Board decision on a proposed subdivision, the applicant must file a completed application in accordance with Sections 3.04 and 3.05 of this ordinance. In addition, the completed application shall contain or be accompanied by the following information:

i) a general site plan with the following characteristics:

- Scale not more than 100 feet to the inch;
- Six (6) copies of blue or black line prints;
- Date, title, north point, bar scale;
- Name of owner, and of abutters;
- Name of Town and of Subdivision;
- Name of the NH licensed land surveyor, certified soil scientist, planner, and/or licensed engineer, who prepared or contributed to the plan and will certify the final plat;
- Boundaries of the entire parcel, whether or not all therein is to be subdivided;
- Locations of all existing buildings;
- Existing and proposed street right-of-way lines, widths of streets, proposed names of new streets;
- Location of existing and proposed lot lines;
- Location of existing and proposed easements and deed restrictions;
- Location of parks and other open spaces;
- Location of water bodies, and watercourses and their direction of flow;

- Contours at two foot intervals, except that five foot intervals may be permitted for remainder lots of more than 10 acres that are specified on the plan as "Not a lot for building development".

ii) The following shall be shown on the general site plan map or on separate specialized map(s) as appropriate, at the same scale as the general site plan map unless otherwise specified:

- Site locational map at the scale of the official base map or tax map, locating exactly the subdivision boundary and proposed streets in relation to at least two intersecting streets or other features shown on the official map, and showing the tax map and parcel numbers for the tract and abutting parcels;
- Location of building setback lines, foliage lines, and significant natural and man-made features;
- Location of wells, water mains, sanitary sewers, storm and water drainage lines, drainage structures and drainage ways;
- Existing and proposed plans for telephone, electricity, and gas utilities;
- Location of soil types and their boundaries, including High Intensity Soil Survey annotation as required, with areas of poorly or very poorly drained soil indicated using wetland symbols;
- Location of flood hazard areas;
- Location of all buildings, wells, and septic fields within 200 feet of the boundaries of the parcel, and the location of all intersecting roads or driveways within 500 feet, at a scale of 1"= 100' if shown separately;
- Boundaries of Zoning Districts lying within the subdivision, municipal or state boundary, if any, and land use designation from the Master Plan;
- Existing and future subdivisions, if any, in and adjacent to the subject subdivision;

iii) The following information shall also be submitted:

- Name, address and telephone number of the owner of record;
- Name, address and telephone number of the applicant, if not the owner of record, and certification that the applicant is agent for the owner, or that the owner has given consent under an option agreement;
- Name, address and telephone number of surveyor, engineer, planner, soil scientist, etc. who contributed to the submitted maps and plans;
- Lot areas, street frontage, and minimum lot size calculations based on soil type;
- A statement of work required on existing streets to meet the minimum standards set herein including cost estimates and the method for meeting such cost estimates;
- Preliminary road profiles, including cross sections;
- Watershed areas and drainage computations;
- Approval, as prescribed by law, from any other municipal, state, or federal agency that may have jurisdiction;
- Copies of proposed private deed restrictions, if any;

- Check to cover filing fees, advertising and mailing costs as stated in Section 3.10.

4.09 Preliminary Layout and Completed Application -- Tract Development

4.09 a. If the proposal involves tract development, the Preliminary Consultation Review option covered in Sections 3.02 and the Design Review Phase option covered in 3.03 are highly recommended.

4.09 b. To be accepted as a Completed Application, or for the purposes of Design Review, the tract development plan shall include, in addition to the requirements of Sections 3.04, 3.05, and 4.08, the following submission requirements:

i) A general site plan with the following additional characteristics:

- Scale not less than 1" = 50';
- Six (6) copies of blue or black line prints;
- Name of developer, if different from the owner of record.

ii) A tract development plan or plans, at the same scale as the general site plan, showing:

- Location and type of proposed buildings and the number of dwelling units in each building;
- Location and layout of driveways and off-street parking;
- Proposed topography at two-foot contour intervals;
- The type, extent, and location of existing and proposed landscaping and open space areas, indicating what existing landscaping, vegetation, natural features and open space areas will be retained;
- Location, width, curbing, and types of access and egress ways;
- The lines and names of all proposed streets, open space and other lands, and ways of easements intended to be dedicated for public or common use;
- The type and location of solid waste disposal facilities;
- The size, type, and proposed location of water supply and sewage facilities and provision for future expansion or relocation, and all distances from existing water and sewage facilities on the site and on abutting properties to a distance of 200 feet;
- The size and location of existing and proposed public and private utility connections, including provisions for fire protection;
- The location, total lumens, direction and type of all existing and proposed lighting for all outdoor facilities;
- The type and location of outdoor recreational areas and facilities, including accessory buildings thereto.

iii) A separate drainage plan showing:

- the existing and proposed methods of handling normal and storm water run-off;
- proposed contours at two foot intervals;

- the direction of flow of the runoff (using arrows);
- the location, elevation, and size of all catch basins, dry wells, drainage ditches, swales retention basins, and storm sewers and culverts;
- engineering calculations used to determine drainage requirements;

iv) An erosion and sediment control plan showing:

- Property lines, wetlands, stream courses, and all proposed improvements including buildings, driveways, parking places, streets, etc;
- Existing and proposed topography at two (2) foot contour intervals;
- Location of areas to be stripped of vegetation and other exposed or unprotected areas;
- Revegetation plans and specifications for all unprotected and/or unvegetated areas;
- General information relating to the implementation and maintenance of the erosion and sediment control measures.
- Copies of all applicable final State and Federal approvals and permits.
- An itemized estimate in writing, signed by the developer's civil engineer, as to the full cost of all improvements. Such estimate shall be reviewed by the Selectmen or their agent, who will recommend the amount of the bond to the Planning Board. The Planning Board shall then determine the amount of the bond and include fees for inspection of improvements by appropriate town agents or consultants.

