

SUBDIVISION REGULATIONS

OF THE

TOWN OF NEW IPSWICH, NH

ADOPTED MARCH 6, 1986

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SUBDIVISION REGULATIONS

of the

TOWN OF NEW IPSWICH, N.H.

SECTION I AUTHORITY

Pursuant to the authority vested in the New Ipswich Planning Board by the voters of the Town of New Ipswich at the Town Meeting of March 6, 1974, and in accordance with the provisions of Chapter 674-677, New Hampshire Revised Statutes Annotated, the New Ipswich Planning Board adopts the following regulations governing the subdivision of land in the Town of New Ipswich, New Hampshire.

SECTION II GENERAL PROVISIONS

2:01 Title: These regulations shall hereafter be known, cited and referred to as the Subdivision Regulations of the Town of New Ipswich.

2:02 Purpose: The purpose of these regulations is to protect the health, safety, convenience and welfare of the inhabitants of the Town of New Ipswich and to preserve the natural scenic beauty and rural character of its residential areas, and to promote orderly, planned growth.

SECTION III DEFINITIONS

3:01 Abutter: Shall mean any person who owns land within 200 feet of the boundaries of the land under consideration; under RSA 672:3, the term abutter shall include any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land-use board. For the purpose of receiving testimony only and not for the purpose of notification, the term abutter shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration.

3:02 Approval: Shall mean recognition by the Planning Board, certified by written endorsement on the plat and in the minutes of the meeting of the Planning Board at which such action is taken, that the plat meets the requirements of these regulations and satisfies, in the judgment of the Planning Board, all criteria of good planning and design.

3:03 Board: Shall mean the Planning Board of the Town of New Ipswich.

3:04 Buffer Strip: A protection offered by vegetation or some other means to provide visual and noise barriers; to serve as a protective or safety barrier; and to reduce air pollution, dust and litter.

3:05 Conditional Approval: In accordance with RSA 676-4 as amended July 4, 1986, conditional or tentative approval shall mean an expression, in writing, but not on the plat, by the Planning Board that the final plat appears to satisfy all requirements established herein for final approval before improvements and installations have been constructed. Conditional approval does not constitute, nor should it be construed as, either implying or granting final approval. It does, however, establish a presumption of approval if improvements are made and completed in accordance with the conditional or tentative approval of these regulations and as provided for in paragraph 4:12 or 4:13.

3:06 Final Plat: Shall mean the final drawing or drawings on which the subdivider's plan of subdivision is indicated, prepared as required by these regulations.

3:07 Frontage: Shall mean the width of the lot measured along its common boundary with a Class V or better street, or with a street in a subdivision approved by the Planning Board. In case a lot fronts on more than one street, the common boundary on only one of the streets may be used to measure the width of the lot.

3:08 Impact Study: The economic impact study statement shall show the effect of the proposal on both the public and private sectors of the town economy. It shall address both revenues and major capital costs. The environmental impact statement shall show the effect of the proposal on the natural resources of the town and shall include the effect on streams, pond, wetlands, ground water, farm land, forests, top soil and air.

3:09 Lot: Shall mean a parcel of land occupied or to be occupied by not more than one main building and the accessory buildings or uses customarily incidental to it. A lot shall be of 2 acres to meet minimum subdivision requirements for use, coverage and area, and to provide such yards and other open spaces as required.

3:10 Master Plan: Shall mean the comprehensive plan of development for the town of New Ipswich.

3:11 Preliminary Layout: Shall mean a discussion meeting beyond the inquiry stage of a proposed subdivision for the purpose of indicating the general development concepts, and which may be submitted to the Board prior to preparation of the final plat. The Preliminary layout is not a "Plat" as referenced in New Hampshire 376:4. It is intended to provide assistance to a subdivider, but not consideration, in preparation of an application.

3:12 Private Road: Shall mean a road that is built to town road specifications that remains under private use and ownership, and is so recorded in deeds on abutting lots.

3:13 Re-subdivision: Shall mean a change in a map of an approved or recorded subdivision or re-subdivision if such change (a) affects any street layout shown on such map, (b) affects any area reserved thereon for public use, or (c) diminishes the size of any lot shown thereon to have been conveyed after the approval or recording of such map.

3:14 Right-of-way: Shall mean a strip of land over which is built a road or land over which a legal right of passage has been granted by the owner. The right-of-way is to be indicated on map showing width and location.

3:15 Street: Shall mean, relate to and include a street, avenue, boulevard, road, lane, alley, viaduct, highway, freeway, public street, and other ways existing as state, county or town roadways, or a street shown upon a plat approved in accordance with these regulations. The word "street" shall include the entire right-of-way. An "approved street" is defined as a Class I, II, III, IV or V highway. It does not include a Class VI highway or street. These classifications are further defined in Chapter 229.5 of the RSA's.

3:16 Subdivider: Shall mean the owner of record of the land to be subdivided including any subsequent owner of record making any subdivision of such land or any part thereof, or the agent of any such owner or owners.

3:17 Subdivision: Shall mean the division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other subdivisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision.

3:18 Subdivision, Technical: For the purpose of administration of these regulations only, shall mean a subdivision of land into two lots or sites for the purpose of conveying one such lot or site directly to an abutting landowner. The parcel to be conveyed to an abutter does not constitute a separate building lot. However, said parcel may be used for building development in conjunction with contiguous land owned by the abutter. Such a subdivision shall not result in the creation of a building lot which does not meet the minimum frontage and area requirements of the Land Use Ordinance or other town regulations. The Board shall notify the Boards of Selectmen and Adjustment of all such technical subdivisions and shall indicate which parcel has been transferred to an abutter and shall certify that the remaining lot meets the requirements of ordinances of the town. Notification of abutters is required.

3:19 Lot Line Adjustments, Boundary Agreements: Adjustments to the boundary between adjoining properties. These may or may not involve exchange of property. Notification of abutters is required.

3:20 Wetland: Shall mean those areas identified and delineated as poorly drained or very poorly

drained soils by the USDA Soil Conservation Service and in the town of New Ipswich Wetland Ordinance.

SECTION IV GENERAL REQUIREMENTS:

4:00 Impact Study: An environmental and economic impact statement may be required in the judgement of the Planning Board and is the responsibility of the subdivider (or developer), the costs of which he must bear. This must be presented to the Planning Board for review and will be submitted for technical study if necessary.

4:01 Compliance: No subdivision of land shall be made, no land in any subdivision shall be sold or offered for sale or lease, no construction, no land clearing, no building development shall begin, no street or utility construction shall be started, and no permit for the erection of any building shall be granted before a subdivision has been approved by the Board, other required permits issued, and the plat filed in the Office of the Register of Deeds of Hillsborough County.

4:02 Character of Land: Land to be subdivided for development shall be of such character that it can be used for building purposes without danger to health and safety. Proper provision shall be made for water supply, surface drainage and sanitary sewage, and in areas contiguous to brooks, rivers, or other bodies of water subject to flooding, proper provision shall be made for protective flood control measures. Proposed roads shall be planned with regard to existing roads and existing or proposed principal thoroughfares, especially as to safe intersections and shall be so arranged and of such width as to provide an adequate and convenient system for present and future traffic needs. In places deemed proper by the Board, open spaces for parks and playgrounds shall be shown on the subdivision plat. Adequate access to properties for fire fighting apparatus shall be provided. The number of lots proposed for any area shall not be greater than the number deemed by the Board to be the maximum number which can be laid out without substantially impairing the health, safety or welfare of inhabitants, with respect to potable water, surface water drainage, sewage, flooding and traffic.

- A. Where property proposed to be divided crosses a town line, the Chairman of the Planning Board and the Board of Selectmen of the adjoining town shall be considered as abutters and so notified regarding any subdivision.
- B. Where a single property ownership is subdivided by a street or streets, abutters to each of the so subdivided properties shall be considered as abutters to the single property ownership and shall be notified in the event of a proposed subdivision of any one of the properties to be subdivided.
- C. The Division Engineer of the area Office of the New Hampshire Department of Public Works and Highways shall be included in the mailed notice to abutters when access to any state-maintained road is a part of a subdivision application whether it be development of a new road or access for driveways or other ways. The same notification shall be sent to the

New Ipswich road agent and Board of Selectmen when access affects town roads.

- D. Care must be taken to control soil erosion and to prevent the resulting sedimentation from occurring in subdivision areas by requiring proper provision for water disposal and protection of soil surfaces during and after construction, in order to promote the public health, safety, convenience, and general welfare of the community. A subdivision erosion and Sediment Control Plan shall be submitted according to the requirements outlined in Appendix C.
- E. The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies from which application 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.

The responsible person shall require that all subdivision proposals and other proposed new developments greater than 50 lots or 5 acres, whichever is lesser, include within such proposals base flood elevation data.

Sufficient evidence (construction drawings, grading, land treatment plans) shall be submitted so as to allow determination that: 1) all such proposals are consistent with the need to minimize flood damage; 2) all public utilities and facilities such as sewer, gas, electric and water systems are located and constructed to minimize or eliminate flood damage; and 3) adequate drainage is provided so as to reduce exposure to flood hazards.

4:03 Premature or Scattered: The Board shall not approve a scattered or premature subdivision of land or subdivision which would involve danger or injury to health, safety, or property, nor will the Board approve a subdivision that would necessitate an excessive expenditure of public funds for the supply of municipal services or facilities. As a guideline for consideration of what may constitute a premature or scattered subdivision, the Board shall consider Appendix E, Premature Subdivision, Pages 107-116 in Planning and Development Techniques, Options for Managing Community Growth in New Hampshire, published by the Office of State Planning 1979, copy at town office.

4:04 Unsuitable Lands: Land subject to the following conditions shall not be subdivided for building purposes unless the unsuitable conditions are remedied to the satisfaction of the Board. Said plans must also be approved by any regulatory agencies having jurisdiction.

