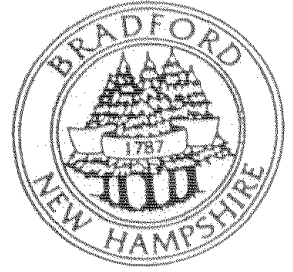
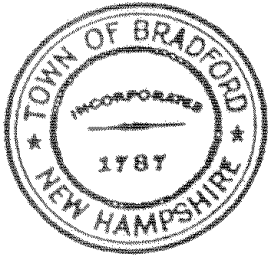


TOWN OF BRADFORD

NEW HAMPSHIRE 03221



BRADFORD PLANNING BOARD

SUBDIVISION REGULATIONS

ADOPTED MARCH 1972

AMENDED SEPTEMBER 1986
AMENDED JANUARY 1990
AMENDED JANUARY 1994
AMENDED AUGUST 2006
AMENDED SEPTEMBER 2007
AMENDED DECEMBER 2008
AMENDED MARCH 26, 2013
AMENDED MARCH 2014
AMENDED SEPTEMBER 2015

BRADFORD SUBDIVISION REGULATIONS

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SECTION I: AUTHORITY

Pursuant to the authority vested in the Bradford, New Hampshire Planning Board by the voters of the Town of Bradford on March 10, 1970 and in accordance with the provisions of RSA 674:35 of the New Hampshire Revised Statutes Annotated, and as amended, the Bradford Planning Board adopts the following regulations governing the subdivision of land in the Town of Bradford, New Hampshire, hereinafter known as Bradford Subdivision Regulations.

Subdivision Regulations were first adopted in 1972, completely revised in 1986 and amendments adopted in January 1990, 1994, 1996, 2000, 2001, 2002, and 2006.

SECTION II: PURPOSE AND APPLICABILITY

The purpose of these regulations is to provide for the orderly present and future development of the Town by promoting the public health, safety, convenience and welfare of its residents in accordance with the provisions of RSA 674:36. These regulations apply to Planning Board review and approval or disapproval of all subdivisions as defined by RSA 672:14 and boundary adjustments and lot mergers.

SECTION III: DEFINITIONS

- A. **Abutter.** (1) Any person whose property adjoins or is directly across the street or stream from the land under consideration by the Planning Board; (2) affected municipalities; and (3) the regional planning commission(s) in the event of developments having regional impact. For purposes of receiving testimony only, and not for purpose 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 and as further defined in RSA 672:3.
- B. **Active and Substantial Development.** Pursuant to the requirements of RSA 674:39, as amended, every subdivision plan approved by the Planning Board shall be further exempt from any changes in the Subdivision Regulations, Site Plan Review Regulations, or Zoning Ordinance for a period of five (5) years, provided that active and substantial development, as defined in Section XVIII below has occurred within 24 months of the date of approval.
- C. **Applicant.** The owner of record of the land to be subdivided, or his/her designated agent. All owners whose names appear on the deed of the property shall sign the application form and, if the applicant is not the owner, a written letter signed by the owner(s) must be provided with the application granting the applicant authority to submit the application. Each owner shall sign and print his or her name in a legible manner.
- D. **Application, Complete.** A final plat and all accompanying materials and fees as required by these regulations.
- E. **Approval.** Recognition by the Planning Board, certified by written endorsement on the plat, that the plat meets the requirements of these Regulations and in the judgment of the Board satisfies all criteria of planning and design.
- F. **Approval, Conditional.** Recognition by the Planning Board, certified by written endorsement on the plat, that the plat is not finally approved nor ready for filing with the Merrimack County Register of Deeds (MCRD) until such time as certain conditions, set forth by the Board, are met.
- G. **Board.** The Planning Board of Bradford, New Hampshire.
- H. **Boundary Adjustment.** An adjustment to the boundary line between adjoining properties, where no new lots or substandard lots are created, where there is no change to the number of lots in the process, and which involves no construction of new streets, utilities, or other public improvements.
- I. **Buffer Strip.** An area of land used to visibly separate one use from another, or which acts as a separation between two land uses of different intensity.
- J. **Buildable Acre.** The area of land needed to calculate a minimum lot size as defined by the *Bradford Zoning Ordinance*.
- K. **Checklist.** The list of information that must appear on the plan and materials submitted with an application. A copy of the completed checklist must be filed at the same time the application is submitted.
- L. **Cluster Development.** See *Open Space Development*.
- M. **Conditions of approval.** The Planning Board may set conditions that must be met within 180 days before approval is final.

- N. **Common Open Space.** Land within or related to a cluster development, not individually owned, which is designated for the common use or enjoyment of the residents of the development or the public.
- O. **Development.** Any construction or grading activities on real estate for other than agricultural and silvicultural (tree care and harvesting) practices.
- P. **Easement.** The authorization by a property owner for the use of any designated part of his/her property by another for a specific purpose.
- Q. **Expedited Review.** A process whereby both the "Application ACCEPTANCE FOR completion" and the "Consideration for Approval" may occur at a single meeting.
- R. **Fees.** The monies, checks and other forms of security received with a plan submittal including but not limited to abutter fees, application fees, escrow account fees, town fees, recording fees. Such fee or expenses shall be paid in advance by the applicant.
- S. **Filing.** Delivery of a subdivision application to the Planning Board or its designee. It must be received 21 days before the date of the Planning Board meeting at which it is to be submitted and must include all necessary fees and material required in *Section VI*.
- T. **Floodplain.** The area of special flood hazard governed in accordance with Article VIII of the *Bradford Zoning Ordinance*.
- U. **Frontage.** The length of a lot bordering on an accepted public road or on a proposed street on a subdivision plat approved by the Planning Board.
- V. **Lot.** A parcel of land at least sufficient in size to meet the minimum requirements for use, coverage and area and to provide required setbacks in the district in which the lot is located.
- W. **Lot Line Adjustment.** See *Boundary Adjustment*.
- X. **Open Space Development.** A residential subdivision (also referred to as Cluster Development) that permits housing units to be grouped on lots with dimensions, frontages and setbacks reduced from conventional sizes, provided the density of the lots as a whole shall not be greater than the density allowed by the existing regulations, and the remaining land area is devoted to common open space.
- Y. **Plan or Plat.** The map, drawing or chart on which the plan of subdivision is presented to the Board for approval, and which, if approved, will be submitted to the Merrimack County Register of Deeds (MCRD) for recording.
- Z. **Public Hearing.** A meeting, notice of which must be given per RSA 675:7 and 676:4, I (d), at which the public is allowed to offer testimony.
- AA. **Public Meeting.** The regular business meeting of the Planning Board as required per RSA 673:10. Notice must be posted at least 24 hours in advance and the meeting must be open to the public, although participation by the public is at the discretion of the Board.
- BB. **Rear Lot.** A lot which has no frontage and is serviced by a fifty foot (50') wide deeded right-of-way or common driveway, of a length between one (1) and three (3) times the required frontage for the zoning district in which it is located.
- CC. **Right-of-Way.** The right of one to pass over the property of another, usually conveyed by deed.
- DD. **RSA.** New Hampshire's Revised Statutes Annotated.
- EE. **Setback.** The distance between a building or structure and the nearest property line, wetland, or street.
- FF. **Street.** A Class V or better road maintained for vehicular travel, or a road that appears on a subdivision plat approved by the Planning Board.
- GG. **Street Plat.** A modified plat (map) showing the course and width of a right-of-way or easement that provides access to one or more lots and the relationship to those lots affected, drawn in accordance with *Section XI*.
- HH. **Subdivision.** The division of a lot, tract, or parcel of land into two (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. The division of a parcel of land held in common and subsequently divided into parts among several owners shall be deemed a subdivision.
- II. **Subdivision, Major.** A subdivision of four (4) or more lots, or one which involves the creation of new streets and/or utilities, regardless of the number of lots. Any subsequent Minor Subdivision of a previously approved Minor Subdivision during ten (10) consecutive years also constitutes a Major Subdivision.
- JJ. **Subdivision, Minor.** A subdivision of land into not more than three (3) lots for building development purposes, with no potential for further subdivision on an existing street; or one which does not involve the creation of new streets and/or utilities.

- KK. Submission.** Presentation of the application to the Planning Board. Submission must take place at a public meeting of the board, following required notice to the abutters and the general public.
- LL. Voluntary Merger.** Shall be as defined in RSA 674:39-a.
- MM. Wetlands.** Those areas identified and delineated as poorly drained or very poorly drained soils by the National Cooperative Soil survey as shown on a map or maps designated as the Town of Bradford Wetlands Map. Use of wetlands is governed by Article VII of the *Bradford Zoning Ordinance*.

