



**SUBDIVISION REGULATIONS
AND
SITE PLAN REVIEW REGULATIONS**

June 17, 2018

SUBDIVISION REGULATIONS

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SUBDIVISION REGULATIONS TOWN OF SUTTON, NEW HAMPSHIRE

It was first adopted on August 7, 1970. It was subsequently amended nine (9) times prior to this current amendment of 2018.

ARTICLE I: AUTHORITY

Pursuant to the authority vested in the Sutton Planning Board by the voters of the Town of Sutton, and in accordance with the provisions of RSAs 674:35 and 674:36 of the New Hampshire Revised Statutes Annotated (NH RSA), and as amended, the Sutton Planning Board adopts the following regulations governing the subdivision of land, and review of Site Plans, in the Town of Sutton, New Hampshire, hereinafter known as the Sutton Subdivision and Site Plan Regulations.

ARTICLE II: PURPOSE AND APPLICABILITY

- A. Any lot, tract, or existing parcel that is proposed to be divided into two (2) or more lots requires application to the Planning Board for subdivision approval. (See full definition on page 7)
- B. The purpose of these regulations is to provide for the orderly present and future development of the Town by promoting the public health, safety, convenience, and welfare of its residents.
- C. These regulations apply to the Planning Board review and approval, approval with conditions, or disapproval of any subdivisions, as defined by NH RSA 672:14; and to minor lot line adjustments or boundary agreements. They do not apply to voluntary mergers, as defined by NH RSA 674:39-aa.

ARTICLE III: DEFINITIONS

Abutter: Any Person or Entity whose property is located in New Hampshire that adjoins, but may be separated by a stream, or is directly across the street, 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 or Entity that is able to demonstrate that its 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 NH RSA 356-B:3

Approval: Recognition by the Planning Board certified by written endorsement on the plat, that the final plat submission meets the requirements of these Regulations, and satisfies, in the judgment of the Planning Board, all criteria of good planning and design, as listed herein.

Pre-Conditional: A requirement that must be met by the Applicant before an approval can be given.

Post-Conditional: A requirement that must be met by the Applicant before a Certificate of Occupancy can be issued.

Revocation of Recorded Approval: the unsubdividing of an approved and recorded subdivision

Applicant: 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.

As-Built Plans: Final plan(s) of all improvements, as and where they were actually constructed certified by a NH licensed engineer.

Cul-de-Sac: see **Dead-End Road:**

Dead-End Road: A road configuration where one must exit from the same place where one entered.

Detention Basin: An excavated area to protect against flooding and, in some cases, downstream erosion by storing water for a limited period of time.

Development- Active and Substantial: means on-going construction that includes, clearing, grading, excavation and the actual construction of physical improvements

Development- Substantial Completion: means that the work completed is sufficient for the delivery of As-Built documents, or the issuance of a Certificate of Occupancy, or the agreement by the Town to release all escrow funds or an applicable equivalent.

Driveway: An area located on a lot and built for direct access to a structure, or off-street parking space or spaces. A driveway shall not serve more than two lots.

Entity: A person, business, corporation, partnership, or any other legal form of land ownership, or ownership representation, as applicable in this Regulation.

Layby: A designated area at least fifty (50) feet long, eight (8) feet wide and with a lateral slope not exceeding five percent (5%) and a cross slope not exceeding three percent (3%) beside a road or driveway where vehicles may temporarily pull-off out of the main traffic flow.

Lot: One (1), or one (1) of two (2) or more parcels of land that comprise the Subdivision, or Site Plan. For the purposes of the Sutton Subdivision and Site Plan Regulations, a lot in a proposed subdivision of land is subject to minimum lot size allowable in a zoning district in Town. (See Sutton Zoning Ordinance Article III.L.)

Minor Lot Line Adjustment: The straightening out of a “jog” in a property line or the minor exchange of acreage between two (2) abutting lots so that both lots are more useful in shape and/or size for the respective owners and still meet all requirements of these Subdivision regulations

Voluntary Lot Mergers: The voluntary combining of two or more abutting lots as long as the merger lot(s) still meet all the requirements of these Subdivision Regulations.

Master Plan: The adopted comprehensive plan for the Town of Sutton, as prepared and adopted, pursuant to NH RSA 674:1 and 674:4.

Map: The Official Zoning Map of the Town of Sutton.

Paved: A surface of asphalt, bituminous concrete, or concrete, or some other approved permanent and impermeable surface. This does not include, for instance, a gravel surface.

Planning Board: The Planning Board of the Town of Sutton.

Plat, Final: The final map, drawing, or chart, on which the Applicant’s plan of subdivision is indicated, prepared, as required by the Planning Board, and which, if approved, with or without conditions, by the Planning Board, where all Pre-Conditions have been met, that shall then be submitted to the Registry of Deeds of Merrimack County for recording by the Town of Sutton.

Reserve Strip: Shall mean a strip of land that might be used to control access to any land within the subdivision, or access from the subdivision to any neighboring property.

Road: Public Class II, IV, or V highway, or a private road built to Subdivision Regulations specifications and maintained by the Applicant and/or abutting Property Owners. The word “road” shall include the traveled way and the shoulders. (See also Traveled Way).

Right-of-Way (ROW): The term “right-of-way” shall include the Traveled Way, the shoulders, ditches, and any necessary easements, or land area, so as to conform to standards enumerated in Article VIII, Design Standards of these Subdivision and Site Plan Regulations.

Safe Sight Distance: means a line that encounters no visual obstruction between two points, each at a height of three feet nine inches (3’9”) above the pavement, allowing for snow windrows and/or seasonal changes. The line represents a line of sight between the

operator of a vehicle using a driveway or road (point 1) and the operator of a vehicle approaching from either direction on another road (point 2).

Select Board: The Select Board of the Town of Sutton (also known as the Board of Selectmen).

Steep Slopes: All land areas within which there is an elevational change of twenty (20) feet or more, and the gradient is twenty percent (20%) or greater. (See Sutton Zoning Ordinance Article XI.B.1)

Street: See Road.

Subdivision: The division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance, or building development. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing, or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among the several Owners shall be deemed a subdivision, under this Section. All abutting, or contiguous, land in a single ownership shall be deemed to be a single lot, tract, or parcel of land, **unless** one (1) or both of the following conditions exist:

1. The land was conveyed to the owner by more than one (1) Deed or conveyance and is so currently recorded; or
2. One (1) or more of the parcels is described separately in the presently recorded Deed.
3. For either of the preceding exceptions to apply, the parcel(s) must meet all the requirements of the Zoning Ordinance for buildable lots, and, further, if such parcel(s) were removed from the Deed, the remaining lot would also meet the requirements of the Zoning Ordinance for buildable lots.
4. The granting of an easement in gross to a public utility for the purposes 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 and shall not be deemed to create any new division of land for any other purpose.

Subdivision, Major: All subdivisions not classified as minor subdivisions, including, but not limited to, four (4) or more lots, or any size subdivision requiring any new road, or the extension of, or creation of, any public improvements.

Subdivision, Minor: All subdivisions containing not more than three (3) lots, not involving any new road or improvements, or public utilities or improvements, and not adversely affecting abutting property.

Subdivision, Natural: The division, by an existing road, of a property conveyed by a single Deed, including such divisions and boundaries that follow natural features, such as streams and stonewalls.

Traveled Way: The traveled path or portion of a road used for public or private travel and within the limits of the road ROW. The Traveled Way might not be centered within the road ROW. The center-line of the Traveled Way is the midpoint between the Traveled Way edges.

Wetlands: The current NHDES definition.

Zoning Board of Adjustment: The Zoning Board of Adjustment of the Town of Sutton.

ARTICLE IV: GENERAL

SECTION A – COMPLIANCE WITH REGULATIONS

1. No subdivision of land shall be made, and no land in any subdivision shall be sold or leased, 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 Planning Board, Pre-Conditional Approvals complied with, and all other required Permits have been issued.
2. The Applicant shall familiarize itself with the Master Plan and the Zoning and Building Ordinances of the Town of Sutton, and with all State and Town Regulations relative to the environment, drinking water, access to roads, sewage , and other pertinent data, so that it is aware of the obligations and standards expected. Some of these kinds of information may be found on the websites of NHDES, NHDOT, NH Land Use Regulations and the Town of Sutton.
3. The Applicant may avail itself of the assistance of the Planning Board before preparation of Application or plans.
4. The Planning Board shall not approve any plan of a subdivision of land, unless all new buildings, structures, and lots shown on said plan comply with Zoning Ordinance of the Town of Sutton, or unless a Variance, Special Exception, or Conditional use Permit that deviates from the terms thereof has been properly granted by the Zoning Board of Adjustment, or the Planning Board, as applicable.

SECTION B – CHARACTER OF LAND FOR SUBDIVISION

1. In general, all land to be subdivided shall be, in the judgment of the Planning Board, of such a character that it can be used for building purposes without danger to public health or safety, or to the environment. Land subject to periodic flooding, poor drainage, or other hazardous conditions shall not ordinarily be subdivided. And no floodway shall be obstructed. (See Zoning Ordinance: Article X, Wetlands; and/or Article XI, Steep Slope Overlay District.)
2. Land with inadequate capacity for sanitary sewage disposal shall not be subdivided, unless the land is brought up to State approval standards, connected to public sewers, or the plat to be recorded is clearly marked to show the lot or lots **“Not approved for onsite sanitary sewage disposal.”**
3. Land that has steep slopes and/or wetlands must be identified on all plats. The Applicant should be aware of the Sutton Zoning Ordinance requirements regarding use of land with these characteristics and address how the plan complies or, if not, why the subdivision should be approved, despite nonconformance.
4. Plats for subdivision of land shall conform to all Regulations of the Planning Board, the Zoning Ordinance, and all other Applicable Bylaws, Ordinances, and Regulations at both the State and local levels..

SECTION C – SCATTERED AND PREMATURE SUBDIVISION

1. The Planning Board may decline to approve a subdivision which it finds to be “scattered and/or premature” and which would, if approved, involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, sewage, transportation, schools, or other public services and/or which would require excessive expenditure(s) of the public funds for the supply of such services. (See NH RSA 674:36)
2. It is intended that these Regulations shall promote balanced, responsible, and desirable growth and control the timing of development by avoiding haphazard, scattered, and uncoordinated development. In evaluating whether a particular subdivision is “scattered and/or premature”, the Planning Board shall consider the following:
 - a. Potential fire protection problems owing to location and/or other special conditions relating to the development;
 - b. Inadequacy of water supply for fire protection purposes;
 - c. Potential police protection problems owing to location and/or other special conditions;
 - d. Potential snowplowing and other road maintenance problems owing to location;

- e. Inadequacy of access streets or roads and/or sidewalks;
 - f. Potential problems relating to onsite water supplies and/or sewage disposal systems;
 - g. Potential drainage impact problems
 - h. Conditions otherwise requiring excessive expenditure of public funds; and
 - i. Other potential problems within the meaning and purpose of this Section.
3. If it is determined by the Planning Board that the proposed subdivision is, using the above criteria, “scattered and/or premature” unless special offsite improvements are made, including, with respect to adversely impacted services, the Planning Board may require the Applicant to make such improvements, or to address such adverse impacts on facilities or services, as conditions to the approval of the subdivision. These may consist of, but not be limited to, the following:
- a. Improve any access street, existing or to be constructed, to appropriate street and road standards, whether or not the Town does or will own these;
 - b. Improve streets with laybys or snowplow turnarounds where needed to allow emergency equipment, including snowplows, to safely access and provide services to residents;
 - c. Construct static water supplies (fire ponds) with dry hydrants for fire protection purposes; and
 - d. Provide such traffic control facilities as are deemed necessary by the Planning Board for the public safety.
4. The Planning Board will consider all impacts of the proposed subdivision on facilities and services, and, if it deems it necessary, may apportion to the Applicant those costs which can be properly assessed against the development as are found to be associated with or influenced by the development.
5. If it is determined by the Planning Board that the proposed subdivision, using the above criteria, is “scattered and/or premature” and that the offsite improvements cannot reasonably be made to cure the adverse conditions, the Planning Board may decline to approve such subdivision until such time as these adverse conditions are determined by the Planning Board to be curable.

