

TOWN OF CHATHAM, NH

**REGULATIONS FOR THE SUBDIVISION OF
LAND**

Adopted by the Chatham Planning Board March 7, 1972

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Table of Contents

Section I.	Authority and Purpose	Page 1
Section II.	Definitions	Pages 2-4
Section III.	General Requirements for Subdivision of Land.....	Page 5
Section IV.	Subdivision Review Procedures	
	A. Preliminary Conceptual Consultation.....	Page 6
	B. Design Review Phase.....	Page 6-7
	C. Submission of Completed Application.....	Page 7
	D. Board Action on Completed Application.....	Page 8
	E. Failure of Planning Board to Act.....	Page 8
	F. Conditional Approval.....	Page 9
	G. Expedited Review.....	Page 9
	H. Public Hearing.....	Page 9
	I. Notification/Notices.....	Page 9-10
	J. Fees and Costs.....	Page 10
	K. Site Inspection.....	Page 10
	L. Filing Plat.....	Page 10
Section V.	Submission Requirements.....	Pages 11-13
Section VI.	Developments Having Regional Impact.....	Page 13
Section VII.	Special Flood Hazard Areas.....	Page 13-14
Section VIII.	Performance Guarantee	Page 14
Section IX.	Revocation of Planning Board Approval	Page 14-15
Section X.	Administration and Enforcement	
	A. Administration and Enforcement Statement.....	Page 15
	B. Before Approval of Final Plat.....	Page 15
	C. Construction of Subdivision.....	Page 15-16
	D. Penalties and Fines.....	Page 17
	E. Appeals.....	Page 17
Section XI.	Exceptions.....	Page 17-18
Section XII.	Waivers.....	Page 18
Section XIII.	Back Lot Exception.....	Page 19
Section XIV.	Validity	Page 19

Section XV. Amendments.....Page 19

Section XVI. Effective Date.....Page 19

APPENDICES:

A. Survey and Monument Standards.....Page A-1

A. Road and Driveway Design and Construction Standards

Road Design Standard.....Page B-1, 2
Construction Standards..... Pages B-3, 4
Driveway Standards..... Page B-5
Driveways to Back Lots.....Page B-6
Private Roads..... Page B-6, 7
Road Acceptance.....Page B-7, 8
Road Construction Waivers.....Page B-8

Table I:

Town Road Specifications.....Page B-9

Exhibits:

Typical Road Sections:

Gravel Road.....Page B-10
Paved Road.....Page B-11
Cul De Sacs.....Page B-12

B. Check Lists for Subdivisions:

Minor Subdivisions and Boundary (Lot) Line Adjustments.....Page C-1, 2
Major Subdivisions.....Pages C-3, 4

D. Fee Schedule.....Page D-1

SUBDIVISION REGULATIONS OF THE TOWN OF CHATHAM, NEW HAMPSHIRE

Section I Authority and Purpose

Pursuant to the authority vested in the Chatham Planning Board by the voters of the Town of Chatham, NH, on March 7, 1972, and in accordance with the provisions of RSA Chapters 672-677, and subsequent amendments, and the Condominium Act of 1977 (RSA 356-B), the Chatham Planning Board adopts the following regulations governing the subdivision of land in the Town of Chatham, New Hampshire. This ordinance shall be known as and may be cited as "Chatham Subdivision Regulations."

The purpose of these regulations shall be to promote the development of an economically sound and stable community by protecting property values, the natural beauty and the uniquely rural character of the area; by encouraging subdivision that is in harmony, visually and aesthetically, with the community; to assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian; to assure, in general, the wise development of areas in harmony with the community; to create conditions favorable to health, safety, convenience and/or prosperity; and to secure equitable handling of all subdivision plans by providing uniform procedures and standards for observance by both the applicant and the Planning Board.

Section II Definitions

General Definitions: Except as specifically defined herein, all words in this ordinance shall carry their customary dictionary meanings. Certain words or terms used in this ordinance are defined as follows: "Town" or "Municipality" means the Town of Chatham, New Hampshire. "Municipal Officers" means the Board of Selectmen, Chatham, New Hampshire. Words used in the present tense include the future tense. Words used in the singular include the plural, and words used in the plural include the singular. The word "shall" is always mandatory. The word "person" includes a firm, association, group, organization, partnership, trust, company, or corporation, as well as an individual. The word "lot" includes the word "plot" or "parcel." The word "building" includes the word "structure." The word "used" or "occupied," as applied to any land or buildings, shall mean "intended, arranged, or designed to be occupied."

Abutter: Any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the Planning Board. For purpose of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his/her land will be directly affected by the proposal under consideration. For purposes of receipt of notification by the Town of Chatham of a Planning Board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term "abutter" means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by the Town of Chatham of a Planning Board hearing, in the case of an abutting property being under a manufactured housing park form of ownership as defined in RSA 205-A:1, II, the term "Abutter" also includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the road or stream from the land under consideration by the Planning Board.

Applicant: The owner of record of the land to be subdivided, or his/her designated agent duly authorized in writing at the time of the application.

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 all other applicable ordinances and regulations.

Approval, Conditional: Recognition by the Planning Board that the preliminary layout appears to satisfy all requirements established herein for the preliminary layout submission phase. "Conditional Approval" does not constitute, nor should it be construed as, approval, either implied or granted, of the final plat; nor does it bind the Planning Board to approval of the final plat; nor does it allow for any commencement of construction or development.

AASHTO: American Association of State Highways and Transportation Officials

Board: The Planning Board of Chatham, New Hampshire.

Boundary (Lot) Line Adjustments: Means the exchange of abutting land among two or more owners, which does not increase the number of owners or the number of lots and does not create a nonconforming lot or add to the degree of non-conformity of existing lots.

Easement: That land area created through authorization by a property owner for the use by another and for a specified purpose of any designated portion of his/her property.

Lot: Means a parcel of land capable of being occupied by one principal use that is sufficient size to meet the minimum requirements of the Subdivision Regulations of the Town of Chatham.

Lot, Back: A large lot not meeting minimum frontage requirements and where access to the public road is by a narrow, private right-of-way or driveway.

Lot Line: The property line dividing a lot from a road, right-of-way, a body of water or adjacent property

Lot of Record: A parcel, the plat or description of which has been recorded at the Carroll County Registry of Deeds.

Master Plan: The comprehensive plan or plan of development for the community as prescribed by law in RSA 674:2.

Planner: A qualified consultant engaged by the Planning Board.

Plat, Final: The map, drawing, or chart on which the plan of subdivision is presented to the Chatham Planning Board for approval, and which, if approved, will be submitted to the Registry of Deeds of Carroll County for recording.

Plat, Preliminary: A layout plan prepared as required by the Planning Board and submitted to the Board prior to preparing the final plat.

RSA: The New Hampshire Revised Statutes Annotated, and subsequent amendments. (Statutes are available for review as of 4/12/04 at State of New Hampshire Revised Statutes Online, <http://gencourt.state.nh.us/rsa/html/indexes/default.html>. Link is subject to change.)

Right-of-Way: A strip of land for which legal right of passage has been granted by the landowner to provide access to a lot.

Road Frontage: The measured distance along a Class V or better highway, and/or a road shown on a subdivision plan approved by the Planning Board.

Road, Collector: A road which, in addition to giving access to abutting properties, serves to carry traffic from local streets to thoroughfares and to public and other centers of traffic concentration. A collector road may be further classified as major or minor, depending on average daily traffic count.

Road, Local: A road or highway used primarily for heavy and/or through traffic.

Road, Private: Means a road that is built to town road specification that remains under private use and ownership.

Road, Public: Means a State highway, or a highway or road which is lawfully existing and maintained by the Town for vehicular travel, including the entire area within the right-of-way, avenues, boulevards, highways, streets and all other ways.