- A. Land prone to flooding.
- B. Land unsuitable for sanitary disposal by septic tank and leaching fields as defined by the New Hampshire Water Supply and Pollution Control Commission in their publication "Guide for Design, Operation and Maintenance of Small Sewage Disposal Systems."

4:05 Plat Identification and Lot Layout:

- A. A subdivision plat shall be identified, in addition to the name given it by the subdivider, by its tax map number, such number to be obtained from the Board of Assessors, Board of Selectmen or Planning Board. Each lot in the subdivision shall be so identified as a further division of the lot identified on the tax map and lots in the subdivision shall be sequentially numbered so that they will coincide with numbers on the annual tax map updates.
- B. The layout of lots shall conform to the requirements of the Town of New Ipswich driveway access regulation in force at the time of construction. Corner lots shall have extra width to permit a setback on each street. Side lot lines shall generally be at right angles to straight street lines or radial to curved street lines. In keeping with the intent of side boundaries, the lot shapes shall approach the look of being rectangular in shape. Where boundaries are along stone walls and existing properties the straightness of boundary lines are waived.
- C. In subdividing parcels containing existing dwellings or other habitations, the applicant must show the location of existing septic tanks and leach fields for each dwelling or other habitants. A letter must be submitted to the Planning Board stating that any such existing septic system is functioning properly.
- D. All buildings or structures shall have a minimum setback of 20' from abutters property lines; along all frontage there shall be a 30' setback for all buildings or structures.

4:05-1 Back lots: A subdivision which creates a lot of sufficient size and shape to meet requirements of these regulations, but does not have required road frontage may be approved at the Board's discretion if the following conditions are met:

- A. Each front lot, which is to be paired with only one specified back lot, must be of sufficient size to meet the requirements of these regulations (2 acres in rural district) and must have at least 200 feet of frontage on an approved road.
- B. Each lot must abut the front lot.
- C. Each back lot must have at least 50 contiguous feet of frontage on an approved Class V road or better to provide access. The access area is considered that portion of the back lot between the approved road and the point at which the back lot is at least 200 feet wide (on a line parallel to the approved road). The access area shall be part of the back lot but its area may not be used to meet minimum acreage requirements of the back lot. The entire access area must be at least 50 contiguous feet wide.
- D. If entry to the back lot along the access area required by C. above is impossible or undesirable due to topography (eg. wetlands, steep slopes) or other conditions, a perpetual easement for a driveway by some other route from the back lot to an approved road may be allowed. Such easements shall include the conditions for maintaining said driveway.

- E. Any deeded right of way in existence as of the date of the adoption (November 22, 1987) of Section 4:05-1 of the New Ipswich Subdivision Regulations shall be exempt from the 50 (fifty) foot requirement of 4:05-1 C. as long as the following conditions can be met:
1. The use and maintenance of said access will not create a hazard or nuisance.
 2. The subdivision is not scattered or premature and does not present a safety problem or problems for emergency vehicle access.
- F. The creation of back lots in a subdivision according to Section 4:05-1 is not intended for the subdivision of land that could be better subdivided by other land use techniques. Therefore, the creation of back lots in a subdivision is discouraged and the Board at its discretion may deny requests creating one or more back lots. In instances where suitable frontage on an approved road exists to meet the requirements of the section of these subdivision regulations concerning cluster developments, the applicant will be encouraged to maximize the clustering of dwelling units.

4:06 Non-buildable Lots:

- A. Land that is proposed to be divided into non-buildable lots, or lots in a proposed subdivision that are not to be used for building, may be considered and set aside as such provided that they will substantially serve the public convenience and welfare and not substantially or permanently injure adjoining property.
- B. Non-building lots shall be clearly identified as such on the final plat submitted to the Board and such restriction shall further be clearly included as a covenant to any deed. The non-buildable classification restriction is considered to be permanent. The applicant shall provide the Planning Board with a copy of the deed.
- C. The Board of Assessors will be notified of all lots that are approved as non-buildable.

4:07 Reserved Strip: No privately-owned reserved strip, except an open space area, shall be permitted which controls access to any part of a subdivision or to any other parcel of land from any street, or from any land dedicated to public use, or which may be so dedicated.

4:08 Preservation of Natural Features: Due regard shall be given to the preservation, protection and enhancement of natural features, and other assets of a community nature. The Board may require documentation of plans to demonstrate the means of protection for such assets--as trees, scenic points, brooks, streams, rock out-cropping, water bodies, other natural resources and historic landmarks.

4:09 Public Open Spaces: Upon consideration of the particular type of development proposed and determination of the needs, created by such a development, the Board may require the reservation of land for open space, park or playground areas, such area(s) not to be more than 10% of the total area of a subdivision.

4:10 Sewage Disposal:

A. Safe disposal of all human and domestic wastes is necessary to protect the health of the individual family and the community and to prevent the occurrences of nuisances. To accomplish satisfactory results, such wastes must be disposed of so that:

1. They will not contaminate any drinking water supply.
2. They will not give rise to a public health hazard by being accessible to insects, rodents, or other possible carriers which may come into contact with food or drinking water.
3. They will not give rise to a public health hazard by being accessible to children.
4. They will not violate laws or regulations governing water pollution or sewage disposal.
5. They will not pollute or contaminate the waters of any bathing beach or stream used for public or domestic water supply purposes or for recreational purposes.
6. They will not give rise to a nuisance due to odor or unsightly appearance.
(New Hampshire Water Supply and Pollution Control Commission, "Guide for the Successful Design of Small Sewage Disposal Systems" December 1974, p. A-1)

B. General:

1. Where a subdivision of land creates a lot or site that will not meet the minimum standards and design requirements imposed by the State of New Hampshire Water Supply and Pollution Control Commission, municipal regulations, and the requirements listed below, it shall not be approved by the Board. All data submitted to and approved by the N.H.W.S.P.C.C. shall be submitted to the Board.
2. All components of the septic system must meet the minimum setback requirements from property boundaries required for all structures, as described in Appendix B.
3. The use of leach field beds built above natural ground level shall be discouraged for subdivisions containing lots of less than 3 acres, or where lot frontages are less than 300 feet.

4:11 Class VI Highways or Streets: Subdivisions on Class VI streets are by their nature deemed scattered and premature unless the governing or legislative body of the town votes to improve the street to Class V standards and to accept it as a Class V street. The applicant may be required to bear all of the costs of such upgrading.

4:12 Performance Security:

- A. As provided herein, the Board of Selectmen may accept a security upon recommendation of the Planning Board in an amount and with surety and conditions satisfactory to it, providing for and securing to the town the actual construction and installation of such improvement within a period specified by the Planning Board and expressed in the security.

- B. A subdivision filed with the Board shall not be approved until the applicant has filed with the Board, an estimate of costs of streets, public improvements, drainage structures, and other utilities, and has secured the construction of such streets and utilities to the Town in a security approved by the Planning Board. The estimate shall be prepared by the Town Engineer or other New Hampshire licensed Civil Engineer, approved by the Planning Board, at the applicant's expense. The amount of the security shall include fees to cover the cost of periodic inspections. The security may be in the form of either:
 - 1. A surety or performance bond, issued by a surety company authorized to do business in New Hampshire to be filed with the Board of Selectmen in form and to be deposited with it, or
 - 2. Savings bank book properly endorsed to the Town of New Ipswich in an amount to be determined by the Planning Board and to be deposited with the Board of Selectmen, or
 - 3. An irrevocable letter of credit.

On each anniversary of the requirement of the applicant to post the initial security, the applicant shall increase the existing balance of the security by 10% to account for cost escalations.

- C. In the case of electric lines or other utilities to be installed by a public utility corporation or municipal department, a statement shall be received in writing from such public utility, corporation or municipal department that the work will be done within a reasonable time and without expense to the town.

- D. Each approval of a plat shall contain a time limit within which streets and public improvements shall be completed, not to exceed three years which includes a period of one year for wintering over of the base course. Upon failure to comply with the above time limit, the Planning Board may call the security. Calling the security does not relieve the applicant or its successors of responsibility for any cost in excess of the security.

- E. As phases or portions of the secured improvements or installations are completed and approved by the Planning Board or its designee, the Town shall partially release said security to the extent reasonably calculated by the Town Engineer to reflect the value of such improvement or installations.

1. A release schedule shall be proposed by the developer and approved by the Planning Board. In the absence of such an approved schedule, the security shall not be released until all improvement or installations are complete for the entire development, or in the case of phased developments for the current development phase.
2. Before any release or partial release of the security, the Town Engineer shall certify that the improvements or installations are in a stable condition and not subject to premature degradation.
3. The contingency portion of the security shall not be reduced until the final release of the security as per paragraph F,

F. The performance guaranty shall not be released until the Planning Board has certified completion of the public utilities and improvements in substantial accordance with the requirements, and deeds covering land to be used for public purposes; easements and rights-of-way over property to remain in private ownership, and rights to drain onto or across private property are submitted in a form satisfactory to the town attorney. All recording fees shall be borne by the applicant.

4:13 Assessment or Other Method: In lieu of a performance guarantee, the Board may require an assessment or other method whereby the town is put in an assured position to do said work and make such alteration, construction or improvement at the cost of the owner(s) of the property within the subdivision.

4:14 Acceptance of Dedication Offers: Acceptance of formal offers of dedication of streets, public areas, easements, and parks shall be by ordinance of the town. The approval by the Board of a subdivision plat shall not be deemed to constitute or imply the acceptance by the Board of Selectmen or the town of any streets, rights of way, easements or park shown on said plat. The Planning Board may require said plat to be endorsed with appropriate notes to this effect.

The Board requires a written acknowledgment of the subdivider's responsibility for maintenance of easement areas, and the assumption by him of liability for injuries and damages that may occur on any land to be dedicated for public use, until such land has been legally accepted by the town.