SECTION IV: GENERAL REQUIREMENTS FOR SUBDIVISION OF LAND

A. Character of land for Subdivision

Land of such character that it cannot, in the judgment of the Board, be safely used for building development purposes because of exceptional danger to health or peril from fire, flood, poor drainage, excessive slope, wetlands, or other hazardous conditions, shall not be platted for residential, commercial, or industrial subdivision, nor for such other uses as may increase danger to life or property, or aggravate the flood hazard. Land with inadequate capacity for sanitary sewage disposal shall not be subdivided unless connected to private multi-family sewers.

B. Premature Subdivision

The Board may provide against such scattered or premature subdivision of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, sewage disposal, drainage, road condition, transportation, schools, fire protection, or other public services which necessitate the excessive expenditure of public funds for the supply of such services.

C. Preservation of Existing Features

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

SECTION V: SUBDIVISION REVIEW PROCEDURES

A. Preliminary Conceptual Consultation

The applicant may request a meeting with the Board to discuss a proposal in conceptual form and in general terms. Although this phase is strictly optional, the Board strongly suggests that the applicant avail him/herself of the opportunity to resolve any issues at this early stage that might become a problem later on. Such pre-application consultation shall be informal and directed toward:

1. Reviewing the basic concepts of the proposal.
2. Reviewing the proposal with regard to the master plan and zoning ordinance.
3. Explaining the state and local regulations that may apply to the proposal.
4. Determination of the proposal as a major or minor subdivision and of the submission items that would be required.

Preliminary conceptual consultation shall not bind the applicant or the Board. Such discussion may occur without formal public notice, but shall occur only at a posted meeting of the Board.

B. 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 beyond the conceptual and general stage, involving more specific design and engineering details of the potential application.
2. The design review phase may proceed only after proper notification, as set forth in *Section V*.
3. Statements made by Board members shall not be the basis for disqualifying said members or invalidating any action eventually taken on the application.

4. A rough sketch of the site should be provided, displaying the following:
 - a. Location of lot lines
 - b. Lot measurements
 - c. All streets surrounding the site
 - d. Site location map

C. Application Process

1. A complete application must be filed at least 21 days prior to the Planning Board meeting at which it is to be considered. A complete application shall consist of all data required in *Section VI: Application Requirements* of these regulations.

The Planning Board shall forward the application to the Fire Department, Police Department, Road Agent, and/or Town Conservation Commission and professional services as required as part of the completeness review.
2. The applicant shall pay those fees and charges, plus the costs of any required publications, posted notices, and mailing notices of hearings. The Board will determine the need for review and special investigative studies, and advise the applicant of additional financial support required. Failure to pay these costs will be grounds for termination of consideration of the application.
3. Acceptance of an application as complete shall only occur at a meeting of the Planning Board after due notification has been given according to *Section V: Article I: Notification*. Acceptance will be by affirmative vote of a majority of the Board members present.
4. At the first meeting for which notice can be posted, or 30 days from the date of filing, the Planning Board will review the application for completeness and determine its acceptability for further processing. If the application is incomplete, the Board may continue the public hearing for two additional meetings to allow for completeness.
5. All applications shall be reviewed for potential regional impacts as defined in RSA 36:54-58. Upon such a finding, the Board shall furnish the regional planning commission(s) and the affected municipalities with copies of the minutes of the meeting at which the determination was made and send a copy of the initial set of plans to the regional planning commission; the cost to be paid by the applicant. The copies shall be sent by certified mail within 72 hours of the meeting.

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

D. Public Hearing

Prior to the approval of an application, a public hearing shall be held. Public hearings may be waived for lot line adjustments; unless requested by the Planning Board, the applicant or any abutters, except that public notice shall be given prior to approval of the application.

E. Board Action on Accepted Applications

1. The Board shall begin consideration of the application upon acceptance. The Board shall act to approve, conditionally approve, or disapprove the application within 65 days of acceptance.
2. The Board may apply to the Selectmen for an extension (not to exceed an additional 90 days) before acting to approve, conditionally approve or disapprove an application. An applicant may request in writing that the Board waive the requirement for action within the time periods specified in these regulations and consent to such extension as may be mutually agreeable.
3. Approval of the application shall be certified by written endorsement on the Plat and signed and dated by the Chairman and a second member of the Board. If any application is disapproved, the grounds for such disapproval shall be adequately stated in the records of the Planning Board and in written notice given to the applicant within 144 hours of the decision.

4. An approved plan shall be recorded with the Merrimack County Register of Deeds (MCRD). The certified plat shall be filed at the MCRD by only a Planning Board member or designee.

F. Failure of the Planning Board to Act

1. In the event that the Planning Board does not act on an accepted application within the prescribed time period, the applicant may petition the Selectmen to issue an order directing the Planning Board to act within 30 days.
2. If the Planning Board fails to act within 40 days of receiving this directive from the Selectmen, the Selectmen must approve the application unless they find in writing that the plan does not comply with a local regulation. In the event the Selectmen fail to act, the applicant may petition superior court to approve the plan.

G. Conditional Approval

The Board may grant conditional approval of an application, but the plat will not be signed or recorded until all of the conditions have been met. If the applicant has not complied with the conditions of approval within 180 days, the approval is considered null and void and the applicant must submit a new subdivision application. The applicant may request in writing an extension of this time limit. The Planning Board may determine whether conditions of approval have been met and grant final approval without additional public hearing only when such conditions:

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

Approvals based on all other conditions require that the Planning Board hold a public hearing prior to determining whether the conditions of approval have been complied with. Notice for said hearing shall be in compliance with RSA 676:4, I (d), these regulations and are at the expense of the applicant.

H. Expedited Review

1. The Planning Board may allow for an expedited review of applications for boundary adjustments or minor subdivisions, as defined in *Section III: Definitions* of these regulations.
2. The application may be submitted, accepted as complete and voted for approval at the same meeting.
3. The Board may waive certain plat requirements for boundary adjustments and minor subdivisions.

I. Notification

1. Notice of a design review, submission of an application for acceptance, or a Public Hearing shall be given by the Board to 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.
2. Notice shall be by certified mail, mailed at least ten (10) days prior to the submission. The public will be given notice at the same time, by posting at the Town Hall and the Post Office (at a minimum), and publication in the *Intertown Record* or *Concord Monitor*. The applicant is responsible for the costs of such notice.
3. The notice shall give the date, time, and place of the Planning Board meeting at which the application will be considered by the Board, shall include a general description of the proposal which is to be considered, and shall identify the applicant and the location of the proposal.
4. If the notice for the public hearing was included in the notice of submission or any other prior notice, additional notice of the public hearing is not required. Additional notice is not

required of an adjourned session of a public hearing provided that the date, time, and place of the adjourned session was made known at the prior meeting.

J. Fees

1. The applicant shall be responsible for all fees incurred by the processing of applications. Failure to pay such costs shall constitute valid grounds for the Board to not accept the application as complete.
2. It shall be the responsibility of the applicant to pay reasonable fees for special investigative studies, environmental assessments, legal review of documents, administrative expenses and other matters that may be required to make an informed decision on a particular application. Upon filing of the application, an escrow account shall be established to cover the initial costs of required reviews.
3. Upon approval of the application, the applicant shall be responsible for the following costs:
 - a. Making changes to the Town's tax maps
 - b. The cost of recording the mylar with the Merrimack County Register of Deeds (MCRD)

K. Site Inspections

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

L. Concurrent and Joint Hearings

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

SECTION VI: APPLICATION REQUIREMENTS

Unless a written request for waiver(s) is granted by the Board, a completed application shall consist of the following:

A. Five copies of the completed application form, accompanied by:

1. ~~Three copies of mailing labels containing~~ Names and addresses of all abutters, taken from the town records not more than five (5) days before the day of filing. Application fee is \$110.
2. Names and addresses of all persons whose name and seal appears on the plat.
3. Names and addresses of all holders of conservation, preservation or agricultural preservation restrictions.
4. An escrow account is required to cover the costs of any investigative, legal and other studies. Initial fees are listed in the *Subdivision Application*.
5. ~~Eight (8) paper~~ Five (5) paper copies of the Plat, prepared according to the standards of the NH Land Surveyors Association and the Merrimack County Register of Deeds (MCRD), as follows:
 - a. Plats scale shall be between 1"=20' and 1"=400'.
 - b. Approved plat that meets all Merrimack County of Deeds (MCRD) requirements.
 - c. All title blocks should be located in the lower right hand corner, and shall indicate:
 - (1) Type of survey
 - (2) Owner of record
 - (3) Title of plan

- (4) Name of the town(s)
- (5) Tax map and lot number
- (6) Plan date and revision dates

At least one full size paper copy must be color coded for clarification:

Lot boundary	red
Trees	green
Roads	brown
Septic a & well radius	orange
Open Space	yellow
Surface water	blue
Wetlands	blue stripe

- 6. Sufficient legible copies of the first page of the preliminary plan, reduced to no more than 11" by 17". ~~Eighteen~~ Ten copies plus one for each abutter.
- 7. A letter of authorization from the owner, if the applicant is not the owner.
- 8. One (1) Mylar copy of the final approved plan that meets all Merrimack County Register of Deeds (MCRD) requirements.

