Woodstock Land Subdivision Regulations

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Copy sent to Register of Deeds and Office of Energy and Planning as required.

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Woodstock Land Subdivision Regulations

SECTION 1 AUTHORITY

Pursuant to the authority vested in the Woodstock Planning Board by the voters of the Town of Woodstock and in accordance with the provisions of Chapter 674: Sections 35-36, N. H. Revised Statutes Annotated, the Woodstock Planning Board adopts the following regulations governing the subdivision of land in the Town of Woodstock, New Hampshire. For the purpose of protecting the health, safety, convenience, prosperity, and welfare of our inhabitants; for the purpose of protecting the economic investments of homeowner residents of subdivisions; and for the protection of our Town's scenic beauty; the following land subdivision regulations are hereby enacted:

SECTION 2 DEFINITIONS

2.01 Abutter:

RSA 672:3 "Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association as defined in **RSA 356-B:3, XXIII**. For purposes of receipt of notification by a municipality of a local land use board hearing in the case of an abutting property being under a manufactured housing park form of ownership as established under RSA 205, the term "abutter" includes the manufactured housing park owner (or cooperative) and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use board.

2.02 Board:

Shall mean the Planning Board of the Town of Woodstock, New Hampshire.

2.03 Boundary Line (Lot line) Adjustment:

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

2.04 Building:

Shall mean a combination of any materials, whether portable or fixed, having a roof to form a structure for the use or occupancy by persons or property. *(International Code Council's International Building Code 2006).*

2.05 Completed Application:

As defined in Section 3.04.

2.06 Comprehensive Shoreland Protection Act

As defined in RSA 483-B.

2.07 Driveway:

Shall mean a private way that connects a house, garage, or other building with the street. The driveway must meet Setback Ordinance Section V. A driveway may not serve more than 2 adjacent lots or sites. Any new driveway width shall be, at a minimum, 10 feet and is subject to any Town and or State driveway permitting requirements.

2.08 Dwelling:

Shall mean a privately or publicly owned building containing a dwelling unit or units.

2.09 Dwelling Unit/Residential Unit:

RSA 483-B: 4 XIX – means a structure, or portion thereof, providing complete and independent living facilities, including permanent facilities for living, sleeping, eating, cooking and sanitation which are used by one or more persons.

2.10 Easement:

Shall mean the right to use the land of another for a specified purpose.

2.11 Engineer:

Shall mean the Town Consulting Engineer duly designated on behalf of the Town of Woodstock, New Hampshire, by the Board of Selectmen of the Town of Woodstock, or their appointed agent.

2.12 Final Plat:

Shall mean the final drawing or drawings upon which the Subdivider's plan of subdivision is indicated and is prepared as required under the provisions of Section 4 and Section 5 hereof.

2.13 Flood:

Shall mean a general and temporary condition of partial or complete inundation of normally dry areas due to the overflow of streams or rivers, or abnormally rising lake waters resulting from severe storms.

2.14 Floodplain; 100 year:

Shall mean a land area adjoining a river, stream, watercourse, bay, or lake, which is likely to be flooded once every hundred years or has a one percent chance of occurring each year.

2.15 Health Officer:

Shall mean the Health Officer of the Town of Woodstock, New Hampshire.

2.16 Lot:

(674:24:II*)* shall mean a parcel of land at least sufficient in size to meet the minimum requirements for use, coverage, and area, and to provide required yards and other open spaces. An undersized lot is permissible if it passes state standards for soil conditions and substantially meets the requirements as defined, and if in existence on the date of adoption of this ordinance shall mean a parcel of land or any part thereof designated on a plat to be filed with the Register of Deeds as a separate lot. For purposes of these regulations, a lot shall

have boundaries identical with those recorded with the Register of Deeds.

2.17 Lot Line:

Shall mean the property line dividing a lot from a street right of way, a body of water, or adjacent property.

2.18 Lot Size:

Shall mean the total horizontal land area within the boundaries of a lot, exclusive of any land designated for street purposes or utility rights-of-way.

2.19 Major Subdivision:

Shall mean a subdivision of four (4) or more lots, or one which involves the creation of new streets, regardless of the number of lots.

2.20 Manufactured Housing:

RSA 674:31 shall mean any structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width and 40 body feet or more in length, or when erected on site is 320 square feet or more. It is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating, and electrical heating systems contained therein. Manufactured housing shall not include pre-site built housing **(RSA 674:31-a).**

2.21 Master Plan / Town Master Plan:

Shall mean the comprehensive Community Plan of the Town of Woodstock, New Hampshire.

2.22 Minor Subdivision:

Shall mean a subdivision of land into not more than three (3) lots for building development, purposes, or one which does not involve the creation of new streets.

2.23 Parking Space:

Shall mean an off-street space for exclusive use as a parking area for one motor vehicle, with a minimum size of 10' x 20' or 15' x 20' for Handicapped Accessible parking as required.

2.24 Plat:

Shall mean 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 County Register of Deeds for recording provided it meets the requirements of **RSA 672.14 and 478:1-a** regarding the standards of and recording of plats.

2.25 Preliminary Layout:

Shall mean a plan prepared as required in Section 4.09 or 4.10 and submitted to the Board prior to preparing the final plat.

2.26 Pre-site Built Housing

(RSA 674:31-a) shall mean any structure designed primarily for residential occupancy which

is wholly or in substantial part made, fabricated, formed, or assembled in off-site manufacturing facilities in conformance with the United States Department of Housing and Urban Development minimum property standards and local building codes, for installation, or assembly and installation, on the building site. For the purposes of this subdivision, pre-site built housing shall not include manufactured housing, as defined in **RSA 674:31**.

2.27 Regional Impact, Developments of:

(RSA 36:55) Developments of regional impact shall mean any proposal before a local land use board which, in the determination of such local land use board, could reasonably be expected to impact a neighboring municipality, because of factors such as, but not limited to, the following:

I. Relative size or number of dwelling units/residential units as compared with existing stock.
II. Proximity to the borders of a neighboring community.
III. Transportation networks.
IV. Anticipated emissions such as light, noise, smoke, odors, or particles.
V. Proximity to aquifers or surface waters which transcend municipal boundaries.
VI. Shared facilities such as schools and solid waste disposal facilities.

2.28 Right-of-Way

Shall mean a strip of land for which legal right of passage has been granted by the landowner to provide access to a lot which lacks adequate frontage. Includes all present and proposed town, state and federal highways and the land on either side of same as covered by statutes to determine the widths of rights-of-way.

2.29 Sediment:

Solid material, both mineral and organic, that is in suspension; is being transported; or has been moved from its site of origin by air, water, or gravity as a product of erosion.

2.30 Setback

The distance between the nearest portion of a building and a lot line or right-of-way line, whichever is closer.

2.31 Street:

Shall mean a state, federal, or local highway, road, avenue, private way, land and/or any other way, which exists for vehicular travel, exclusive of a driveway serving not more than two adjacent lots or sites. The word "street" shall include the entire right of way.

2.32 Street, Local:

A street used primarily to give access to abutting properties.

2.33 Street, Collector:

A street which serves primarily to carry traffic from local streets to arterial streets and to public and other centers of traffic concentration. A collector street may be further classified as major or minor, depending on average daily traffic count.

2.34 Street, Arterial:

Shall mean a street or highway used primarily for heavy and/or through traffic.

2.35 Subdivider:

The owner of record of the land to be subdivided, including any subsequent owner of record making any subdivision of such land or any part thereof, or the agent of any such owner.

***2.36 Subdivision:* (as defined in RSA 672:14)**

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

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

III. 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 two hundred (200) square feet, shall not be construed as a subdivision under these regulations, and shall not be deemed to create any new division of land for any other purpose.

IV. The rent, lease, development, or grant of an easement to a person for the purpose of placing and maintaining a wireless communications facility shall not be construed as a subdivision and shall not be deemed to create any new division of land for any other purpose. For purposes of this paragraph, "wireless communication facilities" means any towers, poles, antennas, or other unstaffed structures of less than 500 sq. feet intended for use in connection with licensed transmission or receipt of radio or television signals, or any other licensed spectrum-based transmissions or receptions.