4:15 Meetings: All Planning Board meetings are open to the public in accordance with RSA Chapter 91-A, and public notice of all regularly scheduled meetings shall be posted in at least two appropriate places in town in accordance with state law and the Board's bylaws. Abutters' hearings are described in paragraph 8:01.

4:16 Active and Substantial Development and Substantial Completion: In approving any application, the Planning Board, for the purpose of determining the minimum amount of work

required in order to satisfy the provisions of RSA 674:39, may specify the threshold level of work which constitutes "active and substantial development or building" and "substantial completion of the improvements as shown on the subdivision plat plan".

- A. Active and Substantial Development, unless otherwise defined by the Planning Board at the time of approval, shall mean the following has occurred in accordance with the approved plans, as applicable:
 - 1. the installation of erosion and sediment control measures, and
 - 2. site grading, and
 - 3. construction of underground utilities including drainage structures, and
 - 4. construction of roads, through binder course of hot bituminous pavement, sufficient to cause eligibility for certificates of occupancy.

- B. Substantial Completion, unless otherwise defined by the Planning Board at the time of approval, is defined as follows: the establishment of all on-site and off-site improvements specified in the subdivision approval, except for those improvements which are specifically deferred by recorded vote of the Planning Board prior to the expiration of the five (5) year period specified in RSA 674:39. To the extent that the Planning Board calls a bond or other security for such improvements and the funds are paid to the Town, substantial completion of the improvements in the subdivision shall be deemed to have occurred.

SECTION V PROCEDURE:

5:00 Purpose: These regulations are designed to assist in the preparation of a subdivision application and to facilitate its presentation and consideration at a hearing before the Board and abutters within the time constraints imposed by state statutes.

5:01 Procedure for a subdivision: These regulations provide two steps, only one of which is mandatory, in obtaining a final action by the Board on a subdivision. The Board shall not conduct Design Reviews as specified in RSA 676:4 II (b). The two steps are:

- A. Preliminary Conceptual Consultation

- B. Final plat submission (mandatory)

5:02 Procedure for a Technical Subdivision/Lot Line Adjustment or Boundary Agreement (See 8:02 for fee) To apply for consideration of a Technical Subdivision, Lot Line Adjustment, or a Boundary Agreement - the applicant shall fill out a subdivision application, identify it clearly at the top of the application form as a TECHNICAL SUBDIVISION, BOUNDARY AGREEMENT, or LOT LINE ADJUSTMENT, and comply with Section VIII.

5:03 Waivers: The Planning Board may grant a waiver to a provision of these regulations only if

the Board finds that 1) strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations; or 2) specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.

An applicant must submit all waiver requests individually and in writing. Each waiver request must identify the specific article of the regulation from which a waiver is requested, why the waiver is needed, and why the waiver should be granted within the guidelines established above. Any waiver involving technical issues must be supported by a recommendation from a New Hampshire licensed Professional Engineer or other recognized expert on the subject. The Board will rule on the waiver request based on the written evidence presented after review by Town counsel and/or Town Engineer (if required).

If a waiver request is for a completeness (checklist) item not provided, then the Board will act upon the waiver prior to acceptance. If the waiver request is for a requirement that is provided but does not meet the design requirements of the regulations, then the waiver will be acted upon after acceptance, during the public hearing.

SECTION VI PRELIMINARY CONCEPTUAL CONSULTATION:

6:01 Purpose: The purpose of the Conceptual Consultation is to allow the applicant and Board to discuss a proposal in conceptual form and in general terms. Although this phase is strictly optional, the Board strongly suggests that the applicant avail him/herself of the opportunity to resolve any issues at this early stage that might become a problem later on.

6:02 Procedure: Such conceptual consultation shall be informal and directed toward:

- A. Review of the basic concepts of the proposal.
- B. Review of the proposal with regard to the Master Plan and Zoning Ordinance.
- C. Explanation of the state and local regulations that may apply to the application.
- D. Determination of the proposal as a major, minor, or technical subdivision, and of the submission items that would be required.
- E. Preliminary conceptual consultation shall not bind the applicant or the Board. Such discussion may occur without formal public notice, but must occur only at a posted meeting of the Board.

SECTION VII DESIGN REVIEW PHASE Revoked 12/7/2011.

SECTION VIII FINAL PLAT SUBMISSION - APPLICATION:

8:00 Purpose: Two copies of the plat and supporting drawings and documents for a proposed subdivision constitute the formal and complete submission for a subdivision proposal. Two full sets of plans and seven sets of reduced size copies of the plat, drawings and documents along with a readable PDF copy of the full submission must be in the office of the Land Use Secretary for at least 21 days before the public hearing is scheduled so that they can be reviewed for completeness by the Board's designee. Expense for such review will be borne by the applicant. When a hearing is continued, revised paper plans, additional supporting documentation, and a readable PDF copy of the submission if required must be submitted in writing or electronically to the Land Use Secretary at least 7 days prior to the next scheduled hearing.

8:01 Procedure:

- A. The formal application for a subdivision proposal must be filed at least 21 days prior to the public hearing (RSA 676:4) and shall contain, in accordance with Appendix A, the final plat drawings and necessary supporting papers. The application shall include:
1. Application form, signed by all property owners.
 2. The final plat, a reproducible mylar of size acceptable to the state of New Hampshire: 82" x 11", 11" x 17", 17" x 22", or 22" x 34", containing all information listed in Appendix A that is required to be recorded.
 3. Additional supplemental plans, at the same or larger scale than the mylar, containing information listed in Appendix A that is not on the plat, and not required to be recorded, if applicable. This may include topography information, soils information, and reserved septic system area information.
 4. Other supporting documents, if applicable, such as percolation test data.
 5. List of abutters and all other parties to be notified in accordance with RSA 676:4 and other state law.
 6. Utility and road plans and profile drawings, if applicable.
 7. A subdivision Erosion and Sediment Control Plan according to the requirements outlined in Appendix C, if applicable.
 8. A review for completeness by the Board's designee.
 9. Payment for cost of notice (per RSA 676:4d) and application fees.
 10. In the case of a cluster subdivision, a Yield Plan, as described in Article XIII.E.2.d. of the New Ipswich Zoning Ordinance.
- B. Additional documentation which must be supplied prior to approval of a subdivision proposal shall include, if applicable:
1. All sewage and septic system approvals required for subdivision by the state or the town.
 2. All driveway location approvals or driveway permits.
 3. Shared driveway agreements.
 4. Performance bonds for all road and other work required by not yet completed, including proposed streets, abutting streets, off-site street improvements, and non-street work.
 5. Homeowner association agreements.
 6. Payment of all recording fees and all other fees not yet paid.

7. A letter from the Fire Chief that there is adequate access and water supply (such as cisterns, fire ponds, other local water sources) for fire protection.
- C. The applicant must provide the information requested for every item on the checklist, or specifically request a waiver for a specific item and its related section of the Subdivision Regulations.
1. Each request for waiver must state which specific section the request asks to be waived and give a reason for requesting the waiver.
 2. Requests for waiver should be discussed with the Board's designated representative during the application review. The designated representative may make a recommendation to the Board on an applicant's waiver request for waiver.
 3. The Board shall vote to grant or deny the applicant's request for a waiver from a specific section of the Subdivision Regulations and the Board's decision shall be recorded in the minutes of the meeting.
- D. The Board shall place subdivision proposals on its agenda and notify other parties of public hearings in accordance with RSA 676:4 and other applicable state laws and requirements.
1. Abutters and all other parties required to be notified shall be notified by certified or registered mail (return receipt requested) not less than 10 days before the hearing date, at the expense of the applicant. The applicant is responsible for the accuracy and completeness of the list of abutters and all other parties required to be notified.
 2. The Board shall place a public notice of time and place of such public hearings in at least two appropriate places in town not less than 10 days before the hearing date. (Ten calendar days referred to in this Section includes Saturdays, Sundays and holidays but does not include the day of posting, nor the day of the hearing, so it is 11 days in advance.)
 3. A copy of the proposed subdivision shall be on file at the Board office for public inspection at least 7 days before the hearing.
- E. The Board shall consider the application, accept the application when appropriate, and make its decisions in accordance with the timetables and other requirements of RSA 676:4 and other state laws including the requirement that the Board shall determine completeness of the application with 30 days of the filing or at its first meeting not less than 15 days after filing and the requirement that the Board shall approve or disapprove any application within 65 days of determining that an application is complete, unless waived by applicant or extended by the selectmen.
1. After an application has been accepted, statutory timetables apply, and when the Board requests additional information from an applicant, deadlines for providing the information will be given.
 2. Applicants who fail to provide requested additional information within these deadlines will either be asked to agree to deadline extensions or will be denied on the

grounds of failure to provide necessary information of the application in a timely manner.

3. The Board may apply to the Board of Selectmen for extensions in accordance with state law.
- F. No action shall be taken on any application unless either the applicant is present or the Board has a written statement from the applicant authorizing other persons to represent him.
 - G. No action shall be taken on and no consideration shall be given to any subdivision at any meeting of the Board at which there is less than a quorum of Board members present and voting, such quorum to be four voting members of a seven member Board.
 - H. When the Board finds it necessary in order to determine the proper response to an application, the Board may require on-site inspections.
 - I. If the Board conditionally approves any application in accordance with RSA 676:4, I(i) and other state laws, such conditional approvals shall be valid only if all conditions are met by 90 days from the date of the conditional approval, unless a longer period is stated in the conditional approval or unless subsequently extended by the Board. If the time period allowed by the Board for meeting the conditions lapses without the conditions being met, the conditional approval is automatically revoked and the applicant must reapply.
 - J. In the case of disapproval of any application submitted to the Board, the grounds for such disapproval shall be adequately stated in the minutes of the Board and in writing to the applicant.
 - K. It is the applicant's responsibility to provide a plat that is recordable by the Register of Deeds of Hillsborough County. Approved final plats shall be sent for recording to the Register of Deeds within 10 days of final approval, or, for a conditional approval, within 10 days of all conditions being met. No plat shall be sent to the Register of Deeds more than 90 days after approval by the Board, unless this deadline is extended by the Board. Approved final plats must be filed prior to sale or transfer of land within the subdivision, as provided in RSA 676:16 and other state laws.
 - L. Every plat approved by the Board and filed with the Register of Deeds of Hillsborough County shall be exempt from all subsequent changes in these subdivision regulations and zoning ordinances of the Town of New Ipswich for four years from date of approval provided active and substantial development or building shall have commenced on the site within twelve months of such date of approval, and as further provided in RSA 674:39.
 - M. After a subdivision has been approved, any subsequent re-subdivision of property will require a new application, a new submission, and a new public hearing.