SECTION D – RESERVED STRIPS

No privately owned reserved strip shall be permitted which controls access to any part of the subdivisions, or to any other parcel of land from any street, or from any land dedicated to public use, or which may be so dedicated.

SECTION E – LOT LAYOUT

(Lot size, width, depth, shape, and orientation shall be appropriate for the location and character of land in the subdivision to create conditions favorable to health, safety, and convenience of the area, and shall conform to the requirements of the Zoning Ordinance. The Planning Board considers a typical and desirable maximum lot depth-to-width ratio of four-to-one (4:1). (See Appendix Exhibit A. for a typical desirable lot configuration) All lots shall comply with the frontage and yard requirements of the Zoning Ordinance. **(Applicant is advised to carefully review the Sutton Zoning Ordinance, Articles VI and V).**

SECTION F – PRESERVATION OF EXISTING FEATURES

The Applicant must satisfy the Planning Board that due regard shall be given to the preservation and protection of existing features, such as, but not limited to, stone walls along property lines, historic buildings and sites, trees, scenic points, brooks, streams, rock outcroppings, water bodies, other natural resources, and historical landmarks.

ARTICLE V: PROCEDURE

SECTION A – PRE-APPLICATION

1. **Conceptual Consultation Phase:**
 - a. This shall be directed at review of the basic concept of the proposal and suggestions that might be of assistance in resolving problems with meeting requirements during final consideration. The Conceptual Consultation does not require Notices to Abutters or newspaper notifications. It is done at a Planning Board meeting, and is listed on the Agenda for that meeting. Agendas for Planning Board meetings are placed at Town Hall, at the Sutton Post Office(s), and on the Planning Board Department page of the Town of Sutton website.
 - b. Such consultation shall not bind either the Applicant or the Planning Board. Statements made by Planning Board Members shall not be the basis for disqualifying said members, or invalidating any action taken. The Planning Board and the Applicant may discuss proposals in conceptual form only, and in general terms, such as desirability of types of development and proposals under the Master Plan. Such discussion may occur without necessity of giving formal public notice. But such discussions may occur only at formal meetings of the

Planning Board.

2. **Preliminary Design Review Phase:** The Planning Board, or its Designee, may engage in nonbinding discussions with the Applicant beyond conceptual and general discussions which involve more specific design and engineering details; provided, however, that the preliminary design review phase may proceed only after identification of and Notice to Abutters and the general public. Statements made by Planning Board Members shall not be the basis for disqualifying said members or invalidating any action taken.
3. **Major Subdivision vs. Minor:** The Applicant may elect to forego, or engage in, either of the above phases (Article V Sections A 1 and 2) in a Minor Subdivision. However, both phases are required for Major Subdivisions and Site Plans, pursuant to RSA 674:43.
4. **Pre-application Review(s):** shall be separate and apart from formal consideration of an Application, and the time limits for acting on an Application shall not apply until a formal Application is submitted and deemed complete by the Planning Board, as described in Article V, Section B, Application (see below).

SECTION B - APPLICATION

1. An Application for approval of a subdivision or a Revocation of a Recorded Approval shall be filed with the Land Use Coordinator (LUC) by the Applicant, or its Agent, designated in writing by the Applicant, on a form supplied by the Planning Board. The Application with all required accompanying documents and fee shall be filed with the LUC by the fifteenth (15th) of the month preceding, for consideration at the first Planning Board meeting of the following month.
2. At the time of filing, the Application shall be considered to be Complete when accompanied by the "Minimum Requirements", as specified in Article VI, Submission Requirements, and by a check made payable to the Town of Sutton for fees established by the Planning Board; **and when the Planning Board, at a regular public meeting, has officially approved it as Complete.**
3. The associated time frame in which the Planning Board is required to make a decision on an Application does not start until the Application is deemed Complete.
4. Additional documents requested by the Planning Board after the Application is officially deemed Complete shall be submitted, **in full**, at least ten (10) days prior to the meeting at which the so requested information is to be considered.
5. Notice to the Applicant, Abutters, and the public shall be given as follows:
 - a. The LUC shall notify, by certified mail, return receipt requested, the abutters; any

holders of conservation, preservation, or agricultural preservation restrictions on or abutting the Application property; every Engineer, Architect, Land Surveyor, Soil Scientist, or other Professionals whose seal appears on any plat submitted to the Planning Board; and the Applicant, of the date upon which the Application will be formally submitted to the Planning Board.

- b. Notice shall be given for the time and place of each public hearing held under RSA 675:2-4 and 675:6 at least ten (10) calendar days before the hearing. The notice required under this section **shall not** include the day notice is posted, or the day of the public hearing.
 - c. Notice to the general public shall also be given at the same time by notice published in a newspaper with local readership and the posting of flyers in at least two public locations in town, such as the Post Office(s) and the Town Hall Bulletin Board; and posting electronically on the Town of Sutton website. The notice shall include a general description of the proposal that is the subject of the Application, and shall identify the Applicant and the location of the proposal.
 - d. For any public hearing on the Application, the same notice as is required for notice of submission of the Application shall be given. However, if notice of public hearing has been included in the notice of submission, or any prior notice, additional notice of that public hearing is not required, nor shall additional notice be required to an adjourned session with proper notice, **if** the date, time, and place of the adjourned session was made known at the prior hearing.
6. All Application fees and all costs of notice, whether mailed or posted, are established by the Planning Board shall be paid in advance by the Applicant. Failure to pay such costs shall constitute valid grounds for the Planning Board to terminate further consideration and to disapprove the plat, without a public hearing.
 7. Reasonable fees, in addition to the processing fee and costs of notice mentioned above, may be imposed by the Planning Board to cover costs of special investigative studies, review of documents, and other matters that may be required by particular Applications.

SECTION C – PUBLIC HEARINGS

1. Except as provided below, no Application will be denied or approved without a public hearing on that Application. At the hearing, the Applicant, any Abutter, 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 Planning Board at each hearing.

Public hearings shall not be required when the Planning Board is considering or acting upon:

- a. Minor lot line adjustments (see Article V, Section F) that do not create buildable

lots, except that Notice to Abutters shall be given prior to approval of the Application and any abutter may be heard on the Application upon request. (See RSA 676:4-a)

- b. Voluntary Mergers of adjoining lots. (See RSA 674:39-a)
- c. Disapprovals of Applications, based upon: failure of the Applicant to supply information required by these Regulations (including Abutters' identification); or failure to meet reasonable deadlines established by the Planning Board; or failure to pay costs of notice or other fees required by the Planning Board.

SECTION D – PLANNING BOARD ACTIONS

1. The Planning Board shall act to accept or reject the Application as complete at the meeting at which the Application is formally submitted, in accordance with Article V, Section B.
2. In order for the Planning Board to proceed with consideration of the Application, and make an informed judgment, the Applicant shall provide the Planning Board at least eight (8) copies of the appropriate plans and accompanying papers, as specified in Article VI. At its discretion, the Planning Board may request further documentation of the Applicant as appropriate to the particular subdivision.
3. The Planning Board shall begin formal consideration of the Application within thirty (30) days after the formal submission and acceptance of the Completed Application. The Planning Board shall act to approve, approve with Conditions or disapprove within sixty-five (65) days after formal submission completion approval, subject to extension or waiver, as provided in Section D 5 below.
4. Upon failure of the Planning Board to approve, approve with Conditions, or disapprove the Application within the allowed or agreed to timeframe, the Applicant may obtain from the Select Board an order directing the Planning Board to act within fifteen (15) days. Failure of the Planning Board to act upon such order of the Select Board shall constitute grounds for the Superior Court, upon Petition of the Applicant, to issue an order approving the Application, if the Court determines that the proposal complies with existing Subdivision Regulations, Zoning, and other applicable Ordinances.
5. The Planning Board may apply to the Select Board for an extension not to exceed an additional ninety (90) days before acting to approve or disapprove an Application. The Applicant may waive the requirement for the Planning Board action within the time periods specified in Article V, Section D.3, and consent to such extension as being mutually agreeable and documented in writing.
6. If the Planning Board approves or approves with Conditions, the Application, a majority of Planning Board Members (4) shall endorse the reproducible copy of the final plat, and the Planning Board shall file the same with the Merrimack County

Registry of Deeds. The Applicant shall be liable for any necessary fees associated therewith.

7. In the case of approval or disapproval of any Application, the grounds for such decisions including any conditions shall be stated in the records of the Planning Board, and in written notice to the Applicant and available for public inspection within five (5) business days of such vote.
 8. Every plat approved by the Planning Board shall, by virtue of such approval, be deemed to be an amendment of, an addition to, or a detail of the Official Tax Map.
 9. Approvals of a plat shall not be deemed to constitute or affect an acceptance by the Town of Sutton of any road or other ground, or open space, shown upon the plat. Further, no road or other ground, or open space, shall be submitted for acceptance to the Town Meeting of Sutton until such time as all improvements have been carried out as shown on the final plat and its accompanying documentation, subject to any conditions established by the Planning Board at the time of the final plat approval, and the requirements of the Subdivision Regulations.
10. **“As-Built” Plans:**
- a. In subdivisions requiring construction of roads or other utilities, “as-built” plans shall be submitted to the Planning Board after construction has been completed, and before release of the bond, or other security, as established in accordance with Article VI, Section B.21. Such plans shall certify that roads and/or other utilities have been constructed as shown on the approved plans, and in accordance with any Conditional approval(s). These plans 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, culverts, hydrants, valves, shutoffs, roadways, road profiles, centerline elevations, final grading, including swales and ditches, easements, open space and other related items.
 - b. Prior to the issuance of any Certificate of Occupancy “As-Built” plans shall be submitted by the Applicant to the Planning Board on reproducible polyester film, plus two (2) paper prints.