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; and before any subdivision plat may be filed in the Office of the Register of Deeds of Grafton County, the Subdivider or his authorized agent shall apply for and secure approval on such proposed subdivision in accordance with the following procedure:

3.02 Preliminary Consultation and Review Phase – Major or Minor Subdivision (optional phase):

I. The Applicant may appear at any meeting of the Planning Board to discuss a proposal

in conceptual form and in general terms. Such preliminary consultation *and review* shall be informal and directed toward:

(a) Reviewing the basic concepts of the proposal;
(b) Reviewing the proposal with regard to the Town Master Plan;
(c) Reviewing the town's subdivision regulations as they may apply;
(d) If possible, making a determination of the proposal as a major or minor subdivision;
(e) Guiding the applicant relative to necessary state and local requirements.

II. Preliminary consultation and review shall not bind the Applicant or the Board. Such discussion may occur without formal public notice as provided in Sections 3.07 and 3.08. However, no discussion beyond the conceptual and general review shall take place without identification of and notice to abutters and the general public as described in Section 3.08.

III. Preliminary consultation and review shall be separate and apart from formal consideration under Section 3.05 and 3.06, and the time limits for acting under Section 3.06 shall not apply until a Formal Completed Application is submitted.

IV. Statements made by Board members shall not be the basis for disqualifying said members or invalidating any action eventually taken on the application.

3.03 Design Review Phase: *(at the Board's discretion)*

I. Prior to submission of an application for Board action, an applicant may request to meet with the Board or its designee for non-binding discussions such as road layouts and locations involving more specific design and engineering details of the potential application.

II. The design review phase may proceed only after identification of and notice to abutters and the general public as required by RSA 676:4, I (d).

III. Persons wishing to engage in pre-application design review shall submit a "Preliminary Layout Review Application" and associated fees not less than twenty-one (21) days before the regularly scheduled meeting of the Board. The request shall include:

(a) List of abutters and their addresses from municipal records not more than five (5) days before submission, and
(b) Check to cover mailing and advertising costs, as in Section 3.09.

IV. Statements made by the Board members shall not be the basis for disqualifying said members or invalidating any action eventually taken on the application.

V. The Board shall not accept any submission by the Applicant at this time.

3.04 Completed Application – Major and Minor Subdivision:

I. Minor Subdivision – Completed Application

(a) Minor Subdivisions are defined in Section 2.19.

(b) The applicant may first meet with the Board for preliminary consultation and review of the proposal as discussed in Section 3.02 to determine if it is a Minor Subdivision. The Board shall consider the parcel's potential for re-subdivision and its location. If it is determined by the Board to be a Minor Subdivision, the applicant shall submit:
   (1) A completed application, excluding the Preliminary Layout, and
   (2) A final plat as provided in Section 4.11. If the proposal is a minor lot line adjustment, see Section 3.04C.

(c) Notice of submission shall be given as provided in Section 3.08 below, and may be combined with the notice of the public hearing.

(d) The completed application under this paragraph may be submitted and approved at one or more Board meetings but no application shall be approved without the full notice of the abutters and public as required.

II. Major Subdivision – Completed Application

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.

(a) Fees and application form,
(b) Plan as required by Planning Board under Section 4, and
(c) Notice of submission shall be given as provided in Subsection 3.08 below and may be combined with the notice of the public hearing.

III. Minor Lot Line Adjustment or Boundary Line Adjustment (BLA)

(a) The Final Plat shall be submitted in form acceptable to the Grafton County Registry of Deeds and four (4) blue or black line paper prints. Sheet size shall be in accordance with requirements of the Registry of Deeds. A signature block shall be on the plat for endorsement by the Planning Board. (See Page 6 for requirements - **478:1-a** Recording of Plats).

(b) The Final Plat shall identify itself as a "minor lot line adjustment" or "boundary line agreement" and shall contain the following statements: "The subdivision regulations of the Town of Woodstock, New Hampshire are a part of this plat, and approval of this plat is contingent upon completion of all requirements of said subdivision regulations, excepting only any variances or modifications made in writing by the Board attached hereto."

(c) The Final Plat shall be based on an "on the ground" boundary survey with a maximum error of closure of 1 in 10,000 certified by a professional engineer or land surveyor registered/licensed in the State of New Hampshire. The subdivision's boundary and survey shall be referenced to the nearest USGS survey benchmark.

(d) The plat shall contain the following information:
   (1) **478:1-a** Recording of Plats, and,
   (2) "This Boundary Line Adjustment creates no new buildable lots" shall be plainly lettered on the plan.

3.05 Filing and Submission of Completed Application:

I. The Completed Application shall be filed with the Secretary of the Board in care of the

Town Clerk at least twenty-one (21) days prior to a scheduled public meeting of the Board.

II. The Completed Application shall be formally submitted to and 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 submitted to the Board.

III. An incomplete application filed by the Applicant will not be formally accepted by the Board nor will notices of a public meeting be mailed, posted, or published as provided under Section 3.08.

IV. Applications may be disapproved by the Board without public hearing on the grounds of:
   (a) Failure of the Applicant to supply information required by these regulations, including abutters' identification and information required for either the Preliminary Layout or Final Plat;
   (b) Failure to pay costs of notices or other costs and fees required by these regulations; or
   (c) Failure to meet any reasonable deadline established by these regulations.

3.06 Board Action on Completed Application:

I. The Board shall begin formal consideration of the Completed Application within thirty (30) days of its formal acceptance. After review of the Completed Application, and after a duly noticed public hearing as provided in Section 3.07, the Board shall act to approve or disapprove the Completed Application within ninety (90) days after submission of the Completed Application, subject to extension or waiver as provided in accordance with **RSA 676:4(I) f**. A Completed Application for a minor subdivision may be submitted and approved at one or more Board meetings, but no application shall be approved without the full notice of abutters and the public.

II. In its consideration of completed applications under these regulations, the Board will be guided by **RSA 674:36 II a-j:**

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

   (b) Provide for the harmonious development of the municipality and its environs;

   (c) Require the proper arrangement and coordination of streets within subdivisions in relation to other existing or planned streets or with features of the official map of the municipality;

   (d) Provide for open spaces of adequate proportions;

   (e) Require suitably located streets of sufficient width to accommodate existing and

prospective traffic and to afford adequate light, air, and access for firefighting apparatus and equipment to buildings, and be coordinated so as to compose a convenient system;

(f) Require, in proper cases, that plats showing new streets or narrowing or widening of such streets submitted to the planning board for approval shall show a park or parks suitably located for playground or other recreational purposes;

(g) Require that proposed parks shall be of reasonable size for neighborhood playgrounds or other recreational uses;

(h) Require that the land indicated on plats submitted to the planning board shall be of such character that it can be used for building purposes without danger to health;

(i) Prescribe minimum areas of lots so as to assure conformance with local (zoning) ordinances and to assure such additional areas as may be needed for each lot for on-site sanitary facilities;

(j) Include provisions which will tend to create conditions favorable to health, safety, convenience, or prosperity;

(k) Encourage the installation and use of solar, wind, or other renewable energy systems and protect access to energy sources by the regulation of orientation of streets, lots, and buildings; establishment of maximum building height, minimum set back requirements, and limitations on type, height, and placement of vegetation; and encouragement of the use of solar sky space easements under RSA 477.

(l) Provide for efficient and compact subdivision development which promotes retention and public usage of open space and wildlife habitat, by allowing for village plan alternative subdivision as defined in RSA 674:21, VI.

(m) Require innovative land use controls on lands when supported by the master plan.

(n) Include a provision for waiver of any portion of the regulations in such cases where, in the opinion of the planning board, strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations.

IV. Approval of the Plat shall be certified by written endorsement on the Plat and signed by the Chairman or Secretary of the Board. The Town Office shall transmit a copy of the Plat with such approval endorsed in writing therein to the Register of Deeds of Grafton County. The Subdivider shall be responsible for the payment of all recording fees and shall make payment in full prior to recording. In case of disapproval of any Plat, the reasons for such disapproval shall be adequately stated in the records of the Planning Board and written notice shall be given to the Applicant.