8:02 Fees and Expenses: Pursuant to RSA 676-4 I(g) it shall be the responsibility of the developer, if the Board deems it necessary, to pay reasonable fees for the review of documents, the cost of special investigative studies, Board administration fees, and other matters which may be required by particular applications.

A. An application fee shall accompany each proposed subdivision application in such amounts as the Board in its discretion may determine from time to time.

SECTION IX ADMINISTRATION:

9:01 Interpretation: The interpretation of these regulations shall be the sole province of the Board and the Board may seek legal advice and counsel as it deems necessary.

9:02 Enforcement: These regulations shall be enforced by the Board of selectmen.

9:03 Other Regulations: Where these regulations conflict with other local ordinances, the more stringent requirement shall apply.

9:04 Penalty for Non-compliance: Any owner, or agent of the owner, of any land within a subdivision, who transfers or sells any land before a final plat has been approved and filed by the Board shall forfeit and pay a penalty of \$500 for each lot or parcel so transferred or sold, in accordance with RSA 676:16.

9:05 Appeals: Any person aggrieved by any decision of the Board concerning a plat or subdivision or building permit may, within thirty (30) days of the Board's decision, appeal such decision to the Superior Court as provided in RSA 677:15.

9:06 Validity: If any section, subsection, or phrase of these subdivision regulations is found for any reason to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of these regulations.

9:07 Amendment: These regulations may be amended, changed, altered, added to or rescinded from time to time whenever this action is deemed necessary or advisable by the Board. A public hearing, to be held in accordance with RSA 675:6-7 and Chapter 91-A, on the proposed change, and the concurring vote of the Board is required before any alterations are made. A statement signed by the Chairman or Secretary of the Board, indicating any amendments thus authorized from such regulations as were previously filed, shall be transmitted to the Town Clerk of New Ipswich, and to the Board of Selectmen, by the Chairman or Secretary of the Board.

9:08 Effective Date: The effective date of this amendment, which constitutes a complete revision of the original New Ipswich subdivision regulations is March 6, 1986.

SECTION X REGIONAL IMPACTS:

10:00 Purpose: The Planning Board shall review each application that comes before the Board for potential regional impacts according to the criteria in 10:02. If there are questions as to whether or not potential exists for regional impacts, the Board shall treat the application as if it would have regional impacts.

10:01 Procedure: Upon such a finding, the Board shall, within 72 hours by certified mail, furnish the regional planning commission(s) and the affected municipalities with copies of the minutes of the meeting at which the determination was made.

At least 14 days prior to public hearing, the Board shall notify by certified mail the regional planning commission and the affected municipalities of the date, time, and place of the hearing, and of their right to appear as an abutter to offer testimony concerning the development.

Should the Planning Board decide that additional study is needed before the application is voted on, it may request a review of the proposal by outside consultants and, as with any other subdivision review, the costs shall be borne by the applicant.

10:02 Criteria: Impact criteria shall include, but not be limited to the following items. These shall in no way be considered exhaustive, but rather guidelines for the Planning Board to follow in determining developments of regional impact.

- A. Residential development: Proposals for lots or dwellings within one-quarter mile of a town boundary that would increase the existing housing stock of the affected towns by more than 25 percent, or proposals located anywhere in town that would increase the existing housing stock of the town by more than fifty percent.
- B. Commercial development: 75,000 square feet or greater within one-quarter mile of a town boundary, or 150,000 square feet located anywhere in town.
- C. Industrial development: 50,000 square feet or greater within one-quarter mile of a town boundary, or 125,000 square feet located anywhere in town. Any industry that deals in hazardous materials and/or that has the potential for accidents which would require evacuation of a large area.
- D. Other factors to be considered: Traffic impact on a regional road network, as well as on a neighboring local road network. Proximity to groundwater, surface water and wetlands which transcend municipal boundaries. The potential to destroy or disturb a significant or important natural environment or habitat. Emissions such as light, noise, smoke, odors or particles. Necessity for shared public facilities, such as schools, police and fire protection, water or sewage systems and solid waste disposal.

SECTION XI. CLUSTER RESIDENTIAL DEVELOPMENT:

11:01 Procedures:

- A. A cluster development shall be treated as a subdivision under the authority of the Board, and all procedural requirements for subdivision applications shall apply to cluster development applications. Cluster developments shall be subject to all requirements of the Subdivision Regulations, except as provided in this Section.
- B. Prior to approval, the Board shall ascertain that adequate provisions have been made by the applicant, including but not limited to the following:
 - 1. Traffic circulation and access including adequacy of adjacent streets, entrances and exists, traffic flow, sight distances, curb cuts, and turning lanes.
 - 2. Pedestrian safety and access.
 - 3. School bus access and loading areas.
 - 4. Emergency vehicle access to all structures within the cluster development.
 - 5. Off-street parking and loading.
 - 6. Fire protection as it applies to the proximity of buildings to one another and to the existence of firefighting water resources.
 - 7. Storm water drainage based upon a minimum of a 25 year storm frequency, using on-site absorption and/or temporary detention.
 - 8. Snow storage and trash disposal areas.
 - 9. Environmental factors such as protection against pollution, noise, odor, and the protection of natural features.
 - 10. Landscaping in keeping with the general character of the surrounding area.
 - 11. Signing and exterior lighting.
 - 12. Demonstration that the size of any lot with an individual septic system is adequate to accommodate the septic system (by means such as “Soil Based Lot Sizing” as recommended by the Society of Soil Scientists of Northern New England, or Env-Wq 1005.03 “Minimum Lot Sizes-Residential 1 to 4 bedrooms” from NH code of administrative rules).

11:02 Development Regulations:

- A. The following street specification requirements of these Subdivision Regulations for internal streets that only carry traffic within a cluster development may be made less stringent by the Board if deemed appropriate by the Board, after consulting with the Road Agent or Town Engineer:
 - 1. The minimum traveled width may be decreased.
 - 2. The minimum shoulder width may be decreased.
 - 3. The requirement that internal streets must be paved may be waived, but under no circumstances shall the town accept any unpaved street as a town road until it has been

paved.

4. Cul-de-sacs at the end of dead-end streets may be replaced by acceptable turnarounds, such as hammerheads, provided that each leg of any turnaround shall be at least 60 feet in length with a paved area 50 feet in length, measured from the near edge of the abutting street or leg of the turnaround, and that each turnaround shall be maintained to the same extent as the street of which it forms an end.

- B. The cluster development may be served by common water and common septic systems located on common land. The design and construction of such systems must be approved by state and local authorities.

Private wells and private septic systems may not be located on common land.

A protective radius from any common wells and any common septic systems located within the common area equal to the minimum required setback between wells and septic system as required by the more stringent of state and town requirements, shall be wholly contained within the common area's property lines.

- C. Resident parking shall be provided at a rate of not less than 2 spaces per dwelling unit. Visitor parking shall be provided at a rate of at least one space per unit.

SECTION XII. LAND DESIGNATED AS SPECIAL FLOOD HAZARD AREAS:

For subdivisions that involve land designated as "Special Flood Hazard Areas" (SFHA) by the National Flood Insurance Program (NFIP) the following will apply:

12:01 Permits: The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies 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.

12:02 Base Flood Elevation Data: The Planning Board shall require that all proposals for development greater than 50 lots or 5 acres, whichever is the lesser, include Base Flood Elevation (BFE) data within such proposals (i.e. floodplain boundary and 100-year flood elevation).

12:03 Minimization of Flood Damage: The Planning Board shall require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a determination that:

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

APPENDIX A. DATA REQUIRED FOR SUBMISSION WITH SUBDIVISION APPLICATION:

A:01 A subdivision plat shall be submitted in ink on reproducible mylar, with four copies, at a scale of not less than one inch equal to one hundred feet, on sheets measuring 8 1/2" x 11", 11" x 17", 17" x 22", and 22" x 34". It may be accompanied by supplemental plans, also with four copies, at the same or larger scale than the mylar, and other supporting documents, that may contain information indicated below as not required to be recorded. The plat, supplemental plans, and other supporting documents must contain all of the following data:

A. Existing conditions:

1. Boundary lines of tract: bearing and distances.
2. Streets on and adjacent to the tract: name, right-of-way, width of right-of-way, classification, type and width of surfacing, walks, curbs. If width of road surfacing is described as "varies," a minimum width must be given, e.g., "road width varies - minimum 18 feet."
3. Easements: locations, width and purpose.
4. Utilities on or adjacent to the tract: location, size and invert elevations of sewers; location and size of water mains, locations of fire hydrants, gas, electric and telephone lines and street lights.
5. Topography within the tract: contours with an interval of not more than five feet. (This should be provided on a supplemental plan.) If the Board finds it necessary due to topography, the Board may require areas of >12% slope, >15% slope, and/or >25% slope to be identified.
6. Geographic features including water courses, swamps, ponds, wooded areas.
7. Identification of any area below the 100 year flood elevation as defined in the New Ipswich Floodplain Development Ordinance, or a statement that no area is below this elevation.
8. Existing buildings and structures.
9. Locations of any non-residential uses with description.
10. Location of test pits and identification number of percolation tests as required; see Appendix B. (This should be provided on a supplemental plan.)
11. Soil type boundaries and identifications as described in Appendix B, certified by a soil scientist licensed by the State of New Hampshire. (This should be provided on a supplemental plan.)
12. Certification by a wetland scientist licensed by the state of New Hampshire of all wetlands data provided in Appendix B. (This should be provided on a supplemental plan.)
13. Conditions on adjacent land within twenty-five feet of boundary line: approximate direction and slope of grounds, embankment or retaining walls; buildings, railroads, power lines and non-residential land uses.
14. If the entire parcel does not fit on one sheet, a key plan showing proposed and

- existing lot lines of the entire parcel on a single sheet at an appropriate reduced scale.
15. Key plan showing location of the tract in the town at a scale of one inch is equal to a thousand feet.
 16. Existing lot lines, size of all existing lots being subdivided, lot numbers of all abutting lots according to tax maps.
 17. Identification on each proposed lot of one contiguous acre which complies with the requirements of Article X.A.1 of the New Ipswich Zoning Ordinance.