B. The plat shall contain the following information:

- 1. Proposed subdivision name or identifying title; name and address of the applicant and of the owner, if other than the applicant.
- 2. North arrow, scale – written and graphic, date of the plan; name, license number and seal of the surveyor or other person whose seal appears on the plan.
- 3. Signature block for Planning Board endorsement.
- 4. Locus plan showing general location of the total tract within the town and the zoning district(s).
- 5. Site survey map(s) showing boundaries or subdivision area, along with existing topography at five foot (5') intervals, streams, roads, easements, structures, and adjacent development within 200 feet of the boundaries. Existing and proposed topographic contours based upon the USGS topographical data, with spot elevations at a minimum of 3 per proposed building lot.
- 6. Boundary survey including bearings, horizontal distances and the location of permanent markers. Curved boundary lines shall show radius, delta, and length.
- 7. Soils data showing types of soils, locations of test pits and results of percolation tests; and outline of 4,000 square-foot septic area with any applicable setback lines.
- 8. A written statement of condition of land as to suitability for the proposed development.
- 9. Names of all abutting subdivisions, streets, easements, building lines, parks and public places, and similar facts regarding abutting properties.
- 10. Location of all property lines and their dimensions; lot areas in both square feet and acres and buildable square feet and buildable acres. Lots numbered according to the Town tax map numbering system.
- 11. Location and amount of frontage on public rights-of-way.
- 12. Location of building setback lines.
- 13. Location of proposed building envelope as defined in *Section VII: A. 1. b.*
- 14. Location of all parcels of land proposed to be dedicated to public use.
- 15. Location and description of any existing or proposed easements.
- 16. Existing and proposed water mains, culverts, drains, sewers; proposed connections or alternative means of providing water supply and disposal of sewage and surface drainage.
- 17. Existing and proposed streets with names, classification, travel surface widths, right-of-way widths (See *Section XII: Road Standards*).
- 18. Final road profiles, center line stationing and cross sections.
- 19. Location and width of existing and proposed driveways.
- 20. Water courses, ponds, standing water, rock ledges, stone walls; existing and proposed foliage lines; open space to be preserved; and any other man-made or natural features.
- 21. Soil and wetland delineation (see *Bradford Zoning Ordinance*).
- 22. Delineation of other areas excluded from buildable acreage. See *Section III: Buildable Acre*.

23. Location of existing and proposed wells, with 75-foot well radius on its own lot.
24. Base flood elevations and flood hazard areas, based on available FEMA maps.
25. A note stating that a general road easement for the benefit of the Town of Bradford shall apply to all existing town roads abutting the land to be subdivided, this easement to include all land within twenty five (25) feet of the existing center of the roadway.
25. Owner(s) signature(s).

C. Other Information

1. Plan for Stormwater Management and Erosion Control, if applicable (See *Section IX. A.*).
2. State subdivision approval for septic systems; septic design approval where applicable; or certification by septic designer stating adequacy of existing system.
3. Where an existing bridge will serve one or more lots in the subdivision, certification must be received from the Fire Department that such bridge can be utilized for safety purposes, with periodic monitored inspections.
4. Alteration of Terrain Permit from NH Department of Environmental Services.
5. State/Town driveway permit, as applicable.
6. Any deed restrictions; and all deeds covering land to be used for public purposes, easements and rights-of-way over property to remain in private ownership, and rights of drainage across private property, submitted in a form satisfactory to the Board's counsel.
7. Any other state and/or federal permits.
8. In the case of electrical lines or other utilities to be installed by a public utility corporation or a municipal department, a statement shall be received in written form 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.

D. Additional Reports

Any additional reports or studies deemed necessary by the Board to make an informed decision, including but not limited to: traffic, school, fiscal and environmental impact analyses. The Board reserves the right to request such information after an application has been accepted as complete, as well as before acceptance.

Should the Board determine that some or all of the above-described information is to be required, the applicant will be notified in writing within ten (10) days of the meeting at which the determination was made.

E. Electronic Submittals

In addition to the physical copies required, one copy of all required submittals shall be submitted in an electronic format (pdf or image file). Submission may be via email or physical media (dvd, USB drive, etc)

SECTION VII: SUBDIVISION DESIGN

A. General Standards

1. Lot size, width, depth, shape and orientation shall be appropriate for the location of the subdivision and the type of development and land use intended. To avoid deep, narrow lots, a minimum width-to depth ratio of about one-to-three will normally be required. Side lot lines shall generally be at right angles to straight street lines or radial to curved street lines. Open Space (Cluster) Development together with open land is encouraged.
 - a. Minimum lot sizes within a subdivision shall be determined by the lot size requirements of the *Bradford Zoning Ordinance* (Article III).
 - b. The applicant must demonstrate that each lot provides a potential building envelope with a 3,000 square foot rectangle, each side being a minimum of forty feet (40') in length that meets all setback requirements.

2. 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 top-soil or surplus materials from the subdivision area shall not be permitted unless in accord with town regulations. Existing trees on lots and open space land shall be preserved wherever feasible, unless otherwise directed by the Board.
3. On land to be used as open space, undesirable growth and debris shall be removed. Wooded and brook areas shall be left in a natural state. Active recreation areas should be graded to dispose of surface water where necessary and seeded with grass where appropriate. 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.
4. Areas set aside for parks and playgrounds to be dedicated or reserved for the common use of all property owners shall be of reasonable size and character for neighborhood playgrounds or other recreational uses.
5. Land on Class V streets which are closed seasonally shall not be subdivided unless the Planning Board determines that the subdivision is in the best interests of the Town and in conformity with the Master Plan. A minimum of 10 buildable acres is required.
6. Land on Class VI streets (primitive public ways not maintained by the town) shall not be subdivided, with the following exception: Woodlots or agricultural lots on Class VI roads *may* be subdivided. Lots so designated may be used for growing and/or harvesting of timber or agricultural products. Houses or camps *may not* be built on these lots so long as the road is Class VI. Motor homes, campers or camp trailers may not be parked on such lots, except during the working of the land, not to exceed ninety (90) days in any calendar year. Land so designated shall meet the frontage requirements of the zone that it falls in, and be a minimum of ten (10) buildable acres.
7. Subdivision of land into front lots and rear lots served by a deeded common driveway or right-of-way may be granted upon application to the Planning Board under the provisions of the *Bradford Zoning Ordinance* (Article III. I. 2.).
8. Lots shall be laid out and graded to eliminate flood or stagnant water pools. No water shall be permitted to run across a street on the surface, but shall be directed into catch basins and pipes underground in a pipe of not less than 12 inches in diameter.

B. Reserve Strips

1. Reserve strips of land that show an intent on the part of the subdivider to control access to land dedicated (or to be dedicated) to public use (such as a road) shall not be permitted.
2. The Board may require that the plat show one or more sites of character, size, shape and location suitable to be used as community open space or park, in area not to exceed fifteen (15) percent of the total area of the subdivision. Such areas of open space, whether privately or publicly owned, shall have a sufficient legal restriction recorded in the Merrimack County Register of Deeds (MCRD) to assure permanence of use as open space. Open space land in private ownership shall be deeded in such a way that will assure operation or maintenance of the land in an orderly manner suitable for the purpose intended.

C. Septic Systems and Water Supply

The subdivider shall make adequate provision for water supply, storm water and sanitary sewage disposal, and required utilities and improvements. All utility installments shall be at the expense of the subdivider and shall be installed to the satisfaction of the appropriate town agency.

1. It shall be the responsibility of the subdivider to prove that the area of each lot is adequate to permit the installation and operation of an individual septic system.
2. On new lots of less than five (5) acres, not less than two (2) test pits and at least one (1) percolation test shall be required within the 4,000 square-foot area designated for a leach field. The subdivider shall be required to provide the necessary equipment and labor for the making of these tests.

3. In subdividing parcels with existing dwellings, the subdivider must document to the satisfaction of the board that the existing septic system is in good working order.
4. All new wells shall have a radius of seventy-five (75) feet, said radius to be located entirely on its lot. The 75-foot radius may extend over the property line(s) with written consent of the abutter.