V. Conditions of Approval: The Planning Board may attach reasonable conditions to the approval of any plat. Such conditions may include, but are not limited to, the requirement that the applicant install, at the applicant's expense, off-site public improvements, such as, without limitation, improvements to existing public roads, or water or sewer systems, to the extent such public improvements are made necessary by

and specifically benefit the proposed development.

VI. Every plat approved by the Planning Board shall be properly recorded at the Registry of Deeds (recorded by Town at ~~$40~~ ***a*** per page fee). No plat shall be recorded until:

(a) All fees are paid
(b) Performance or Maintenance Bonds are in place
(c) The Planning Board signs the plat

VII. Length of Approval:
(a) 3 years from approval date of plat
(b) May re-apply to the Planning Board for a 1 time 3 yr extension, with an annual report of progress made to the Planning Board, if the project is less than 50% complete. This extension approval carries with it the requirement of an annual progress report of status to the Board. If, after the extension time has lapsed and the project is not complete, the subdivider must submit a new application and comply with any new or changed regulations.

VIII. Revocation of Recorded Approval. Revocation of recorded approval shall be in accordance with **RSA 676:4-a.**

3.07 RSA 674:39 I-III Four-Year Exemption. –

I. Every subdivision plat approved by the planning board and properly recorded in the registry of deeds and every site plan approved by the planning board and properly recorded in the registry of deeds, if recording of site plans is required by the planning board or by local regulation, shall be exempt from all subsequent changes in subdivision regulations, site plan review regulations, impact fee ordinances, and zoning ordinances adopted by any city, town, or county in which there are located unincorporated towns or unorganized places, except those regulations and ordinances which expressly protect public health standards, such as water quality and sewage treatment requirements, for a period of 4 years after the date of approval; provided that:

(a) Active and substantial development or building has begun on the site by the owner or the owner's successor in interest in accordance with the approved subdivision plat within 12 months after the date of approval, or in accordance with the terms of the approval, and, if a bond or other security to cover the costs of roads, drains, or sewers is required in connection with such approval, such bond or other security is posted with the city, town, or county in which there are located unincorporated towns or unorganized places, at the time of commencement of such development;
(b) Development remains in full compliance with the public health regulations and ordinances specified in this section; and
(c) At the time of approval and recording, the subdivision plat or site plan conforms to the subdivision regulations, site plan review regulations, or zoning ordinances then in effect at the location of such subdivision plat or site plan.

II. Once substantial completion of the improvements as shown on the subdivision plat or site plan has occurred in compliance with the approved subdivision plat or site plan or the

terms of said approval or unless otherwise stipulated by the planning board, the rights of the owner or the owner's successor in interest shall vest and no subsequent changes in subdivision regulations, site plan regulations, or zoning ordinances, except impact fees adopted pursuant to **RSA 674:21 and 675:2-4**, shall operate to affect such improvements.

III. The planning board may, as part of its subdivision and site plan regulations or as a condition of subdivision plat or site plan approval, specify the threshold levels of work that shall constitute the following terms, with due regard to the scope and details of a particular project:
(a) "Substantial completion of the improvements as shown on the subdivision plat or site plan," for purposes of fulfilling paragraph II; and
(b) "Active and substantial development or building," for the purposes of fulfilling paragraph I.

3.08 Public Hearing:

Prior to approval of a subdivision, a public hearing shall be held as required by **RSA676:4(I)d** and notice to Applicant and abutters and the public shall be given in accordance with Section 3.08. The public hearing shall be held within ninety (90) days after submission of the Completed Application.

676:4(I)e - Except as provided in this section, no application may be denied or approved without a public hearing on the application. At the hearing, any applicant, abutter, holder of conservation, preservation, or agricultural preservation restriction, or any person with a direct interest in the matter may testify in person or in writing. Other persons may testify as permitted by the subdivision regulations or the board at each hearing. Public hearings shall not be required, unless specified by the subdivision regulations, when the board is considering or acting upon:

(1) Minor lot line adjustments or boundary agreements which do not create buildable lots, except that notice to abutters and holders of conservation, preservation, or agricultural preservation restrictions shall be given prior to approval of the application in accordance with subparagraph (d) and any abutter or holder of conservation, preservation, or agricultural preservation restrictions may be heard on the application upon request; or

(2) Disapprovals of applications based upon failure of the applicant to supply information required by the regulations, including identification of abutters or holders of conservation, preservation, or agricultural preservation restrictions; or failure to meet reasonable deadlines established by the board; or failure to pay costs of notice or other fees required by the board.

3.09 Notices:

I. Notice of the submission of a Preliminary Layout or 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 (2) public places in Town and putting a notice in a newspaper. The notice shall give the date, time, and place of the Board meeting at which

the Application 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 Applicant and location of the proposed subdivision.

II. 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, nor shall additional notice be required of a continued session of a hearing with proper notice if the date, time, and place of the continued session was made known at the prior hearing.

III. For developments of regional impact, as determined by the Planning Board, pursuant to RSA 36:54 et seq., all affected municipalities and regional planning commissions are considered abutters and must receive by certified mail the minutes of the meeting at which a regional impact was determined within seventy-two (72) hours and must receive a notice of a public hearing by certified mail at least fourteen (14) days prior to the hearing.

3.10 Fees:

I. Completed Application shall be accompanied by a filing fee of Twenty-five and 00/100 Dollars ($25.00), plus Ten and 00/100 ($10.00) per lot for a Minor Subdivision.

II. Completed Application shall be accompanied by a filing fee of One Hundred and 00/100 Dollars ($100.00), plus Ten and 00/100 Dollars ($10.00) per lot for a Major Subdivision.

III. All costs of notices, whether mailed, posted, or published, shall be paid in advance by the Applicant and shall be received prior to signature block endorsement by the Board. Failure to pay costs shall constitute valid grounds for the Board to terminate further consideration and to disapprove the plat without a public hearing.

IV. The Applicant shall pay recording fees plus any LCHIP fee charged by the Registry of Deeds.

V. The Board may require special investigative studies, engineering reviews, environmental assessments, hazardous materials site assessments, a legal review of documents, All Hazards Mitigation review, Comprehensive Shoreland Protection Act compliance, and other matters necessary to make an informed decision. The costs of such studies and investigations shall be paid by the Applicant prior to the approval or disapproval of the Final Plat.

SECTION 4 PLAN REQUIREMENTS GENERAL

4.01 Compliance with Regulations:

No subdivision of land shall be made, and no land in any subdivision shall be sold or offered for sale, lease, or condominium conveyance, 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 all other required permits have been issued.

4.02 Character of Land for Subdivision:

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

4.03 Scattered and Premature Subdivision:

I. Scattered premature subdivision of land as would involve danger or injury to health, safety, or prosperity by reason of lack of water supply, drainage, transportation, school, fire department or other public services, or that would necessitate an excessive expenditure of public funds for the supply of such services, shall not be approved by the Planning Board.

II. The Board may, if the situation warrants, approve an entire subdivision, allowing only a portion thereof to be developed each year. Such phased development would help permit an orderly expansion, within the Town, of its services to match growing needs.

III. The following factors shall be considered in determining whether the proposed subdivision is scattered or premature. The Subdivider may be required to have studies made under guidelines established by the Planning Board, to determine the effect of the proposed subdivision on these factors:

(a) Capacity of the school system and effect of school bus transportation requirements.
(b) Adequacy of access **of** street(s) and/or sidewalk(s).
(c) Adequacy of water supply for domestic needs as well as for firefighting purposes.
(d) Potential health problems due to on-site sewage systems and/or water supplies.
(e) Potential fire protection problems due to location and/or special conditions relative to type of use.
(f) Potential special policing problems.
(g) Potential drainage problems both on-site and downstream.
(h) Potential for causing excessive expenditure of public funds.
(i) Any other potential problems within the purpose and meaning of this section.

4.04 Flood Hazard Area/CSPA Compliance:

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.

The Planning Board shall require that all subdivision proposals and other proposed new developments greater than fifty (50) lots or five acres, whichever is the lesser, include within such proposals base elevation data.

Sufficient evidence (construction drawings, grading and land treatment plans) shall be submitted so as to allow determination that:

I. All such proposals are consistent with the need to minimize flood damage;
II. All public utilities and facilities, such as sewer, gas, electrical, and water systems are located, and constructed to minimize or eliminate flood damage; and
III. Adequate drainage is provided so as to reduce exposure to flood hazards.