SECTION E – MINOR SUBDIVISIONS

1. In the case of subdivisions on existing roads and involving no more than three (3) lots, the Planning Board, **at its discretion**, may provide for formal submission of the Application and a public hearing at one (1) Planning Board meeting. At that meeting, the Planning Board, at its discretion, may act to approve, approve with conditions, or disapprove the Application, or may defer such action to a subsequent meeting.
2. When a minor subdivision is granted, the land so involved in the minor subdivision

may **not** be resubmitted for another minor subdivision for at least four (4) years from the date of the last approval of a minor subdivision. However, the Applicant may apply, at any time, for a major subdivision approval for land that was involved in a prior minor subdivision.

SECTION F – CONVEYANCES OF LAND BETWEEN ABUTTING OWNERS

1. Approval of minor lot-line adjustments which do not create buildable lots, or which do not make a buildable lot unbuildable, requires submission of an Application, in accordance with Article V, Section B., including notification of abutters. No public hearing is required. In cases in which the parcel to be conveyed would abut land of the prospective Grantee, but for the separation of the parcels by a road, the parcel shall, following the conveyance, be deemed annexed to the property in the same ownership across the road so as to form a single lot of record, re-subdivision of which shall require approval of the Planning Board.
2. The final plat shall bear the notation: **“Approved as an annexation to contiguous property of (Name of Grantee(s)). This tract shall not be deemed a separate lot of record.”**

SECTION G – NATURAL SUBDIVISIONS

Natural subdivisions do not require subdivision approval. However, no single lot of record shall be divided as a natural subdivision if any of the resulting lots do not meet the requirements of the Zoning Ordinance for a buildable lot. The final plat(s) to be recorded and which defines the lot in the natural subdivision shall bear the notation: **“This plat does not require subdivision approval”** and shall be signed by a majority of the Planning Board Members after an affirmative vote of the Planning Board at a regular meeting.

SECTION H – FIVE-YEAR EXEMPTION

1. 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 five (5) 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 twenty-four (24) 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 Town, at the time of commencement of such development;

- b. Development remains in full compliance with the Public Health Regulations and Ordinances; and
 - c. At the time of approval and recording, the subdivision plat, or Site Plan, conforms to the Subdivision Regulations, Site Plan Review Regulations, and Zoning Ordinances then in effect at the location of each subdivision plat, or Site Plan.
2. 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 675:24, shall operate to affect such improvements.
 3. 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:
 4. "Substantial completion of the improvements as shown on the subdivision or Site Plan" for purposes of fulfilling Article V, Section H.II;
 5. "Active and substantial development or building" for the purposes of fulfilling Article V, Section H.I.
 6. Failure of Planning Board to specify by Regulation, or as a condition of subdivision plat or Site Plan approval, what shall constitute "active and substantial development or building" shall entitle the subdivision plat or Site Plan approved by the Planning Board to the five (5) year exemption described in Article V, Section H.1 The Planning Board may, for good cause, extend the approval for a twenty-four (24) month period set forth in Article V, Section H.1(a).

SECTION I – COMMENCEMENT OF WORK

1. Until final approval with all prior-conditions satisfied has been received, the Applicant shall not commence the construction of roads or drainage structures

within the parcel to be subdivided by clearing land thereof of natural vegetation, placing any artificial fill thereon, or otherwise altering the land.

2. The Applicant shall not alter the natural state of the land or environment, except as may be needed for taking of test borings, digging of test pits, or any other preliminary testing and inspection necessary to comply with the requirements of the New Hampshire Department of Environmental Services (NHDES) relative to information necessary for verification of the buildability of said land.

ARTICLE VI: SUBMISSION REQUIREMENTS

SECTION A – MINIMUM REQUIREMENTS FOR ALL APPLICATIONS

1. All plats (maps) and other papers shall be identified clearly with the name of the subdivision and the Applicant.
2. The final plat(s) shall be in permanent black ink, on polyester film suitable for filing with the Registry of Deeds (not greater than twenty-two (22) inches by thirty-four (34) inches), but not smaller than seventeen (17) inches by twenty-two (22) inches. The Planning Board shall reserve space on the plat for endorsement. While not required to be submitted with the Application, a final plat is required before Planning Board Approval can be executed.
 - a. If more than one (1) sheet is required, a key map at appropriate scale shall be submitted, showing the entire parcel of land to be subdivided, the road system, the area covered by each subsidiary plat, and all abutting landowners.
 - b. Eight (8) copies of all Application documents shall be submitted. For all Applications submitted, there must be one (1) map printed to full scale with the remaining seven (7) no more than eleven (11) by seventeen (17) inches. The Planning Board may, at its discretion, request additional copies.

Plats shall contain the following information, as applicable. Planning Board may, at its discretion agree to waive one or more of the following requirements if it feels that such a waiver is reasonably warranted but such reasons shall not be economic:

- a. Name of municipality (ies).
- b. Name and address of the Designer(s).
- c. Name, address, and seal of the Land Surveyor licensed by the State of New Hampshire who prepared the plat, and, when required, the name, address, and seal of the New Hampshire Registered Professional Engineer. If the Applicant is not working with a licensed professional and the Planning Board finds this reasonable, the Planning Board may waive the signature requirements.

- d. Boundaries and area of the entire parcel and of each lot in the subdivision. In the case of minor lot-line adjustments, or annexations, or minor subdivisions, upon request by the Applicant, the Planning Board, at its discretion, may waive the requirement that the boundaries and area of the entire parcel be surveyed and shown, and require only that the accurate, **to-scale**, graphic description of the parcel to be annexed to, or subdivided from, the abutting property meet these requirements.
- e. A North point, bar scale, and date(s) of any revisions.
- f. Names of abutting property owners and the general location of their abutting property. Abutters to have been verified as owners of record within seven (7) days, and names and addresses verified with town records within five (5) days prior to submission of an Application to the LUC.
- g. Intersecting roads and driveways within ten (10) times the posted speed or two hundred fifty (250) feet of the subdivision frontage on existing roads, whichever is greater.
- h. Locations of existing buildings within the boundaries of the entire parcel.
- i. Existing and proposed road ROW lines and widths of the Traveled Way and shoulders.
- j. Location of existing and proposed easements, parks and other open space, flood plains and watercourses, significant natural and manmade features, water mains, sanitary sewers or disposal sites, storm-water drainage lines, drainage structures, and drainage ways.
- k. Existing (and proposed plans for) telephone, electricity, and gas utilities.
- l. Boundaries of zoning districts and municipalities lying within the subdivision.
- m. A general site-location map with sufficient information to easily locate the property to be subdivided.
- n. The location and type of all proposed and existing monuments.
- o. Identification of lot(s) not approved for onsite sewage disposal.
- p. Type of survey and the precision of measurement.
- q. A topographic map showing and labeling at least twenty (20) foot intervals, which may be required by the Planning Board to have more accurate contour intervals, i.e., ten foot, five foot, or two foot (10', 5' or 2') in situations where drainage problems exist, or may exist (i.e. flat sites). Contour lines shall extend a

minimum of one hundred (100) feet beyond the subdivision boundary.

- r. Cost estimates of all recommended improvements prepared by a New Hampshire Licensed Engineer.
 - s. A copy of a letter to the Select Board confirming that the land is not in Current Use or describing, in both text and graphic form, any proposed changes to Current Use.
 - t. For all lots less than five (5) acres, an approval from New Hampshire Department of Environmental Services (NHDES)), or a signed and dated Application form to NHDES. (NHDES approval will be required for any final approval.)
 - u. Where necessary, a site-specific soil mapping may be required.
4. All maps and related papers pertaining to design, engineering, and construction shall be prepared and certified by a licensed Land Surveyor, in accordance with their respective ethics and standards, and shall include, but not be limited to, the following:
- a. Traverse closure of minimum accuracy one-five thousandths (1/5,000) for transit and tape surveys, and one-five hundredths (1/500) for tape and compass surveys. (For minor subdivisions, upon request of the Applicant, the Planning Board may, at its discretion, permit a tape and compass survey.)
 - b. In the case of minor subdivisions, upon request of the Applicant, the Planning Board, at its discretion, may waive the requirement that the boundaries and area of the entire parcel be surveyed, and require only the survey of boundaries involving new boundary monuments and areas of new lots formed by the subdivision.
 - c. Sufficient data acceptable to the Planning Board to determine readily the location, bearing, and the length of every street line, lot line, boundary line, and to reproduce such lines upon the ground.
 - d. All dimensions shown to tenths (0.1) of a foot, all bearing to the minutes, and all areas to tenths (0.1) of an acre.
 - e. Bearings and distances for each side of the property and each of its segments, resulting in a closed figure.
5. When the proposed subdivision, annexation, or lot-line adjustment abuts land held by the State of New Hampshire Department of Resources and Economic Development (NH DRED) – Division of Forests and Lands (DFL), a copy of the plat and plans for the proposal shall be forwarded to the DRED, Attention: Land Agent.

The Planning Board shall do this at the same time the other abutters are notified by certified, return receipt requested mail of the public hearing.

6. When the proposal includes land with steep slopes, wetlands, or other environmentally sensitive areas, a copy of the plat and plans for the proposal shall be forwarded by the Town of Sutton Planning Board to the Conservation Commission.

SECTION B - ADDITIONAL REQUIREMENTS
(Typically for, but not limited to, major subdivisions)

Prior to final action by the Planning Board on the Application, the following shall be submitted where required by State Law, or when deemed necessary by the Planning Board in relation to the subdivision proposed:

1. **Potable Water Source-and-Sewage Disposal Capability:** Information to prove that the area and character of each lot is adequate to permit the installation and proper operation of an individual on-lot potable water source-and-sewage disposal system. Such information shall include a report showing the results of a series of soil tests made in the subdivision in accordance with applicable State and Local Laws and Regulations. The Planning Board may require such tests regardless of State Laws, Regulations, and Standards, and may require that additional tests than those so prescribed be performed.
2. **Topographic Map:** At the same scale as the final plat, showing contour lines at a minimum of five (5) foot intervals for slopes ten percent (10%) or greater and two (2) foot intervals for slopes less than ten percent (10%). Contour lines shall extend a minimum of one hundred (100) feet beyond the subdivision boundary.
3. **Road and Driveway Profiles:** Showing the centerline of all proposed roads as well as driveways eight hundred (800) feet or more in length, or steeper than nine percent (9%), and the existing grade of the land, at a horizontal scale of fifty (50) feet to the inch and a vertical scale of five (5) feet to the inch.
4. **Road and Driveway Cross-Sections:** Showing, at one hundred (100) foot stations, the cross-section of proposed roads as well as driveways eight hundred (800) feet or more in length, or steeper than nine percent (9%), and the areas to be disturbed for the construction of the road or driveway to a scale (both horizontal and vertical) of not more than one (1) inch to ten (10) feet.
5. **Road and Driveway Construction Details:** Showing construction details of all proposed roads, curbing, sidewalks, drainage structures, sediment and erosion control structures, and any other required improvements, at a scale that is easily read.