Slope: The steepness of land surface. Slope is expressed in percent by dividing the change in elevation by a given horizontal distance and multiplying by 100 percent.

Site: That portion of a lot, tract or parcel of land upon which a structure is placed, including all physical improvements.

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 several owners shall be deemed a subdivision.

Subdivision, Major: A subdivision not meeting the definition of a Minor Subdivision or Boundary (Lot) Line Adjustment.

Subdivision, Minor: A subdivision of land which creates not more than three (3) lots for building development purposes using existing roads, or which is a proposal that does not involve the creation of lots for building development purposes.

Wetlands: Shall be delineated on the basis of hydrophytic vegetation, hydric soils, and wetland hydrology. in accordance with the techniques outlined in the "Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1." The hydric soil component shall be determined by using the "Field Indicators for Identifying Hydric Soils in New England, Version 2," July 1996.

Section III General Requirements for the Subdivision of Land

A. Character of Land for Subdivision: Land of such character that it cannot, in the judgment of the Board, be safely used for building development purposes because of exceptional danger to health or peril from fire, flood, poor drainage, excessive slope, or other hazardous conditions, shall not be platted for residential, commercial, or industrial subdivision, nor for such other uses as may increase danger to life or property, or aggravate the flood hazard.

B. Premature Subdivision: The Board may provide against such scattered or premature subdivision of land as would involve. danger or injury to health, safety, or prosperity by reason of the lack of water supply, sewage disposal, drainage, transportation, schools, fire protection or other public services which necessitate the excessive expenditure of public funds for the supply of such services (RSA: 674:36, II (a)).

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

D. Lots:

1. Areas set aside for parks and playgrounds to be dedicated or reserved for the common use of all property owners shall be of reasonable size and character for neighborhood playgrounds and other recreational uses.
2. Lots shall be laid out and graded to eliminate flood or stagnant water pools. No water shall be permitted to run across a street on the surface, but shall be directed into catch basins and pipes underground in a pipe of not less than 12 inches in diameter.
3. No lot in any subdivision shall be created with an area of less than 3 acres and with road frontage of less than 300 feet. Please refer to Section XIII, page 15, for the Back Lot Exception.
4. Insofar as is practical, side lot lines shall be at right angles to straight roads, and radial to curved roads.

E. Reserve Strips: Reserve strips of land that show an intent on the part of the sub divider to control access to land dedicated or to be dedicated to public use shall not be permitted.

F. Septic Systems and Water Supply

1. It shall be the responsibility of the applicant or his/her agent to demonstrate that the lot is suitable for on-site sewerage and water supply per WS 1000. In subdividing parcels with existing dwellings, the applicant must demonstrate to the satisfaction of the Board that the existing septic system is in good working order and shows suitable replacement area.
2. All new wells shall have a minimum protective radius of 75 feet, with said radius to be located entirely on its lot.

Section IV Subdivision Review Procedures

Whenever any subdivision of land is proposed, before any construction, land clearing, or building development is begun, and before any subdivision plat may be filed in the Registry of Deeds in Carroll County, the sub divider or his/her authorized agent shall apply for and secure approval of such proposed subdivision in accordance with the following procedure.

A. Preliminary Conceptual Consultation (Optional)

1. The applicant may request a meeting with the Board to discuss a proposal in conceptual form and in general terms. Although this phase is strictly optional, the Board strongly suggests that the applicant avail him/herself of the opportunity to resolve any issues at this early stage that might be a problem later on. Such pre-application consultation shall be informal and directed toward:
 - a. Reviewing the basic concepts of the proposal
 - b. Reviewing the proposal with regard to the Master Plan and Subdivision Regulations
 - c. Explaining the state and local regulations that may apply to the proposal
 - d. Determination of the proposal as a major or minor subdivision and of the submission items that would be required.
2. Preliminary conceptual consultation shall not bind the applicant or the Board. Such discussion may occur without formal public notice as provided in Section IV:H, I. However, no discussions beyond the conceptual and general review shall take place as described in Section IV: I.
3. Conceptual consultation and review shall be separate and apart from formal consideration under Section V: A, and the time limits for acting under Section IV: D shall not apply until a formal completed application is submitted.

B. Design Review Phase (Optional)

1. The applicant may submit a plan for design review to the Chair or Vice Chair of the Board not less than 21 days before any regular meeting of the Board. This optional step may aid both the applicant and the Board in reviewing the proposal. The design review submission shall include:
 - a. List of abutters and their addresses taken from Town records
 - b. Check to cover cost of abutter Certified Mailing(s) and public notice(s) in local paper (See Appendix D for a complete list of fees)

- c. A preliminary plan in accordance with Section V, stamped "design review" to distinguish it from a completed application.
2. The Board, before taking action on the design review, may discuss the plan with the applicant, and after such discussion, the Board may communicate to the applicant specific suggestions to assist in resolving problems prior to the submission of a completed application. The Board may inform the applicant of any special studies required by the subdivision regulations that may be required in a completed application, such as the impact of the proposal on waters, roads, traffic, schools, fire protection, or other services.
3. Notice of the submission of a preliminary layout shall be given as provided in Section IV: I.
4. Time limits for consideration and action shall not apply to this submission. Public hearing notice requirements shall apply.

C. Submission of Completed Application (Required)

1. A completed application shall be filed with the Chair or Vice Chair of the Planning Board at least 15 days before a regular meeting of the Board. A completed application shall consist of all data required in Section V of these regulations. When consideration of an application is continued and new information is required, the Board shall specify the deadline for filing this new information. In no case shall it be less than seven (7) days prior to the meeting. The deadline shall be stated in the motion to continue.
2. The completed application shall be formally submitted for acceptance by the Board only at a regularly-scheduled public meeting after due notification to the applicant, abutters, and the general public of the date the completed application will be submitted and received by the Board
3. An incomplete application filed by the applicant will not be formally accepted by the Board, nor will notices of a public meeting be mailed, posted, or published as provided under Section IV, J.
4. Applications may be disapproved by the Board without public hearing on grounds of failure of the applicant to supply information required by these regulations, including:
 - a. Abutters' identification and information required for preliminary layout
 - b. Failure to pay costs of notices or other costs and fees required by these regulations
 - c. Failure to meet any reasonable deadline established by these regulations
 - d. Failure to provide the appropriate plans.
5. When a completed application has been accepted by the Board, the Board shall provide a receipt to the Applicant indicating the date of formal acceptance.

D. Board Action on Completed Application

1. The Board shall begin consideration of the completed Application within 30 days of its acceptance. The Board shall act to approve, conditionally approve, or disapprove the Completed Application and final plat within Sixty-five (65) days after submission of the completed application, subject to extension or waiver as provided in accordance with RSA 676:4-I(f).
2. Conditional approval shall be valid for a period as determined by the Planning Board, but not to exceed 30 days, in order to enable the Planning Board to make the decision to approve or disapprove a proposal within 65 days from the acceptance of the completed application.
3. Approval of the final plat shall be certified by written endorsement on the final plat and signed by the Chair or Vice-Chair of the Planning Board. The Chair or Vice-Chair shall transmit a copy of the final plat with such approval endorsed in writing therein to the Registry of Deeds of Carroll County within thirty 30 days of approval. The sub divider shall be responsible for the payment of all recording fees. In the case of disapproval of any plat submitted, the grounds for such disapproval shall be adequately stated in the records of the Planning Board and written notice given to the applicant.
4. The Board may apply to the Selectmen for an extension not to exceed an additional 90 days before acting to approve, conditionally approve, or disapprove an application. An applicant may waive the requirement for Board action within the time periods specified in these regulations and consent to such extension as may be mutually agreeable.