4.09 c. In the review of any tract development plan conducted under these regulations, the Planning Board shall ascertain that adequate provision has been made by the developer for the following:

i) Improvement to existing streets, traffic access to the site from town streets and state highways, on-site vehicular and pedestrian circulation, parking, and emergency access shall all be designed to ensure the safety of pedestrians.

ii) Landscaping and screening shall be provided with regard to the impact on the adjacent properties, the public highway and the site itself.

iii) Parking areas shall be landscaped. Buffer zones will be required to the extent they are necessary to reduce noise and visual problems.

iv) Provisions shall be made for winter snow storage and/or removal, positioning of outdoor lighting, protection of natural features, and for the site to be serviced by necessary utilities.

v) All elements of the development shall maximize the amount of normal and stormwater runoff allowed to percolate into the soil. Storm drainage for the tract shall be designed for a 25 year flood and provisions shall be made for retention and gradual release of stormwater, if the existing drainage system is inadequate.

vi) On site waste and sewage disposal systems shall be designed to prevent pollution of water supply systems, wetlands, watercourses, and flood plains, and shall meet all State design and construction requirements.

vii) Construction requirements for roads, parking, streets, drainage and bridges shall

be in accordance with the "Standard Specifications of Road and Bridge Construction" as published by the State of New Hampshire Department of Transportation, and the current road standards of the Town of Eaton. Where alternative construction specifications are given, the Planning Board shall determine which shall be applicable.

viii) All required erosion and sediment control measures shall be designed to effectively manage surface and subsurface drainage, and effectively minimize soil erosion and resulting sedimentation during and after construction. The smallest practical area of land shall be exposed at any one time during development, and when land is exposed, the exposure shall be kept to the shortest practical period of time. Land shall not be left exposed during the winter months. Where necessary, temporary vegetation and/or mulching and structural measures shall be used to protect areas exposed during development. Sediment basins shall be installed and maintained. Provisions shall be made to effectively accommodate the increased runoff caused by changed soil and surface conditions during and after development, and the permanent final vegetation and structures shall be installed as soon as practical in the development.

ix) Any water supply system shall be designed and installed in accordance with State standards.

x) Where new and replacement community water and sewer systems or new private on-site individual systems are proposed in flood prone areas, the developer shall provide the Board with assurance that such systems are designed to minimize or eliminate infiltration of flood waters into the systems and discharges from them into flood waters. The developer shall also locate on-site water and sewer systems so as to avoid impairment to them or contamination from them during flooding.

4:10 Minor Subdivisions

4:10 a. The applicant may first meet with the Board for preliminary consultation and review of his proposal as discussed in section 3:02 to determine if it is a minor subdivision. If it is determined by the Board to be a minor subdivision, the applicant shall submit:

i) A completed application, excluding the preliminary layout, as required in Section 3.04.

ii) A final plat as provided in section 4.11. Notice of submission shall be given as provided in Section 3.06 and may be combined with the notice of public hearing.

4:10 b. The completed application under this Section may be submitted and approved at one or more Board meetings, but no application shall be approved without full notice of abutters and public required under Sections 3.06 and 3.07 and as described in RSA 676:4 III.

4.11 Final Plat

4:11 a. The final plat, at the scale required for a completed application, shall be in permanent black ink, on a permanent reproducible linen or polyester film. It shall be submitted in four (4) line prints on paper. Sheet sizes shall be in accordance with requirements of the register of deeds but not smaller than 20" x 30". Space shall be reserved on the plat for endorsement by all appropriate agencies. The subdivision plat shall be consistent with the approved preliminary layout.

4:11 b. The plat shall contain the following statement: "The Subdivision Regulations of the Town of Eaton are a part of this plat, and approval of this plat is contingent upon completion of all the requirements of said Subdivision Regulations, excepting only variances or modifications made in writing by the Board and attached hereto.", together with the following information:

- All data required for a completed application.
- Seal and signature of land surveyor, soil scientist, planner, engineer, hydrologist and any other licensed or certified professional who contributed special expertise to the final plat, as certification of the accuracy of their contribution.
- Final disposition of land into lots, streets, open spaces, drainage courses and any easements running with the land. The boundaries of the existing parcel prior to subdivision shall be based on a boundary survey with a maximum error of closure of 1 in 10,000, or at the discretion of the Planning Board, with a closure of 3 in 1,000 certified by a surveyor registered in the State of New Hampshire. Any lot or lots, streets, open spaces, drainage courses, and any easements running with the land subdivided from the original parcel shall have all of its boundaries, including any common to the original presubdivided parcel, based on a boundary survey with maximum of closure of 1 in 10,000 certified as per above.
- Stations, radii, curve data and paving widths for proposed streets,
- Lot dimensions, areas in square feet and acres, consecutive numbering of lots,
- Accurate locations of all easements, either in or off the site.
- A written acknowledgment of the subdivider's responsibility for maintenance, and the assumption by the subdivider of liability for injuries and damages that may occur on any land to be dedicated for public use, until such land has been legally accepted by the Town,
- Names of proposed streets,
- Accurate locations of all monuments to be set at street intersections, points of curvature and tangency of curved streets, and at angles of lots,
- Surveyed property lines showing their deflection angles, distances, radius, lengths of arcs, control angles, and monument locations.
- Existing and proposed plans for telephone, electricity, and gas utilities,
- Proposed methods of sanitary sewerage and computations therefor; proposed storm drainage accompanied by a drainage analysis map and computations for the entire watershed area methods of supplying water,
- Final road profiles and cross sections,
- If the subdivision abuts a state highway, or if a proposed street intersects a state highway, a written statement from the New Hampshire Department of Transportation approving any proposed driveway or street access with such state highway.
- If a subdivision is to be served by a public water supply or by public sewers, a statement from the Municipal Department or company involved, attesting to the availability of such service.