6. **Deed Restrictions/Covenants:** Full legal descriptions of existing and proposed easements, rights-of-way, covenants, reservations, and all other restrictions.
7. **Existing Roads:** A statement of work required on existing roads to meet the minimum standards of these Regulations, including cost estimates.
8. **Future Plans:** A statement describing any planned or contemplated additional subdivision of the property.
9. **Offers:** Offers of cession of any land proposed to be dedicated to the Town for public use. Where applicable, prior to approval of the plat, the following are required in a form as approved by the Town Attorney: agreement to convey to the Town of Sutton land to be used for streets, open space, or other public purposes; and draft of proposed conveyance.
10. **Utility Plan:** At the same scale as the final plat, showing for each lot the location of sanitary disposal systems (including septic tanks and leaching fields), power and telephone lines, wells and waterlines, and all fire protection measures.
11. **State Approvals:** All information and certification of approvals required by any State Agency.
12. **Drainage:** A soils map shall be developed to show the type and drainage classification, and also define the limits of wetland areas. The wetlands shall be identified by soil definition and vegetation definition. The Planning Board may also require a watershed analysis to determine drainage predevelopment and post-development. Incorporated into these studies shall be a slope analysis, highlighting existing vegetation and significant features of the site. The impact of new roads on the existing terrain and drainage patterns shall be addressed.
13. **Major subdivisions** (those of more than three (3) lots) may be required to furnish, at the Planning Board's discretion, a Road and Traffic Study done by a qualified Engineer. (See Appendix Exhibit B, Traffic Impact Analysis.)
14. **An Environmental Impact Study:** To include, but not necessarily be limited to, information pertaining to waste, flood plains, wetlands, public safety, cultural resources (including historic sites and properties, and conservation areas), wildlife habitat, prime agricultural land, and the growth and character of the community and neighborhood. Mitigation measures related to specific impacts shall be discussed in the documentation.
15. **All Studies:** Including, but not limited to, Road-Traffic, , Environmental, drainage, and others prepared by an outside Consultant shall be provided either by the Applicant, or the Consultant, in the same number as all other Application documents for a minor subdivision or a major subdivision, as applicable, and shall include one (1) original signed by the person having prepared the information.

16. **Submission to Other Boards:** For a major subdivision, a copy of the proposed plans may, at the Planning Board's discretion, be submitted to the Police Chief, Fire Chief, Road Agent, Solid Waste Committee, and Conservation Committee. For information about Sutton's Conservation Commission see the Sutton Town website.
17. **Provision for Open Space or Recreation:** The Applicant shall, at the option of the Planning Board, either:
- a. Provide an easement or Deed land to the Town for public recreation use; or to the Conservation Committee; or provide privately maintained recreational facilities and/or open space land within a residential project, according to the recommendation of the Planning Board and/or the Conservation Commission on a case-by-case basis. Generally, however, it is the intent of the Planning Board that up to ten percent (10%) of the buildable land area within the proposed subdivision be set aside for passive and/or active recreation open space.
 - b. Pay the Town an equivalent sum of money in cases where the Planning Board determines that, due to the size, topography, or location of the subdivision, land for recreational purposes or open space cannot be properly located therein. This cash payment shall be used by the Town for either land acquisition or development of public land for recreational purposes for the benefit of the residents of the town.
 - c. The Planning Board may approve a combination of the two (2) previous methods in making provision for open space and recreation.
18. **Escrow Accounts:** For review, evaluation, and inspection services required by the Planning Board for a major subdivision, such as, but not limited to, road construction, the Applicant shall make payment in advance to be held in an escrow account. The Applicant shall maintain a positive balance in the accounts at all times during construction to cover the reasonably anticipated expenses for inspection services, or be subject to a "Stop Work" Order by the Select Board, or such enforcement measures deemed appropriate. Any remaining balance in the account after completion of the work shall be refunded to the Applicant.
19. **Fire Protection:** An adequate water supply for fire protection shall be available within the subdivision in the form of either fire protection cisterns, or fire ponds; or within a reasonable distance from the subdivision, as determined by the Planning Board, after recommendation from the Fire Chief.
20. **Debris Disposal:** plan for stumps and all other clearing debris disposal according to accepted practices, and including any necessary Permits.
21. **Security for Performance:** Except in the case of a subdivision in which each lot is on an existing approved Town road and no improvements to facilitate the

development are required, no subdivision plat shall receive final approval until the Applicant has provided security to the Town that all streets, public improvements, drainage structures, other utilities, and any other improvements required by these Subdivision Regulations, or the terms of the Planning Board's approval, will be constructed in accordance with Town specifications, the requirements of these Subdivision Regulations, and the approval of the Planning Board. The alternatives contained in this section constitute the only methods that will be accepted by the Planning Board to secure performance:

- a. A surety bond, issued by a surety company authorized to do business in New Hampshire, to be filed with the Planning Board in an amount acceptable to the Planning Board, and in a form approved by Town Counsel.
- b. Cash or savings bankbook properly endorsed to the Town, in an amount to be determined by the Planning Board and to be deposited with the Planning Board.
- c. An unconditional irrevocable Letter of Credit in an amount acceptable to the Planning Board and in a form approved by Town Counsel.

22. The following criteria will apply to all of the three alternatives listed in Article IV Section B.21 above:

- a. The Planning Board shall determine the amount of any security that it requires, based upon its independent judgment as to the cost to the Town to perform the improvements if the Town were to be required to make them.
- b. The Applicant shall provide to the Planning Board a New Hampshire Licensed Engineer's estimate of the cost of construction of all improvements. In addition, thereto, the Planning Board will ordinarily obtain its own independent estimates from the Town Road Agent, Town Road Committee, and other appropriate sources.
- c. The Planning Board will establish from time to time reasonable fees to compensate the Town for the time spent by Town Officials, or Boards, in reviewing cost estimates, inspecting construction of improvements and the like, and to reimburse the Town for any out-of-pocket expenses, such as review of documents by Town Counsel.
- d. The Planning Board shall require the Applicant to notify the Planning Board when various stages of construction have been completed so that the Planning Board, or its Agents, may inspect the construction to verify that it has been satisfactorily completed to the required standards. The Planning Board may withhold final plat approval, or refuse to release its security, if the Applicant fails to notify the Planning Board that various stages of construction have been completed so that they may inspect, prior to the next stage.

- e. In the case of electrical lines, or other utilities to be installed by a public utility corporation, a statement shall be received in writing from such public utility corporation that the work shall be done within a reasonable time, and without expense to the Town, and that the utilities will be placed underground if that has been a condition of the approval.
- f. All improvements shown on the plat and all improvements and requirements included as part of a subdivision approval shall be completed in accordance with RSA 674:39.
- g. The performance guarantee shall not be released until the Planning Board has certified completion of all improvements in accordance with Town specifications, these Regulations, the approval of the Planning Board, and the requirements of RSA 356A and 356B, the Land Sales Full Disclosure Act, where applicable.
- h. As phases or portions of the secured improvements or installations are completed and approved by the Planning Board, or its Designee, the municipality shall partially release said security to the extent reasonably calculated to reflect the cost of completion of any remaining improvements or installations. Cost escalation factors that are applied by the Planning Board to any bond, or other security required under this Section, shall not exceed ten percent (10%) per year.
- i. Unless otherwise specified by the Planning Board, the date for the security to expire shall not exceed three (3) years, which would include one (1) year beyond the date set by the Planning Board for completion of all improvements.

SECTION C – EFFECT OF NON-COMPLIANCE

- 1. The failure to provide information under any item specified herein, or the providing of improper or incorrect information, shall be cause for disapproval of the final plat.
- 2. Refusal to allow reasonable inspections of improvements shall be grounds for revocation of approval.

ARTICLE VII: REQUIRED IMPROVEMENTS

The following improvements shall be installed and constructed by the Applicant to the satisfaction of the Select Board and under their supervision. As stated in Article VI, Section B, Additional Requirements, the Planning Board may require a bond or other security providing for and securing to the Town the actual installation and construction of such improvements, in an amount and with conditions satisfactory to the Planning Board and approved as to form by Legal Counsel for the Town.

SECTION A – SUBDIVISION LOT LINE MONUMENTS

Bounds of suitable material (not including pipes or metal rods unless drilled into existing rock outcrops) of permanent nature shall be permanently set at each significant corner of each lot. Upon request by the Applicant, the Planning Board, at its discretion, may waive this requirement in the case of minor lot-line adjustments or annexations.

SECTION B – ROADS: GENERAL REQUIREMENTS

1. **Construction Standards:** The roadway shall be constructed in accordance with the geometric and structural standards for Town roads, as shown in Appendix Exhibits D1, D2, E1 and E2. Design standards are keyed to the land conditions, including, but not limited to, slope, soil type, ledge, and to the average daily traffic (vehicles per day) that may be determined by a Traffic Impact Analysis of the proposed development, if so required by the Planning Board. (See Appendix Exhibit B.)
2. **General Layout:** The layout of the subdivision shall conform to all applicable local requirements controlling land development. Roads shall be logically related to the topography so as to produce usable lots, reasonable grades and grade transitions, and safe intersections in appropriate relation to the proposed use of the land to be served by such roads. Adequate provision shall be made to control the drainage of each lot by a suitable storm water system, subject to the approval of the Planning Board (see Article VIII, Section C,9, Drainage). Where practicable, lots should be graded towards the roads.
3. **Highway Bounds:** The type of markers shall be approved by the Selectmen. They shall be installed at all intersection of roads and highways, at all points of change of direction, and at any other points the Planning Board may deem necessary to designate the street lines.
4. **Phased Construction:** Approval of a general development street plan for the entire subdivision will be required before allowing construction of any phase of the plan. Each phase of construction must be completed to the satisfaction of the Town Road Agent and/or Planning Board designated Engineer before another phase of road construction may begin. Phased road construction will require construction of a hammerhead a temporary turnaround at the end of the constructed road, sufficient for single-unit truck turning movements and snow removal.
5. **Right-of-Way (ROW):** Roads shall have the minimum ROW of fifty (50) feet, except that when conditions warrant it, the Planning Board, at its discretion, may approve a narrower ROW after consultation with the Town Road Agent. All rights of way shall be deeded to either the Town, where accepted by the Town, or in the case of private roads, to a Homeowners' or Lot-owners' Association that shall be responsible for the maintenance of such roads.

ARTICLE VIII: DESIGN STANDARDS

SECTION A: ROAD AND CIRCULATION PLANS

1. Every proposed road in a subdivision shall be laid out and constructed according to these Regulations.
2. There shall be the proper arrangement and coordination of streets within subdivision in relation to other existing or planned streets, or with features of the official map of the municipality. Streets shall also be coordinated to create a convenient and logical system of traffic flow in keeping with the character of the neighborhood. Where required by the Planning Board, provision shall be made for the extension of the road pattern to abutting undeveloped or developed property.
3. Road patterns shall give due consideration to contours and natural features, such as steep slopes, wetlands, and ledge outcroppings or ledge close to the surfaces of the soil.
4. There shall be suitably located streets of sufficient width to accommodate existing and prospective traffic and to afford adequate access for school buses, snow removal equipment, police vehicles, and firefighting apparatus and equipment to buildings.
5. The plan of any proposed subdivision shall show all work required to connect and complete the improvements and utilities between the proposed road pattern and any connecting road in an existing subdivision.
6. The Planning Board may require greater width of ROW 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.
7. Where a subdivision abuts an existing road with an inadequate alignment, or ROW width, the subdivision plat shall include in the road dedication all land needed to meet the standards established by these Regulations, and as approved by the Planning Board.
8. The Planning Board may require the Applicant to improve any existing access road to the subdivision to the appropriate road standard provided in these Regulations, if such access would otherwise be inadequate, provided that the Town has a deeded interest in and currently maintains the ROW.
9. Dead-end or cul-de-sac roads shall not exceed one thousand (1,000) feet in length (including the proposed turn-around or hammer-head) and shall not provide entrance to other dead-end roads. A turnaround of suitable area and of a design

approved by the Planning Board shall be provided. Hammerhead turnarounds are preferred and shall be as described in Appendix Exhibit C. Driveways on hammerhead turnarounds are not permitted. Circular cul-de-sac turnarounds shall be as described in Appendix Exhibit D.