E. Failure of the Planning Board to Act

1. If the Planning Board has not obtained an extension as provided in these regulations, and has not taken action to approve or disapprove the completed application within 65 days of its acceptance, the applicant may obtain from the Selectmen an order directing the Board to act on the application within 30 days.
2. If the Planning Board fails to act on the application within the 30-day time period, then within 40 days of the issuance of the Selectmen's order, the Selectmen shall certify on the applicant's application that the plat is approved unless within those 40 days they find in writing that the plan does not comply with a specific subdivision regulation. In the event the Selectmen fail to act, the applicant may petition Superior Court to approve the plan as provided in RSA 676:4.

F. Conditional Approval

The Board may grant conditional approval of an application, but the plat will not be signed or recorded until all of the conditions have been met. If the applicant has not complied with the conditions of approval within 1 year, the approval is considered null and void, and the applicant must submit a new subdivision application. A further public hearing is not required when such conditions:

- are administrative in nature;
- involved no discretionary judgment on the part of the Board;
- involve the applicant's possession of permits and approvals granted by other boards or agencies, such as the Department of Transportation, the Wetlands Board, or Water Supply and Pollution Control Division: however, any subsequent change to the plan required by such approvals would constitute grounds for a new application process.

G. Expedited Review

1. The Planning Board may allow for an expedited review of applications for lot line adjustments or minor subdivisions, as defined in Section II of these regulations.
2. The completed application may be submitted, accepted, and voted on at the same meeting, provided the public notice so indicates.
3. The Board may waive certain plat requirements for lot line adjustments and minor subdivisions.

H. Public Hearing

Prior to the approval of a subdivision, a public hearing shall be held pursuant to RSA 676:4, I (e) with notice given to the applicant, abutters, and the public. The public hearing shall be held within 30 days after submission of the completed application. If a public hearing is to be held, it shall follow the procedures as outlines in Paragraph I of this section.

I. Notices

1. Notice of a Design Review, submission of a completed application, or a Public Hearing shall be given by the Board to the abutters and the Applicant by certified mail, mailed at least 10 days prior to the submission. The public will be given notice at the same time, by posting at the Town Office, Town Hall, the Community Board in South Chatham, and publication in a newspaper with general circulation in Mt. Washington Valley and Town of Chatham.

2. The notice shall give the date, time, and place of the Planning Board meeting at which the application or other item(s) will be formally submitted to the Board, shall include a general description of the proposal which is to be considered, and shall identify the applicant and the location of the proposal.
3. Continuation of a meeting or public hearing shall not require new public notices provided that, at the prior hearing, the Board shall state the location, 'date, and time at which the continued session will resume, and deadlines for the submission of new or updated materials.

J. Fees and Costs

1. All applications shall be accompanied by a check to reimburse the Board for its administrative and notification costs involved in processing applications. A schedule of fees is included in Appendix D of these regulations.
2. All costs of notices, whether mailed, posted, or published, shall be paid in advance by the applicant. Failure to pay costs shall constitute valid grounds for the Board to not accept the application as complete.
3. Pursuant to RSA 676:4, I(g), it shall be the responsibility of the applicant, if the Board deems it necessary, to pay reasonable fees for special investigative studies, environmental assessments, legal review of documents, administrative expenses, and other matters which may be required to make an informed decision on a particular application. Failure to pay such costs shall constitute valid grounds for the Board to terminate further consideration of the application and to disapprove the Plat without a public hearing.

K. Site Inspections

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

L. Filing Plat with County Registry of Deeds

An approved subdivision plat shall be recorded with the Carroll County Registry of Deeds prior to any sale or transfer of land within the subdivision.

Section V Submission Requirements

A. Information and documents for optional pre-application reviews, conceptual consultation, and design review

1. The following items are required for pre-application review and conceptual consultation:
 - a. A base map, Tax Map, or United States Geological Survey Map to show the location of the proposal
2. The following items are required for design review:
 - a. A site location map
 - b. A site survey showing natural and man-made features of the site
 - c. Other existing or proposed subdivisions in the area adjacent to the site
 - d. A topographic map of the area
 - e. Soils information, percolation and boring data
 - f. A sketch showing proposed lots or building sites, layout of roads, recreation area, watercourses, natural features and easements and abutters' names and addresses

B. Information required for completed application acceptance

Please see Appendix C for checklists for completed applications. At a minimum, the completed application shall consist of the following items unless a written waiver from the Applicant has been granted by the Board: a completed application form, accompanied by the following:

1. Names and addresses of all abutters, taken from the town records not more than 5 days before the day of filing. In the case of an abutting property being under condominium or other collective form of ownership, the term abutter means the officers of the collective or association. It shall be the applicant's responsibility to ensure that the names and addresses regarding officers of a collective or association notices under this article are current and complete. In the case of an abutting property being in another municipality, it shall be the applicant's responsibility to ensure that the names and addresses regarding those properties are current and complete.
2. Payment to cover filing fees, mailing, advertising, recording and other costs as provided in Section IV-J.
3. Four paper print copies of the preliminary layout are required, prepared at any scale between 1"=20' and 1"=400'. The outside dimensions of the Mylar shall be 17x22", or 22x34", except as may be otherwise specified by the Carroll County Registry of Deeds.

The plat shall show the following:

- a. Proposed subdivision name or identifying title; name and address of the applicant and of the owner, if other than the Applicant.
- b. North arrow, scale, date of the plan; name license number and seal of the surveyor; signature block for Planning Board endorsement.
- c. Names of all abutting subdivisions, roads, easements, building lines, parks and public places, and similar facts regarding abutting properties.
- d. Locus plan showing general location of the total tract within the Town
- e. Boundary survey including bearings, distances, and the location of permanent markers. The survey shall be conducted according to the standards outlines by the New Hampshire Land Surveyors Association.
- f. Location and profiles with elevations of existing and proposed water mains, sewers, culverts, drains, and proposed connections or alternative means of providing water supply and disposal of sewage and surface drainage, as applicable.
- g. Existing and proposed easements, rights-of-way, driveways, and building or other structures.
- h. Location of property lines, including entire undivided lot, lot, areas in square feet and acres, and frontage on rights-of-way. Each lot shall be numbered according to the Town tax map numbering system.
- i. Water courses, ponds, standing water, rock ledges, stone walls and other natural features; existing and proposed foliage lines; and open space to be preserved.
- J. Existing and proposed topographic contours at 5' intervals, with at least 1 benchmark, plainly marked in the field and shown on the plan with its elevation.
- k. Copy of the owner(s) most current deed for the subject property as duly recorded in the Carroll County Registry of Deeds.

C. Other Information

1. Plan for the control of sedimentation and erosion, if applicable.
2. State subdivision design approval, copy of application, or certification by septic designer.
3. State highway/Town driveway permit, as applicable.

4. Any other state application(s) or approval(s), as prescribed by law, from any other state or federal agency, which may have jurisdiction.
5. Any deed restrictions; and all deeds covering land to be used for public purposes, easements, and rights-of-way over property to remain in private ownership and rights of drainage across private property are submitted in a form satisfactory to the Board's counsel.
6. Any additional reports, studies, or professional services the Planning Board deems necessary in order to make an informed decision, to be procured at the applicant's expense. The Board reserves the right to request such information after an application has been accepted as complete, as well as before acceptance.

Section VI Developments Having Regional Impact

All applications shall be reviewed for potential regional impacts. Upon such a finding, the Board shall follow the statutory procedures outlined in RSA 36:57, as amended.

Section VII Special Flood Hazards Areas

All subdivision proposals governed by these regulations having land identified as special flood hazard areas on the Flood Insurance Rate Maps for Carroll County, shall meet the following requirements.