B. Proposed Improvements:

1. Proposed lot lines, lot numbers and size of all proposed lots. Proposed lots shall be numbered in accordance with town procedures: the existing lot number is retained for one subdivided lot, usually the one with the most existing improvements (or if none, the most acreage), and other subdivided lots are given new numbers.
2. Setback lines (for structures) based on proposed lot lines and town regulations.
3. Reserved septic system area and other sewage disposal information, as described in Appendix B.
4. Streets: name, right-of-way width; approximate grades; street signs and posts. (Utility and road plans and profile drawings may be provided on supplemental plans.)
5. Other easements: location; width and purpose.
6. Location and type of facilities.
7. Locations of any non-residential uses with description.
8. Sites to be reserved or dedicated for open space, parks, playgrounds or other public uses.

C. General Data:

1. Title and certificates: present owner with name, address, and deed references; notation stating acreage; scale, north arrow; datum benchmarks, certification of licensed civil engineer or registered land surveyor, date of survey, type of survey.
2. Certifications of licensed soil scientist and licensed wetland scientist.
3. Approval block providing space for date and signatures of Board chairman, secretary, and blank lines for at least 3 additional board members.
4. A note on the Plan stating "Active and substantial development or building under RSA 674:39, I, relative to the 4-year exemption to regulation changes shall be _____, and substantial completion of the improvements as shown on the subdivision plat plan under RSA 674:39, II, relative to final vesting shall be _____." The note may either specify conditions or reference a development agreement as a separate document.

A:02 Plans for Streets:

- A. The Board shall require, in addition to the subdivision plan, the submittal of complete plans

and profiles of all proposed streets (designated relative to a fixed benchmark, identified on the property profile by transit and tape survey), including but not limited to:

1. Cross-sections at every one hundred (100) foot station along the profile. Sections will extend for at least one hundred (100) feet on either side of the center line (as identified on the profile) and for any additional distance necessary to include all planned cuts and fills. (Note: Test pits may be required at certain cross-sections);
2. Profiles of all proposed streets, horizontal and vertical curve data at the street centerline;
3. Street stationing every fifty (50) feet;
4. Intersection, turnaround, and/or cul-de-sac radii;
5. Statements and/or typical sections of proposed streets;
6. The developer shall have stakes set on center line with finished grades marked on them at least every 100 feet for the entire length of the roadway, or roadway side staked with distance and grades marked before each inspection.

A:03 Other Plans: The Board may require the submittal of complete plans and profiles of all proposed sanitary and storm sewers, and plans of proposed water supply.

A:04 Performance Guarantee: Appropriate evidence of performance guarantee in such forms as approved by the Board and Town Counsel in accordance with Sections 4:12 and 4:13 of these regulations shall accompany the subdivision plan application.

A:05 Application Form: Subdivision plans, supporting documents and data shall be accompanied by a properly completed application form which may be obtained from the Planning Board or town office (see Appendix D).

APPENDIX B. DESIGN CRITERIA:

B:01 Sewage Disposal:

A. Reserved Septic System Area:

1. Every subdivision application shall show on the plat or supplemental plan a reserved septic system area on each buildable lot that does not have an existing properly functioning septic system. The reserved septic system area shall not be used for buildings, wells, or other permanent structures, but shall be reserved for sewage treatment and septic effluent disposal.
2. The entire reserved septic system area must meet all town setback requirements for all structures, even where they exceed state setback requirements. The reserved septic system area shall be either:
 - a. A contiguous area of four thousand (4000) square feet. Such area must include a sufficient natural soil depth to meet the standards of the state of

New Hampshire, or

- b. If the applicant has obtained state “Approval for Construction” of a septic system design for the lot, the applicant may elect to treat a contiguous area including the entire approved septic system design as the reserved septic system area. If this option is elected, this contiguous area must be indicated on the plat or supplemental plan and identified as “approved designed septic system area,” and a copy of the state approval must be supplied.
3. The leach field area must meet all town setback requirements for leach fields, even where they exceed state setback requirements. The leach field shall be 75 feet away from all water bodies. The leach field shall be 75 feet away from poorly drained soils and very poorly drained soils, as defined by state regulations.

The leach field area can be shown to meet these setback requirements in either of two ways:

- a. The entire reserved septic system area can be shown to meet these requirements, or
 - b. If the applicant has obtained state “Approval for Construction” of a septic system design for the lot, the applicant may elect to show separately the approved proposed leach field area. If this option is elected, this area must be indicated on the plat or supplemental plan and identified as “approved designed leach field area,” and only this area need be shown to meet the setback requirements for leach fields.
4. The reserved septic system area shall not include any soils where ledge is exposed or where ledge is known to occur within 3 feet of the surface, unless a septic system design is approved by the state.

Within 75 feet of the reserved septic system area, all exposed ledge and all ledge known to exist within 3 feet of the surface shall be shown on the plat or supplemental plan.

When the Board finds it necessary in order to determine the proper response to an application, the Board may require additional information regarding the presence of ledge.
 5. Any land with a natural slope of 12 percent (12 feet vertical to 100 feet horizontal) or greater shall not be altered or used for the disposal of septic tank effluent, unless the applicant has obtained state “Approval for Construction” of a septic system design for the lot as provided in 2.b. above.
 6. The reserved septic system area shall not include any area below the 100 year flood elevation as defined in the New Ipswich Floodplain Development Ordinance, unless a septic system design is approved by the state after the state has been informed of the presence of the area below the 100 year flood elevation.

- B. For each lot that has an existing properly functioning septic system, no reserved septic system area is required. Instead, a statement must be provided stating that the septic system is in good working order.

C. Test Pits and Percolation Tests:

1. Test pits shall be constructed and percolation tests shall be performed in accordance with state requirements.
2. For lots requiring a reserved septic system area, at least one test pit shall be dug on every lot, and a percolation test performed. This test pit must be within the reserved septic system area. Any soil with a percolation rate slower than two inches per hour shall not be used for the disposal of septic tank effluent.
3. The Board may also require additional percolation tests and test pits if it deems them necessary given the conditions of the parcel.
4. All percolation tests and test pits made shall be logged, recorded, located and dated on the soil plan. All test pit locations must be clearly identified on the plat or supplemental plan. A copy of all percolation test data and test pit data submitted to the state shall be given to the Board.

D. Soils and Wetland Specifications:

1. Soil type boundaries and identifications shall be transcribed from soil maps provided by the Hillsborough County Conservation District.
When the Board finds it necessary due to topography or soil conditions, the Board may require for all or part of the parcel that a high-intensity and/or site-specific soil survey be performed and be delineated on the plat or supplemental plan by a soil scientist qualified in field analysis utilizing standards of the National Cooperative Soil Survey.
A certified soil scientist shall certify that all transcriptions and surveys have been accurately performed.
2. A certified wetland scientist shall certify that all wetlands shown on the plat or supplementary plan have been delineated by an on-site survey of the parcel. The Board may require that additional wetlands be delineated and shown on the plat or supplementary plan, and/or that wetlands be flagged on the ground.
3. When the Board finds it necessary, the Board may require that depth to ledge, clay, hardpan layers, and/or existing and expected seasonal high water table data be shown both on the soil plan and on the plat or supplemental plan.
4. When the Board finds it necessary to determine the proper response to an application, the Board may request a site review with comments from the Hillsborough County Conservation District, Milford, New Hampshire or other consultant it may select, at the applicant's expense.

B:02 Streets:

- A. Names of streets in a proposed subdivision shall be subject to the approval of the Planning Board to eliminate confusion with the names of existing streets and roads.

- B. Proposed streets shall be in harmony and conformance with existing and proposed streets in New Ipswich. Street patterns shall give due consideration to contours and natural features. Where required by the Board, provision shall be made for the extension of the street pattern to abutting undeveloped property. Every proposed street in a subdivision shall be laid out and constructed as required by these regulations, or as modified at the time of the consideration of the subdivision proposal.
- C. Where a subdivision abuts an existing street with an inadequate alignment, or right-of-way width, the subdivision plat shall include in the street dedication all land needed to meet the standards established by these regulations, and as approved by the Board.
- D. All buildings or structures shall have a minimum setback of 20' from abutters' property lines; along all frontage there shall be a 30' setback for all buildings or structures. When the Planning Board deems it necessary, it may require a buffer between the traveled way of a street and the property of an abutter to the subdivision.
- E. Deadend Streets
 - 1. For the purposes of this section, a loop road having a single access point is considered a deadend street.
 - 2. Permanent deadend streets shall either terminate in a turnaround or loop at least 100 feet in diameter with a paved area at least 80 feet in diameter, or in other turnarounds acceptable to the Board, such as hammerheads, provided that all of the following conditions are met:
 - a. Each leg of any turnaround shall be at least 60 feet in length with a paved area 50 feet in length, measured from the near edge of the abutting street or leg of the turnaround.
 - b. The radius at any corner of any turnaround, and at any corner of the paved area, shall be not less than 40 feet.
 - c. Each turnaround shall be maintained to the same extent as the street of which it forms an end.
 - d. Prior to approval, the Board shall have consulted with the Road Agent and Fire Chief regarding the geometry of the turnaround.
 - 3. The maximum length of a deadend street shall not exceed 1,000 feet. The length of a deadend street shall include all deadend streets assessed from the deadend street or used to access the deadend street. The length of a deadend street is measured along the path of the street from an intersection with two unique access routes to the farthest point on the deadend street. Unique access routes shall consist of roads maintained to class 5 standards or better and may not cross or have any portion of the route in common.
- F. Except where it is impracticable, because of the character of the land and then only when

specifically approved by the Board, streets shall intersect so that within seventy-five feet of the intersection the street lines are at right angles, and the grade within fifty feet does not exceed one percent. No structure of planting shall impair corner visibility.