All development shall be done in conformance with the most recent Town of Woodstock Floodplain Ordinance and the Comprehensive Shoreland Protection Act.

4.05 Reserve Strips

No privately owned reserve strip, except an 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.

4.06 Preservation of Existing Features:

The Subdivider shall give due regard to the preservation and protection of existing features, trees, scenic points, brooks, streams, rock outcroppings, water bodies, other natural resources, and historic landmarks.

4.07 Municipal Boundaries / Public Rights of Way:

Whenever access to the subdivision is required across land in another local government, and/or development crosses ***a*** municipal boundary, the Planning Board will treat the development as a proposal of regional impact and will request assurance that access is legally established, roads are adequately improved, a bond has been executed in an amount sufficient to assure construction of the road, and there are no negative impacts on either town.

PLAN REQUIREMENTS/SUBMISSION REQUIREMENTS

4.08 Preliminary Consultation and Review:

No submission requirements at this stage. Information may be presented, but only in general terms, and is non-binding on the Board or the applicant. See 3.02.

4.09 Preliminary Layout – Minor Subdivision:

The Preliminary Layout shall be prepared to scale to enable the entire tract to be shown on one sheet whenever possible and shall show or include the information listed below. The preliminary layout shall be at a scale of not less than 100 feet to the inch, except where otherwise directed by the Planning Board. The following items shall be included:

I. A key map, in a readable scale, showing the relation of the proposed subdivision to existing streets and roads.
II. All existing structures and wooded areas within the portion to be subdivided and within two hundred feet (200') thereof.
III. The tax map parcel number and owners' names for property abutting the tract to be divided. Proposed lots shall be numbered consecutively.
IV. All streets or roads (showing edge of traveled way and right-of-way line) and streams within five hundred feet (500') of the area submitted for approval including 100-year flood limit lines.
V. Certification of engineer or surveyor as to accuracy of plat details.
VI. Sketch of the proposed layout of lots, and existing and proposed easements.
VII. Any existing or proposed drainage.
VIII. Title block, graphic scale and reference meridian (North arrow).
IX. Certification of approval of subdivision by the Department of Environmental Services accompanied by a duplicate copy of all data submitted to them and any stipulations related to approval.

4.10 Preliminary Layout – Major Subdivision:

The preliminary layout for a major subdivision shall be prepared to a scale of no more than one-inch equals one hundred feet (1"=100') or at greater detail as directed by the Board to indicate clearly existing and proposed features of the site. Plat may need to be shown on more than one sheet utilizing standard references. The preliminary layout for a major subdivision shall show or be accompanied by the following:

I. Date, name and location of subdivision, on a key map at the Town Base Map scale of one inch equals one thousand three hundred twenty feet (1"=1,320') showing the relation of the proposed subdivision to existing streets or roads, name of record owner and Subdivider, graphic scale and reference meridian. Name of the engineer and surveyor.
II. Boundaries and area of the entire parcel, whether or not all land therein is to be subdivided; date and dates of any revisions.
III. Names and addresses of abutting property owners and tax map parcel number when available, subdivisions and buildings within two hundred feet (200') of the parcel to be subdivided, and intersecting roads and driveways within five hundred feet (500') of the parcel to be subdivided. Proposed lots shall be numbered consecutively.
IV. Existing and proposed street right-of-way lines, widths of streets, proposed names of new streets, and existing and proposed lot lines.
V. Location of existing and proposed easements, deed restrictions, buildings, accessory buildings, building setback lines, parks and other open space to be reserved or dedicated to public use, watercourses, flood-prone areas (100-year flood limit line), large trees, foliage lines and significant natural and man-made features, water mains, sanitary sewers, storm water drainage lines, drainage structures and drainage ways within the subdivision. All existing structures and wooded areas within two hundred feet (200') of boundaries of proposed subdivision.
VI. The purpose of any easement or land reserved, or dedicated to public use shall be designated, and the proposed use of sites other than residential shall be noted.

VII. Existing and proposed plans for telephone, electricity, and gas utilities.
VIII. A general site location map at the scale of the Municipal base map, locating exactly the subdivision boundary and proposed streets in relation to at least two existing intersecting streets or other features shown on the Official Map
IX. Soil mapping units and unit boundaries.
X. A statement of conditions of land as to soil suitability for development.
XI. A statement of the work required on existing streets to meet the minimum standards set herein including cost estimates and the method of meeting such costs.
XII. Existing and future subdivision, if any, in and adjacent to the subject subdivision.
XIII. A statement and contours in sufficient detail to indicate clearly the method of storm water drainage on and off the subdivision, methods of sanitary sewage disposal and water supply.
XIV. Watershed areas, preliminary drainage analysis, and preliminary drainage computations.
XV. Preliminary road profiles.
XVI. Certification of approval of the subdivision by the State Water Supply and Pollution Control Commission accompanied by a duplicate copy of all data submitted to them and any stipulations related to the approval.
XVII. A statement that the proposed street centerlines and lot locations have been adequately flagged on the ground at the site to allow on-site evaluation of the proposed subdivision by the Board and/or Engineer.
XVIII. Approval, as prescribed by Law, from any other municipal, state, or federal agency which may have jurisdiction.

4.11 Final Plat:

The final plat shall be in permanent black ink, on a permanent reproducible polyester film (Mylar) in the number of one (1) polyester film copies and four (4) blue (black) line paper prints. It shall be made and submitted according to the standards set by the Registry of Deeds **478:1-a.** A Signature block shall be reserved on the plat for endorsement by the Planning Board.

The plat shall contain the following statement: "The Subdivision Regulations of the Town of Woodstock 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 any variances or modifications made in writing by the Board and attached hereto." The final plat subdivision shall contain or be accompanied by the following maps and information:

I. Final Plat (See also Page 7, **478:1-a**)
   (a) Date; name of municipality and subdivision; name and address of the Subdivider; and designer;
   (b) Boundaries and area of the entire parcel, whether or not all land therein is to be subdivided (in whatever manner is practical, the subdivision boundary shall be referenced to some point, i.e., public street intersection or U.S.G.S bench mark); north point; bar scale; date; and dates of any revisions;
   (c) Names and addresses of abutting property owners; tax map parcel numbers; subdivisions and buildings within two hundred feet (200') of the parcel to be

subdivided; and intersecting roads and driveways within five hundred feet (500') of the parcel to be subdivided;

(d) Existing and proposed street right-of-way lines; dimensions of tangents, chords, and radii; accurate locations and descriptions of all monuments to be set at street intersections; points of curvature and tangency of curved streets and at angles of lots; and names of existing and proposed streets;

(e) Existing and proposed lot lines; angles and dimensions; lot sizes in square feet and acres; consecutive numbering of lots; and iron pins at lot corners.

(f) Location of existing and proposed easements; deed restrictions; building setback lines; parks and other open space to be dedicated to public use; watercourses; and significant natural and man-made features;

(g) The purpose of any easement or land reserved or dedicated to public use shall be designated, and the proposed use of sites other than residential shall be noted;

(h) A general site location map (at scale of municipal base map and/or tax map) locating exactly the proposed subdivision boundar***ies*** in relation to major roads, bodies of water, waterways, and any facility or structure of community-wide use;

(i) Name and seal of engineer and/or land surveyor licensed by the State of New Hampshire;

(j) Certified by engineer or surveyor as to accuracy of plat details;

(k) Certification that the applicant is the agent for the owner of the land, is the owner of the land, or that the owner has given consent under an option agreement;

(l) A written acknowledgment of the Subdivider's responsibility for maintenance of easement areas, and the assumption by him 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;

(m) When approval of a plat is required by any officer or body of such a municipality, state, or county, approval shall be certified on the plat in appropriate space provided therefore on the plat;

(n) 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;

(o) That at least one benchmark be established on each section or submission of a subdivision, tied into any previously established bench mark on any previously submitted plat. Said benchmark is to be plainly marked in the field and stationed on the final plat with its elevation. Ties to U.S.G.S benchmarks may be required;

(p) Final State of New Hampshire or Municipal approvals shall be received prior to any final approval of a subdivision by the Planning Board.