- All subdivision proposals shall be located and designed to assure that all public utilities and facilities, such as sewer, electrical and water systems, are located and constructed to minimize or eliminate flood damage and adequate drainage is provided to reduce exposure to flood hazards.
- Subdivision proposals shall include 100-year flood elevation data when any portion of the Development is within a special flood hazard area.
- In riverine situations, prior to the alteration or relocation of a watercourse the applicant for such authorization shall notify the Wetlands Bureau of the New Hampshire Department of Environmental Services and submit copies of such notification to those adjacent communities as determined by the Planning Board. Within the altered or relocated portion of any watercourse, the applicant shall submit to the Planning Board certification provided by a New Hampshire registered professional engineer assuring that the flood-carrying capability of the watercourse has been maintained.
- Where new or replacement water and sewer systems (including on-site systems) are proposed in a special flood hazard area, the applicant shall provide the Planning Board with assurances that new and replacement sanitary sewerage systems are designed to minimize or eliminate infiltration of floodwaters into the systems and that discharges from the systems into floodwaters and onsite disposal systems are located to avoid impairment to them or contamination from them during flooding.

- The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

Section VIII Performance Guarantee (for major subdivisions only)

- A. Proper surety in the form of cash or bonds must be submitted to the Town to insure the completion of work. No work shall start on the property until proper surety is in place. The surety amount shall be 115% of the current estimated cost.
- B. The security shall be approved as to form and sureties by the Board and the Town counsel. A utilized cost estimate shall be submitted for approval prior to the surety being accepted. The cost estimate shall include the costs of inspection and testing. Surety may be drawn down no more often than monthly. In no case shall the surety be drawn below ten percent until the completed road has successfully stood for one year
- C. The surety may be used by the Town to repair work which has failed or was not performed in accordance with the plans and specifications, to restore the site should the project default, to cover the cost of testing and inspections and to cover legal fees the Town may incur during the collection process.
- D. Where electric lines or other utilities are to be installed by a corporation or public utility, a letter of intent shall be required stating that the work will be done in reasonable time and without expense to the Town.
- E. Each approved plat shall contain a time limit for the completion of roads and public improvements. The performance guarantee shall be released in phases as portions of the secured improvements or installations are completed and approved by the Board or its designee, in accordance with the plan approved by the Board.

Section IX Revocation of Planning Board Approval

An approved and recorded subdivision plat may be revoked by the Board in whole or in part under the procedures of RSA 676:4-a, as amended, under the following circumstances:

- A. At the request of or by agreement with the applicant;
- B. when any requirement or condition of approval has been violated;
- C. when the applicant or successor in interest to the applicant has failed to perform any condition of approval with a reasonable time specified in the approval, or, if no such time is specified, within the time periods specified in RSA 674:39;
- D. when the time periods specified in RSA 674:39 have elapsed without any vesting of rights as set forth herein, and the plat, plan, or other approval no longer conforms to applicable regulations;

- E. when the applicant or successor in interest to the applicant has failed to provide for the continuation of adequate security as provided by RSA 674:36, III (b) and 674:44, III (d) until such time as the work secured thereby has been completed.

Section X Administration and Enforcement

- A. These regulations shall be administered by the Planning Board. The enforcement of these regulations is vested with the Planning Board and/or Selectmen.
- B. Before approval of the final plat is given, the Planning Board may require that the applicant obtain written statements that the proposed subdivision is satisfactory to Town Officials as follows:
 - a. The Board of Selectmen as to the design of the roads, water, and drainage facilities including the location of easements, and the relationship of the proposed facilities to existing public facilities and public ways.
 - b. The Chief of the Saco Valley Fire Association as to the location of hydrants or ponds where they are to be provided.
 - c. The Constable as to vehicular and pedestrian traffic safety and access for emergency vehicles.

C. Construction of Subdivision:

- a. Where an applicant has agreed to construct improvements within a subdivision, such as roads, drainage measures, and utilities, the planned improvements shall be completed in compliance with these regulations within 2 years of Board approvals. The Board may extend the date an additional reasonable period of time upon written request of the applicant if the Board finds that conditions exist which are beyond the control of the applicant and prevent compliance within the 2-year period.
- b. Inspection of improvements: prior to commencing construction, the applicant shall pay to the Town an amount of money estimated by the Board to fully compensate the Town for all inspection and resting charges deemed necessary. The applicant shall notify the Board in writing of the time when construction is proposed to commence so that the Board may cause inspection to be made to insure that all Town specifications and requirements shall be met. It shall be the responsibility of the applicant to notify the Town during the period of construction when inspection is ready to be made. See Appendix B for road specifications.

- c. **Modifications of Designs and Improvements:** if at any time before or during the construction of the subdivision, the Board determines that unforeseen conditions make it necessary or preferable to modify the location or design of any of the required improvements or installations, the Board may authorize such modifications which shall be set forth in writing and signed by the Chair of the Board. The applicant shall accept the modifications in writing to the Planning Board before such modifications are made.

- d. **Completion of Improvements and Deficiencies:** the applicant shall notify the Board in writing when all requirements have been met. The applicant's engineer or other representative shall certify compliance with the approval including correction to the extent necessary of any original installation. Where a bond has been required and all required improvements have been satisfactorily completed, the Chair shall release the bond in accordance with Section VIII of these regulations. If it is determined that any of the required improvements have not been completed in accordance with the approval, the Board shall then notify the applicant in writing of any such deficiencies. The applicant shall rectify all deficiencies at the expense of the applicant. If the applicant does not substantially rectify all deficiencies within a reasonable time as determined by the Town, the Board shall take all necessary action to protect and preserve the Town's rights and interests, including suspension and/or revocation of the approval. In the event of legal action, the Town shall be entitled to have reasonable attorney fees awarded by the Court.

- e. **Guarantee of Improvement Installations:** For a period of one year after completion of all improvements or one year after the correction of all deficiencies, whichever occurs last, if the Board determines that the improvements have failed for any reason or do not meet the requirements as set forth in the approval, the Board shall notify the applicant in writing of such failures and the applicant shall rectify all failures at the expense of the applicants. If the applicant does not substantially rectify all deficiencies within a reasonable time as determined by the Board, then the Board shall take all necessary action to protect and preserve the Town's rights and interests. In the event of legal action, the Town shall be entitled to have reasonable attorney fees awarded by the Court.

D. Penalties and Fines:

No subdivision of land shall be made, and no land in any subdivision shall be transferred, sold or offered for sale until a final plat, prepared in accordance with the requirements of the regulations, has been approved by the Planning Board. As provided in RSA 676:16, any owner, or agent of the owner, of any land located within a subdivision who transfers or sells any land before a plan of the said subdivision has been approved by the Planning Board and recorded or filed in the Registry of Deeds, shall forfeit and pay a penalty of \$1,000.00 for each lot or parcel so transferred or sold; and the description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from such penalties. The Town of Chatham may enjoin such transfer or sale and may recover the said penalty by civil action. In any such action, the prevailing party may recover reasonable court costs and attorneys' fees as the same may be ordered by the Court.

E. Appeals:

Any person aggrieved by any decision of the Planning Board concerning a plat or subdivision may present to the Superior Court a petition, duly verified, setting forth that such decision is illegal in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within 30 days after the filing of the decision in the office of the Planning Board, as may be required by RSA 677:15.

Section XI Exceptions

- A. Public Taking: the division of a tract or parcel of land by public taking, such as the creation of a right-of-way across the property shall be exempt from the requirements of these regulations.
- B. Public Utility Applications: Pursuant to RSA 674:30, on application of a public utility company, the Planning Board may waive any requirements in its subdivision regulations to permit the construction, maintenance and operation of an unoccupied structure which is less than 200 square feet in surface area necessary for the furnishing of utility service so long as the Board shall make findings based on evidence presented to it in each specific case that:
 - 1. The utility service provided by a public utility company and the proposed unoccupied structure of said company is for the public health, safety and general welfare of the town.
 - 2. The siting options of the public utility company are reasonably limited due to the need to physically integrate the proposed structure as a component of the public utility's transmission or distribution apparatus.
 - 3. The construction, maintenance and use of said unoccupied utility structure would not adversely affect the character of the area or create a hazard to the public.