4.11 c. The final plat shall contain the following signature box:

This plat is hereby approved by the Eaton Planning Board at an official meeting held on _____ and shall be filed with the Carroll County Registry of Deeds.

_____ _____

Chairman, Eaton Planning Board Date

4.11 d. Subdivision As-Built Plans. In order to ensure the proper construction of development streets, As-Built drawings shall be presented to the Office of the Selectmen or its designee for review prior to final draw down of the surety for the project. 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 plan shall show the as-built centerline of street elevations, as-built drainage systems, including culverts, catch basins, drainage easements, as-built guardrail and sign locations and road profiles and final grading showing swales and ditches. Plan shall also show easements and dedication roadways. The only as-built plans the Board will stamp and sign are plans showing the location of structures on condominium property. As-Built plans shall:

1. Be certified to be correct and stamped by a NH Licensed Land Surveyor;
2. Clearly identify in the title block exactly what the as-built plan is approving; and
3. Have the following plat note printed on each sheet: "These as-built plans are pursuant to, and without modification of, the original Planning Board approval."

4.12 Legal Data Required

4.12 a. Where applicable to a specific subdivision, the following are required, in a form as approved by the Town Attorney, prior to approval of a subdivision plat:

i) Agreement to convey to the Town land to be used for streets and other public purposes, with transfer of title to such interests to be effective on such date as the Town accepts such land;

ii) Easements and rights-of-way over property to remain in private ownership;

iii) Rights to drain onto or across other property, whether public or private, including a street;

iv) Performance guarantee, described in Section 4.13 hereafter.

4.13 Performance Guarantee

4.13 a. Performance Guarantee: Except in the case of a subdivision in which each lot is on a Class V or better road, no subdivision plat filed with the Board shall be approved until the subdivider shall have filed with the Board an engineer's estimate of costs of streets, public improvements, drainage structures and other utilities, together with maps, plans, and supporting data accompanied by either:

i) A surety bond; issued by a surety company authorized to do business in New Hampshire to be filed with the Planning Board in form and amount satisfactory to it;

ii) Cash, or savings account properly endorsed to the Town, in an amount to be determined by the Planning Board and to be deposited with it;

iii) An irrevocable letter of credit issued by a State or national lending institution.

iv) The amount of the performance guarantee shall include fees for inspection of improvements by the appropriate Town agents;

4.13 b. Public Utilities Statement: In the case of electric lines or other utilities to be installed by a public utility corporation or a municipal department, a statement shall be received in writing from such public utility, corporation or municipal department that the work will be done within a reasonable time and without expense to the Town and that the utilities will be placed underground, if this has been agreed.

4.13 c. Each approval of a plat shall contain a time limit within which streets and public improvements shall be completed, not to exceed 3 years, unless extended with the owners consent by the Planning Board.

i) Inspection of Improvements: It shall be the responsibility of the developer to notify the Board in writing of the time when construction is proposed to commence, and of periods during construction when the work has progressed to various inspection stages. The Board shall cause inspection(s) to be made to insure that all Town specifications and requirements shall be met. Such inspections shall be at the expense of the developer.

ii) Completion of Improvements, Deficiencies: The owner or developer shall notify the Planning Board, in writing, when construction has been completed and all conditions met. If it is determined that the requirements and/or conditions are unfulfilled, the Board will notify the developer in writing of such deficiencies and establish a time, not to exceed one (1) year, for their rectification.

iii) Should such deficiencies continue uncorrected the Board shall take all necessary actions to protect the Town's rights and interests, including but not restricted to, suspension and/or revocation of the approval. In the event of legal action by the Town regarding its enforcement of these regulations or of penalties for continued deficiency, the Town shall be entitled to reasonable attorney's fees, awarded by the court, to be paid by the developer.

4.13 d. Release of Performance Guarantee: the performance guarantee shall not be released until the Board of Selectmen has certified completion of the public utilities and improvements in substantial accordance with the requirements, and deed covering land to be used for public purposes, easements, and rights-of-way over property to remain in private ownership and rights-to-drain onto or across private property are submitted in a form satisfactory to the Town Attorney. All recording fees shall be borne by the subdivider. Five per cent (5%) of the performance bond shall be kept by the town for one year from the date of completion.

4.14 Design for Open Space - Subdivision

4.14 a. Where a proposed park, playground, or other open space shown on the development plan is located in whole or in part in a proposed subdivision, the Board shall require substantial compliance with such development plan.

4.14 b. As a condition of approval of the final plat, the Board may require the area shown thereon as open space be offered in perpetuity. The Board shall not require such dedication in excess of 15 percent of the total area of the subdivision without

reasonable compensation, and if the Town does not take steps within a period of one year from the date of approval of the subdivision plat to acquire the portion of the open space in excess of said 15 percent, the subdivider may submit to the Board a plan for subdivision of such portion, provided such additional subdivision does not exceed the total number of family dwelling units permitted by the zoning regulations for the applicable district, and meets all requirements of these subdivision regulations.

4.15 Open Spaces

Any open space designation or other development restriction which is part of a cluster development, planned unit development, or other proposal approved under innovative land use controls, or which is lawfully imposed by a local land use board as a condition of subdivision, site plan, variance, or other type of approval, and which has been filed in the records of the local land use board in accordance with its established procedure, shall be deemed to create a conservation restriction as defined in RSA 477:45, I, which shall run with the land, and shall be enforceable by the municipality, or by the owner of any property which would be specifically damaged by the violation of such restriction, regardless of whether any deed or other instrument conveying such restriction has been executed or recorded. For purposes of this section, an applicant's statement of intent to restrict development, submitted with or contained in an application which is subsequently approved, shall be deemed a condition of the approval.