10. Except where it is impractical because of the character of the land, roads shall intersect so that road centerlines shall be nearly at right angle as possible within seventy-five (75) feet of the intersection, and no intersection shall be at an angle of less than sixty (60) degrees.
11. No site grading, structure, or vegetation shall impair safe visibility at any street corner including driveway access points. See Appendix Exhibit G.
12. No more than two (2) lots of record in a subdivision will be allowed a shared driveway access.

SECTION B – ROAD DESIGN STANDARDS

1. **Intersecting Property Lines** at road intersections shall be joined by a curve of at least two hundred (200) feet in radius.
2. **Horizontal and Vertical Curve:** No horizontal curve shall have a centerline radius of less than one hundred and fifty (150) feet. For changes in grade exceeding one percent (1%), a vertical curve shall be provided insuring a minimum sight distance of ten (10) times the posted speed limit, or two hundred fifty (250) feet, whichever is greater.
3. **Tangents:** A tangent of at least one hundred (100) feet in length shall be introduced between reverse curves on all proposed roads.
4. **Grades:**
 - a. The grade within fifty (50) feet of an intersection shall not exceed two percent (2%). The profile grade of all roads must be at least one percent (1%) but no more than nine percent (9%). Cross slopes of pavements are shown in Appendix Exhibit E2.

Roads with slopes in excess of five percent (5%) along a majority of the road profile must be paved, regardless of vehicle per day design basis.

5. **Road Names:** Roads shall be identified by name on the plat and subject to approval of the Planning Board. All roads shall be named to comply with the provisions of the Enhanced 911 System (RSA 106:10, 1; RSA 106-H7, VII).

SECTION C – ROAD CONSTRUCTION STANDARDS

1. **Pre-Construction Meeting:** Before an construction begins, the Applicant, or its Designee, the Town Road Agent, and the Planning Board, or its designated Engineer, shall have a pre-construction meeting, the purpose of which is to clarify the design and construction standards contained herein.

2. **Inspection Services:**
 - a. Construction of streets, drainage facilities, sidewalks, utilities, and curbs shall be done under the inspection and the approval of the Road Agent of the Town of Sutton and the Planning Board, or its designated Engineer. The Planning Board shall require inspection services for all subdivisions that include road and/or utility construction. The cost of the inspection services shall be borne by the Applicant. The Planning Board may require the inspection services to be provided by either Town employees, or by a designated Engineer of the Planning Board's choice. If the Planning Board determines the need for outside inspection services and requires such as a condition of final plat approval, then, prior to the start of construction, the Applicant shall establish an escrow account with the Town to pay for such services.

 - b. The Applicant shall maintain a positive balance in the account at all times during construction to cover cost of such services, or be subject to a "Stop Work" Order by the Board of Selectmen. Any remaining balance in the escrow account for inspection services shall be refunded within a reasonable time frame to the Applicant upon satisfactory completion of construction and submission of certified As-Built Documents and the approval of the Town Road Agent and/or the designated Engineer, or Planning Board, as applicable, as well as the Select Board.

3. **Inspection Sequence:** Inspections by the Town of Sutton Road Agent and/or its designated Engineer with or for the Planning Board are required when:
 - a. ROW has been cleared and grubbed of stumps and rock, and subgrade has been prepared AND BEFORE the base has been laid.

 - b. Culverts and other drainage structures are installed.

 - c. Base course has been laid and compacted.

 - d. Finish course of crushed gravel has been laid and compacted.

 - e. When applicable, surfacing with bituminous courses is in progress.

 - f. Such other operations as may be found necessary by the Road Agent or the Planning Board, or its designated Engineer.

 - g. Each phase of construction must be approved in writing by the Town of Sutton Road Agent and/or the designated Engineer for the Town before moving ahead

with subsequent phases of construction.

5. **Notice before Inspection:** For required inspections during construction, the contractor, owner, or applicant shall give at least forty-eight (48) hours (two (2) working days, e.g. does not include weekends or State and National holidays) notice to the Road Agent, the Planning Board, or its designated Engineer in order to coordinate schedules. The Road Agent, the Planning Board, or its designated Engineer may make such additional inspections as deemed necessary by either.
6. **Wetlands and Shoreland:** Any work that requires impacts (fill, dredge, excavation, etc.) on wetlands or other jurisdictional area (stream banks, lake, or pond shore, etc.) requires coordination with the NHDES Water Division and the Wetlands Bureau to ensure that all applicable Rules and Regulations are met. Copies of approved Dredge and Fill, and Shoreland Permits shall be provided to the Town Road Agent and Planning Board for reference **prior to the initiation of any work**.
7. **Erosion Control:** A Site Specific Permit is required from NHDES whenever a project proposes to disturb more than one hundred thousand (100,000) square feet of terrain (fifty thousand (50,000) square feet if within the protected Shoreland), and as of March 10, 2003, construction activity that disturbs one (1) or more acres of land needs a Federal Storm Water Permit from the U.S. Environmental Protection Agency (EPA). Copies of approved Terrain Alteration and Storm Water Permits shall be provided to the Town Road Agent and Planning Board for reference **prior to the initiation of any work**.
8. **Winter Construction:** The Planning Board does not want roads built during the winter months. This is defined as the time beginning when there is four (4) inches of frost in the ground and ending when all closed town roads have been opened. Applications for winter construction will require a Conditional Use Permit where specific hardship other than economic is shown and specific special construction standards will be used and are satisfactory to the Planning Board.
9. **Subgrade Preparation:** Subgrade shall be prepared to accommodate a road pavement width including shoulders on both sides:
 - a. All topsoil or loam and unsuitable material such as stumps, roots, vegetation, demolition debris, boulders and manmade structures shall be removed from the limits of the roadbed to a depth of at least twelve (12) inches. Topsoil shall be removed from areas that will be filled.
 - b. Where loam or other improper road foundation material exceeds twelve (12) inches in depth, such material must be excavated and replaced with bank-run gravel or broken rock not more than four (4) inches in diameter as shown in Appendix Exhibit E2. The presence of large boulders in the subgrade may require removal as directed by the Town Road Agent or designated Engineer.
 - c. As needed to ensure proper road construction and utility installation, blasting of

road subgrade and utility trenches may be required by the Town Road Agent and/or the Planning Board designated Engineer

10. **Drainage:** All proposed drainage facilities including culverts shall be installed as shown on the approved plans. Surface water shall be disposed of by means of culverts of sufficient capacity or in watercourses and natural swales as determined by standard hydraulic design methods, as well as by the construction of storm drainage structures in the ditch cross-section wherever required to relieve water and promote drainage.
 - a. Drainage ditches shall be provided on both sides of the road with all rock and ledge removed sufficient to achieve the minimum cross-section shown in Appendix Exhibit E2.
 - b. Where ditching is not practical, subsurface storm drainage shall be designed and installed using catch basins, piping, or other appropriate methods in accordance with the current NHDOT Standard Specification Sections 603, 603, 605.
 - c. Where required for safe and practical disposal of storm water, drainage, and maintenance easements shall be deeded by the Applicant or Owner to the Town for each lot affected.

11. **Utilities:** Utility poles shall be kept close to the ROW line, but in no case closer than the outside ditch line from the edge of pavement.
 - a. Underground utilities within the road ROW shall be installed in Schedule 80 conduit, buried four (4) feet deep with appropriate marking tape located twelve (12) inches above the conduit.
 - b. Underground utilities should be constructed outside the road surface area, and preferably outside the ditch line. As-built plans for each road shall show the location of all buried utilities and a certified copy shall be filed with the Town Road Agent and Planning Board for reference prior to the release of related escrow funds Or their equivalent.

12. **Gravel Base:** Gravel sub-base shall be as described in Appendix Exhibit E1., however these standards may be modified at the discretion of the Town Road Agent or the designated Engineer and approved by the Planning Board..

13. **Surface Course:** Surface course material shall be as specified in Appendix Exhibit E1, according to the vehicles per day average traffic on the road to be constructed as approved by the Planning Board.
 - a. Asphalt surface shall either be a Bituminous Surface Treatment, as per NHDOT Section 410, or Hot Bituminous Pavement, as per NHDOT Section 403, or an Planning Board approved alternative pavement. (See Appendix Exhibits E1,2).

Additional paved width as designated by the Planning Board will be required where on-street parking is expected.

- b. Bituminous Pavement shall be constructed two and a half (2.5 inches) of three-quarter (0.75) of an inch base course, and one and a half (1.5) inches of half (0.5) inch wear course, ninety-five percent (95%) compaction.
14. **Gravel Shoulders:** Gravel shoulders, equal to the gravel base course depth, shall be constructed adjacent to all traveled way surfaces, as defined in Appendix Exhibits E1 and E2.
15. **Curbing:** All curbing, when required by the Planning Board, shall be vertical-face granite, approved by the Town Road Agent and/or the designated Engineer. (See Appendix Exhibit F).
16. **Bridges:** Bridges, as defined by NH RSA 234:2 are all structures of ten (10) feet or greater clear span, and shall be designed to MS-18 (HS-20) loading per American Association of State Highway and Transportation Officials (AASHTO) specifications. The minimum width shall be the same as the Traveled Way plus four (4) feet.
17. **Safety:** Development roads shall provide obstacle-free roadsides to the extent practicable and reasonable. Every effort should be made to provide clear areas within the maintenance limits. The use of flatter side slopes, guardrails as required by the Planning Board, and warning signs are other safety factors that shall be considered.
18. **Maintenance of Way:** When existing Town or State roads and drainage within Town or State rights-of-way must be upgraded as part of an approved subdivision plan, ordinary travel to and from property along the Town or State road shall be accommodated as part of the construction plan. In no case is any Town or State road under construction to be blocked to the passage of emergency vehicles.
19. **Indemnification:** In the event of damage to Town property or facilities, incurred by or from work performed by or for the Applicant, the Applicant shall indemnify, defend, and hold harmless the Town of Sutton Highway Department for subsequent maintenance of affected pavement, shoulders, catch basins, culverts, storm sewers, and any additional costs.
20. **Maintenance until Acceptance:** The Applicant, or its Agent, shall provide the Planning Board a written acknowledgement of the Applicant's responsibilities for maintenance of easement areas and the assumption of the Applicant's 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 of Sutton, Homeowners' or Lot-owners' Association.