D. Boundary Markers

All set bounds shall be of granite or concrete, with the following exception: In lots of over ten (10) acres, or where there are large boulders in stone walls, iron pins shall be acceptable.

Where drill holes are used, they must be a minimum of one inch deep and ½ inch in diameter and have an iron pin or other magnetic metal in the drill hole and be at least one inch in length.

SECTION VIII: OPEN SPACE DEVELOPMENT

In order to preserve open land, owners are urged to consider an Open Space Residential Development. Also known as cluster (or green space) development, Open Space Development allows for more economical provision of street and utility networks and more flexible layout of lots by allowing reduced minimum lot sizes while preserving large tracts of open space or undeveloped land. While the Planning Board may allow higher density in an Open Space subdivision (pursuant to item 10 below), the purpose of this provision is not to increase the number of lots within a development, but to incorporate the benefits of maintaining open space as land is developed.

The layout of such a development should allow for large, contiguous areas of open space wherever possible. Open space shall be arranged to protect valuable natural and cultural resources and to avoid development in areas such as floodplains and steep slopes.

A. Requirements

1. The minimum lot area for an Open Space Residential Development shall be at least ten (10) buildable acres.
2. The developer shall submit two different design review plans for general discussion: one showing the conventional subdivision plan based on existing regulations without the Open Space design, and a second plan including Open Space subdivision. These will be reviewed by the Planning Board to determine whether the Open Space design is appropriate for the specific site. An Open Space design that results in superior location of units with respect to topography of the site, efficient provision of public services, and reduction in the amount of roadway and driveway construction will be viewed more favorably when comparing the Open Space to the conventional subdivision plan.
3. The proposed development must comply with all applicable provisions of the *Bradford Zoning Ordinance*, Subdivision Regulations and site plan review regulations unless expressly superseded by this section.
4. The individual lots, buildings, streets and parking areas shall be designed and situated to minimize alteration of the natural site features including (but not limited to): topography, wetlands and watercourses, wildlife habitat and unique natural areas. Any proposed buildings shall not have an undue adverse effect upon the adjacent properties or the character of the neighborhood or other areas related to the general welfare.
5. All roads shall be designed and constructed in accordance with town road standards. Since municipal water and sewer services are not available, each Open Space Development shall provide for its own facilities. Community systems are encouraged.
6. The minimum frontage on an accepted public way shall be in accordance with the minimum frontage requirements of the zoning district in which the original lot exists. The road frontage for individual lots shall be negotiated between the Board and the developer, but shall be no less than one hundred feet (100').
7. A buffer area having a minimum depth of fifty feet (50') shall be provided between any proposed structure within the development and the perimeter of the original lot(s). Whenever possible, the natural vegetation shall be retained, or if required, vegetation shall be planted of sufficient density to screen the development from abutting properties.

8. Setbacks abutting the boundaries of the Open Space site, and setbacks on existing or proposed public streets shall not be less than those of the zoning district. The front setback and side and rear setbacks for internal units may be modified, allowing for flexibility in site design if approved by the Planning Board (in compliance with National Fire Protection Association minimum separations).
9. In the interest of encouraging flexibility in site design and the preservation of open space, the minimum lot area for individual building lots within Open Spaces shall be determined by the Planning Board and negotiated between the Board and the developer. The minimum lot area per dwelling unit shall not be less than 25% of the lot area required for a conventional lot.
10. The maximum number of units permitted in a Open Space Development shall be determined by dividing the total area of buildable land by the minimum lot size required for the applicable zoning district. The Planning Board may permit an increase in the overall density of the tract by no more than one (1) additional dwelling unit per ten (10) buildable acres, only if it is demonstrated that the Open Space design (including the increased density) will provide some additional benefit to the municipality and will not impair the integrity or character of the district. Benefits to the municipality to be considered as incentive for allowing additional lots and the resulting increased density include, but are not limited to, the following:
 - a. Allowing for double the required setback from all wetlands, waterways or abutting lots.
 - b. Creation of recreation trails for use within appropriate areas within the open space.
 - c. Reserving open space blocks of 50 acres or more, or land adjacent to other protected conservation land.
 - d. Reserving land which protects: lakes, ponds, rivers, and streams, high yielding aquifers, unique natural areas, rare or endangered species, critical wildlife habitat, archeological sites, high value recreational land (open to the public), agricultural or forest land, or land of significant public scenic value.
 - e. Development of community sewer systems.
11. A minimum of 25% of the total area of the Open Space development shall be designated as permanent open space. This land shall not be graded, vegetation shall not be altered, nor shall this area be otherwise developed. This area shall be exclusive of road right-of-ways, common parking areas and non-buildable land. The remaining open space may be used for various recreational uses.
12. The amount of open space in the Open Space Development shall be the amount saved by the reduction in lot sizes less any area granted to additional lots as described in 10. above.
13. The area, configuration and location of designated open space shall be subject to approval by the Planning Board. The suitability of all open space for its proposed purpose shall be determined by the topography and location proposed and shall be accessible to all residents of the development.
14. A condition of Open Space Development approval shall be that common open space may not be further subdivided.
15. Restrictions to the development of open space in the Open Space development shall be permanent. These restrictions must be recorded in the deed to the open space lot. The type of ownership of land dedicated for open space purposes shall be selected by the subdivider, subject to approval of the Planning Board and review by Town Counsel. The cost of the review shall be borne by the developer. Type of ownership may include, but is not necessarily limited to, the following:
 - a. The municipality, subject to acceptance by the appropriate governing body
 - b. Other public jurisdictions or quasi-public organizations, subject to their acceptance
 - c. Homeowner or cooperative associations
 - d. Shared, undivided interest by all property owners in the subdivision
 - e. Ownership subject to permanent conservation easement, subject to acceptance by an acceptable grantee

The developer is responsible for setting up the organization or association for managing the commonly owned property. The Planning Board may require, as a condition of approval, that the deeds to common open space and natural areas of the development acknowledge that such areas are part of the residential use and do not qualify for current use under RSA 79-a.

SECTION IX: WATERSHED AND DRAINAGE

A. Stormwater Management and Erosion Control

1. The applicant shall submit a stormwater management and erosion control plan when one or more of the following conditions are proposed:
 - a. A cumulative disturbed area exceeding 20,000 square feet
 - b. A major subdivision
 - c. The disturbance of critical areas, such as steep slopes, wetlands, floodplains
2. Standard agricultural and silvicultural practices are exempt from this regulation.

B. Off-site Drainage

In the course of designing the on-site drainage systems, the subdivider shall ensure that there is no net increase in runoff to off-site areas. If increased runoff is not preventable, the subdivider shall obtain an easement in the impacted areas, and make drainage improvements there to contain the increased runoff. The easement document shall contain a section holding the Town of Bradford harmless for any claims for damage in the easement area and in any down-slope areas potentially impacted.

SECTION X: FIRE PROTECTION STANDARDS

Applications for new subdivisions shall be required to address water supply needs for fire protection. The Fire Department shall review all proposals to determine whether or not water supply should be addressed for that particular proposal; if so, the following requirements apply:

1. The Fire Department shall complete an inspection of the proposed site to evaluate the availability of existing water supply in the area.
2. The Fire Department shall ensure that all applicable provisions of the National Fire Prevention Association are met.
3. The Fire Department shall determine the type, location and spacing of any water supply (such as fire ponds, cisterns, etc.)
4. Following the inspection and evaluation, the Fire Department will submit his findings in writing to the Planning Board.
5. All proposed developments, whether including the provision of hydrants or other water supply facilities, shall be accessible to firefighting and other emergency equipment.
6. The Board may require the installation of fire protection where it deems necessary. The Board may also require a development study, the fee to be borne by the subdivider.
7. Where underground utilities are to be furnished, 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, to the satisfaction of the governing body, and without expense to the Town.

SECTION XI: STREET PLATS

Street plat applications shall be handled in the same manner as subdivision applications, including filing, notification of abutters, and public hearing. A written request for modification of these requirements may be requested for approval by the Planning Board.

A. Rear Lots

Access to a rear lot meeting the requirements of the *Bradford Zoning Ordinance* (Article III. I. 2) may be approved by the Planning Board as a street plat.