As part of the final plat submission, the Subdivider or his agent may be required by the Board to submit any or all of the following:

II. Subdivision Grading and Drainage Plan

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

(a) Basic street and lot layout, with all lots numbered consecutively;

(b) Location of all existing and proposed buildings;
(c) Contours of existing grade at intervals of not more than five feet (5'). Intervals less than five feet (5') may be required depending on the character of the topography. Contour lines shall extend a minimum of one hundred feet (100') beyond the subdivision boundary;
(d) Final identification, location, elevation, grades and/or contours at intervals of not more than two feet (2') (less interval may be required depending on topography) for the existing and proposed drainage ways, drainage easements, drainage structures, and water bodies;
(e) Final identification and relative location of proposed soil erosion and sediment control measures and structures;
(f) Final drawings and specifications for each proposed soil erosion and sediment control measure and structure in accordance with formal and informal guidelines acceptable to the Town of Woodstock;
(g) Final drawings, details, and specifications for proposed flood hazard prevention measures and structures and for proposed storm water retention basins;
(h) Final slope stabilization details and specifications;
(i) A timing schedule indicating the anticipated starting and completion dates of the subdivision development and the time of exposure of each area prior to the completion of effective soil erosion and sediment control measures.

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

III. Subdivision Street and Utility Plan

This plan shall be submitted on a separate sheet or sheets and provide the following information:

(a) Complete plans and profiles of all proposed streets including but not limited to:
  1) Horizontal and vertical curve data at the street centerline;
  2) Street stationing every fifty feet (50');
  3) Intersection, turnaround, and/or cul-de-sac radii;
  4) Statements and/or typical sections of proposed streets.
(b) Complete plans and profiles of all proposed sanitary and storm sewers, including the following:
  1) Invert elevations and original and finished ground profiles above these sewers and top of manhole elevations;
  2) Profiles and grades of storm sewer lines and inlets;
  3) Type of material and class and used and proposed grades;
(c) Location and details of all existing and proposed utilities including water mains, gas mains, telephone, and electric, on and adjacent to the land to be subdivided.
(d) A statement as to:
  1) The flow available in existing water mains;
  2) The proposed number of units and anticipated sanitary sewer flow;
  3) The available storm water facilities downstream of this subdivision.
(e) Any other details pertinent to street and/or utility construction.

II. Subdivision "As Built" Plans

Other data required by Town Code shall be included as part of the Subdivision "As Built" plans. The initial plans shall be modified to reflect "As Built" conditions. Prior to acceptance of the utilities by the Town, the Subdivider shall submit an "As Built" plan. This plan shall be drawn to scale and shall indicate by dimensions, angles and distances, as applicable, the location of sewer and drain Y-branches, laterals, manholes, catch basins, hydrants, valves, curb shutoffs, road profiles, and centerline elevations and final grading plan showing swales and ditches. Plan shall show easements and dedicated roadways.

"As-Built" Plans shall be submitted by the Subdivider to the Town on a reproducible print.

4.12 Lot and Site Layout:

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

I. The lot size, width, depth, shape, orientation, and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated;
II. Lot dimensions and area shall not be less than required by soil or topography conditions;
III. Corner lots shall have extra width sufficient to permit a setback on each street;
IV. Where extra width has been dedicated for widening of existing streets, lots shall begin at such extra width line, and all setbacks shall be measured from such line;
V. Side lines of lots shall be at right angles to straight streets, and radial to curved streets;
VI. Where there is a question as to the suitability of a lot or lots for its or their intended use due to the presence of such factors as rock formations, steep slopes, unusual surface configurations, tendency to periodic flooding, poor drainage, unsuitable soil or soils, and inadequate capacity for sanitary sewer disposal, the Planning Board may, after adequate investigation, withhold approval of such lot or lots or require modification of same.

4.13 Street Design:

Proposed streets shall be in harmony and conformance with existing and proposed streets. Street patterns shall give due consideration to contours and natural features. Every proposed street in a subdivision shall be laid out and constructed as required by the following regulations:

I. All streets shall be constructed, and all bridges, culverts, tunnels, 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 herein, or in conformance with other regulations of the Town of Woodstock or State of New Hampshire, whichever is more stringent;
II. 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;

III. Roads shall be related appropriately to the topography. Local roads shall be curved wherever possible to avoid uniformity of lot appearance. All streets shall be arranged so as to obtain as many of the building sites as possible at, or above the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. Specific standards are contained in this section of these regulations;

IV. Proposed streets shall be extended to the boundary lines of the tracts to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Planning Board such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts;

V. 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;

VI. Where a proposed subdivision abuts an existing subdivision, the Subdivider shall make every attempt to design the street system of the proposed subdivision to connect with dead-end or "stub" streets of the existing subdivision. (Dead-end roads are discouraged. A tie-in to existing roads is suggested.);

VII. Subdivision streets shall be laid out as to provide a curvilinear street pattern;

VIII. No street shall have a name which duplicates or which is substantially similar to the name of an existing street. The continuation of an existing named street, however, shall have the same name;

IX. Except where it is impractical, because of the character of the land, streets shall intersect so that within seventy-five feet (75') of the intersection the street lines are at right angles and in no case less than seventy-five (75) degrees. The grade within one hundred feet (100') of an intersection shall not exceed five percent. No structure or planting shall impair corner visibility;

X. Multiple intersections involving a junction of more than two (2) streets are prohibited;

XI. Permanent dead-end streets shall terminate in a turnaround with a seventy-five (75) foot radius and a paved area with a sixty (60) foot radius;

XII. In the case of a temporary dead-end streets, the full width of the right of way to the subdivision property line shall be reserved as a street right-of-way;

XIII. If a dead-end street is of temporary nature, a seventy-five (75) foot turnaround shall be provided and provisions made for future extension of the street through to adjacent property and reversion of the excess right-of-way to the adjoining properties;

XIV. The turnaround at the end of a cul-de-sac street should be located so that it drains toward its center;

XV. Unless there is the expectation of extending the street through to the adjoining property, a cul-de-sac, where practical should be placed so that the lots, not the cul-de-sac, border the property line of the subdivision.

4.14 Road Regulatory Signs:

The applicant shall deposit with the local government at the time of final subdivision approval a sum of money (specified at that time) for each road sign required by the engineer at all road intersections.

4.15 Construction Standards:

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

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

Streets shall have a minimum travel surface width as indicated in Table 1 (Standards for Street Design) with shoulders not less than two (2) feet wide. The Board may require a greater travel surface width and shoulders for Arterial and Collector Streets. The Board may require a greater width of rights- of-way to accommodate curbs, sidewalks and guardrails.

In the case of subdivisions requiring construction of new streets, any existing street which provided either frontage to new lots or access to new streets shall meet the minimum standards established in Section 4.13 for such streets. 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 the Municipality has assured funds for such improvements.

4.16 Required Improvements:

I. Streets

(a) Embankments - Embankments shall be formed of suitable material placed in successive layers of not more than twelve (12) inches in depth for a full width of the roadway cross section and shall be compacted uniformly and sufficiently to prevent settlement. Stumps, trees, rubbish, and other unsuitable materials of substance shall not be placed in the fill. The fill shall be allowed to thoroughly settle before applying gravel base material.

(b) Subgrades – All topsoil, stumps, brush, roots, boulders, and like material shall be stripped or removed from the proposed subgrade area. The subgrade shall be shaped and compacted evenly at a depth of at least twenty-four (24) inches for all streets below the finished surface of said streets. All soft and spongy places shall be excavated to such depth as shall be necessary to stabilize the foundation of the road and refilled solidly with sub-base materials as directed by the engineer.

(c) Final Grade and Paving – Final grade shall consist of a minimum six (6) inch layer of crushed bank run gravel, well compacted. Paving shall consist of hot mix bituminous concrete placed in a layer one and one-half (1-½) inches thick, well compacted, topped by a layer one (1) inch thick, well compacted.