21. **Road Acceptance:** Approval by the Planning Board does not constitute acceptance of the road(s) by the Town of Sutton.
22. **Existing Private Roads:** Those included as part of an approved subdivision shall be upgraded or rebuilt to current Town road specifications, at the direction of the Town Road Agent, prior to such road being acceptable by the Town per RSA 229:1 and RSA 674:40.

SECTION D – DRIVEWAY STANDARDS

1. **PURPOSE:** As driveways and entrances are, in effect, intersections, and as they can have a detrimental effect on roads, traffic, and on the ability of the Town to provide such essential services as fire, police, ambulance, and rescue, they therefore require certain controls. These Regulations address issues of size, location, and construction in order to provide safe and efficient access to property that fronts on a private or public way, as well as surface drainage in and around said driveway.
2. **AUTHORITY:** Pursuant to the authority vested in the Sutton Planning Board by the voters of the Town of Sutton, and in accordance with the Provisions of NH RSA 236:13, 674:35, 675:36, 674:43, and 674:44, and the Town of Sutton Zoning Ordinance, Article III-L, Driveways. **Applicant is advised to carefully review the design standards and procedures documented in the Sutton Zoning Ordinance concerning driveways. The below standards primarily apply to that section of a driveway between the road and the Applicant’s property line.**
 - a. **Number:** No more than two (2) driveway entrances shall be constructed from any one (1) street to any one (1) property, unless frontage along that street exceeds five hundred (500) feet. When frontage exceeds five hundred (500) feet, no more than three (3) driveway entrances shall be constructed.
 - b. **Design:** Each lot in a proposed subdivision shall be served by a driveway that conforms to the standards specified in these Regulations, (see Section D below and Appendix Exhibit H). The proposed location of driveways is intended to prove that there is at least one (1) location for each lot that can meet the requirements, especially for traffic safety, before all opportunity for lot-line change is foreclosed by the Planning Board’s approval of the plat. These Driveway Regulations apply when accessing both private and public streets.
 - c. **Location:** Driveway location shall be selected to protect the most adequate degree of safety of the traveling public. The driveway shall be at least fifty (50) feet from the nearest intersection.
 - d. **Sight Distance:** Driveway location shall be selected to provide safe sight

distances which shall be ten (10) times the posted speed limit, but not less than two hundred fifty (250) feet. (See Appendix Exhibit G.)

- e. **Intersection:** Driveway shall be laid out so as to intersect the street as nearly as possible at right angles, but in no case at an angle less than sixty (60) degrees at the ROW line.
- f. **Width:** All driveways shall have a minimum width of twelve (12) feet.
- g. **Grade:** To ensure proper drainage, the grade of all driveways shall be constructed to slope away from the street road surface for a distance equivalent to the ditch centerline, or the ROW line, as applicable. For paved driveways, the minimum rate of slope shall be negative three percent (-3%) to the ditch line. For gravel driveways, the slope shall be a minimum of negative four percent (-4%) to the ditch line. Positive grades rising away from the ditch line into the lot shall not exceed positive four percent (+4%) within the ROW.
- h. **Paved Apron:** Driveways which abut paved streets shall be constructed with paved aprons that shall be as wide as the driveway with a flare of at least five (5) feet on each side where the driveway meets the Traveled Way, and at least five (5) feet in depth or deeper, if deemed necessary by the Planning Board. The paved apron is intended to protect the edge of the road from deterioration.
- i. **Drainage:** The driveway shall not interfere with drainage. Where necessary, culverts, water bars, ditches, and other drainage structures shall be installed to ensure adequate drainage, and to prevent excessive drainage from the driveway on the road. Culverts shall be at least 12 inches in diameter and larger, if considered necessary by the Town Agent, or reviewing Engineer. A minimum of twelve (12) inches of fill shall be placed over the culvert.
- j. **Drawings:** Driveway locations shall be shown on the final plat plan and shall be keyed by station on road profiles when required. Intended grading and drainage improvements shall also be shown.

SECTION E – LANDSCAPING AND PLANTING

Landscaping and the preservation of natural, scenic, and historic features will be encouraged wherever possible.

ARTICLE IX: ADMINISTRATION AND ENFORCEMENT

SECTION A – MODIFICATIONS

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

SECTION B – ACCEPTANCE OF ROADS

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

SECTION C – OTHER REGULATIONS

Where these Regulations conflict with other Ordinances, the more stringent shall apply.

SECTION D – ENFORCEMENT

1. These Regulations shall be enforced by the Board of Selectmen, or its duly authorized representative, as provided in RSA 676:17.
2. Failure of the Applicant to obtain the Planning Board's approval of changes on the approved plat shall cause the Board of Selectmen to issue a "Stop Work" Order on their own motion, or at the request of the Planning Board, detailing the reasons therefore and such other enforcement measures as deemed appropriate and necessary to ensure compliance with these Regulations.
3. A "Stop Work" Order shall include a provision giving the Applicant ten (10) days to request, in writing, a hearing before the Board of Selectmen regarding the terms and conditions of said "Stop Work" Order. Said hearing shall occur within ten (10) days of receipt of such request. Dates of notice and/or hearing shall not be counted in the above time period. This provision does not alter or amend either Party's right of enforcement or appeal, pursuant to RSA 676:15 through 676:19.
4. Minor changes may be approved by the Chair of the Planning Board without a public hearing, provided that there will be no adverse impact on adjacent properties.

SECTION E – PENALTIES

1. **Fines, Penalties, and Injunctive Relief:** Enforcement of these Regulations shall follow the provisions of RSA 676:15, Injunctive Relief; RSA 676:16, Penalties for Transferring Lots in Unapproved Subdivisions; and RSA 676:17, Fines and Penalties.
2. Any owner, or agent of the owner, of any land located within a subdivision, who transfers or sells any land before a plat of said subdivision has been approved by the Planning Board and recorded or filed in the office of the Registry of Deeds shall forfeit and pay the penalty in U.S. dollars at fifteen percent (15%) of the selling price 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.

SECTION F – APPEALS

Any person aggrieved by an official action of the Planning Board may appeal therefrom to the Superior Court.

SECTION G – AMENDMENTS

These Regulations may be amended, added to, or rescinded in whole, or in part, by the Planning Board from time to time, but only following a public hearing on the proposed change.

SECTION H – SAVING CLAUSE

Where any provision included within these Regulations is found to be unenforceable by law, it shall be considered severable from the remainder of the Regulation and shall not be construed to invalidate any other provision in these Regulations.

SECTION I – EFFECTIVE DATE

These Regulations shall become effective on the date of their adoption.

SITE PLAN REVIEW REGULATIONS

TOWN OF SUTTON, NEW HAMPSHIRE

ARTICLE I: AUTHORITY

Pursuant to the authority vested in the Town of Sutton Planning Board voted on at the March 5, 1974 and March 11, 1987 Town Meetings, in accordance with the provisions of RSA 674:43, the Town of Sutton Planning Board adopts the following Site Plan Review Regulations. subsequently amended 2018.

ARTICLE II: GENERAL

These Regulations shall be entitled "Site Plan Review Regulations, Town of Sutton, New Hampshire". Furthermore, these Regulations and procedures shall be consistent with RSA 674:43, 674:44, 675:1, 675:6, 675:7, 675:8, and 675:9.

ARTICLE III: SEPARABILITY

If any section, clause, provision, portion, or phrase of these Regulations shall be held to be invalid, or unconstitutional, by any Court of competent authority, such holding shall not affect, impair, or invalidate any other section, clause, provision, portion, or phrase of these requirements.

ARTICLE IV: APPLICATION OF MOST RESTRICTIVE REGULATIONS

Whenever the Regulations made under the authority hereof differ from those prescribed by any Statute, Ordinance, or other Regulations, that provision which imposes the greater restriction, or the higher standard, shall govern, to the extent not contrary to State Law.

ARTICLE V: PURPOSE

- A. **Nonresidential and Multifamily:** The purpose of these Regulations is to provide for Planning Board review and approval, or disapproval, of all proposed Site Plans for development of land for all nonresidential uses, including public and semi-public buildings, and for multifamily residential units in excess of two (2) units, whether or

not such development or use includes subdivision or re-subdivision of the site. The construction of a residential single or two (2) family dwelling shall not be covered by these Regulations. The purpose is also to provide for the safe and attractive development of the site and guard against such conditions as would involve danger or injury to health, safety, and prosperity in accordance with RSA 674:44.

- B. Change in Use:** Site Plan approval is also required where a change in use of property falling within the above categories involves traffic flow, parking, drainage, water, sewer, or other utilities.

ARTICLE VI: GENERAL STANDARDS

In the review of any Site Plan conducted under these Regulations, the Planning Board shall ascertain that adequate provisions have been made by the owner or its authorized agent for the following:

1. Traffic circulation and access including adequacy of streets, entrances and exits, traffic flow, sight distances, curb cuts, turning lanes, and existing or recommended traffic signalization.
2. Pedestrian and bicycle safety access.
3. Off-street parking and loading.
4. Emergency vehicle access, including review by the Fire, Police, and Highway Departments.
5. Storm water drainage, based upon a ten (10), twenty five (25) and one hundred (100) year storm intensity occurrence, utilizing onsite absorption wherever practical and taking into account the contour of the land.
6. Water supply, wastewater disposal, and solid waste disposal.
7. Environmental factors, such as pollution, noise, odor, and protection of natural land features.
8. A landscaping plan in keeping with the general character of the surrounding area.
9. Signing and exterior lighting.
10. Conformance with all existing Codes.
11. Compliance with provisions of the Zoning Ordinance Building Code, and any other applicable State or Local Ordinances.

ARTICLE VII: SUBMISSION PROCEDURE

- A. All Applications for site plan review shall be made in writing by the owner of the property, or his agent, and shall be accompanied by the payment of an Application for site plan review, together with the documentation required in these Regulations shall be submitted to the Planning Board and placed on the Planning Board's Agenda for consideration within thirty (30) days of its receipt. Within ninety (90) days of acceptance by the Planning Board of a completed Application, the Planning Board shall act to approve or disapprove the Site Plan as submitted or amended, provided that the Planning Board may apply to the Selectmen for an extension not to exceed an additional ninety (90) days before acting to approve or disapprove.
- B. No Site Plan shall be approved or disapproved by the Planning Board without a public hearing thereon. All abutters and the Applicant shall be notified of said hearing by certified mail, return receipt requested, stating the time and place of such hearing, not less than ten (10) days before the date of the hearing. One copy of any approved Site Plan (signed by the Applicant and the Chairman of the Planning Board, or the LUC) shall be included in any Application for a Building Permit, or in any Application for a Variance, or Special Exception.
- C. If the Planning Board votes to disapprove, the owner or his authorized agent shall be notified in writing and specific cause of disapproval shall be noted. Prior to the formal Application, an owner or its authorized agent may request an informal review of the Site Plan by the Planning Board to determine its compliance with Town Regulations.