B. Existing roadways currently in use

In the instance where a roadway has been used and is currently in use for access to properties with existing dwellings, an approved plat must be filed of said roadway before consideration is given to any application for building or modification of existing structures. Each plat submitted shall include:

1. Length of roadway from Class V or better road to the property under consideration
2. Width of useable roadway
3. Diagram and identification of properties using said roadway
4. Endorsement of Fire, Police and Selectmen that this road can be used in an emergency

C. Parcels without existing structures where the only access is by easement, private road, right-of-way or right-to-pass

Applicant shall submit proof of deeded easement, right-of-way, private road, or right-to-pass. For private roads serving no more than three existing lots, the minimum right-of-way or easement shall be thirty (30) feet with a travelway width of at least twelve (12) feet. For private roads intended to serve more than three existing lots, standards for full subdivision contained in these *Subdivision Regulations* shall apply. Each street plat shall include:

1. Survey showing the length of the entire roadway corridor from the parcel under consideration to the nearest Class V road
2. Existing or proposed surface material (gravel, pavement, other)
3. Existing or proposed sub-base material
4. Right-of-way, travelway, and shoulder width
5. Topography in five feet (5') intervals
6. Location of wetland, watercourses, and ledge outcroppings
7. Location of bridges (if any)
8. Location, material, length and width, of all culverts and underdrains
9. Location of all structures within 100' of existing traveled way
10. Width and location of any easements
11. Proposed cuts and fills
12. Size, material, location of proposed drainage structures
13. Endorsement of fire, police, and selectmen that this road can be used in an emergency

D. Travelway Standards

The following standards for construction of the travelway are suggested, or stamped engineered drawings shall be submitted. Either will be reviewed and must be approved by the Planning Board:

1. Remove all topsoil, rubbish, other yielding material, all tree stumps, brush, roots, boulders, and like material from the full cross sections of the travelway to be constructed
2. Scarify to two (2) feet below base course to remove organic matter, large stones, etc.
3. Fill all holes and backfill area with clean bank run sand to base course and compact well
4. Install a minimum of 8" bank run gravel and a wear course of $\frac{3}{4}$ " – $1\frac{1}{2}$ " crushed gravel to a depth of 2"
5. Provide proper erosion control measures and install guardrails as necessary

SECTION XII: ROAD STANDARDS

The arrangements of streets in the subdivision shall provide for the continuation of the principal streets into adjoining subdivisions or for their proper projection when adjoining property is not subdivided.

Street construction shall meet specifications for town roads. Where lots front on substandard town roads the cost of improving that section of road to town specifications shall be borne by the subdivider, if deemed necessary by the Planning Board. (RSA 236:13, 1-5). Where a subdivision requires expenditure by the Town to upgrade existing streets to service the subdivision, the Board may condition approval on the Selectmen certifying that expenditure of the funds required for the improvements has been authorized.

Each lot shall provide adequate off-street parking in accordance with proposed use of lot.

A. GENERAL STREET PLAN

Approval of the general development street plan is required before construction of any phase of the plan. The street plan shall conform to the following documents: *A Policy on Geometric Design of Highways and Streets*, 2001 or later edition, AASHTO; *Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT<400)*, 2001 or later edition, AASHTO; and *Standard Plans for Road and Bridge Construction*, 2001 or later edition, NHDOT, except as described below. Any other shall be justified by engineering judgment and approval by the Board.

B. PERMITS

Owners, builders, contractors, and subcontractors shall comply with all federal and state construction and environmental permits.

C. STREET LAYOUT

All subdivisions shall have adequate provision for safe and suitable access to a Class V or better road, or shall make provisions for the construction and dedication of a Class V or better road, to obtain safe and suitable access to the subdivision. Further, any proposed subdivision of twenty or more lots shall have a through-road with more than one point of access to a Class V or better road. Where the Board determines an existing access street to be substandard, it may require the upgrading of said street. Where traffic from a proposed subdivision will adversely impact a nearby street or intersection, provisions shall be made for the mitigation of said impacts.

Proposed streets shall be of suitable location, width, grade, and improvement to accommodate prospective traffic and afford satisfactory access to police, fire fighting, emergency equipment, snow removal, sanitation, and road maintenance equipment. The arrangement and character of all streets in a subdivision shall conform to the Master Plan, and any and all other Town regulations, and shall compose a safe and convenient system in relation to other existing and planned streets, to topographic conditions, and to the proposed uses of land to be served by the street. Existing stonewalls shall be retained where possible or relocated and restored as required by the Board.

1. Access

No subdivision shall be approved unless the property to be subdivided shall have frontage on and access from an existing Class V or better road. Each lot shall have safe, independent and direct access from a road meeting a minimum of Class V standards. Where warranted, the Board may require that a driveway be shared by two (2) lots. All portions of such a drive that are commonly shared shall be improved to facilitate two (2)-way traffic flow beyond Town right-of-way. Rights of passage over and across such driveway shall be established by easement for each of the lots so served and recorded with the plat plan. Unless a driveway is shared, it must be located a minimum of fifteen (15) feet from any and all property lines.

2. Arrangement

Streets shall be laid out so as to intersect at right angles as nearly as possible. No street shall intersect another at less than 60 degrees. Streets shall be continuous and in alignment with existing streets as much as possible. All streets shall be integrated with the existing and proposed street system. The applicant shall provide for a circular terminus at the end of all proposed roads for all phases and situations where thru streets are not provided in the design.

3. Classification

- a. Arterial Streets are intended to carry traffic from collector streets to the system of highways; that is, to move through traffic to and from major attracters.
- b. Collector Streets carry traffic from local streets to the major system of arterial streets and highways. They are intended to collect and distribute traffic in minor traffic generating areas.
- c. Local Streets provide primarily for access to abutting properties, They are designed and intended to carry through traffic.
- d. Cul-de-sacs and Loop Streets have only one point of access from an approved street that has multiple points of access.
- e. Private Streets are on property held under private ownership and are not maintained by the Town.

D. DEAD-END STREETS

Dead end streets shall not in general be approved, but may be in special situations when connecting roads are unavailable or topography is hazardous. Streets designed to be permanent, dead-end streets shall be shorter than 1,000 feet. Cul-de-sacs must be designed with a circular turnaround with a diameter of 200 feet measured on centerline of street, adequate for use by a school bus; or a solid turnaround having an outside diameter of 110 feet.

E. STREET NAMES

Streets that join, or are in alignment with, streets of abutting or neighboring properties shall bear the same name. All streets shall be named to comply with the provisions of the "Enhanced 911 System" (RSA 106-H:2 and RSA 106-H:10), and shall be subject to the approval of the Board of Selectmen.

F. TRAFFIC AND STREET SIGNS

The location and type of sign to be installed shall be coordinated with Town Offices in accordance with the *Manual on Uniform Traffic Control Devices* (MUTCD). The applicant is responsible for all costs associated with street sign installation.

G. STREET LIGHTS

Street lights shall be provided if required by the Board.

H. GUARDRAIL

Guardrail shall be used in locations where the New Hampshire Department of Transportation's typical warrant for guardrail is met and/or as required by the Board. Guardrail shall be metal beam on wood posts, meeting *State Specification 606* and, as applicable, *State Plans GR-1* through *GR-8*. All guardrail installation must end safely using a MELT-type terminal unit. FLEAT or ELT-type units may be permitted by the Town.

I. RIGHT-OF-WAY

The minimum width of a right-of-way shall be 50 feet (50'). A greater width may be required to construct roads and ditches of the widths as described in *Figure 1* (page 27). The Board may require greater right-of-way width where, in its judgment, the width is warranted due to present or future demands.

J. HIGHWAY RIGHT-OF-WAY BOUNDS

Highway bounds, of a type approved by the Board, shall be installed at each point of curvature (PC), point of tangent (PT), and changes in property at all intersection of streets, at all points of change in direction and at any other points the Board may deem necessary to designate the street lines.

1. Type
 - a. Stone or Concrete Bounds shall be of concrete or stone, not less than thirty-six (36) inches in length, not less than four (4) inches square or five (5) inches in diameter, and marked on top with a cross, brass plug, iron rod, or other durable material securely embedded.
 - b. Iron Pipes shall be at least thirty-six (36) inches long and seven eighths (7/8) inch in diameter or square.
2. Location
 - a. Bound Locations. The external boundaries, rights-of-way lines, block corners, etc. of a subdivision shall be monumented on the field by bounds. These bounds shall be placed not more than 1,400 feet apart in any straight line and at all corners, at each end of all curves, at the point a curve changes its radius, and at all angle points in any line, said points to be not less than twenty (20) feet from the bank of any river or stream.

- b. Iron Pipe Locations. The lines of all lots and any other points not monumented by bounds shall be monumented by iron pipes. Those iron pipes located along rivers and streams shall be located along the meander line.

3. Placement

Bounds shall be set flush with finished grade. No permanent bounds shall be set until all construction that would disturb or destroy the monuments is completed. All bounds shall be set under the direction of a registered professional engineer or a registered land surveyor.