II. Drainage

(a) Underdrains – Underdrains shall be installed where the character and composition of the soil in the roadbed and other areas of the subdivision render such installation necessary in the opinion of the engineer. These underdrains shall consist of perforated metal pipe, PVC pipe or perforated fiber pipe of a minimum six (6) inches in diameter and laid in the bottom of a trench at such depth and width as may be necessary. The

Ordinance reviewed/revised/approved by Planning Board on 6/13/2011. Ordinance adopted 7/11/2011.
Copy sent to Register of Deeds and Office of Energy and Planning as required.

trench shall be filled with clean bank run gravel, or equivalent material approved by the engineer.

(b) Storm Drains, Culverts, Catch Basins – Storm drains, culverts and related installations, including catch basins and drop inlets, shall be installed within or without the subdivision as necessary to permit unimpeded flow of all natural watercourses and to ensure adequate drainage of all low points along streets and to intercept storm water runoff along streets at intervals reasonably related to the extent and grade of the area drained. (Where required, catch basins may be on both sides of the roadway on continuous grade at interval of approximately three hundred (300) feet. Drainage improvements shall meet the specifications of AASHO (American Association of State Highway Officials) in regard to material and strength requirements. Catch basins and drop inlets shall be equal to New Hampshire Standard Type A or acceptable to the Engineer. Storm sewer pipes and culverts shall have a minimum diameter of twelve (12) inches and shall be of reinforced concrete, corrugated aluminum, bituminous coated steel, or equivalent and shall have a minimum two (2) foot cover over all pipes. Headwalls where required shall be either of concrete or rubble masonry. Storm drainage shall be carried to existing water courses; 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. Minor and major collector streets shall be installed with six (6) inch wide vertical or sloped granite curbing at and within fifty (50) feet of all intersections and catch basins.

(c) Erosion Protection Ditches – Paving or stone shall be provided in ditches where soil or velocity conditions warrant protection from erosion as determined by the engineer.

III. Topsoil Protection – Topsoil moved during the course of construction shall be redistributed to provide at least four (4) inches of cover to all areas of the subdivision and shall be stabilized by seeding and mulching or planting.

IV. Debris and Waste – No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land, or left or deposited in any area of the subdivision at the time of expiration of the performance bond or dedication of public improvements, whichever is sooner.

V. Monuments – Permanent survey monuments shall be set in the boundary of rights-of-way and at all property boundary lines. Any additional monuments shall be used at the discretion of the Town Engineer.

Monument locations shall be shown and properly dimensioned on the final plat.

Monuments shall be of stone, concrete, or other material acceptable to the Town Engineer, and not less than four (4) inches in diameter or square, and not less than forty-two (42) inches long. Concrete monuments shall be reinforced with steel rods, and a plug, brass plate, or pin shall serve as the point of reference and a magnetic rod or other suitable metal shall be placed adjacent to the monument to allow for recovery. Any deviation from the

above described monuments needs to be specifically authorized by the Board.

VI. Water and Sewer Facilities

a. Common Systems – Such systems proposed by a Subdivider shall be of sufficient capacity to serve the subdivision and shall be designed and constructed for incorporation into future town or precinct systems. All such facilities shall meet the requirements of and be approved by the Department of Environmental Services, local and county health and public works agencies, and/or any other public body having jurisdiction, and shall be accepted by the engineer.

1) Plans shall include:

a) Five (5) foot contour intervals;

b) Well site with a protective well radius that conforms to the Department of Environmental Services Regulations;

c) All lots numbered;

d) Distribution system with water line sizes, pipe material, buried depth of piping, all valving and hydrant locations;

e) Indicate type of establishment; mobile home park, apartment building, etc.

b. Complete quality analysis for the well water as conducted by the State Water Testing Laboratory within the past six (6) months.

c. Continuous forty-eight (48) hour yield test log of the well showing water level and rate of pumping at one (1) hour intervals.

d. Schematic drawing of pump-house piping.

e. Detailed elevations of pump-house facilities.

f. Detailed elevations of well design.

g. Storage facilities to be provided.

h. Characteristic curve for all pumps – well and booster.

i. The proposed water system must meet all the requirements of the Department of Environmental Services on the date plans are presented to and accepted by the Town of Woodstock Planning Board.

VII. Individual Service – Individual wells and subsurface disposal facilities shall in all respects comply with all applicable local, county and/or state requirements including those of the Department of Environmental Services. In areas not currently served by common sewer systems it shall be the responsibility of the Subdivider to provide adequate information to prove that the area of each lot is adequate to permit the installation and operation of an individual sewerage disposal system (septic tank and drain field). The Subdivider shall be required to provide the necessary equipment and labor for the making of these tests required by local, county, and/or state authorities having jurisdiction.

4.17 Sureties - Performance and Maintenance Bonds/Letters of Credit:

I. Except in the case of a subdivision in which each lot is on an existing improved Town road, no subdivision plat filed with the Board shall be approved (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 by the municipality) until the Subdivider shall have filed with the Board an engineer's estimate of costs of streets;

Ordinance reviewed/revised/approved by Planning Board on 6/13/2011. Ordinance adopted 7/11/2011.
Copy sent to Register of Deeds and Office of Energy and Planning as required.

public improvements; and drainage structures and other utilities, together with an estimate of any damage to any existing public streets abutting the proposed subdivision which may be caused by reason of work performed in said subdivision. This information, along with maps, plans, and supporting data is also to be accompanied by a surety bond issued by an authorized surety company or a letter of credit issued by an authorized lending institution and approved by the Planning Board in form and amount satisfactory to said Board.

II. The renewal bond/surety commitment must be in our possession 45 days prior to the expiration of the current surety. If we are not in receipt of the same, we will initiate action to revoke the subdivision approval upon expiration of the current surety.

III. Each approval of a final plat shall contain a time limit within which streets and public improvements shall be completed, not to exceed three (3) years, unless extended with the owner's consent by the Planning Board.

IV. The performance guaranty (surety) shall not be released until authorized by the Planning Board with a vote. All recording fees shall be borne by the Subdivider. (See 3.06 E)

V. Approvals/completed work - Subdivision is approved with the Condition that the completed work must meet the criteria in the approved plan. Any and all potential or actual variances from the approved plan must be immediately communicated to the Board for approval..

VI. Upon completion of improvements and approval by the Board and/or Town Engineer, surety covering maintenance of roads and improvements for a period of two (2) years from completion may be required or retained in an amount based on the replacement cost of such improvements, as established by the Board and/or Town Engineer.

4.18 Parking:

All subdivision developments shall contain off-street parking to be provided at the rate of at least two (2) parking spaces per dwelling unit.

4.19 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.

I. On all streets when in the opinion of the Planning Board that pedestrian safety would be substantially served, the Board may require the construction of sidewalks.

II. The Board may require instead that grading of the Right of Way occur so that pedestrian travel is permitted.

III. On all streets where sidewalks are required, the sidewalks shall be no less than four (4) feet wide and handicapped accessible.

4.20 Utilities:

I. All subdivisions shall make adequate provisions for water supply, 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 and which are of inadequate capacity to serve the subdivision.

II. The Board may deny the subdivision if adequate Town water or sewer capacity does not exist. A project that requires water/sewer use that exceeds the existing system capacity may be conditionally approved contingent upon **a** Town Meeting vote to expand capacities; payment of impact fees sufficient to defray the cost of expansion; or further development within the Town makes it feasible for the expansion to occur.

III. The Planning Board has the authority to assess impact fees as provided in RSA 674:21(V) a-j.

IV. The Subdivider shall install laterals from all utilities in the street right of way to ten (10) feet beyond the street property line of each building lot.

V. 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.

VI. The Board may require the installation of street lighting in any subdivision where deemed necessary.

VII. 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 governing body, and without expense to the Town.

VIII. All utility systems shall be placed in conformity with the terms and specifications of the utility company involved. If a utility company requires an easement to provide service, the Board shall grant no final approval until such easements are secured. If no easements are required, a letter of intent to provide service from a utility company must accompany the application.

4.21 Sediment and Erosion Control:

I. General

The purpose of this section is to control soil erosion and the resulting sedimentation from occurring in subdivision areas by requiring proper provisions for water disposal and the protection of soil surfaces during and after construction in order to promote the public health, safety, convenience, and general welfare of the community.