ARTICLE VIII: SUBMISSION REQUIREMENTS

When the owner of the property or his authorized agent makes formal Application for site plan review, his Application shall contain at least the following exhibits and information:

- 1. A fully executed, signed copy of the Application for site plan review and fee payment.
- 2. Three (3) full-scale and nine (9) eleven (11) by seventeen (17) copies of Site Plan drawn to scale sufficient to allow review of the items listed under the preceding general standards, but at not more than fifty (50) feet to the inch for that portion of the total tract of land being proposed for development and showing the following:
 - a. Owner's name, address, and signature.
 - b. Names and addresses of all abutting property owners, according to the Town Tax Records.
 - c. Map showing general location of the site within the Town.

- d. Boundary of the entire parcel held in single ownership, regardless of whether all or part is being developed at this time.
- e. The bearing & distances of all property lines and the source of this information.
- f. Zoning classification(s) of the property and the location of zoning boundaries, if the property is located in two (2) zones.
- g. Soil types and location of soil boundaries.
- h. The location of all building setbacks required by the Zoning Ordinance.
- i. The location, size, and character of all signs and exterior lighting.
- j. The lot area of the parcel, street frontage, and the zoning requirements for minimum lot sizes and frontage.
- k. The location of all existing and proposed buildings (including size and height), driveways, sidewalks, parking spaces, loading areas, open spaces, large trees, open drainage courses, service areas, easements, and landscaping.
- l. The location of all buildings within fifty (50) feet of the parcel to be developed and the location of intersecting roads or driveways within two hundred (200) feet of the parcel.
- m. A storm water drainage plan showing:
 - 1) The existing and proposed methods of handling storm water runoff;
 - 2) The direction of flow of the runoff through the use of arrows;
 - 3) The location, elevation, and size of all catch basins, dry wells, drainage ditches, swales, retention basins, and storm sewers; and
 - 4) Engineering calculations used to determine drainage requirements based upon a ten (10) twenty five (25) and one hundred (100) year storm frequency if the project will significantly alter the existing drainage pattern, due to such factors as the amount of new impervious surfaces (such as pavement and building areas) being proposed.
- n. Existing and proposed topography of the site at two (2) foot contour intervals.
- o. A utility plan showing provisions for all existing and planned utilities on the site.
- p. A buffer zone of dense planting where the site abuts a zone boundary.

3. Copies of all applicable state approvals and Permits, including, but not limited to:
 - a. Approval of the NHDES Commission of any proposed septic system(s), or addition to septic systems as may be required.
 - b. Approval of the NH Department of Public Works and Highways (PWH) or Planning Board of Public Works (PBPW) for any required Driveway Permits or curb cuts.
 - c. State approval of underground fuel tanks.
 - d. If any of the relevant approvals have not been obtained, they will be a condition of implementation.
3. **Drawings and Plans:** The Planning Board does not require plot plans, elevations, and any other drawings to bear the stamp of an Architect, Surveyor, or Engineer. However, the Planning Board does require that these drawings be done to professional standards and accuracy. It remains the sole discretion of the Planning Board as to whether the submitted drawings meet these requirements.

ARTICLE IX: GUARANTEE AND PERFORMANCE

1. **Security:** The Planning Board may require the posting of a form of security as called for in the Subdivision Regulations, in such amount as is approved by the Planning Board as being reasonably necessary to ensure completion of all improvements required as conditions of approval. Such security must have the prior approval of Town Counsel.
2. **Non-Compliance:** Any owner failing to submit Site Plan for review as required by these Regulations before installing facilities, or starting construction for such facilities, or installation may be enjoined from use of the facilities by the Board of Selectmen.

ARTICLE X: FEES

The Applicant shall pay all costs for Notification of Abutters. The Planning Board shall provide the assessment of reasonable fees to cover the Planning Board's administrative expenses and costs of special investigation, and the review of documents, and other matters which may be required by particular Applications.

ARTICLE XI: WAIVER

When in the opinion of the Planning Board strict conformity with any portion of the Site Plan Review Regulations poses an unnecessary hardship to the Applicant, upon written request of the Applicant, the Planning Board may grant a waiver, provided that such waiver is not contrary to the spirit and intent of these Regulations.

APPENDIX
EXHIBIT A
Lot Configuration Guideline
not to scale

See Zoning Regulations for specific requirements

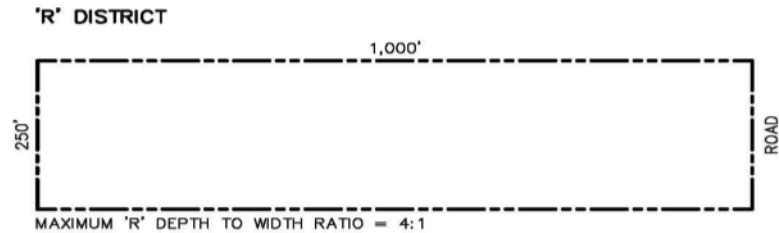
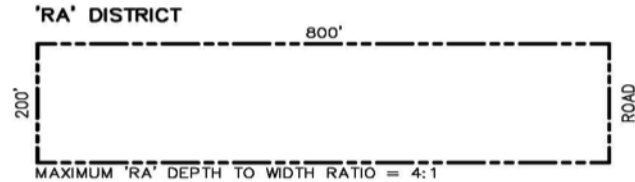


EXHIBIT B
Traffic Impact Report Requirements

NOTE: The intention of the Planning Board in requiring a Traffic Impact Report is to carefully evaluate the potential impact of additional traffic on existing roads and intersections. It is the desire of the Planning Board to maintain a level of service of II on all Township roads and associated intersections.

I. Cover Sheet:

- A. Name, address, and NH certification establishing qualification of Engineer to do a Traffic Impact Analysis.
- B. Name and address of Applicant.
- C. Project name and date.

II. Existing Conditions:

- A. Map of all existing roads and intersections that will be used by project traffic coming and going to US Interstate 89, and to or from the Towns of New London, Andover, Warner, and Newbury.

- B. A summary of existing ROWs, traveled ways, pavement conditions, sightlines, linear gradients, and any other factors (i.e. scenic road designation, stonewalls, major trees within the ROW) that would affect traffic speed and safety of all abutting project access roads.
- C. An existing traffic count and level of service (LOS) capacity analysis of all abutting project access roads and at least all intersections that will be used by project traffic within a mile of the project boundaries.
- D. A description of existing zoning and current land uses adjoining all project access roads and the generated traffic (ADT) therefrom.
- E. A description of potential land uses based on current zoning for land that abuts the project access roads and projected ADT.

III. Proposed Project:

- A. Explanation of proposed internal road configuration, and, if applicable, pedestrian circulation (including ROW, traveled way widths, road profiles and sections, curbing or ditching details, construction specifications, and any special conditions.)
- B. Explanation of any proposed deviations from Town road, sidewalk, or pedestrian path, and driveway standards.
- C. Breakdown of the number and type of residential uses (i.e. single family, two (2) family, multifamily, etc.), the number of bedrooms in each, and the resulting expected peak hour volumes A.M. and P.M. and the ADT.
- D. Explanation with details of new and improved existing intersections, existing road ROW widenings, existing traveled way improvements, and other proposed physical impacts on existing roads and intersections.

IV. Capacity Impact Analysis:

- A. Descriptive chart of total project trip generation (peak hour, A.M./P.M., ADT) and distributive calculations (percent of total volume in all directions) from and to the project on roads and intersections typically within +/- one (1) mile. Use ITE trip generation standards, unless otherwise approved by Planning Board.
- B. Descriptive chart of total project projected ADT plus existing and future background traffic, and the resulting projected LOS capacity analysis of intersections typically within +/- one (1) mile.
- C. Descriptive chart of projected LOS with proposed offsite road and/or

intersection improvements.

- D. Engineering drawings and proposed offsite improvements.
- E. Estimated cost of proposed offsite improvements.
- F. Other factors considered critical by the Planning Board or by the Applicant's Engineer needed to create a reasonably accurate picture of solutions to anticipated problems related to project traffic impacts on existing roads.

V. Appendix:

- A. Traffic counts, date, method, counter type.
- B. Information sources.
- C. Alternate standards.

EXHIBIT C
Hammerhead Detail - not to scale

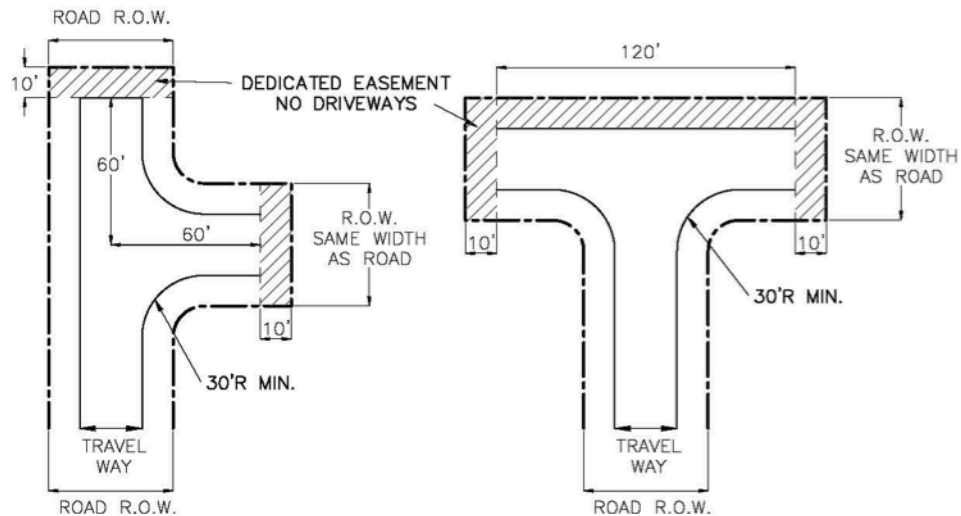


EXHIBIT D Cul-de-Sac Detail - not to scale

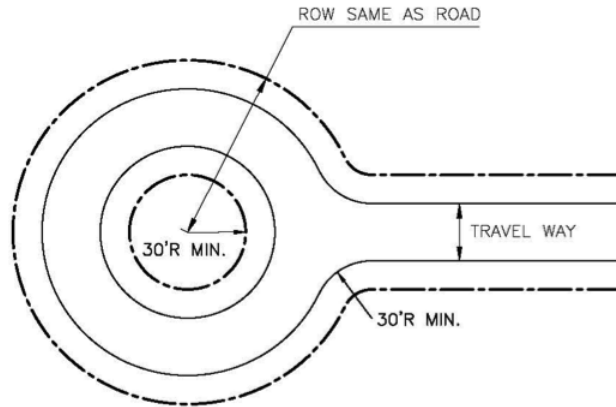


EXHIBIT E1 Road Standards Table

Description	EXISTING ROADS		PROPOSED ROADS			
	Neighborhood	Local A	Local B	Collector A	Collector B	Arterial
Maximum Housing Units Served	3 to 5 ¹	Up to 10 ²	Up to 25	Up to 50	Up to 200	+200
Maximum Average Daily Trips (ADT) ³	Up to 40	Up to 80	Up to 200	Up to 400	Up to 1600	+1600
Minimum Travelled Way	14 ft.	16 ft.	18 ft.	20 ft.	22 ft.	24 ft.
Minimum Shoulder Width ea. Side	3 ft.	3 ft.	2 ft.	4 ft.	4 ft.	8 ft.
Minimum Ditch to Ditch Line ⁴	28 ft.	30 ft.	32 ft.	36 ft.	38 ft.	48 ft.
Minimum Sub-base Gravel Course ⁵	12 in.	12 in.	12 in.	18 in.	18 in.	24 in.
Min. Base Crushed-Gravel Course ⁶	6 in.	6 in.	6 in.	6 in.	6 in.	12 in.
Min. Travelled Way Surface Material ⁷	G	G	B	B	B	B
Minimum Right of Way	33 ft.	40 ft.	48 ft.	50 ft.	50 ft.	60 ft.
Design Speed ⁸	15 mph	25 mph	25 mph	30 mph	30 mph.	40 mph.
Minimum Clear sight distance ⁹	150 ft.	250 ft.	250 ft.	300 ft.	300 ft.	400 ft.
Maximum Cross Slope	4%	3%	3%	3%	2%	2%

¹ For **existing Neighborhood roads only** with a maximum of 5 houses or lots; more than 5 served houses will require resolution with the Planning Board to provide the necessary emergency vehicle laybys approximately every 800'

² For **existing Local A roads only** with a maximum of 10 houses or lots; more than 10 served houses will require resolution with the Planning Board to provide the necessary emergency vehicle laybys approximately every 800'

³ Assumes 8 single trips per day per house and a ±20-year projection of possible growth.