K. ALIGNMENT AND GRADES

Table 1 provides minimums for curves, grades, and other geometry. A waiver from the specified maximum grade may be granted where the applicant has demonstrated that adherence to the maximum grade specified in *Table 1* will cause local streets to be constructed with excessive cuts or fills, provided:

1. The maximum allowable grade be ten percent (10%)
2. The maximum length of such grade, measured between vertical points of intersection (PVI) is five-hundred feet (500')
3. No other such slope greater than six percent (6%) occurs within five-hundred (500 feet) measured along the centerline of the road from PVIs

TABLE 1. Roadway Geometric Design Standards			
	Arterial	Collector	Local
Right-of-way width	80 feet	60 feet	50 feet
Traveled way width	24 feet	24 feet	22 feet
Shoulder width	10 feet	4 feet	3 feet
Minimum Grade	1%	1%	1%
Maximum Grade	8.0%	8.0%	8.0%
Maximum grade within 100 feet of intersections	2.0%	2.0%	2.0%
Minimum angle of intersection	75	75	75
Minimum centerline radii	600 feet	300 feet	200 feet
Intersection radii:			
Arterial to	50 feet	50 feet	30 feet
Collector to	50 feet	30 feet	30 feet
Local to	30 feet	30 feet	30 feet
Rate of super elevation (Use AASHTO Chart)	.08 feet	.08 feet	.04 feet
Rate of super elevation through intersection	.04 feet	.04 feet	.04 feet
Cross slope of pavement (minimum)	2%	2%	2%
Slope of shoulder (minimum)	5%	5%	5%
Table source: <i>Recommended Technical Standards for New Roads</i> ; UNH Technology Transfer Center; http://www.t2.unh.edu/pubs/new.pdf			

L. CONSTRUCTION SUPERVISION

Applicants shall ensure that roadways, drainage facilities, sidewalks, curbs and all other elements of the highway are constructed under the supervision, and with the approval, of the Planning Board, or its designee.

If the Town chooses to provide independent construction testing and inspection, the following applies.

1. Whenever a proposed subdivision will involve road construction, the installation of drainage structures, or other required improvements, the costs incurred by the Town in

having the required improvements inspected shall be borne by the applicant. Prior to receiving final approval of a subdivision involving required improvements, the applicant shall deposit with the Town Treasurer a sum as estimated by the Planning Board or their designee. The amount deposited under this section shall be held in a special escrow account by the Treasurer for the purpose of paying the Planning Board or their designee to perform the necessary inspections and construction observations.

2. Whenever the actual amount required to make necessary inspections exceeds the amount deposited under this section, such amount in excess of the deposited amount shall be paid to the Treasurer prior to the final acceptance of the improvements and prior to the release of any bond money deposited. See *Section XVI* of these regulations for bond and construction requirements.
3. Any amount deposited under this section and not used for the purposes stated herein shall be returned to the applicant upon final acceptance of the required improvements. Escrow amounts shall be returned to the depositor within 30 working days.

M. CLEARING AND GRUBBING

The entire area of each roadway shall be cleared and grubbed of all stumps, brush, roots, boulders, like materials and all trees not intended for preservation, and which shall not be used for fill or buried on site. Clearing and grubbing shall conform to Section 201 of the *State Specifications*.

N. SUBGRADE PREPARATION

All loam, humus, soft clay, and other yielding material shall be removed from within the limits of the roadway area to a depth of no less than twenty-four (24) inches below subgrade grade and/or to a depth that may be required by the Town Engineer (or designee). Ledge occurring anywhere in the full cross-section of the roadway must be cleared to a minimum depth of twenty-four (24) inches below the finished surface. Ledge occurring in pipe trenches must be cleared so as to have a gravel cushion of at least one (1) foot below and on both sides of the pipe.

O. STORM DRAINAGE

The proposed development shall provide for proper surface drainage so that removal of surface waters will not adversely affect any neighboring properties or the public storm water system and will help reduce flooding, erosion, and sedimentation. The drainage system shall be designed so that the post-development runoff rate does not exceed the pre-development runoff rate. Surface water runoff shall be controlled and directed in a system of catch basins, pipes, swales, drainage ways, culverts, or channels to a natural watercourse or existing drainage facilities. Where a subdivision is traversed by a watercourse, drainage way, channel, or stream, there shall be provided an easement conforming to the lines of such watercourse. When a proposed drainage system will result in water encroaching on land outside a subdivision, appropriate drainage rights must be secured and indicated on the plan. Where the Planning Board determines that the existing downstream, offsite drainage system is insufficient to accommodate the increase in drainage caused by the subdivision, the Planning Board may require the applicant to improve the drainage system. Whenever required, longitudinal storm drainage systems will be provided. Construction shall be in accordance with *State Specifications* Sections 603, 604 and 605, and *State Plans* Standards DR-1, DR-2, DR-3, DR-4, and DR-5.

1. Design Computations

A drainage study/stormwater management report shall be submitted for review and shall include:

- a. A table of contents.
- b. A narrative statement indicating how the applicant has met the requirements, describing the methodology and results of the analyses.
- c. A summary table comparing existing and post-development rates of runoff for each individual drainage basin/watershed to abutting properties. All watersheds and drainage areas shall be consistently labeled in the tables, calculations and plans.
- d. A summary table of each pipe indicating project location, pipe size, type, length, slope, Manning's "n" value, peak discharge, depth of flow, and peak velocity for

- the design storm. The summary table shall also include hydraulic grade line (HGL) elevations at each location in closed conduit piping systems.
 - e. A summary table of each swale and channel indicating project location, cross-section channel width, slope, Manning's "n" value, peak discharge, depth of flow, and peak velocity for the design storm.
 - f. The project location and watershed area shown on USGS quadrangle as a figure in the report.
 - g. A watershed area plan for the existing condition showing topography and existing ground elevations at two foot (2') contour intervals for the project site. The plan shall clearly show the boundary of each drainage area and sub-area with identifying label and size indicated in acres.
 - h. A watershed area plan for post-development conditions showing existing and proposed topography at two (2) foot contour intervals for the project site. The plan shall clearly show the boundary of each drainage area and sub-area with identifying label and size indicated in acres. The post-development area shall be shown on a separate plan from the existing condition.
 - i. Runoff calculations shall be completed for the existing and post-development conditions using Soil Conservation Services (SCS) methods as described in the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire for the appropriate design storms as required by the regulations.
 - j. Flood routing calculations shall be provided for the design of each detention pond using acceptable methods such as Modified Puls, Storage Indication, or as may be approved by the Town Engineer (or designee). In addition to the design storm, a fifty (50)-year storm analysis shall be conducted to establish the fifty (50)- year elevation at the detention basin. A minimum of twelve inches (12") of free board shall be provided above the fifty (50)-year storm to the minimum elevation of embankment at the detention basin.
 - k. Water quality treatment facilities shall be designed to New Hampshire Department of Environmental Services standards and are in addition to the requirements of these regulations.
 - l. Riprap design calculations shall be provided to the requirements of the *Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire* for each pipe outfall location and where necessary for open channels and swales.
 - m. The report shall be stamped by a professional engineer licensed in the State of New Hampshire.
2. Hydraulic Grade Line (HGL)
- a. Closed Conduit: Closed conduit systems shall be designed to convey the appropriate design storm required by the regulations under gravity flow conditions with no more than full flow pipe conditions;
 - b. Open Channels and Swales: For open channels and swales, the HGL shall be shown for the appropriate design storm required by the regulations; and
 - c. Detention Basins/Ponds: The HGL shall be shown for the fifty (50)-year flood event.
3. Flow Computations
- Flow computations shall be in accordance with the following:
- a. Manning's formula shall be used to compute capacities for all open channels, swales, and closed piping drainage systems.
 - b. The capacity of cross culverts shall be computed in accordance with Manual on Drainage Design for Highways – New Hampshire Department of Transportation.
4. Design Runoff
- The rainfall frequency to be used for calculations shall be as follows:
- a. Residential Areas: 25 years
 - b. Commercial Areas: 25 years

- c. Industrial Areas: 25 years
- d. Flood Protection Works: 50 years

5. Placement of Drain Lines

All off-site drain lines shall be placed within right-of-way dedicated for public streets unless use of easements is specifically approved by the Board.

6. Pipe Size, Velocity and Type

- a. Minimum allowable pipe diameter in any storm drain system shall be fifteen inches (15").
- b. The minimum design velocity in pipes shall be two feet (2') per second and the maximum velocity shall be ten feet (10') per second.
- c. The minimum depth of cover for storm drain lines shall be thirty-six (36) inches from the top of pipe to finished grade.
- d. Bedding shall be three-quarter inch (3/4") crushed stone. Bedding shall be a minimum six inch (6") depth in earth and twelve inch (12") depth in ledge.
- e. Acceptable pipe material as recommended and approved by the Town Engineer or (designee) and Planning Board.
- f. Maximum length between drain manholes shall be three hundred feet (300').