- G. All streets shall be constructed and paved, and all bridges, culverts, drainage structures, storm sewers, gutters, drainage ditches, and other improvements required by the subdivision plat and accompanying documents, shall be installed in conformance with standards and specifications adopted by the Town of New Ipswich, N.H.

B:03 Street Specifications:

- A. New streets shall have a minimum right-of-way of fifty feet, minimum traveled width of twenty feet, minimum shoulder width of five feet on each side, maximum gradient of ten percent, and a minimum gradient of one-half of one percent.
- B. Road design shall comply with the most recent edition, minimum design criteria established by the New Hampshire Department of Public Works and Highways in its Geometric and Structural Guides for Town Road Aid Projects, New Hampshire Department of Transportation Suggested Minimum Design Standards for Rural Subdivision Streets and AASHTO "A Policy on Geometric Design of Highways & Streets" and such other specifications required by the Town and by the Board.
- C. Any item of work for which there are no specifications contained herein, shall conform to the current Standard Specifications for Road and Bridge Construction of the State of New Hampshire, DHDOT, hereinafter referred to as the "Standard Specifications".
- D. Any newly constructed road shall "winter over" for a period of one year before bond release by the Town.
- E. The entire area of each right-of-way shall be cleared of all stumps, brush, roots and trees not designated for preservation.
- F. Prior to the placement of any gravel material, a sieve analysis shall be done and the results sent to the Board's Agent for review.
- G. The full length and width of the proposed roadway traveled area and shoulders shall be excavated to a minimum depth of eighteen inches (additional excavation may be required by the typical section) or filled as necessary. If the soil is soft and yielding, or contains undesirable material such as loam, peat, soft clay or any other material detrimental to the subgrade, such material shall be removed and replaced with suitable well-compacted material. In fill areas no boulder greater than one foot in its largest dimension shall be placed within two feet of the gravel base.

- H. The centerline of the traveled roadway area shall coincide with the centerline of the right-of-way unless the Board specifically approved a minor variance.
- I. The base of the road shall be composed of a minimum of twelve (12) inches of bank-run gravel, spread and compacted to the required width (see the approved typical section for the exact gravel width). The gravel shall meet the specifications set forth in Section 304 of the “Standard Specifications”.
- J. On the base shall be laid a minimum of six (6) inches of crushed gravel, spread and compacted to the required width (see the approved typical section for the exact crushed width). The crushed gravel shall meet the specifications set forth in Section 304 of the “Standards Specifications”.
- K. Fire grading shall meet the specifications set forth in Section 214 of the “Standard Specifications”.
- L. The compaction requirements for materials placed as backfill, subgrade, base course and pavement shall be as specified for each separate item in the “Standard Specifications”.
- M. The minimum traveled way width should be 6.0 (20 ft.) For 0 to 750 vehicles per day, 6.6 m (22 ft) for 751 to 1,500 vehicles per day and, 7.2 m (24 ft.) For roads carrying over 1,501 vehicles. See following approved typical section for further information.
- N. No paving will be allowed between November 1 and April 15, except for roads that are completely ready for pavement prior to November 1. The ground temperature for base course paving shall be forty (40) degrees F and rising. The ground temperature for wearing course pavement shall be fifty (50) degrees F and rising. Base course pavement will not be accepted for compliance until it has been in place for a minimum of one (1) winter season at which time the wearing course can be placed. Base course pavement areas exhibiting depressions, spall areas or deterioration, shall be cut out and repaired to the satisfaction of the Board’s agent, and at the contractor’s cost, prior to permitting placement of the wearing surface.
- O. Gravel is to be spread and compacted at six (6) inch intervals immediately prior to paving. All depressions shall be filled and compacted until surface is true to line and grade.
- P. The pavement shall be a two-course hot bituminous pavement constructed to the widths shown on the approved typical section and will include, at a minimum, a two (2) inch base course and one (1) inch wearing surface. Materials shall conform to the specifications in Section 401 of the “Standard Specifications”.
- Q. Stabilized, vegetated shoulders shall be constructed starting two feet from each side of the traveled roadway and shall consist of four inches of rolled and seeded loam on top of at least eight inches of well-compacted gravel.

- R. In earthen cut and fill locations the area in back of the shoulders shall be sloped to a desirable 4H:1V but no steeper than at a rate of two feet horizontal to one foot (2H:1V). In ledge cut areas the slope may be left at a slope of IV:2H. See the approved typical section for more detail. Loam shall be applied to a depth of four inches, rolled and seeded or covered with other suitable mulching materials.
- S. Guardrail shall be installed in slope fill areas of less than 3:1 slope, and areas of 3:1 slope over six (6) height. Guardrail installation requires increasing the shoulder width in guardrail areas by two and a half feet (2'6") to accommodate guardrail depth. Wood rail and posts shall conform to Section 606 of the "Standard Specifications".
- T. All detention ponds, drainage swales, level spreaders, and drainage outflows shall be constructed and adequately stabilized with vegetation or erosion control matting prior to the construction of approved roads. Inspections during and after the construction of these facilities by the Board's Agent shall take place to ensure conformance to Town regulations and the approved plans.
- U. A construction entrance shall be put in place at each site entrance. This tracking bed shall consist of a six (6) inch minimum layer of 1"-2" crushed stone and shall be fifty (50) feet in length and min. ten (10) feet wide. This bed shall be maintained during construction to prevent tracking or flowing of sediment onto the public right-of-way and shall be removed prior to placement of gravel base and pavement. See the Stabilized Construction Entrance Detail for more information.
- V. It shall be the responsibility of the contractor to control blowing dust and soil. A functional water truck or any other town accepted dust control measure must be available on site at all times.
- W. The Planning Board may require curbing on streets upon consultation with the Town Engineer. If required, granite curbs shall be installed as specified in the "Standard Specifications".
- X. These street specifications also apply to existing Class V and VI gravel roads being upgrade with the exception that the paving width requirement may be waived when paving would be inconsistent with an adjoining section of the existing road. All work shall be met with the Selectmen's approval.

B:04 Driveways:

- A. No driveway shall be constructed within fifty (50) feet of the intersection of two public roads. For corner lots, where feasible, the driveway shall be constructed on the "side-street" rather than the "through" or "more traveled" road.

- B. The driveway all season safe sight distance in each direction shall be 200 feet. The Planning Board may reduce this distance to 150 feet for driveways bordering a side road in a subdivision. For the purposes of this section, all season safe site distance is defined as a line which encounters no visual obstruction between 2 points, each at a height of 3 feet 9 inches above the pavement, and so located as to represent the critical line of site between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction.
- C. The location of curb cuts must be shown on subdivision plans. Multiple options may be shown and indicated as such. All curb cuts on town streets or private roads are to be approved by the Road Agent.
- D. The driveway shall have a minimum width of ten (10) feet which shall be wide enough to accommodate emergency vehicles. The maximum width of the driveway shall not be over 20 feet. The driveway entrance may be flared as it approaches the road, but shall not exceed 25 feet.
- E. In order to assure emergency access, driveways shall be constructed with grades less than 15% and have inside curve radii of a minimum of twenty-five (25) feet.
- F. On any paved road, the driveway apron shall be paved fifteen (15) feet from the edge of existing pavement or to the property line, whichever distance is lesser.

All driveway aprons shall be paved or bonded to be paved prior to the issuance of a Certificate of Occupancy. From April 1 to September 30 the driveway apron shall be paved prior to the issuance of a Certificate of Occupancy. Driveway aprons that cannot be paved between October 1 and March 31 shall provide the Town with a bond for paving prior to the issuance of a Certificate of Occupancy. All bonded driveways shall be paved between April 1 and July 1 of the following spring. Arrangements shall be made with the Driveway Inspector to schedule.

- G. For a driveway with a grade of 10% or greater, a “landing” area of a minimum of 25 feet in length approaching the street is required at a grade less than or equal to negative one percent (-1%).
- H. Driveways shall intersect with the street at a 90 degree angle whenever feasible. In no case shall the angle of intersection be less than 60 degrees.
- I. In the case of shared driveways, the Planning Board may require passing and turning areas.
- J. All driveways shall be graded so that water does not flow onto the street. (This effectively means a low point or swale would be required to intercept driveway runoff prior to reaching the street shoulder.)