4. The structure shall be adequately screened to reasonably limit sound and view of the unoccupied structure from abutters and/or public ways.
5. Notices or public hearings shall be given and held as otherwise may be required or permitted pursuant to RSA 674:30.

Section XII Waivers

The Board may grant waivers of any design requirement of the Subdivision Regulations in accordance with the following:

- A. The applicant shall provide a written request for waiver, on a form provided by the Town.
- B. In evaluating a request for waiver the Board shall not grant the waiver unless it finds, based upon evidence presented to it that:
 1. granting of the waiver shall not be detrimental to the public health, safety, or general welfare;
 2. granting of the waiver shall not, in the opinion of the Board, be injurious to other parties;
 3. granting of the waiver shall not have the effect of nullifying the intent and purpose of these regulations; and
 4. strict compliance with the regulations would cause a hardship to the applicant solely because of the unique physical characteristics of the site: or
 5. alternative design standards which are independently and scientifically derived are provided to the Board at least one week prior to the public hearing, and, in the Board's opinion, the alternative standard would better accomplish the intent of these regulations for this specific case, or
 6. the Board determines that granting the waiver would result in substantial public benefit, and would not constitute a nuisance or hazard, nor be detrimental to other properties in the neighborhood;
- C. A waiver request shall be considered only at or after a noticed hearing is held by the Planning Board on the subject application, and the waiver request is presented or discussed so that abutters have an opportunity to be made aware of all waiver requests.

Section XIII Back Lot Exception

The Planning Board is allowing this exception to afford landowners the ability to develop back-land areas while still maintaining their rural character, without the necessity of building a Town road to create frontage. The intent is to avoid unnecessary subdivision that may result in order to off-set the cost of building a road to Town specifications when the landowner wants to create only one new lot. The requirements for a back lot are as follows:

- Minimum total lot area of at least 30 acres
- Back lot area to be a minimum of 6 acres and a maximum of 10 acres
- The back lot must have access via a 50-foot wide easement over the front lot or a corridor of land
- Not more than one back lot for each private right-of-way; and
- The back lot cannot be further subdivided, which shall be noted on the final plat and duly recorded.

Section XIV Validity

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

Section XV Amendments

These regulations may be amended by a majority vote of the Planning Board after at least one (1) public hearing following the notification procedure as outlined in Section IV, H & L

Section XVII Effective Date

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

Appendix A

Survey and Monument Standards

- I.** All surveys shall be prepared according to the minimum adopted by the NH Land Surveyors Association for Standard Property Surveys, as follows:

<u>Condition</u>	<u>1</u>	<u>2</u>
Unadjusted Linear Closure	1:10,000	1:300
Distance Measurement	EMD/Steel Tape	Steel Tape/Stadia
Elevation Used to Determine Property Line:	0.2' +/-	-----

NOTES:

- Condition, 2 is acceptable for subdivisions involving large tracts being dedicated to preservation or conservation.
 - In the case of Minor Subdivisions that involve large acreages, the Board may, upon written request, waive the requirement for a complete boundary survey, when it is demonstrated that the remaining lot can meet existing frontage requirements and is suitable for building.
- II.** Monuments constructed of concrete or stone at least 4 inches square on the top and at least 30 inches long shall be set at all right-of-way points.
- III.** Pipes, rebars, or other durable material shall be set at all lot comers.
- IV.** Prior to final approval, all comers shall be noted on the plat and the date on which they were set.

Appendix B

Road and Driveway Design and Construction Standards

I. Road Design Standards

The purpose of these standards is to ensure safe vehicular travel on roads, public or private. Proper design requires the blending of safe roadway layout and grade with minimization of impacts on the existing terrain and environment. These standards are further intended to be flexible in consideration of different traffic volumes and terrain conditions.

A. Arrangement of Roads

The roads in a subdivision shall be properly arranged and coordinated with other existing or planned roads.

B. Rights-of-Way

No standard road right-of-way shall be less than 66 feet in width and may be required to be more if the greater width is warranted in the opinion of the Board. The apportioning of the road widths among roadway, sidewalks, and possible grass strips shall be subject to the approval of the Board. Existing and proposed topographic contours are required at 2' intervals, with at least 1 benchmark, plainly marked in the field and shown on the plan with its elevation

C. Dead-end Roads/Cul-de-Sacs

Dead-end roads shall be equipped with a turn-around roadway at the closed end, as shown in Exhibit 3 following. The maximum grade through a cul-de-sac shall be 5%; minimum radius per road design diagrams.

D. Intersections

Road intersections shall have a minimum angle of intersection of 60 degrees with a preferable angle being 90 degrees. Property line radius at intersections shall be no less than 20 feet. Please refer to Table 1 for other requirements.

E. Road Names

1. Roads which extend or are in alignment with roads of abutting or neighboring properties shall bear the same names of existing roads within the Town of Chatham.
2. Other road names shall be approved by the Planning Board in a review process after consultation with the Selectmen.
3. Precautions shall be taken to ensure road names are not duplicated or so similar to other road names as to cause confusion.

F. Existing Road Conditions

Where a subdivision would require undue expenditures by the Town to improve existing roads to conform to minimum requirements, the Board may disapprove such subdivision until the Selectmen shall certify that funds for the improvements have been assured by the Town.

G. Minimum Design Requirements

1. New roads shall be designed to conform to the minimum standards established in Table 1 which follows and as shown on the attached Typical Roadway Cross Sections (Appendix B, Exhibits 1 and 2). The roadway designs are based on average daily traffic volumes (ADT)
2. ADT should be determined by the manual entitled *Institute of Transportation Engineers - Trip Generation*. This may be supplemented by actual traffic data compiled for local roadway networks, applicable to the project.
3. Where roads have the potential for extension through to other lands or other potential road networks, appropriate increases in the traffic volume estimates may be required at the discretion of the Board. The Board shall have the right and authority to increase design standards in such cases and in other cases where it is deemed appropriate.
4. For roads serving commercial/industrial areas, the Planning Board may require more restrictive requirements than shown in Table 1. These commercial/industrial roads shall at least meet the requirements of a "Collector Road."

H. Curbing

Curbing may be required by the Planning Board where it is deemed appropriate and necessary for the purposes of drainage, slope stability, and/or pedestrian safety. Curbing allowed in the Town of Chatham includes straight granite, sloped granite, and bituminous cape cod berm.

I. Sidewalks

When, in the opinion of the Planning Board, sidewalks are necessary, they shall be not being less than 4 feet in width and conforming to the grades of the road and shall be constructed on one or both sides of the road.

J. Steep Grades

Where roadway profiles exceed 5%, special consideration will be given to drainage, sedimentation and erosion protection. This may require curbing and special measures such as rip-rap or other erosion protection.

II. Construction Standards

A. Subgrade

1. All trees and roots shall be stripped to below the base course of pavement and shoulders for the full width of the pavement and shoulders. All soft spots, peat, organic material, spongy soil, and other unsuitable materials shall be removed and replaced by material approved by the Board or its agent. The subgrade fills or backfill shall be compacted in lifts not exceeding 12 inches in depth. The subgrade shall be graded in the general cross slope configuration shown on the Typical Road Sections (Appendix B, Exhibits 1 and 2).
2. Boulders and/or ledge shall be removed to a depth of 6 inches below the subgrade level shown on the Typical Road Sections (see Appendix B, Exhibits 1 and 2). After removal to this depth, they shall be covered by a fill material approved by the Board or its agent and graded and compacted to the subgrade level.