7. Drainage Structures

Manholes and other drainage structures shall be pre-cast concrete meeting H-20 loading and constructed and installed in accordance with New Hampshire Department of Transportation Standards and Specifications for Road and Bridge Construction. Drainage structures shall not exceed eighteen feet (18') in depth (rim to bottom of structure). Outlet structure at detention basins, when necessary, shall be submitted for approval.

8. Driveway Culverts

The location, length, size, bedding and backfill of all driveway culverts shall be approved by the Bradford Highway Department prior to construction. Driveway culverts shall be located a minimum of eight feet (8') off edge of roadway pavement. Driveways and driveway culverts and related items shall be designed and approved and incorporated in the subdivision plan.

P. CURBS

The Board may require roadways be curbed on both sides and drained appropriately. Construction shall be in accordance with *State Specifications* Section 609, and *State Plans* Standards CR-1 and CR-2.

Q. SIDEWALKS

The Board may require construction of sidewalks for pedestrian access to schools, parks, shopping areas and transit stops or where population density and/or traffic volume conditions are such that the Board determines the construction of sidewalks to be prudent. In commercial and industrial districts, sidewalks may be required on both sides of the street. In residential districts, sidewalks may be required on one side of the street. Sidewalks shall be a minimum of 5 feet wide (minimum), no closer than 22 feet to the street centerline, and constructed with granite curb, 6 inches thick gravel (*State Specification* 304.2, except maximum size shall be 2 inches), 3 inches crushed gravel (*State Specification* 304.3) and 3 inches of asphalt pavement (*State Specification* 608). Curb shall be set in Portland Cement Concrete. Curb ramps and sidewalks shall be constructed to comply with *Designing Sidewalks and Trails for Access, Part II of II: Best Practices Design Guide*.).

R. DRIVEWAYS

Maximum driveway width for residential single family and duplex lots shall be twelve (12) feet at the right-of-way with five (5)-foot radius at the edge of pavement of the street.

- 1. When a proposed driveway is located on a Town road, the applicant is responsible for certifying the proper sight distance is provided at the location indicated on the plans. For all residential driveways located on the lot serving a single family or duplex lot, the minimum proper all-season sight distance shall be two-hundred fifty (250) feet in all

directions and consistent with the latest version of AASHTO. For all other driveways (common, commercial, industrial, multi-family, etc.), the minimum all season sight distance shall be three-hundred sixty-five (365) feet in all directions meeting the requirements for roadway intersections and consistent with the latest version of AASHTO. Proper visibility easements shall be provided to meet the sight distance requirements. The applicant is responsible for obtaining a driveway permit from the Town prior to the issuance of a building permit; and

2. When a proposed driveway is located on a State road, the applicant is responsible for obtaining the necessary approval and permits from the State. A copy of the permit shall also be submitted to the Town and the New Hampshire Department of Transportation approval number shall be shown on the plan.

S. BASE COURSE

The road base course shall be of materials, and at least the widths and thicknesses, indicated in *Figure 1*. Crushed gravel shall conform to Pay Item 304.3 in *State Specification* Section 304. Gravel shall conform to Pay Item 304.2 in *State Specification* Section 304, except that the maximum size stones shall be 3 inches. All other provisions of *State Specification* Section 304 are part of these standards.

T. ASPHALT SURFACE

Where designated in *Figure 1* (page 22), "Asph. Surf. Treated" surfaces shall be a two-layer Bituminous Surface Treatment in accordance with *State Specification* Section 410. "Hot Mix" surfaces shall be Hot Bituminous Pavement in accordance with *State Specification* Section 403. Widths and thicknesses shall be at least as indicated in *Figure 1*. At least a 44 foot wide pavement is required in areas where on-street parking is expected on both sides of the travel way. Angle parking is not allowed.

U. GRAVEL SURFACE

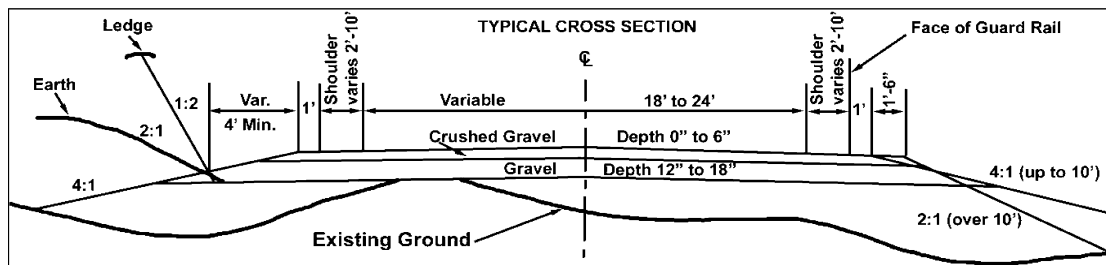
In cases of very low traffic volumes, defined herein as up to 50 vehicles per day, where the Board determines an asphalt surface is not required, the total usable roadway width shall be a minimum of 24 feet (24') - 20' of travel way with 2' shoulders. Provision for a wider section should be considered to allow for future upgrading to an asphalt surface as recommended above. The gravel-wearing course shall conform to *State Specification* 304.2, except that the maximum size stones shall be 1¼ inches. All other provisions of *State Specification* Section 304 are part of these standards.

V. GRAVEL SHOULDERS

Gravel shoulders, and their base courses, shall be at least the depths, widths, and thicknesses indicated in *Figure 1*. Gravel shall conform to *State Specification 304.33*. All other provisions of *State Specification Section 304* are part of these standards.

Figure source: *Recommended Technical Standards for New Roads*; UNH Technology Transfer Center; <http://www.t2.unh.edu/pubs/new.pdf>

Figure 1
Geometric Cross Section Design Elements



Average Daily Traffic (vehicles/day)	0-50	50-200	200-750	750-1500	1500 & over
Pavement Width (feet)	18 (min.)	20	20		
Shoulder Width (feet) (Note 1)	2	2	4		
Center of Road to Ditch Line (feet)	15	16	18		
Cross Slope of Roadway	4%	3%	2%		
Wearing Surface Type (Note 2)	Gravel	Double chip seal or HMA	Hot mix asphalt	Hot mix	Hot mix
Wearing Surface Thickness (inches)	3	Varies	1 1/2		
Wearing Surface Specification (Note 3)	UNH T ² Handout	UNH T ² Handout or Type C	Type C	Type B	Type A
Pavement Base Thickness (inches)			3		
Pavement Base Specification (Note 3)			Type F	Type E	Type D
Crushed Gravel Thickness (inches)	3	4	4		
Crushed Gravel Specification (Note 4)	NHDOT 304.3	NHDOT 304.3	NHDOT 304.3	NHDOT 304.3	NHDOT 304.3
Gravel Thickness (inches) (Note 5)	12	12	12		
Gravel Specification (Note 4)	NHDOT 304.3	NHDOT 304.3	NHDOT 304.3	NHDOT 304.3	NHDOT 304.3

Notes: 1. For average daily traffic over 1000 vehicles/day, paved shoulders should be considered.
 2. Gravel surfaces should be paved where steep grades occur.
 3. "Type" is defined in Section 401 of NHDOT *Standard Specifications for Road and Bridge Construction*.
 4. "NHDOT 304.3" is defined in Section 304 of NHDOT *Standard Specifications for Road and Bridge Construction*.
 5. Gravel base course thickness should be increased in areas of poor soils.

W. BRIDGES

Bridges, as defined by State Law (RSA 234:2), are structures of ten (10) feet or greater clear span, and shall be designed to MS-18 (HS-20) loading (AASHTO specifications). The minimum roadway width shall be 24 feet. Bridges shall be designed by a professional engineer, and constructed in accordance with that design. See *Section XII: Article A: General Street Plan*.

X. ENVIRONMENTAL IMPACTS AND PERMITS

The applicant shall be responsible for determining the applicability of any and all environmental regulations that apply to this project, for acquiring the necessary permits, for taking whatever action is necessary to comply with applicable regulations and permits, and, if necessary, for terminating the necessary permits. The applicable work could include, but not be limited to:

1. Any fill, dredge, excavation, etc that impacts wetlands or other jurisdictional areas;
2. All temporary and permanent measures and treatment devices necessary to prevent erosion and control sediment during and after construction;
3. Any construction activity proposed to disturb one (1) or more acre of land as defined by US EPA NPDES permits
4. Any disturbance of more than 100,000 square feet of terrain (50,000 sq. feet within the protected shoreland) as defined by NHDES rules.