- K. Driveways shall not interrupt the natural or ditch line flow of drainage water. Where shallow ditch lines or natural drainage courses exist, driveways may be swaled at a point beyond the shoulder to accommodate the flow of storm water or the Road Agent or Planning Board may require installation of a culvert.
- L. Any driveway located over a culvert shall slope to drain into the culvert. All curbed driveways must have catch basins at the back of the sidewalk.
- M. Commercial lots located above the street may require a grate across the driveway entrance in order to divert the water and prevent it from adversely affecting the road or right-of-way.
- N. If a culvert is required for proper drainage it must conform to the following specifications:
1. The culvert shall be minimum of 12 inches in diameter and shall be new corrugated plastic or as approved by the Road Agent.
 2. The culvert shall be long enough to maintain the driveway width dimensions, and/or at least a 3:1 side slope.
 3. 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.
 4. The culvert shall be installed by the landowner under the supervision of the Road Agent.
 5. The drainage ditch shall be six (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.
- O. All bridges shall be constructed in accordance with NH State standards.
- P. No structures, signs, lights, displays, fences, walls, etc. shall be permitted on, over, or under the town road right-of-way.
- Q. Appropriate buffering (minimum setback widths or landscaping) shall be provided, to protect the privacy of neighbors and shield them from dust, noise, lighting, etc.
- R. In order to ensure timely location of homes by emergency vehicles, in the case of a common driveway shared by more than 2 dwellings the driveway shall be named and a sign showing the driveway name and the location of the dwellings shall be displayed near the entrance to the driveway. The Board of Selectmen must approve the name of the driveway.
- S. 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.

B:05 Drainage:

- A. Storm drains, culverts, and related installation, including catch basins, gutters and manholes shall be installed within the subdivision as necessary to adequately dispose of surface water. Where ground water conditions necessitate it, the Board may require the use of subdrain to drain the base course of the road. Construction shall be in accordance with the “Standard Specifications”.
- B. Storm drains shall be smooth interior polyethylene pipe, reinforced concrete pipe, asphalt-coated steel or plain aluminum corrugated pipe. The minimum size of the pipe shall be twelve inches inside diameter and shall be of greater size when required by the Board. The minimum pitch shall be five-tenths percent. All drains shall be laid to uniform grades and carefully backfilled so that the pipe is supported throughout its entire length with compacted earth.
- C. Catch basins, where required, shall be installed on both sides of the roadway at intervals of not more than three hundred fifty feet, at low points, and near the corners of the roadway at intersecting streets. Any change in alignment or grade, if not normally the location of a catch basin, shall be made by using a manhole.
- D. Catch basins shall be H-20 loading, a minimum four-foot inside diameter, have a minimum three-foot sump and manholes of shaped concrete bottom to allow for a smooth flow of water through the structure.
- E. Where adjacent property is not subdivided, provision in the form of an easement shall be made for the extension of the drainage system by continuing appropriate drains to the exterior boundaries of the subdivision, at such size and grade as will allow for their proper projection.
- F. Open ditches shall be designed for over 10-year design storms. When velocities exceed 5.0 feet per second (fps) in the ditch for 10-year design storms, the ditches should be stone-lined. Treatment swale velocities should not exceed 1.0 fps for 2-year storms. Detention pond design shall use 25 yr design and provide a minimum one (1) foot freeboard for 50-year storm.
- G. Ditches and culverts shall be installed as shown on the final plan, profile, typical sections and cross-sections as approved by the Planning Board. If during construction it develops that additional drainage pipes or structures are needed, the Board’s Agent shall require, with Planning Board approval, such additional installations.
- H. No part of any culvert or drainage pipe shall be installed above subgrade level. Closed drainage should have a minimum 3' cover above top of pipe.

- I. Catch basin, manhole, and drop inlet frames, grates and covers shall be NHDOT Standard and be installed with a minimum 3' cover measured from top of pipe.
- J. Drainage structures shall be cleaned at least twice annually, once during the month of May, once during the month of October, and at such other times as the Board's Agent shall direct. The owner shall deliver to the Board's Agent a paid invoice indicating the date and location of the cleaning and the number of drainage structures cleaned, and shall report any observed damage or deterioration to them.

B:06 Markers:

- A. Markers shall be installed on both sides of the right-of-way, at all street intersections, at all points of change of direction or curvature of streets and at other points where in the opinion of the Board permanent markers are necessary. Such markers shall be of granite or reinforced concrete not less than four inches square and not less than four feet long set flush with the finished grade.
- B. Where surface ledge is encountered, a one-foot by three-quarter inch iron pin inserted in the ledge may be substituted.
- C. No markers shall be installed until all construction which would destroy or disturb the marker is completed.
- D. The setting of the markers shall be supervised by a registered land surveyor or licensed civil engineer.
- E. The land surveyor or licensed engineer responsible for supervising the setting of markers shall provide certification to the Planning Board, or its agent, that all markers have been set according to town requirements and the approved plan, prior to permitting release of the bond.

B:07 Street Signs:

- A. The subdivider shall furnish and erect signs before erecting any buildings. Signs must be at all intersections and shall be of the same type being used in the Town at the time of subdivision approval.
- B. The subdivider shall also furnish and set such other traffic control signs as the Board shall require.

B:08 Clean Up:

- A. Upon completion of all work on the ground, the subdivider shall remove from the streets and adjoining property, all temporary structures and all surplus material and rubbish which may have accumulated during construction, and shall leave the work site in a neat and orderly condition.
- B. Street shall be cleaned up, by hand if necessary, to make sure that it shall be left in a safe, neat and presentable condition. All catch basins, detention ponds, drainage swales, level spreaders, and drainage outflows shall be cleaned, stabilized against erosion, and functioning in compliance with local, state, and federal regulations no more than 30 days prior to the street's proposed completion.

B:09 Inspection:

- A. Each of the following operations shall be completed, inspected, and approved in writing before the next step is begun. The Board's Agent shall conduct the inspections:
 - 1. After clearing, stumping, grubbing and mulch removal; all work prior to subgrade.
 - 2. After the subgrade has been completed.
 - 3. After the underground utilities and drainage have been completed.
 - 4. After application of the gravel, prior to placing crushed gravel.
 - 5. After application of the crushed gravel, prior to paving.
 - 6. After over wintering of the base course and prior to placement of wearing course.
 - 7. Final inspection after cleanup.

It is required that the General Contractor of the subdivision contact the Board's Agent and Town Road Agent before construction to conduct a formal pre-construction meeting to discuss, but not be limited to, inspection procedures, construction specifications, material testing program and any other details relating to the construction and inspection of the subdivision roads.

- B. Inspections 1, 2, 4, and 5 above shall be visual inspections by the Board's Agent.

For inspection 3, the applicant shall cause to have prepared, by a competent civil engineer or a NH licensed land surveyor, as built-plans showing the location, invert, and top grade of all drainage structures and other underground public utilities, the centerline street grades on 100 foot stations, 50' in vertical curve areas, to the nearest 0.10 foot. This information shall be submitted to the Board's Agent for inspection and approval. The as-built plans shall carry the signed certificate of the applicant's engineer or land surveyor, attesting that the survey and results reported are in conformity with these regulations.

For inspection 6, the applicant shall cause to have prepared plans, generally as under #3 above, but showing all street centerline and ditch grades to the nearest 0.10 foot on 50 foot stations.

- C. The applicant shall give at least twenty-four hours notice to the Board's Agent whenever an inspection is indicated. Necessary base lines and grade stakes shall be in place.
- D. Records of inspection shall be kept on file at the Town Office in the files of the Planning Board and shall be signed and dated by the inspector with any comments or recommendations regarding the work.
- E. The applicant is responsible for all costs incurred as a result of inspections and bond release reviews.

B:10 Material Testing:

- A. Testing will proceed at the maximum rate of one test sample (for quality and compaction determinations) per item per 200 feet of roadway, one test per pipe culvert or pipe section between basins, and at other locations as required. These tests are to be performed by an approved, independent materials testing contractor. The test results shall be mailed directly to the Board's Agent and cost of such testing, including repeat testing for material that fails to meet specifications shall be borne by the applicant.
- B. Visual inspections of drainpipe will be performed to assure proper installation. Pipelines are required to be true to grade and alignment from structure to structure. Pipe must be sound and flawless. Cracked, chipped or deformed pipe must be replaced.
- C. Storm drain systems are inspected visually for infiltration and proper drainage. Should infiltration, (other than minor wetness), or inadequate drainage be observed, repair or replacement will be required.
- D. Deformation testing may be required on flexible drainage piping and must not exceed five per cent (5%) of the inside pipe diameter in any axis. Concrete and ductile iron pipe only are considered to be rigid pipe.
- E. Final Acceptance: Upon written request of the owner or his/her authorized agent to the Planning Board, the Planning Board will cause a final inspection to be made of the project to determine that the project has been constructed in conformance with the plans and specifications and that all the required inspections and approvals and documentation has been submitted and accepted by the Planning Board.

B:11 Sidewalks:

- A. If required by the Planning Board, sidewalks shall be constructed of bituminous concrete a minimum of 2-inch thick, or a 4-inch thickness of portland cement concrete. Sidewalks shall be constructed to conform to the latest edition of the Americans With Disabilities Act Accessibility Guidelines.

- B. Sidewalks shall be a minimum of 5-feet in width and shall have a transverse slope of 2%, sloping towards the street. Sidewalks shall be installed 5-feet from the back of curb or edge of paving. See following approved typical section for further information.
- C. The excavated area shall be filled with a minimum of four (4) inches of crushed gravel for bituminous, and six (6) inches for portland cement.
- D. Crushed gravel is to be placed, rolled, and thoroughly compacted to a minimum density of 95% or greater.
- E. All bituminous sidewalks will be constructed with “Standard Specifications” Sidewalk mix - Section 608, Table 1 - Composition of Mixtures.
- F. Concrete Placement: Concrete shall have a 28-day strength of 4000 psi, with a maximum slump of 3-inches. Maximum aggregate size shall be 1-inch and 4% to 6% entrained air shall be added. Testing shall be the responsibility of the contractor and may be ordered by the Board’s Agent, Town Road Agent, and/or the Planning Board. Before placing the concrete, all foreign materials shall be removed from the base. All forms shall be thoroughly cleaned, secure in position and coated with a form-release agent. Concrete shall be placed, struck off, consolidated, and finished to plan grade with a mechanical machine, vibrating screen or by hand finishing methods when approved.
- G. Concrete Finishing: After concrete has been struck off and consolidated, a bull-float may be used to remove any high or low spots. The final finish shall be made with a clean fine bristled broom.
- H. Curing: During curing, concrete shall be protected from loss of moisture, rapid temperature change and mechanical injury following the placement. Following the curing period, an approved concrete sealer shall be applied at the rate recommended by the manufacturer.
- I. Joints: Joint pattern shall be detailed on the construction plans and shall not be altered without prior approval of the Planning Board or it’s agent. Control or contraction joints shall be formed by sawing or by use of pre-molded filler and shall be a minimum depth of one-fourth the slab thickness. Sawing shall begin when the concrete has hardened sufficiently to permit sawing without excessive raveling. Joints shall be continuous across the slab, be 5/16 inch to 1/4 inch in width and be completed before uncontrolled shrinkage cracks have occurred.
- J. At intersections and drive entries, sidewalks shall comply in all respects to the most recently adopted State of New Hampshire Architectural Barrier Free Design Code.