4.16 Road and Utilities Standards

4.16 a. Proposed streets 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 in accordance with the Specification of Roads as issued by the Selectmen of Eaton, which became part of these regulations as Appendix A.

4.16 b. Where a subdivision abuts an existing street with an inadequate alignment, or right-of-way width, the subdivision plat shall include in the street dedication all land needed to meet the standards established by these regulations, and as approved by the Board.

4.16 c. Permanent dead end streets shall not exceed 1,000 feet in length, and shall terminate at a turnaround 100 feet in diameter, with a paved area 80 feet in diameter (the turnaround is additional to the 1000 feet.)

4.16 d. Temporary dead end streets, where future extension to another outlet is approved by the Board, or where indicated on the plan, may exceed 1,000 feet in length. In such cases the full length of the right-of-way to the subdivision property line shall be dedicated to the Town.

4.16 e. No structure or planting shall impair corner visibility.

4.16 f. The plan of any proposed subdivision shall show all work required to connect and complete the improvements and utilities between the proposed street pattern and any connecting street in an existing subdivision.

4.16 g. All streets shall be constructed and all bridges, culverts, drainage structures, storm sewers, gutters, drainage ditches, and other improvements required by the subdivision plat and accompanying documents, shall be installed in conformance with

the standards and specifications adopted by the Board of Selectmen. (See Appendix A).

4.16 h. The Board after consultation with the Selectmen, may modify the maximum and minimum gradient for short lengths of street where, in its judgment, existing topographic conditions or the preservation of natural features indicate that such modification will result in the best subdivision of land.

4.16 i. The Board may require greater width of right-of-way where, in its judgment, the demands of present or future traffic make it desirable or where topographic conditions create a need for greater width of grading.

4.17 Street Improvements

4.17 a. In rural areas streets shall be paved to a minimum width as prescribed above, with shoulders not less than 4 feet wide. The Board may require a greater width of paving and shoulders for Arterial and Collector Streets. In urban or village areas, the Board may require a greater width of right-of-way and paving, together with curbs and sidewalks.

4.17 b. In the case of subdivisions requiring construction of new streets, any existing street which provides either frontage to new lots or access to new streets shall meet the minimum standards established in Appendix A. Where a subdivision requires undue expenditures by the Town to improve existing streets to conform to minimum requirements, The Board may disapprove such subdivision until the Selectmen shall certify that funds for the improvements have been assured.

4.18 Pedestrian Walks

Where necessary, in the judgment of the Board, rights-of-way for pedestrian travel and access may be required between subdivisions or its parts, or between a subdivision and public property.

4.19 Utilities, Drainage

4.19 a. All subdivisions shall make adequate provisions for water supply storm water and sanitary sewage disposal, and required utilities and improvements. The Board may require the extension of public water and sewers to and within a proposed subdivision, without cost to the Town where existing lines are, in the sole judgment of the Board, within a reasonable distance of the proposed subdivision.

4.19 b. The subdivider shall install laterals from all utilities in the street right-of-way to the street property line of each building lot. Any habitable buildings constructed in the subdivision shall have house connections installed, and shall have such connections extended inside of the building.

4.19 c. All such utility system installations shall be at the expense of the subdivider and shall be installed under the supervision of the appropriate Town agency. All wires, cables, conduits, and equipment used to transmit utilities to, among, and from buildings shall be installed underground in accordance with, and to the extent possible and feasible, generally accepted engineering practices.

4.19 d. An adequate surface storm water drainage system for the entire subdivision area shall be provided. Storm drainage shall be carried to existing watercourses, or connect to existing watercourses, or connect to existing storm drains. If the storm water drainage system creates any additional flow over any adjacent property, the subdivider

shall obtain an easement therefore from the adjacent owner and shall hold the Town harmless from any claims for damage resulting therefrom.

4.19 e. The Board may require the installation of street lighting in any subdivision where it deems necessary.

4.19 f. 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 Board of Selectmen, and without expense to the Town.

4.20 Special Flood Hazard Areas

4.20 a. For Subdivisions and Site Plans that involve land designated as "Special Flood Hazard Areas" (SFHA) by the National Flood Insurance Program (NFIP):

i. 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 USC 1334.

ii. 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 within such proposals (i.e. floodplain boundary and 100-year flood elevation).

iii. The Planning Board shall require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a determination that:
   a. All such proposals are consistent with the need to minimize flood damage;
   b. All public utilities and facilities such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and
   c. Adequate drainage is provided so as to reduce exposure to flood hazards.

4.20 b. All definitions and conditions that apply to the Special Flood Hazard Areas are contained within the Town of Eaton's Floodplain Management Ordinance.

SECTION 5
ADMINISTRATION AND ENFORCEMENT

5.01 Review by Other Town Officials

Before approval of the final plat is given, the Planning Board may require that the applicant obtain written statements that the proposed subdivision is acceptable to Town Officials as follows:

a. The Board of Selectmen as to the design of streets, vehicular and pedestrian safety, water and drainage facilities including the location of easements, and the relationship of the proposed facilities to existing public facilities and public ways;

b. The Fire Chief as to the location of hydrants or ponds, and access for emergency vehicles;

5.02 Changes or Deviations from Approved Final Plat

No change or deviation shall be made subsequent to approval of the final plans for a tract or cluster development without a written request from the applicant, presented at a regularly scheduled Board meeting, detailing the proposed revision(s) to the approved final plat. The Planning Board shall determine whether the proposed change is significant enough to require submission and acceptance of a revised application and public hearing prior to Board approval or disapproval, taking into account the effects on the health, safety and welfare of the community and its citizens and how the change would alter the scope and intent of the original plan. In the event the Board requires a revised application, the Board may require such additional information as it deems necessary to make an informed decision. The hearing and decision shall be limited to those portions of the approved plan affected by the change and the effect of the change on the remainder of the approved plan, and shall not constitute a rehearing of the entire development plan unless the scope and intent of the original plan is significantly altered. Any approved revision shall be recorded in the Registry of Deeds of Carroll County.