Y. UTILITIES

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

Z. SAFETY

Safety is an important factor on all roadway improvements. On development roads it may not be possible or practical to obtain obstacle-free roadsides but every effort should be made to provide clear areas within the maintenance limits. The use of flatter slopes, the use of guardrail where necessary, and the use of warning signs are other safety factors to be considered. These areas are addressed in the publication *Roadside Design Guide* by AASHTO, 2002.

SECTION XIII: DEVELOPMENTS HAVING REGIONAL IMPACT

A. All applications shall be reviewed for potential regional impacts. Upon such a finding, the Board shall furnish the regional planning commission(s) and the affected municipalities with copies of the minutes of the meeting at which the determination was made and send a copy of the initial set of plans to the regional planning commission; the cost to be paid by the applicant. The copies shall be sent by certified mail within 72 hours of the meeting.

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

SECTION XIV: PREVIOUSLY-APPROVED SUBDIVISIONS

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

SECTION XV: SPECIAL FLOOD HAZARD AREAS

All Subdivisions and Boundary Adjustments will be reviewed to determine whether such proposals involve land designated as "Special Flood Hazard Areas" (SFHA) by the National Flood Insurance Program (NFIP) on the Bradford Flood Hazard Boundary Map. If such proposal is so located:

- 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 within 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 a 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.
 - (iv) Septic systems, if required, shall be designed to minimize infiltration of floodwaters into the systems and discharges from the systems into flood waters.
 - (v) The lowest floor (including basement) is elevated or flood proofed to or above the base flood level;
 - (vi) Refuse disposal areas shall be located outside the flood prone area

- (vii) Such plan complies with the Town of Bradford Floodplain Development Ordinance.

SECTION XVI: PERFORMANCE GUARANTEE

A. Performance Guarantee

1. The Board, under advice from the Town Engineer or designee, shall set the amount and type of the performance guarantee prior the final approval of the subdivision plan. The developer shall post such guarantee with the town prior to the issuance of any building permits for the site. The guarantee shall cover the estimated cost of constructing and installing all site improvements and temporary mitigation mechanisms, including, but not limited to: street work (both public and private roads); drainage facilities; erosion and sedimentation control mechanisms; other transportation-related facilities; landscaping, fire protection; and other utilities.
2. The basis for determining the performance shall be 110% (one hundred and ten percent) of the costs of all required site improvement, plus any other funds necessary for the completion of ancillary work as conditioned by the Board's approval. The proposed cost shall be submitted by the applicant; however, the amount shall be reviewed and approved by the Town's designated agent and the Board of Selectmen. Time limitations shall be imposed upon completion of the improvements of the site in accordance with the approval. Bonding shall not be considered a vesting of rights, nor shall posting of a bond be considered "active and substantial development or building." Failure to commence work on site improvements within the specified time limits may result in one of the following situations:
 - a. A forfeiture of the performance guarantee in favor of the town in order to complete the required improvements
 - b. The need to post a new guarantee prior to construction
 - c. Revocation of the approved plan pursuant to RSA 676:4-a.
3. Performance Guarantees must be presented in a written agreement with, and acceptable to, the Board and Town Counsel. This provision insures proper and legally binding agreements and appropriate economic assurance for the protection of the Town and its citizens. The Board may accept the following methods of posting a performance guarantee:
 - a. Cash or a savings passbook held in the name of the town and deposited with the town treasurer
 - b. A bond issued by a guarantee company located within and authorized to do business within the State of New Hampshire, in an amount and manner acceptable to the Board, after consultation and approval by Town Counsel
 - c. A letter of credit in an amount and manner acceptable to the Board after consultation and approval by Town Counsel

B. Release of Performance Guarantee

1. Upon inspection of a partial completion of required improvements, the Board may authorize in writing a reduction in the performance guarantee up to an amount equal to the work completed. The town shall retain sufficient funds for the current cost to complete the remaining improvements as indicated by a qualified contractor's bid estimate approved by the Board, plus a retainage of 20% (twenty percent) of the original performance guarantee amount, which shall be kept until all required improvements have been inspected and approved by the town. If the costs for completing the required improvements exceed the amount of performance guarantee held by the town, additional funds shall be required by the Board in order to ensure completion before the development proceeds any further. In the case of road construction, the Board shall require that the security stay in place until one full year has passed after final verification of the road.
2. Should progress toward the completion of all required improvements fall substantially behind the mutually agreed upon timetable, the Board may obtain a completion cost

- estimate, at the applicant's expense, from the developer's contractor or a qualified contractor of the Board's choice.
3. If the estimated completion costs exceed the amount of the performance guarantee posted with the town, the developer shall post an additional performance guarantee as is necessary to complete the required improvements. The developer shall post such guarantee within thirty (30) days of notice thereof.
4. The performance guarantee (or balance thereof) shall not be released until the Board (or its agent) has certified completion of the required site improvements in accordance with the approved final plat, and Town Counsel has reviewed and approved all deeds governing land to be used for public purposes, as well as all easement agreements for the site.
5. Installation of all required improvements shall be completed within two (2) years of the date of the final plan's approval, unless the time frame is extended by mutual consent of the applicant and the Board. If the required improvements are not satisfactorily installed within the mutually agreed upon timetable, the posted performance guarantee shall be forfeited by the applicant.
6. Prior to the return of the balance of the performance guarantee, the Town's Building Inspector, Code Enforcement Officer, or designee, shall certify that all site improvements have been installed as per the approved subdivision plan. Furthermore, the developer shall certify that the "as built" locations of all newly installed utilities are in conformance with the approved subdivision plan. Any change in location of the utilities shall require the submission of "as built" plans indicating the actual location of the newly installed utilities.

SECTION XVII: REVOCATION OF PLANNING BOARD APPROVAL

An approved and recorded subdivision plat may be revoked by the Board in whole or in part, in the case of any of the following circumstances:

1. At the request of or by agreement with the applicant
2. When any requirement or condition of approval has been violated
3. When the applicant has failed to perform any condition of approval within the time specified or within four years
4. When four years have elapsed without any vesting of rights and the plan no longer conforms to applicable regulations
5. When the applicant has failed to provide for the continuation of adequate security

SECTION XVIII. ACTIVE AND SUBSTANTIAL DEVELOPMENT

1. Construction and/or installation of basic infrastructure to support the development (including all of the following: foundation walls and footings of proposed buildings; roadways, access ways, parking lots, etc. to a minimum of gravel base; and utilities placed in underground conduit ready for connection to proposed buildings/structures) in accordance with the approved plans, as applicable; and
2. Construction and completion of drainage improvements to service the development (including all of the following: detention/retention basins, treatment swales, pipes, underdrains, catch basins, etc.) in accordance with the approved plans as applicable; and
3. All erosion control measures (as specified on the approved plans) must be in place and maintained on the site; and
4. Items 1, 2, and 3 shall be reviewed and approved by the Town.

Movement of earth, excavation, or logging of a site without completion of items 1, 2, 3, and 4 above shall not be considered "active and substantial development."

The Planning Board may, for good cause, extend the 12-month period.

To the extent that the Planning Board calls for a bond or other security for such improvements and the funds are paid to the Town, substantial completion of the improvements in the subdivision shall be deemed to have occurred.

Failure to have substantially completed improvements of a project as shown on the approved plan within four (4) years shall constitute grounds for revocation of plan approval pursuant to RSA 676:4-a, as amended.

SECTION XXIX: ADMINISTRATION AND ENFORCEMENT

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

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

A. Waivers

The requirements of these regulations may be waived or modified when, in the opinion of the Board, specific circumstances surrounding the subdivision, or the condition of the land in such subdivision, indicate that such waiver or modifications will properly carry out the purpose and intent of the *Master Plan* and these regulations. Any request for a waiver must be submitted in writing with the application.

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.

SECTION XX: APPEALS

Any person aggrieved by a decision of the Planning Board concerning a plat or subdivision may appeal said decision to the superior court pursuant to RSA 677:15, except when a disapproval by the Board is based upon non-compliance with the zoning ordinance, in which case an appeal can be taken to the Board of Adjustment pursuant to RSA 676:5, III.

SECTION XXI: VALIDITY

If any section or part of a 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 part of a section or paragraph of these regulations.

SECTION XXII: AMENDMENTS

These regulations may be amended by a majority vote of the Planning Board after at least one (1) public hearing following the notification procedure outlined in *Section V*.

SECTION XXIII: EFFECTIVE DATE

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