B. Base Course

1. Bank-run gravel of good quality shall be spread over the entire width of the proposed pavement and shoulders to a depth of 12 inches.
2. The bank-run gravel and crushed gravel each shall be placed in lifts not exceeding 6 inches and in the cross slope configuration shown on the attached Typical Road Sections (see Appendix B, Exhibits 1 and 2)

C. Compaction

Roadway subgrade and base courses shall be compacted to 95% of maximum density proctor method in accordance with AASHTO T-99.

D. Pavement Materials

- Base Course of 2 inches conforming with Type B of the NHDOT specifications - "Wearing Course" conforming with Type F of the NHDOT specifications.

E. Grades of all roads shall conform in general to the terrain and shall so far as practicable not exceed 8%. No road shall have a grade of less than .05%. Where practical, lots shall be graded toward the roads.

F. All slopes shall be graded, loamed, hayed and seeded. No slope, cut or fill will be greater than 2 horizontals to 1 vertical in ledge, or 3 horizontals to 1 vertical in all other materials.

G. All proposed drainage facilities and culverts shall be installed. Natural water courses shall be cleaned and increased in size where necessary to take care of storm runoff. Drainage swales at least 3 feet in width and 16 inches in depth at its midpoint below centerline grade shall be constructed in the road right-of-way on both sides of the paved roadway. Drainage facilities must be adequate to provide for the removal of storm water to prevent flooding of the pavement and erosion of adjacent surfaces. Roadway drainage shall be sized to accommodate the 25-year rain event; internal drainage shall be sized to accommodate the 10-year reignevent.

H. The recommendations of the Town Road Agent respecting locations of culverts, drainage, and type and quality of fill and sub fill shall be followed.

III. Driveway Standards

- A. No driveway shall be constructed within 50 feet of the intersection of two public roads.
- B. When two proposed driveways on the same side of the road are within 50 feet of each other, the Planning Board may require a common access to be used, for reasons of safety and topographical considerations.
- C. The driveway shall have a minimum width of 20 feet at the intersection of the road and for a distance of 20 feet from the road. In all cases, the driveway shall be wide enough to accommodate emergency vehicles. The driveway entrance may be flared as it approaches the road.

- D. The driveway entrance shall drop 6 inches from the center of the road to a point at least 6 feet in back of the ditch line.
- E. A minimum of 150 feet, all-season safe sight distance in each direction is required.
- F. If a culvert is required for proper drainage, the culvert shall be a minimum of 18 inches in diameter and 20 feet in length and shall be new galvanized steel, concrete, ridged plastic, or other newer technology acceptable to the Board. The culvert shall be long enough to maintain the driveway width dimensions.
- G. The culvert may be required to have a catch basin with a cover at the inlet end and a concrete or stone header at the outlet end. The culverts shall be installed by the landowner under the supervision of the Road Agent.
- H. Driveways shall not interrupt the natural or ditch line flow of drainage water. Where shallow ditch lines or natural drainage courses exist, driveway may be swaled at a point beyond the shoulder to accommodate the flow of storm water.
- I. The drainage ditch shall be 6 inches below the outlet end of the culvert and drop at least one-half inch to the foot for a distance to be determined by the Road Agent.
- J. Any driveway crossing a wetland or body of water shall have all permits required by the NH Wetlands Board.
- K. Any bridges shall be constructed in accordance with NH State standards and as approved by the Planning Board.
- L. No structures (including buildings), permanent or portable signs, lights, displays, fences, walls, etc., shall be permitted on, over, or under the town road right-of-way.
- M. Driveways providing access for multi-unit residential, commercial, or industrial uses shall be designed to conform with good engineering practice using the NHDOT manual, Policy and Procedures for Driveways and Other Accesses to the State Highway System, as a guide.
- N. The contractor shall give 24-hour notice to the Road Agent before starting construction.
- O. Final approval by the Planning Board will be granted upon inspection and determination that all work has been satisfactorily completed.

IV. Driveways to Back Lots

Driveways to back lots shall be subject to the following standards, in addition to any other applicable standards spelled out in Section III above:

- A. Unless existing conditions prevent it, only one curb cut will be allowed for both the front and the back lot.
- B. All curb cuts on town or private roads are to be approved by the Road Agent. The location will be suitable, and the use and maintenance of the driveway will not create a hazard or nuisance.
- C. The edge of the traveled way shall be set back at least 10 feet from any property lines.
- D. Appropriate buffering shall be provided, to protect the privacy of neighbors and shield them from dust, noise, lighting, etc.
- E. There shall be a proper tum-around for emergency vehicles, subject to approval by the Chief of the Saco Valley Fire Association.

V. Private Roads

Proposed roads shall be in harmony and conformance with existing and proposed roads as shown on the Town Master Plan. Every proposed road in a subdivision shall be laid out and constructed as required by the regulations contained in this Appendix, which are the standards adopted by the Selectmen for town roads.

In order to encourage interior development as an alternative to development exclusively or primarily on main roads (so-called "strip development"), and to allow development at no additional cost to the Town, the Planning Board may approve the layout of roads to be built and maintained by the landowner(s) according to the following conditions:

- A. Private roads shall conform to the standards of this section since residents on private roads, as taxpayers, are entitled to the same quality as a Town-accepted road and since, at some future date, the taxpayers may petition the Town for acceptance of the road. Paving may be waived by the Planning Board for private roads with low traffic volumes and moderate grades. Before an unpaved private road may be accepted as a Town road, it shall be paved and brought up to the Town standards in effect at that time.

- B. The applicant shall supply to the Planning Board acceptable evidence of legally imposed requirements designating a reasonable and enforceable manner and procedure in perpetuity for the collection of contributions to ensure proper maintenance of all private roads and common facilities of the subdivision by owners of lots having rights thereto. The applicant shall also supply acceptable evidence to the Planning Board determining legal responsibility and time schedules for completion of construction of all roads and common facilities in the subdivision, provided that phasing of the same concurrently with the phasing of the subdivision may be permitted.
- C. Any private road constructed within the Town will be inspected by the Town Road Agent. This evaluation will apprise the Planning Board and owner(s) of deviation(s) from the minimum standards of road design and construction as adopted for the Town and provide the Planning Board and owner(s) with a basis from which to start, should work be required to bring the road up to minimum design and construction standards should the road ever be considered for acceptance as a Town road.
- D. It is the policy of the Town that no private road will be accepted as a Town road unless its design and construction meet the standards set forth in this Appendix.

VI. Road Acceptance

No road will be accepted by the town until such time as all improvements have been carried out as shown on the final plat, in accordance with the requirements of these regulations and subject to any conditions established by the Planning Board at the time of the final plat approval. In addition, the following conditions shall be met prior to the Selectmen recommending a road for acceptance:

1. At least sixty percent of all buildings to be built on lots fronting on the road shall be fully constructed and ready for occupancy.
2. Road construction shall have been complete for a minimum of 18 months.
3. The standards of these regulations shall have been met.
4. At least 1000 feet of road shall be proposed for acceptance except when the proposal is for a generally straight extension of an existing Town road.
5. A fee simple deed and title report relative thereto shall be submitted prior to acceptance. A metes and bounds description, prepared by a New Hampshire licensed surveyor, shall be submitted to the Town. Accompanying the legal description shall be a certification by the owner's surveyor that the right-of-way bounds have been set at the locations shown on the road design plan. The acceptance and review of the deed and title thereto shall be subject to approval of Town counsel.