5.03 Waiver of Sections 4.08 and/or 4.09

Upon written request of the applicant, or upon the motion of any regular Board member, the Board may vote to waive, in whole or in part, the requirements in Sections 4.08 and/or, 4.09 when in the majority opinion of the Board, such provision(s) would be inappropriate or superfluous to informed evaluation of the proposal and would not adversely compromise the purpose or intent of the regulation.

5.04 Modifications

The requirements of the foregoing regulations may be modified when, in the opinion of the Board, specific circumstances surrounding a subdivision or condition of the land in such subdivision, indicate that such modification will properly serve the purpose and intent of these regulations.

5.04 a. When in the opinion of the Planning Board strict conformity to these regulations would cause undue hardship or injustice to the subdivider, a subdivision plan substantially in conformity with these regulations may be approved by the Planning Board provided that the spirit of these regulations and the public convenience and welfare will not be adversely affected. In granting such modification, the Board may require private deed restrictions to assure that lots created are used for the intended purposes.

5.05 Acceptance of Streets

Nothing herein is intended to modify the requirements of law with reference to the acceptance of streets by the Town. Nothing herein is intended to modify or control the construction, reconstruction, or extension of roads by the Town or state.

5.06 Other Regulations

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

5.06 a. Where both State and local regulations are applicable, the most stringent

regulation shall take effect. If the State regulation addresses an issue not included in the local regulation or if the local regulation addresses an issue not included in the State regulation, the regulation shall automatically apply.

5.07 Enforcements

These regulations shall be enforced by the Board or its duly authorized representative.

5.08 Penalties

As provided in RSA 676:16, any owner, or agent of the owner, of any land located within a subdivision, who transfers of sells any land, before a plat of the said subdivision has been approved by the Planning Board and recorded or filed in the office of the register of deeds shall forfeit and pay a penalty of five hundred dollars for each lot or parcel so transferred or sold; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties.

5.09 Appeals

Any person, aggrieved by an official action of the Board, may appeal therefrom to the Superior Court as provided by RSA 677.15.

5.10 Validity

If any section, subsection, or phrase of these subdivision regulations is found for any reason to be invalid by a court of competent jurisdiction, such decision shall not effect the validity of the remaining portions of these regulations.

5.11 Record of Adoption of Soils-Based Lot Size Determination

The supplementary subdivision regulations incorporating soils-based lot size determination have been adopted by a majority vote of the Town of Eaton Planning Board on May 20, 1987 following a duly notified public hearing held May 20, 1987.

OFFICE OF THE SELECTMEN
EATON, NEW HAMPSHIRE 03832

SPECIFICATIONS FOR ROADS

The Subdivision Regulations of the Town of Eaton, Section 4.16.g, state in part... "All streets shall be.. installed in conformance with the standards and specifications adopted by the Board of Selectmen."

Pursuant to that directive, the Board if Selectmen hereby specify that all roads must meet the following requirements before being accepted by the Town.

1. Rights of Way. A road or street right of way shall be at least 50 feet in width and ownership of the land comprising it shall have been passed to the Town by deed, without cost to the Town. Streets and roads shall be coordinated with existing and other planned streets and roads.

A. Variations. When conditions peculiar to a particular intended road so dictate, the Selectmen may, at their discretion, authorize a variation in width specifications. With the approval of the Highway Commissioner and the Board of Selectmen, the Planning Board may likewise permit variations in details of construction specified in herein.

B. Street Names. 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 Eaton. Street names shall be subject to approval of the Selectmen. Metal street signs of a type approved by the Selectmen shall be erected by the developer.

2. Roadway. The width of the roadway shall be not less than 18 feet. Shoulders shall be at least 2 feet wide. The minimum centerline radius of a curve shall be 230 feet.

A. Dead Ends. In the event the Planning Board approves a dead end road, it shall terminate only in a circular type of cul-de-sac. Permanent dead end roads shall be provided with a circular turnaround at the closed end of a right of way with a minimum radius of 50 feet. Temporary turnarounds on temporary dead end roads may be smaller in diameter at the discretion of the Planning Board.

(1). Grades on Turnarounds. The grade on the turnaround and on 30 feet of its approach straightaway shall be no greater than 2%.

(2). Length. The maximum length of dead end street shall be determined by the Planning Board.

(3). Isolation. A permanent dead end street shall be isolated by not being brought to the property boundary, but shall be placed so that the lots using it are contiguous with the property line of the subdivision.

3. Road Surface. Centerlines of all roads shall be raised 0.5% above each side of the road. Road surfaces at both sides of the road shall be on the same plane unless banking of the road is required.

4. Intersections. Roads shall be laid out to intersect as nearly as possible at right angles, and no angle of intersection of less than 60 degrees shall be permitted. The grade within 100 feet of the intersection shall not exceed 1%.

5. Drainage. A drainage ditch at least 16 inches in depth at its midpoint below the road centerline grade shall be constructed in each road right of way on each side of the roadway unless the road is provided with curbs and gutters or unless topography and/or soil conditions make such ditches impractical or unnecessary. A sufficient number of culverts not less than 18 inches in diameter shall be installed to prevent water from running across the road on the surface or to prevent formation of runoff ponds. Storm drainage shall be carried to existing watercourses, or connect to existing water courses, or connect to existing storm drains. Culverts shall be sufficiently rip-rapped or cemented to prevent washouts. The beds of rerouted streams shall be dug deep enough to keep water within the banks at all times.