II. Standards

The following standards shall be observed by the Subdivider in the design, layout and engineering of the proposed subdivision in both the Preliminary Layout Phase (Sections

4.09 and 4.10) and the Final Plat Phase (Section 4.11);

(a) Stripping of vegetation, regrading, or other development shall be done in such a way that will minimize soil erosion.
(b) Whenever practical, natural vegetation shall be retained, protected, and supplemented.
(c) The disturbed area shall be kept to a minimum and the duration of exposure shall be under a maximum of six (6) months.
(d) Temporary seedings and/or mulching shall be used to protect exposed critical areas during development.
(e) Provisions shall be made to accommodate the increased runoff caused by changed soil and surface conditions during and after development.
(f) Sediment in the runoff water shall be trapped until the disturbed area is stabilized by the use of sediment basins or other acceptable methods.
(g) Diversions, sediment basins, etc., shall be constructed prior to any on-site grading or disturbance of existing surface material.

SUBDIVISION DESIGN AND STANDARDS

4.22 Development of Open Space:

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

4.23 Trees and Planting:

Due regard shall be given to preservation of existing trees, shrubbery and other vegetation within the subdivision. The Board may require additional tree planting and other landscaping appropriate to the area being subdivided. The Subdivider shall comply with the following requirements:

I. To the fullest extent possible, the Subdivider shall preserve all existing trees and shrubbery. Special consideration shall be given to the arrangement and ultimate improvement or development of the lots to this end. Precautions shall also be taken to protect existing trees, shrubbery and vegetation during the construction of roads and utilities;
II. Where any land other than that included in public rights of way is to be dedicated to the public use, the Subdivider shall not remove any trees from the site without written permission from the Planning Board;
III. Topsoil moved during the course of construction shall be redistributed so as to provide at least four (4) inches of cover to all disturbed areas of the subdivision. All disturbed areas that are not covered by structures or paving shall be properly seeded or replanted by the Subdivider.

4.24 Phased Development:

The approval procedure for phased development shall be as follows:

I. The Planning Board may require a master plan for the entire parcel, which includes all Phases, before approval of a specific Phase;

II. Each Phase approved shall conform to the subdivision master plan;

III. Review of each phase by the Board shall proceed in one of three ways:

(a) No Change: When there are no changes from the accepted Preliminary Layout, the Subdivider may proceed to presentation of the Final Plat;

(b) Minor Change: A minor change shall be one which respects the approved plan's basic land and building site allocations in terms of use and density, type and variety of facilities, and dwelling units. The Board may hold a public hearing on the proposed change after notification to all abutters. After approval by the Board, the Subdivider may proceed to presentation of the Final Plat;

(c) Major Change: Any requested change which, in the Board's judgment does not qualify as a minor change shall be required to be resubmitted as a separate plan for review as a Major Subdivision in accordance with these regulations.

4.25 Fire Protection:

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

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

III. The Planning Board may require construction and maintenance of a roadway of suitable materials to facilitate access of firefighting equipment and maintenance equipment to the shoreline or dry hydrant. In addition, the Planning Board, pursuant to RSA 674:36, may require the applicant to provide a performance bond to secure to the Town the actual construction and installation of such firefighting access facilities and devices within a specified period of time, but in any event such construction shall be completed before occupancy of any units of the proposed subdivision. Where Town water is available, fire hydrants shall be added at a minimum spacing of five hundred (500) feet or to specifications of the Fire Chief. A fire hydrant shall be located at the end of a dead end street, unless the water line is looped to another street, and the end of the street is not more than five hundred (500) feet from a fire hydrant on that same street.

SECTION 5 ADMINISTRATION AND ENFORCEMENT

5.01 Review by Other Town Officials:

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

I. The Board of Selectmen as to the availability of water and sewer capacity, payment of utility connection fees and impacts on municipal infrastructure;
II. The Town Engineer as to the design of the street system, location of easement, and design of the water and drainage systems, including appurtenances as required by the Board;
III. The Chief of the Fire Department as to the location and spacing of hydrants, where they are provided, and compliance with section 4.25 Fire Protection;
IV. The Chief of the Police Department as to vehicular and pedestrian traffic safety and access for emergency vehicles.

5.02 Certification:

Certifications listed on the plat shall be in accordance with RSA 478:1-a and shall include the mentioned signatures, seals and a plat approval block for the Planning Board signature and date.

5.03 Performance and Inspection of Work:

I. All work necessary for the construction of required improvements shall conform to the requirements of these regulations. Such work shall be performed in a good and workmanlike manner, and shall be free from faults and defects. All materials incorporated in such construction shall conform to the requirements of these regulations and shall be of good quality. Any work or materials not conforming to the foregoing standards may be considered defective and rejected by the Engineer. All work and materials rejected by the Engineer as defective shall be removed and corrected by the Subdivider.

II. The Engineer will be the Town's representative during the construction of required improvements. He shall at all times have access to the site when the work is in preparation and progress. He will make periodic visits to the site to familiarize himself generally with the progress and quality of the work and to determine in general if the work is proceeding in accordance with the requirements of these regulations. The Subdivider shall provide the Engineer in advance with a schedule of work to be performed outside of the Engineer's normal office hours and give the Engineer timely notice of the completion of each major stage in the construction of any required improvement so that the Engineer may inspect the work so completed prior to the covering thereof, and the Engineer shall make all such inspections with reasonable promptness so as to cause no delay in the work. In particular, the Subdivider shall, in the case of streets, give timely notice to the Engineer of the completion of subgrades, drainage base course, and base and final surfacing.

III. The Subdivider shall give the Engineer notice when any required improvement is

completed and ready for final inspection. The Engineer will promptly make such inspection and, when he finds that the particular improvement has been fully completed in accordance with the requirements of these regulations, he shall approve the same in writing. Such approval, in case of a street, shall not constitute the legal acceptance of the street by the Town nor shall it modify in any way the requirements of law for the acceptance of streets by the Town.

IV. The Subdivider shall promptly remedy any defects in any required improvement due to faulty workmanship or materials which appear within a period of one year after approval thereof by the Engineer.

V. Notwithstanding the on-site observations and inspections of the Engineer, any directions given by him, and any approvals of required improvements issued by him, the Subdivider shall be and remain fully responsible for the performance of the construction work in accordance with the requirements of these regulations and the Engineer shall have no responsibility for the failure of the Subdivider to carry out the work as required herein.

5.04 Data Listing:

The following listed data shall be included on the final plat prior to approval by the Woodstock Planning Board:

I. Area of land subdivided - ___ acres.
II. Number of building lots - ___.
III. Length of streets - ___ feet.
IV. List of abutters

5.05 Interpretation:

In the matters of interpretation of these regulations, the opinion of the Board shall prevail.

5.06 Acceptance of Streets and/or Utilities:

Nothing herein is intended to modify the requirements of law with reference to the acceptance of streets and/or utilities by the Town. Nothing herein is intended to modify or control the construction, reconstruction, or extension of streets and/or utilities by the Town or State.

5.07 Conflicting Provisions:

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

5.08 Enforcement:

The Board shall administer these regulations. The enforcement of these regulations is vested with the Selectmen or their duly authorized representative.

5.09 Compliance with Regulations; Penalties:

I. No subdivision of land shall be made, and no land in any subdivision shall be transferred, sold or offered for sale until the Planning Board has approved a final plat, prepared in

accordance with the requirements of these regulations. As provided in **RSA 676:16** Penalties for Transferring Lots in Unapproved Subdivisions. – Any owner, or agent of the owner, of any land located within a subdivision in a municipality that has adopted subdivision regulations who transfers or sells any land before a plat of the subdivision has been approved by the planning board and filed with the appropriate recording official under *RSA 674:35*, II, shall forfeit and pay a civil penalty of $1,000 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. The Town of Woodstock may enjoin a transfer or sale which violates the provisions of this section and may recover the penalty imposed by civil action. In any action to recover a penalty, the prevailing party may recover reasonable court costs and attorney's fees as may be ordered by the court.

II. As provided in **RSA 676:17** (revised effective January 1, 2005), any person who violates any of the provisions of this title, or any local ordinance, code, or regulation adopted under this title, or any provision or specification of any application, plat, or plan approved by, or any requirement or condition of a permit or decision issued by any local administrator or land use board acting under the authority of this title shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person, and shall be subject to a civil penalty not to exceed $275 for the first offense and $550 for subsequent offenses for each day that such violation is found to continue after the conviction date or after the date on which the violator receives written notice from the municipality that the violator is in violation, whichever is earlier.