⁴ Ditch line is located where the bottom of the sub-base meets the base of the ditch or a 1:4 slope whichever is less, see exhibit E2

⁵ Bank run gravel with no cobbles over 4" in diameter; 95% compaction

⁶ 1 ½" diameter crushed gravel; 95% compaction

⁷ G= hardpack, mixed gravel or approved equivalent 1 ½" deep; B= hot bituminous concrete 2" base with 1" finish. 95% compaction

⁸ Design speed may be reduced by the Planning Board for special conditions, such as sight lines, scenic roads, etc.

⁹ Clear sight distance at 30" from the ground shall be at least 10 times the posted speed.

EXHIBIT E2 Road Detail - not to scale

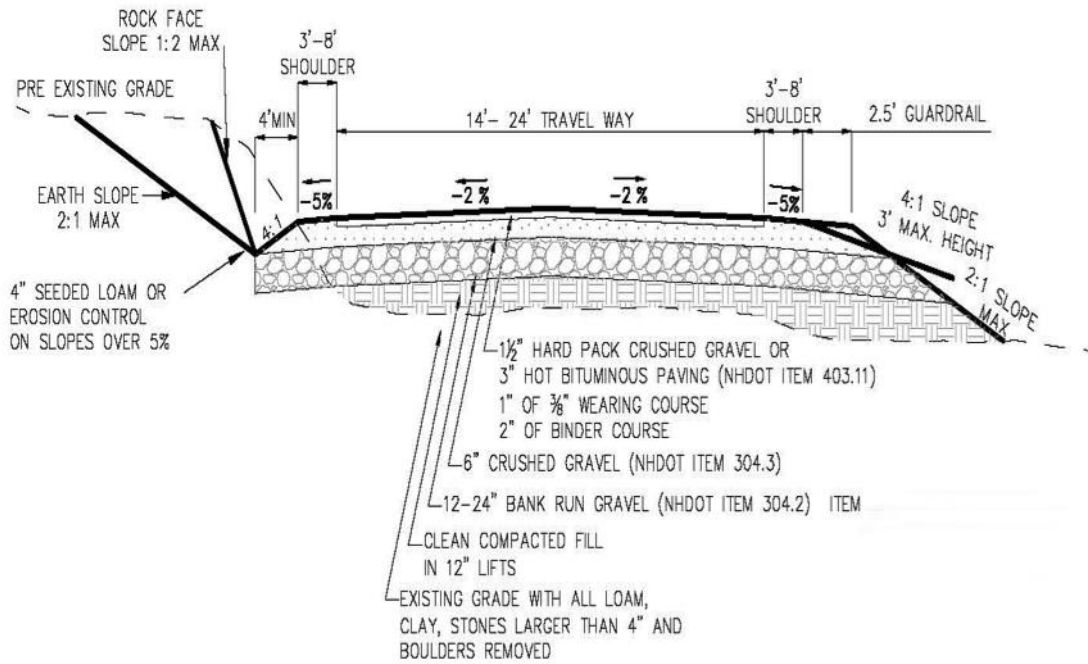


EXHIBIT F Sidewalk Detail - not to scale

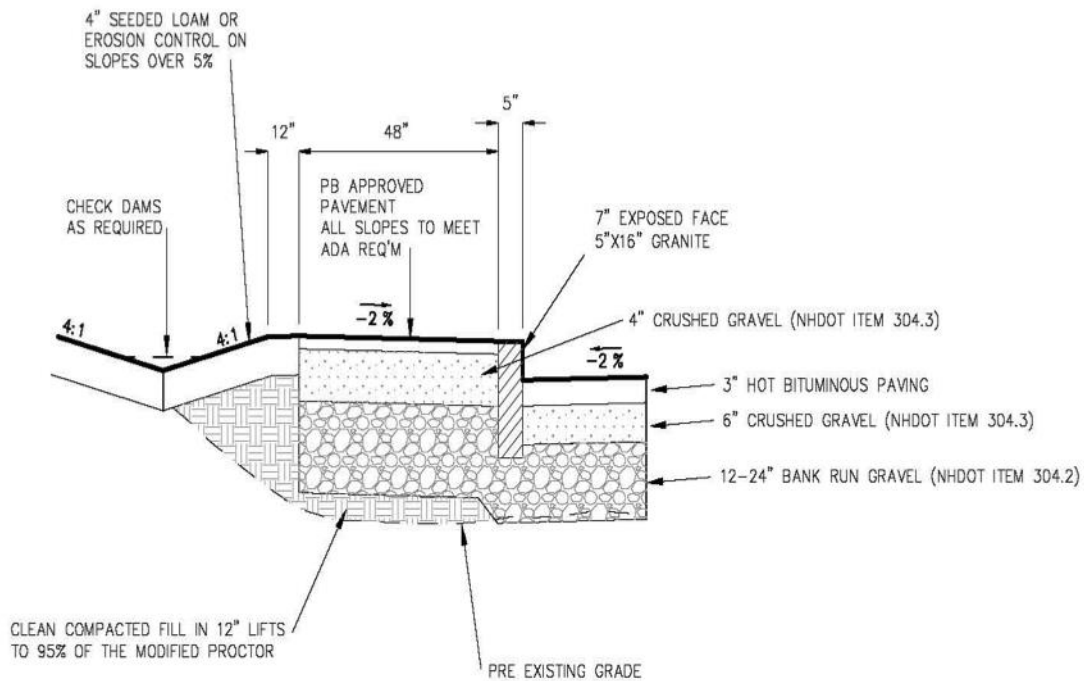


EXHIBIT G
Safe Sight Distance - not to scale

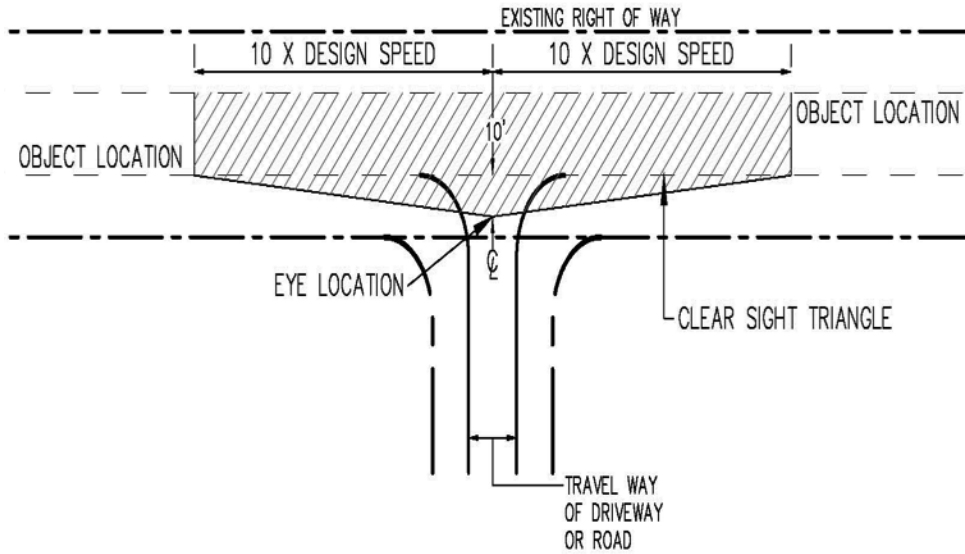
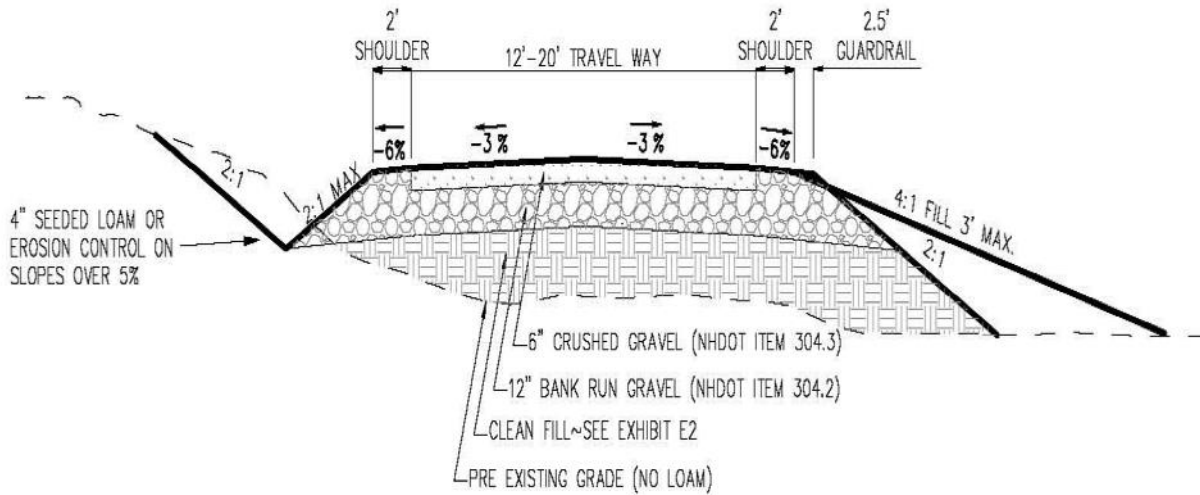


EXHIBIT H
Driveway Detail- not to scale



NOTES:
MAXIMUM SIDE GRADIENT 4%

**MAXIMUM LINEAR GRADIENT 5%
LAYBY 8 FEET WIDE AT LEAST EVERY 800 FEET**

END