6. Harmony with Topography. Street pattern design shall give due consideration to contours and natural features of the land, where practical. Aesthetic values shall be considered rather than rigid straight-line, city block layout of streets and roads.

7. Roadway Construction. All roadways shall be constructed in accordance with following specifications:

A. Construction Supervision. Construction of the roadway, drainage facilities, sidewalks, curbs, and all other elements of the road must be done under the supervision of and with the approval of the Selectmen.

B. Grade. Minimum grade shall be 1%. Maximum grade shall be 12%. Grades of all roadways shall conform in general to the terrain.

C. Clearing. The entire area of each road shall be cleared of all stumps, brush, roots, boulders and like material. All dead or dying trees shall be removed from the 50-foot right-of-way at the time of clearing.

D. Subgrade Preparation. All loam and other yielding materials shall be removed from the roadway and replaced with suitable fill material. All boulders and ledge shall be removed to a uniform cross sectional depth of not less than 12 inches below the subgrade and replaced with sand or gravel.

E. Gravel Base. All roads shall be constructed with a minimum of 12 inches of gravel per New Hampshire Standard Specifications, 1974, Section 304.

F. Gravel Surface. The finish course of areas with a grade of 9% or less shall consist of at least 4 inches of graded and compacted fine gravel, or better material, free from clay, loam, or organic material. The roadway width shall be a minimum of 22 feet (18 feet travel surface and 2 foot shoulders).

G. Hard Surface. The finish course of areas with a grade of 10% to 12% shall be hard surfaced with at least 3 inches of asphalt, concrete, or equivalent

material, unless the Selectmen determine that a waiver of this provision is warranted. Hard-surfaced roads with grades of less than 10% shall be built to the same specifications as above.

H. Cuts and Fills. Banks shall be cut back from ditches at a ratio of 1.5:1 i.e., one -and-a-half feet back from the top of the bank for every foot down, except in the case of ledge banks when the ratio will be 1:2, i.e., one foot back from the top for every two feet down. Filled areas shall be banked at a ratio of 1.5:1, i.e., on-and-a half feet out from the bottom for every foot down.

I. Bridges. On stream crossings of 10 feet or more span, the structure shall be designed to H15-520 loading (AASHO specifications). The minimum roadway width shall be 24 feet.

J. Sidewalks. Sidewalks of two inch thick asphalt, on a four inch gravel base, not less than 4 feet in width and no closer than 18 feet to the street center line, shall be constructed on one or both sides of the street when in the opinion of the Selectmen such sidewalks are necessary.

K. Sediment and Erosion Control. The Selectmen shall receive for their approval, a plan to control soil erosion and prevent sedimentation which provides proper provision for water disposal and protection of soil surfaces during and after construction. The following standards shall be observed:

(1) Stripping of vegetation, regrading, or other development shall be done in such a way as to minimize on-site and off-site 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 less than a maximum of six months.

(4) Temporary seedings and/or mulching shall be used to protect exposed critical areas during construction.

(5) Increased runoff caused by changed soil and surface conditions shall be accommodated during and after construction.

(6) Road builders shall make a reasonable effort to trap sediment in runoff water until the disturbed area is stabilized by the use of sediment basins or other acceptable methods.

(7) "Standard State Conservation Mix" grass seed shall be applied to exposed cuts, fills, and ditches at the rate of 35 pounds per acre for permanent erosion control.

L. Guardrails. Filled areas and bridges shall be protected by guardrails installed in conformity with American Association of State Highway and Transportation Officials Geometric Design Guides for Local Roads.

M. Utilities. Utility poles should be kept close to the right-of-way line, in no case closer than the ditch line and always well back of a curb. Water and sewer mains should be constructed outside the surface area and preferably outside the ditch line.

8. Diagrams. The typical cross sections appended to these specifications are part of the specifications.

9. Supercission. These specifications supersede and replace any specifications adopted by the Selectmen prior to this date.

10. Waivers. The Board of Selectmen has the authority to vote to waive any portion of these regulations, provided however, that any such waiver shall state the standard which must be met as a condition of granting such waiver.

These road specifications were adopted June 28th, 1988 and signed by the Selectmen, Richard H. Young, Francis S. Gospodarek and Eugene G. Kleinmeier.

These road specifications were amended on November 21, 2017 and signed by the Selectmen Richard H. Young, Edward Reilly and David C. Sorensen.