III. The Selectmen or their duly authorized representative are designated as the local authorities to institute appropriate action under the provisions of **RSA 676:17**, including injunctive relief and the recovery of costs and attorneys' fees.

***5.10 Cease and Desist Orders.* – (676:17-a)** The building inspector, code enforcement officer, zoning administrator or other official designated as an enforcement authority by ordinance or resolution of the local legislative body may issue a cease and desist order against any violation of this title, any local ordinance, code or regulation adopted under this title, or any provision or specification of an application, plat, or plan approved by, or any requirement or condition of a permit or decision issued by, any local administrator or land use board acting under the authority of this title, subject to the following:

I. The order shall state, in writing:

(a) The precise regulation, provision, specification or condition which is being violated.

(b) The facts constituting the violation, including the date of any inspection from which these facts were ascertained.

(c) The corrective action required, including a reasonable time within which such action shall be taken.

(d) A statement that a motion for summary enforcement of the order shall be made to the court of the district in which the property is situated unless such corrective action is taken within the time provided, or unless an answer is filed within twenty (20) days, as provided in paragraph V.

(e) A statement that failure to either take the corrective action, or to file an answer, may

result in corrective action being taken by the municipality, and that if this occurs the municipality's costs shall constitute a lien against the real estate, enforceable in the same manner as real estate taxes, including possible loss of the property if not paid.

II. The order shall be served upon the record owner of the property or the record owner's agent, and upon the person to whom taxes are assessed for the property, if other than the owner, and upon any occupying tenant of the property, and upon any other person known by the enforcing officer to exercise control over the premises in violation, and upon all persons holding mortgages upon such property as recorded in the office of the register of deeds, in the same manner provided for service of a summons in a civil action in district court. Personal service may be made by a sheriff, deputy sheriff, local police officer, or constable. If the owner is unknown or cannot be found, the order shall be served by posting it upon the property and by 4 weeks' publication in a newspaper in general circulation in the municipality.

III. Upon service of the order, the owner or the owner's agent, occupying tenant or the tenant's agent, or any other person who is engaged in development, construction, excavation, or other changes of the land or buildings on the land shall cease immediately such activities, if so provided in the order, until such time as judgment is rendered under paragraphs VI or VII. Failure to cease such activity shall constitute a separate violation of this title in addition to the violation cited in the order, unless such order is annulled as provided in paragraph VII.

IV. A copy of the order with proof of service shall be filed with clerk of the district court of the district in which the property is located not fewer than five (5) days prior to the filing of a motion to enforce under paragraph VI.

V. Within twenty (20) days after the date of service, any person upon whom the order is served may serve an answer in the manner provided for the service of an answer in a civil action, specifically denying such facts in the order as are in dispute.

VI. If no answer is served, the enforcement official may move the court for the enforcement of the order. If such a motion is made the court may, upon the presentation of such evidence as it may require, affirm or modify the order and enter judgment accordingly, fixing a time after which the governing body may proceed with the enforcement of the order. The clerk of the court shall mail a copy of the judgment to all persons upon whom the original order was served.

VII. If an answer is filed and served as provided in paragraph V, further proceedings in the action shall be governed by the rules of the district court. If the order is sustained following trial, the court shall enter judgment and shall fix a time within which the corrective action shall be taken, in compliance with the order as originally filed, or as modified by the court. If the order is not sustained, it shall be annulled and set aside. If it appears to the court that the order was frivolous, was commenced in bad faith, or was not based upon information and belief formed after reasonable inquiry or was not well-grounded in fact, then the court shall order the defendant's costs and reasonable attorneys' fees to be paid by the municipality. The clerk of the court shall mail a copy of the judgment to the persons upon whom the original order was served.

VIII. If a judgment is not complied with in the time prescribed, the local governing body may cause the corrective action to be taken as set forth in the judgment. The cost to the municipality of taking such corrective action together with its other expenses as provided in paragraph IX, shall be a lien against the real estate on which the violation occurred, which

shall continue for eighteen (18) months from the date upon which the expense account is allowed by the court, as provided in paragraph IX.

IX. The municipality shall keep an accurate account of the expenses incurred in carrying out the order and of all other expenses in connection with its enforcement, including but not limited to filing fees, service fees, publication fees, the expense of searching the registry of deeds to identify mortgages, witness and expert fees, attorney's fees and traveling expenses. The court shall examine, correct if necessary, and allow the expense account. The municipal governing body, by majority vote, may commit the expense account to the collector of taxes, in which case the mayor, as defined by RSA 672:9, shall direct the expense account, together with a warrant under the mayor's hand and seal, to the municipal tax collector, requiring the tax collector to collect the same from the person to whom real estate taxes are assessed for the premises upon which such corrective action was taken, and to pay the amount so collected to the municipal treasurer. Within 30 days after the receipt of such warrant, the collector shall send a bill as provided in RSA 76:11. Interest as provided in RSA 76:13 shall be charged on any amount not paid within thirty (30) days after the bill is mailed. The collector shall have the same rights and remedies as in the collection of taxes, as provided in RSA 80.

X. A party aggrieved by the judgment of the district court may appeal, within fifteen (15) days after the rendering of such judgment, to the superior court.

XI. The remedy provided in this section is supplementary to other enforcement remedies provided by this chapter or local ordinance. At the discretion of the local enforcement official, an action to enforce a cease and desist order under this section may be joined with an action under RSA 676:17, I, and the cease and desist order shall constitute the written notice under RSA 676:17, I (b).

5.11 Waivers:

The requirements of the foregoing regulations may be waived when, in the opinion of the Board, specific circumstances surrounding a subdivision, or condition of the land in such subdivision, indicate that such modifications will properly carry out the purpose and intent of the Master Plan and these regulations. However, sections required by State law shall not be waived.

5.12 Amendments:

These regulations may be amended by the Planning Board but only in accordance with **RSA 675:7**. The Chairman or Secretary of the Planning Board shall transmit a record of any changes so authorized to the Register of Deeds of Grafton County and the Office of Energy and Planning.

5.13 Appeals:

Any persons aggrieved by an official action of the Planning Board may appeal to the Superior Court as provided by **RSA 677:15.**

5.14 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 sections or part of a section or paragraph of these regulations.

Table 1 - Standards for Street Design

	Local [1]		Collector		Arterial
	Minor	Major	Minor	Major	
Average Daily Traffic [2]	0-50	50-100	100-250	250-400	400-Up
Minimum Right of Way [3]	50	50	50	50	50
Minimum Travel Surface Width (feet) [3]	18	20	20	24	Variable
Minimum Shoulder Width (feet) Each Side	2	2	2	2	Variable
Minimum Distance from Center of Road to Center of Ditch (feet) [3]	14	14	16	Variable	Variable
Minimum Horizontal Curve Radii (feet)	100	100	150	300	500
Minimum Vertical Curve Radii (feet)	100 (In no case less than 20' for each 1% difference in grade)	100	200 (In no case less than 30' for each 1% difference in grade)		Variable
Minimum Length of Tangents Between Curves	100	100	100	200	Variable
Maximum Grade	10%	10%	10%	10%	5%
Minimum Grade	0.5%	0.5%	0.5%	0.5%	0.5%
Minimum Horizontal Sight Distance (feet) [4]	200'	200'	250'	250'	300'
Surface Type [5]	H. Bituminous	H. Bituminous	H. Bituminous	H. Bituminous	H. Bituminous

[1] Local streets cover not only lightly developed through streets, but also dead-end, cul-de-sac and marginal access streets.

[2] Shall be future anticipated traffic. (Assuming eight trips per day per dwelling unit)

[3] All cross-section horizontal distances shall be measured perpendicular to straight line sections and radial to curved sections.

[4] Sight distance shall be measured between two points along the center line of the street on a straight line entirely within the street right of way and clear of obstructions, one of the points to be at the surface and the other 4 ½ feet above the surface.

[5] All surfaces will be as shown unless otherwise specified by the Board.