6. No road will be considered unless accessible via a Town or State roadway.
7. All petitions for road acceptance must be made to the Town by February 1st in the year of the Town Meeting on which they will be voted
8. When there are no records indicating that the Town witnessed the road construction (i.e., Inspection reports, sieve analysis, compaction tests, etc.), road corings to investigate sub grade shall be performed and paid for by the applicant. Testing will not be done between November 1 and May 1. The following testing shall be performed: pavement and aggregate testing at 100-ft Spacing; aggregate base density and percent compaction at 200-ft spacing; aggregate base sieve Analysis at 400-ft spacing; subgrade sieve analysis at 400-ft spacing; and aggregate base proctor tests at 800-ft spacing (composite from corings).
9. Betterment projects shall conform to the provisions of R.SA 231:28-33. All costs of betterment engineering shall be paid for by the applicant. Betterment periods shall be no longer than 10 years.

VII. Road Construction Waivers

The road construction standards may be waived in whole or in part by this Planning Board for private roads servicing 2 or 3 lots, provided that such roads comply geometrically with the road standards, and provided that the waiver requirements as outlined in Section XII, page 15, are followed.

Any subdivision which has had construction standards waived by this Planning Board at any time may not be used as access for any additional residential units until such, road has been reconstructed to comply with the, then-applicable road construction standards of these Subdivision Regulations. A note regarding the stipulation above as well as a note stating what was waived shall be placed on the final deed and plat to be registered.

TABLE 1
TOWN OF CHATHAM, NH
TOWN ROAD SPECIFICATIONS

Average Daily Traffic*	0-24	24-48	48-96	96-UP
Pavement Width	16'	18-20'	20'	22'
Shoulder Width	0-2'	2'	4'	4'
Center of Road to Ditch Line	15'	16'	18'	19-21'
Pavement Type	Gravel**	Gravel**	Paved	Paved
Slope of Roadway	1/2"/Ft.	1/2"-3/8"/Ft.	1/4"/Ft.	1/4"/F
Base Course Depth	12"	12"	16"	18"

NOTES:

- * Average Daily Traffic (ADT) is based on 8 trips per day per lot
- ** Pavement shall be required on grades over 10%, unless the Board approves alternative materials and construction methods
- 1. Cross section elements may be modified when based on sound engineering design and approved by the Board or its designated agent.
- 2. Material specifications shall conform to standard specifications for road and bridge construction by the NH Department of Public Works and Highways, as approved and adopted in 2001.
- 3. Design standards shall conform to geometric design guides by the American Association of State Highway and Transportation Officials.

Exhibit 1: Gravel Roads

SEE TABLE 1 FOR "S" & "P" DIMENSIONS P= Pavement Width S= Shoulder Width

**TYPICAL SECTION
 GRAVEL ROADS**

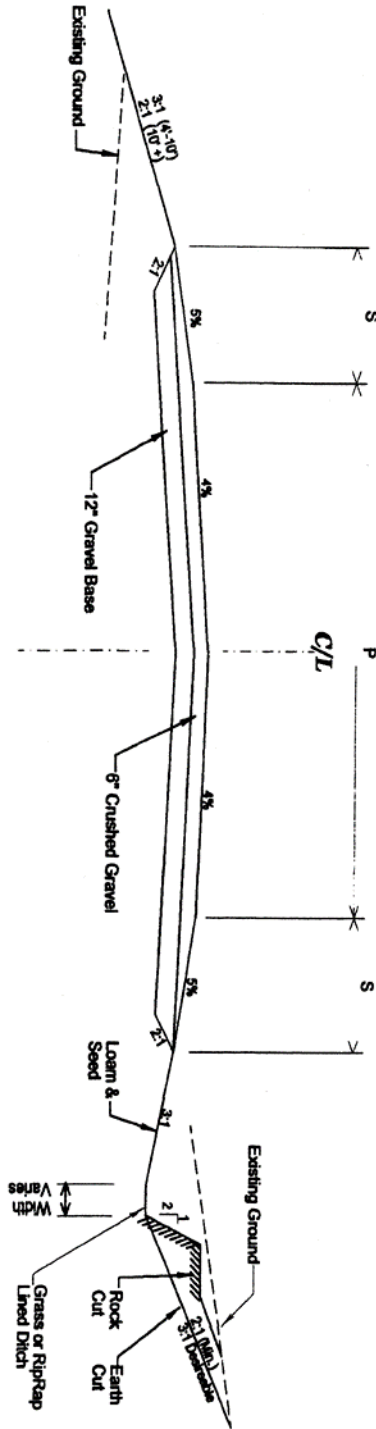


Exhibit 2: Paved Roads

SEE TABLE 1 FOR "P" & "S" DIMENSIONS

P= Pavement Width S= Shoulder Width

**TYPICAL SECTION
 PAVED ROADS**

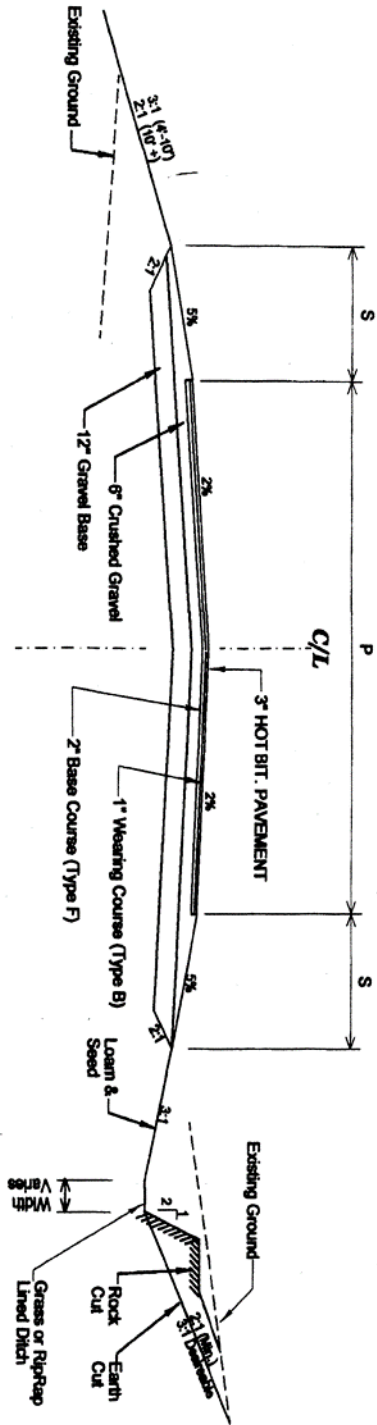
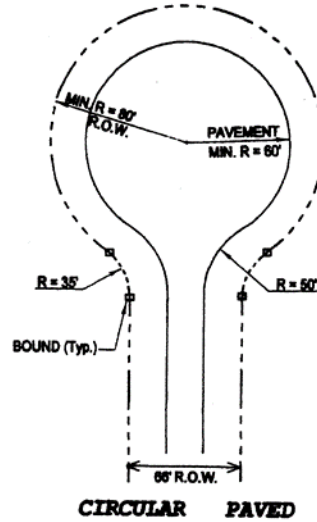
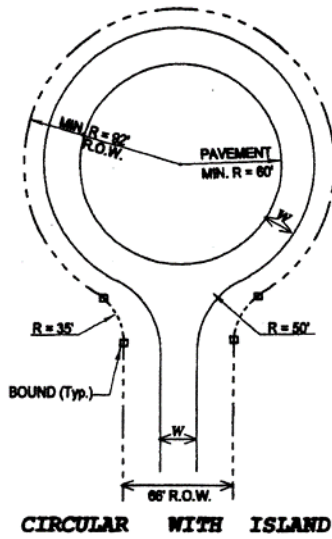
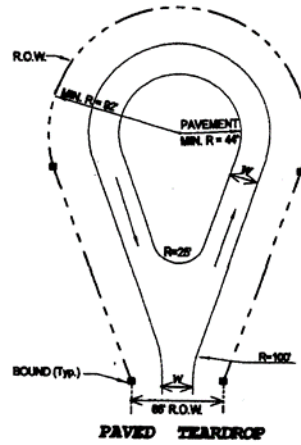
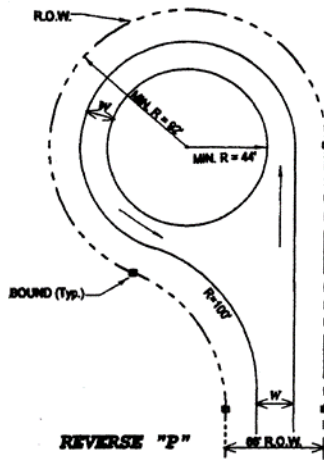