B:12 Utilities:

- A. Gas, electric, telephone, and cable TV services shall be installed underground, unless otherwise deemed in appropriate and waived by the Board, i.e. single subdivision. Utility service installations shall cross streets perpendicular to the traveled way. All utilities shall be installed in accordance with the respective utility companies written standards. These utilities will be protected under paved areas in conduit and in the manner prescribed by that utility.

B:13 Other:

- A. Trees and planting and proposed park or open spaces shall be in accordance with requirements of the Town and these subdivision regulations, or as required by the Planning Board at the time of consideration of the subdivision.

APPENDIX C. EROSION AND SEDIMENT CONTROL PLAN:

C:01 Definitions:

- A. "Board" means the Planning Board of the town of New Ipswich, N.H.
- B. "Development" means any construction or grading activities to improved or unimproved real estate.
- C. "Disturbed area" means an area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.
- D. "Erosion" means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.
- E. "Grading" means any excavating, grubbing, filling (including hydraulic fill) or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.
- F. "Inspection" means the periodic review of sediment and erosion control measures shown on the approved plan.
- G. "Sediment" means solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.
- H. "Soil" means any unconsolidated mineral or organic material of any origin.
- I. "Soil Erosion and Sediment Control Plan" means a scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

C:02 Activities Requiring an Erosion and Sediment Control Plan:

- A. A soil erosion and sediment control plan shall be submitted with any application for a subdivision when the disturbed area of such development is cumulatively more than one-half acre.
- B. A dwelling that is not a part of a subdivision of land shall be exempt from the requirement of an Erosion and Sediment Control Plan.

C:03 Purpose:

- A. A soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the danger from storm water runoff on the proposed site based on the best available technology. Such principles, methods and practices necessary for a proper one are found in "Erosion and Sediment Control Design Handbook for Developing Areas of New Hampshire" of 1981 and as subsequently amended.

C:04 Submission Of The Plan Shall Include But Not Be Limited To:

- A. A narrative describing
 - 1. The development
 - 2. The schedule for grading and construction activities including:
 - a. Start and completion dates
 - b. Sequence of grading and construction activities
 - c. Sequence for installation and/or application of soil erosion and sediment control measures
 - d. Sequence for final stabilization of the project site.
 - 3. The design criteria for proposed soil erosion and sediment control measures and storm water management facilities.
 - 4. The construction details for proposed soil erosion and sediment control measures and storm water management facilities.
 - 5. The installation and/or application procedure for proposed soil erosion and sediment control measures and storm water management facilities.
 - 6. The operations and maintenance program for soil erosion and sediment control measures and storm water management facilities.
- B. A site plan map at a sufficient scale to show:
 - 1. The location of the proposed development and adjacent properties;
 - 2. The existing and proposed topography including soil types, wetlands, watercourses and water bodies;

3. The existing structures on the project site if any;
4. The proposed area alterations including cleared, excavated, filled or graded areas and proposed structures, utilities, roads and, if applicable, new property lines;
5. The location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities;
6. The sequence of grading and construction activities;
7. The sequence for installation and/or application of soil erosion and sediment control measures;
8. The sequence for final stabilization of the development site.

C:05 Any Other Information Deemed Necessary And Appropriate By The Applicant Or Requested By The Planning Board

C:06 Minimum Acceptable Standards:

- A. Plans for soil erosion and sediment control shall be developed in accordance with the principles as outlined in "Erosion and Sediment Control Design Handbook for Developing Areas of New Hampshire" of 1981 and as subsequently amended. Soil erosion and sediment control plans shall result in a development that minimizes erosion and sedimentation during construction, is stabilized and protected from erosion when completed, and does not cause off-site erosion and/or sedimentation.
- B. The minimum standards for individual measures are those in the "Erosion and Sediment Control Design Handbook for Developing Areas of New Hampshire" of 1981 and as subsequently amended. The Planning Board may grant exceptions when requested by the applicant if technically sound reasons are presented
- C. The smallest practical area of land shall be disturbed at any one time.
- D. Hay bale barriers, silt fence, and sediment traps shall be installed and maintained as required to minimize and control erosion during the construction period. Barriers, fencing, and traps are to be maintained and cleaned until all slopes have a healthy stand of grass or other approved vegetation.
- E. Baled hay, mulch, and/or erosion control matting shall be used to stabilize disturbed areas. Baled hay and mulch shall be mowings of acceptable herbaceous growth, free from noxious weeds or woody stems, and shall be dry. No salt hay shall be used.
- F. Stockpiles of loam shall be protected by siltation fence and temporarily seeded to prevent erosion. These measures shall remain until all material has been placed or disposed off site.
- G. All disturbed areas shall be loamed and seeded with grass or other approved vegetation. A minimum of four (4) inches of loam shall be installed with not less than one (1) pounds of

seed per fifty (50) square yards of area.

- H. After all disturbed areas have been adequately stabilized, the temporary erosion control measures are to be removed. Disturbed areas resulting from removal of the temporary erosion control measures shall be repaired and seeded.
- I. All slopes not stabilized by grown vegetation by October 31 shall be stabilized by non-vegetative methods.

C:07 General Provisions:

- A. Nothing in these regulations shall be construed as extending the time limits for the approval of any application under RSA 676.4.
- B. The Board may forward a copy of the development proposal to the Conservation Commission of the Town of New Ipswich, the Hillsborough County Conservation District, Milford, N.H., or other review agency or consultant for review and comment.
- C. The estimated costs of measures required to control soil erosion and sedimentation, as specified in the submitted plan, may be covered in a performance bond or other assurance acceptable to the Board in accordance with the provision specified under Section 4:12 of these subdivision regulations.
- D. Site development shall not begin unless the soil erosion and sediment control plan is approved and those control measures and facilities in the plan scheduled for installation prior to site development are installed and functional.
- E. All control measures and facilities shall be regularly maintained and kept in effective condition to ensure the compliance with the plans.
- F. Inspections shall be made by the Board's Agent during development to ensure compliance with the plan and that control measures and facilities are installed, maintained and performing as intended. The Board may require the permittee to verify through progress reports that soil erosion and sediment control measures and facilities have been performed or installed according to the plan and are functioning and maintained according to town, state and federal regulation.

C:08 Site Specific Permits:

- A. Required from NHDES (271-3505) whenever a project proposes to disturb more than 100,000 square feet of terrain (50,000 sq ft. if within the protected shoreland), and as of March 10, 2003, construction activity that disturbs 1 or more acre of land needs Federal storm water permit (contact EPA at 617-918-1615). Selection and design of erosion control

measures may be found in the publication “Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire”, prepared by the Rockingham County Conservation District for the New Hampshire Department of Environmental Services, August 1992 (currently being updated).

C:09 As-Built Drawings (Streets and Utilities):

- A. NOTE: As-Built Drawings shall be generated using the original Planning Board approved plans. Cost for preparation and any subsequent reviews to be borne by the applicant.
- B. Plans shall be signed by a NH licensed land surveyor civil engineer. Actual elevation data (i.e. inverts, roadway, etc.) and station offsets shall be shown on the plans.
- C. Sheet size and drawing scale shall be same as the approved plans.
- D. Profiles of street centerlines and/or utility lines shall be drawn at the same scale as plan. The following information shall be shown on the profile:
 - 1. As-Built elevations at 50 foot stations;
 - 2. All underground utilities such as gas, electric, telephone, and cable TV depths need to be shown on the profile;
 - 3. All vertical curve data;
 - 4. Roadway profile slopes;
 - 5. Drainage culvert inverts, pipe size and type;
 - 6. Catch basins (rim elevation, station, offset, invert elevations in and out, pipe size and type).
- E. Details to be shown:
 - 1. Horizontal alignment of centerline with tie-in to centerline of intersecting streets, location of street right-of-way bounds, edge of rights-of-way and easements to the Town outside the street right-of-way, and front property corner markers;
 - 2. At fifty (50) foot minimum intervals provide elevations along centerline, edge of pavement, and top and toe of roadway side slopes;
 - 3. Location, elevation, and type of bench marks and retaining walls;
 - 4. Location of all visible roadway components including but not limited to guardrail, fencing, gates, drive aprons, sidewalks, traffic signs, curbing, street lights, water cisterns;
 - 5. Location and elevation of all roadway appurtenances including but not limited to drainage retention ponds, drainage swales, pipes, water quality structures, etc. within or outside the street right-of-way;
 - 6. Show rim elevations, pipe invert elevations, size and type, and locations (station and offset) of catch basins, drainage manholes, cleanouts, headwalls, fixed-end sections,

- culverts, etc. Show pipe connections between structures with pipe size and type.
7. Location of private utilities including but not limited to electric, telephone and cable conduit. Show mains, utility poles, transformer pads, junction boxes and service stubs.