GEOMETRIC AND STRUCTURAL GUIDE

Pavement Width: 18 Feet

Shoulder: 2 Feet

Center of Road to Ditch Line: 14 Feet

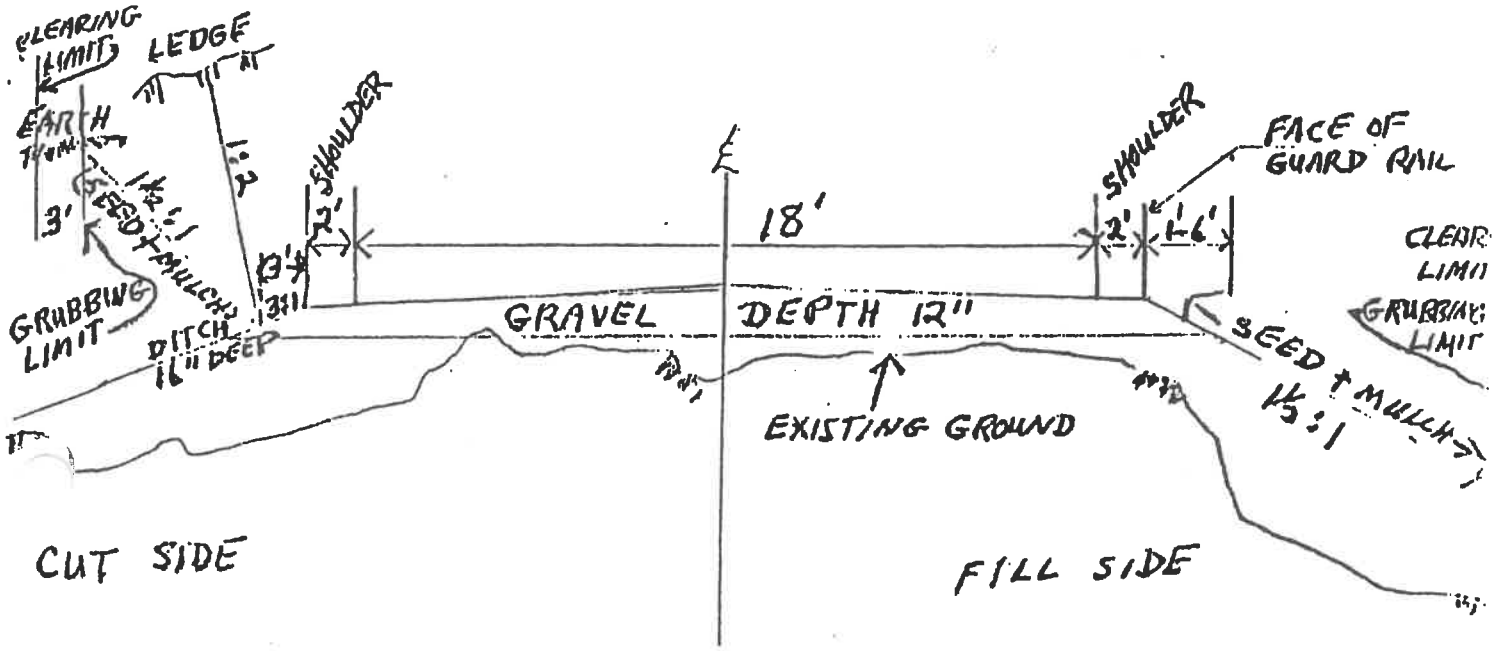
Pavement Type: Gravel *

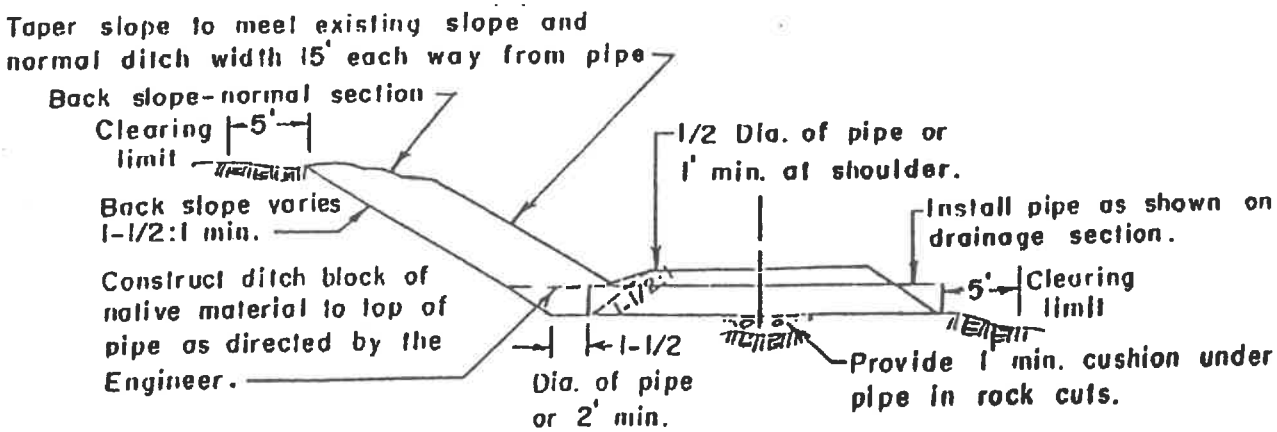
Slope of Roadway: 1/2"/Foot

Base Course Depth: 12"

* Hard Surface on 10 - 12% grades

TYPICAL CROSS SECTION





TYPICAL CULVERT SECTION

TOLERANCE CLASS A

Table I.
MINIMUM LOT SIZES BASED ON SOILS AND SLOPES (in square feet)

Soil Type	Lot Size	
111BH	40000	Adams (Am) Hinkley (Hs) Colton (Cn) Windsor (Wd)
111CH	45000	
111DH	60000	
111EH	NA	
112BH	75000	
112CH	80000	
112DH	95000	
112EH	NA	
114*H	NA	
11XBH	80000	
11XCH	100000	
11XDH	140000	
11XEH	NA	
121BH	40000	
121CH	45000	
121DH	60000	
121EH	NA	
122BH	75000	
122CH	80000	
122DH	95000	
122EH	NA	
124*H	NA	
12XBH	80000	
12XCH	100000	
12XDH	140000	
12XEH	NA	
161BH	50000	
161CH	55000	
161DH	70000	
161EH	NA	
164*H	NA	
166*H	NA	
16XBH	90000	
16XCH	110000	
16XDH	150000	
16XEH	NA	
211BH	40000	
211CH	45000	
211DH	60000	
211EH	NA	
212BH	75000	
212CH	80000	
212DH	95000	
212EH	NA	
213BH	50000	
213CH	75000	
213DH	100000	
213EH	NA	
214*H	NA	
21XBH	80000	
21XCH	100000	
21XDH	140000	