Exhibit 3: Cul-De-Sac Options



- NOTES:**
- 1) THE AREA INSIDE THE ISLAND SHALL BE GRADED TO DRAIN TO THE OUTSIDE, AND A PROPER OUTLET PIPE TO BE PROVIDED
 - 2) GRADES THROUGH CUL DE SAC TO BE MIN. 1 % AND MAX. OF 5 %



Appendix C

Subdivision Check Lists MINOR SUBDIVISION & BOUNDARY (LOT) LINE ADJUSTMENT

In Chatham, a **Minor Subdivision** is a subdivision of land on an existing road into not more than 3 lots for building development purposes and one that does not involve the creation of new roads.

In Chatham, a **Boundary (Lot) Line Adjustment** is a type of subdivision that involves the sale, conveyance, or exchange of adjacent land among two or more owners, or the resolution or correction of boundary line differences, which do not create additional, buildable lots or increase the number of owners of parcels of land.

The items on this page are considered to be the minimum requirements for a completed minor subdivision plat and/or boundary (lot) line adjustment application and plat to be submitted to the Board. The Board may, in certain cases, need to request additional information (See Section V, pages 9-10).

1. Name of subdivision: name and address of applicant
2. Name, license number and seal of surveyor; north arrow, scale and date of plan
3. Signature block for final endorsement (see pg. 12 b.)
4. Boundary survey and location of permanent markers (see Appendix A)
5. Location of property lines; lot areas in square feet and acres; setback lines; lots numbered according to the Chatham tax map
6. Names of abutting subdivisions, roads, easements, building lines and other facts regarding abutting properties
7. Existing and proposed easements, rights-of-way, driveways, buildings, and other structures
8. Water courses, ponds, standing water, rock ledges, stone walls, and other natural features; existing and proposed foliage lines, and open space to be preserved
9. Existing and proposed topographic contours at 5' intervals, with at least 1 benchmark, plainly marked in the field and shown on the plan with its elevation. The Board may waive the topographic detail, depending on the proposed subdivision, plan, and parcel.

MINOR SUBDIVISION & BOUNDARY (LOT) LINE ADJUSTMENT (con't)

10. A statement of conditions of land as to soil suitability for development, including a map showing the required minimum contiguous area of 4,000 square feet suitable for septic. area of less than 3 5% slope per lot; and location of a well radius with a minimum radius of 75 feet
11. Plan for control of sedimentation and erosion, if applicable
12. Base flood elevations, as applicable
13. Copy of state subdivision approval
14. Copy of driveway permit, as applicable
15. Copy of any other state or federal permits
16. Copy of any deed restrictions
17. Copy of deeds covering land to be used for public easements and rights-of-way
18. Any additional reports, studies, or professional services deemed necessary by the Planning Board
19. Copy of the owner(s) most current deed for the subject property as duly recorded in the Carroll County Registry of Deeds.

The Final Plat shall identify itself as a “Minor Subdivision” or “Boundary Line Adjustment” and shall contain the following statement: “The subdivision regulations of the Town of Chatham, NH, are part of this plat, and approval of this plat is contingent on completion of all requirements of said subdivision regulations, excepting only any variances or modifications made in writing by the Planning Board and attached hereto.”

MAJOR SUBDIVISION

In Chatham, a **Major Subdivision** is a subdivision of land into 4 or more lots, or one which involves the creation of new roads. The items on this page are considered to be the minimum requirements for a completed major subdivision plat. The Board may, in certain cases, need to request additional information (see Section V. pages 9-10).

1. Name of subdivision: name and address of applicant
2. Name, license number and seal of surveyor; north arrow, scale, and date of plan
3. Signature block for final endorsement (see pg. 12 b.)
4. Boundary survey and location of permanent markers
5. Location of property lines; lot areas in square feet and acres; setback lines; lots numbered according to the Chatham tax map
6. Names of abutting subdivisions, roads, easements, building lines and other facts regarding abutting properties
7. Existing and proposed easements, rights-of-way, driveways, buildings, and other structures
8. Water courses, ponds, standing water, rock ledges, stone walls, and other natural features; existing and proposed foliage lines, and open space to be preserved
9. Existing and proposed road names, classifications, widths of travel surface and right-of-way
10. Final road profiles, center line stationing and cross sections
11. Existing and proposed topographic contours at 2' intervals, with at least 1 benchmark, plainly marked in the field and shown on the plan with its elevation. The Board may vary the topographic detail, depending on the proposed subdivision, plan, and parcel
12. Soil data based on Carroll County Soil Survey, including wetland delineation and flood hazard areas
13. Location and profiles of existing and proposed water mains, sewers, culverts, drains, and connections
14. A statement of conditions of land as to soil suitability for development, including a map showing the required minimum contiguous area of 4,000 square feet suitable for septic area of less than 35% slope per lot; and location of a well radius with a minimum radius of 75 feet

MAJOR SUBDIVISION (con't)

15. A test pit with description of soil layers, depth to seasonal high water table, depth to observed water table, identification or hardpan, ledge, etc.
16. Percolation test and date
17. Soil mapping units and unit boundaries
18. Base flood elevations, as applicable
19. Plan for control of sedimentation and erosion
20. Copy of state subdivision approval
21. Copy of driveway permit
22. Copy of any other state or federal permits
23. Copy of any deed restrictions
24. Copy of deeds covering land to be used for public easements and rights-of-way
25. Any additional reports, studies, or professional services deemed necessary by the Planning Board
26. Copy of the owner(s) most current deed for the subject property as duly recorded in the Carroll County Registry of Deeds.

The Final Plat shall identify itself as a “Major Subdivision” and shall contain the following statement: “The subdivision regulations of the Town of Chatham, NH, are part of this plat, and approval of this plat is contingent on completion of all requirements of said subdivision regulations, excepting only any variances or modifications made in writing by the Planning Board and attached hereto.

Appendix D

Fees

An application for subdivision approval shall be accompanied by a check or money order equal to the following expenses. If an application is not approved, the County portion of the fee shall be refunded.

\$75.00 Flat Filing Fee (includes copy of recorded plan mailed back to the town) + \$25.00 per lot created over one

\$35.00 for Public notice(s) in local Paper

\$25.00 for L-Chip Fee made payable to Carroll County Registry of Deeds

Recording fees shall be charged to the applicant per the Carroll County Registry of Deeds current fee schedule.

Applicant is responsible for the LCHIP fee, to be made payable to Carroll County Registry of Deeds.

Also please include: One unsealed envelope addressed to each of the abutters, including the applicant and agent(s) with the Chatham Planning Board return address on the upper left hand corner of the envelope, and properly completed certified, return receipt mail forms for each address. Also required will be a check made payable to the United States Postal Service for all mailing fees and a mailing tube for the mylar with the appropriate postage.

At the discretion of the Planning Board, a professional planner, who would be agreed upon by both the Planning Board and the Applicant, may be consulted to review the application. The cost of such review would be paid by the applicant.

The board may require special investigative studies, environmental assessments, a legal review of documents, administrative expenses, and other procedures necessary to make an informed decision. The cost of such studies and investigations shall be paid by the Applicant prior to the approval or disapproval of the final plan.

Fees must be submitted with an application for it to be considered complete.