Soil Type	Lot Size	
21XEH	NA	
221BH	40000	Berkshire (Bs, Bt, Bv) Gloucester (Gl, Gs, Gt) Hermon (Hf, Hm, Hn, Ho)
221CH	45000	
221DH	60000	
221EH	NA	
222BH	75000	Berkshire (Bt, Bv, Bs) Charleton (Cl, Cf) Gloucester (Gl, Gs, Gr) Hermon (Hf, Hm, Hn, Ho)
222CH	80000	
222DH	95000	
222EH	NA	
223BH	50000	Becket (Bc, BE, BK) Marlow (Ma, Md, ME, MF) Millis (Ml, Ms) Paxton (Pa, Pd)
223CH	75000	
223DH	100000	
223EH	NA	
224*H	NA	Canaan (CD, CE) Hollis (Ht, Hv) Lyman (Ln, LV, LY, Ls, RP)
22XBH	80000	Canaan-Redstone (CD, CE) Hollis-Charlton (Ht, Hv, Hx) Lyman-Berkshire (Ln, LV, LY)
22XCH	100000	
22XDH	140000	
22XEH	NA	
231BH	40000	Salmon (Sa)
231CH	45000	
231DH	60000	
231EH	NA	
233BH	50000	
233CH	75000	
233DH	100000	
233EH	NA	
234*H	NA	
23XBH	80000	
23XCH	100000	
23XDH	140000	
23XEH	NA	
241BH	50000	
241CH	75000	
241DH	100000	
241EH	NA	
243BH	50000	
243CH	75000	
243DH	100000	
243EH	NA	
244*H	NA	
24XBH	90000	
24XCH	130000	
24XDH	180000	
24XEH	NA	
251BH	90000	
251CH	135000	
251DH	160000	
251EH	NA	
253BH	90000	
253CH	135000	
253DH	160000	
253EH	NA	

Soil Type	Lot Size	
254*H	NA	
25XBH	130000	
25XCH	190000	
25XDH	240000	
25XEH	NA	
261BH	50000	
261CH	55000	
261DH	70000	
261EH	NA	
263BH	60000	
263CH	85000	
263DH	110000	
263EH	NA	
264*H	NA	
266*H	NA	
26XBH	90000	
26XCH	110000	
26XDH	150000	
26XEH	NA	
275*H	NA	
311BH	60000	Croghan (Cy) Deerfield (De) Duane (Dn)
311CH	90000	
311DH	120000	
311EH	NA	
312BH	95000	
312CH	125000	
312DH	155000	
312EH	NA	
313BH	60000	
313CH	90000	
313DH	120000	
313EH	NA	
314*H	NA	
31XBH	100000	
31XCH	120000	
31XDH	160000	
31XEH	NA	
321BH	50000	Acton (Ac, Ad) Sutton (Sn, Su) Waumbek (Wa, WB)
321CH	75000	
321DH	100000	
321EH	NA	
322BH	85000	
322CH	100000	
322DH	135000	
322EH	NA	
323BH	60000	Peru (Pe, PL) Scituate (Sd) Skerry (Se) Woodbridge (Wo, Wv)
323CH	90000	
323DH	120000	
323EH	NA	
324*H	NA	
32XBH	100000	
32XCH	120000	
32XDH	160000	
32XEH	NA	
331BH	75000	Nicholville (Nc)
331CH	100000	
331DH	125000	
331EH	NA	

Soil Type	Lot Size	
333BH	75000	Nicholville (Nc)
333CH	100000	
333DH	125000	
333EH	NA	
334*H	NA	
33XBH	115000	
33XCH	155000	
33XDH	205000	
33XEH	NA	
341BH	75000	
341CH	100000	
341DH	125000	
341EH	NA	
343BH	75000	
343CH	100000	
343DH	125000	
343EH	NA	
344*H	NA	
34XBH	115000	
34XCH	155000	
34XDH	205000	
34XEH	NA	
351BH	90000	
351CH	135000	
351DH	160000	
351EH	NA	
353BH	90000	
353CH	135000	
353DH	160000	
353EH	NA	
354*H	NA	
35XBH	130000	
35XCH	190000	
35XDH	240000	
35XEH	NA	
361BH	70000	
361CH	100000	
361DH	130000	
361EH	NA	
363BH	70000	
363CH	100000	
363DH	130000	
363EH	NA	
364*H	NA	
366*H	NA	
36XBH	110000	
36XCH	130000	
36XDH	170000	
36XEH	NA	
375*H	NA	
411BH	90000	Croghan (Cy) Deerfield (De) Duane (Dn) Leicester-Walpole (LD) Naumburg (Na)
411CH	135000	

Soil Type	Lot Size	
412BH	145000	
412CH	190000	
413BH	90000	
413CH	135000	
414*H	NA	
41XBH	150000	
41XCH	180000	
421BH	75000	Acton (Ac, Ad) Sutton (Sn, Su) Waumbek (Wa, WB)
421CH	115000	
422BH	130000	Leicester-Walpole (Lf)
422CH	165000	
423BH	90000	Peru (Pe, Pl, MF) Scituate (Sd) Skerry (Se)
423CH	135000	
424*H	NA	
42XBH	150000	Woodbridge (Wo,
42XCH	180000	
431BH	115000	Nicholville (Nc) Raynham (Ra) Nicholville (Nc)
431CH	150000	
433BH	115000	
433CH	150000	
434*H	NA	
43XBH	175000	
43XCH	235000	
441BH	115000	
441CH	150000	
443BH	115000	
443CH	150000	
444*H	NA	
44XBH	175000	
44XCH	235000	
451BH	135000	
451CH	205000	
453BH	135000	
453CH	205000	
454*H	NA	
45XBH	195000	
45XCH	285000	
461BH	105000	
461CH	150000	
463BH	105000	
463CH	150000	
464*H	NA	
466*H	NA	
46XBH	165000	
46XCH	195000	