

ALTON, NH SUBDIVISION REGULATIONS



REGULATIONS DATED APRIL 17, 2015

ADOPTED ON MAY 5, 2015

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**Town of Alton
New Hampshire**

SUBDIVISION REGULATIONS

SECTION I - ADOPTION AND PURPOSES

A. **AUTHORITY AND ADOPTION**

Under the authority vested in the Alton Planning Board by vote of the Town Meeting on March 14, 1967 and in accordance with Chapter 674, SECTION 35 to 42 inclusive, N.H. Revised Statutes Annotated, as amended, the Alton Planning Board adopts the following regulations governing the subdivision of real property in the Town of Alton.

B. **TITLE**

These regulations shall be known as the Town of Alton **Subdivision Regulations**, and hereinafter referred to as "these regulations" or "subdivision regulations".

C. **PURPOSE**

The purpose of these regulations, as provided in RSA 674:36, as amended, is to provide for orderly and planned growth of undeveloped areas of Alton, to foster the development of an economically and environmentally sound and stable community and to safeguard and protect the interests of the public and the taxpayer from the consequences of improper subdivision and unmanaged growth by:

1. Providing against such scattered or premature subdivision of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire protection, or other public services, or necessitate the excessive expenditure of public funds for the supply of such services;
2. Providing for the harmonious development of the municipality and its environs;
3. Requiring the proper arrangement and coordination of streets within subdivisions in relation to other existing or planned streets or with features of the official map of the municipality;
4. Providing for open spaces of adequate proportions;
5. Requiring suitably located streets of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air, and access for fire fighting apparatus and equipment to buildings, and be coordinated so as to compose a convenient system;
6. Requiring in proper cases, that plats showing new streets or narrowing or widening of such streets submitted to the Planning Board for approval shall show a park or parks suitably located for playground or other recreational purposes;
7. Requiring that proposed parks shall be of reasonable size for neighborhood playgrounds or other recreational uses;
8. Requiring that the land indicated on plats submitted to the Planning Board shall be of such character that it can be used for building purposes without danger to health or safety;

9. Prescribing minimum areas of lots so as to assure conformance with local zoning ordinances and to assure such additional areas as may be needed for each lot for on-site sanitary facilities;
10. Providing for the preservation of wildlife habitat by minimizing the impacts of development on deer wintering yards, wildlife corridors and vernal pools;
11. Encouraging the installation and use of solar, wind, or other renewable energy systems and protecting access to energy sources by the regulation of orientation of streets, lots and buildings; establishing maximum building height, minimum setback requirements, and limitations on type, height and placement of vegetation; and encouraging of the use of solar sky space easements under RSA 477;
12. Providing for the efficient and compact subdivision development which promotes retention and public usage of open space and wildlife habitat, by allowing for village plan alternative subdivision as defined in RSA 674:21, VI;
13. Requiring innovative land use controls on lands when supported by the master plan; and
14. Including provisions which will tend to create conditions favorable to health, safety, convenience, or prosperity.

D. WHEN SUBDIVISION APPROVAL IS REQUIRED

Subdivision is defined as the division of a lot, tract, or parcel of land into two or more lots, plats, sites or other divisions of and for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. The division of a parcel of land held in common and subsequently divided into parts among several owners shall be deemed a subdivision under this title. (RSA 672:14, as amended)

Subdivision approval by the Planning Board is required for the following types of land development:

1. The division of land (existing lot, tract or parcel of record) into two or more lots, which are to be conveyed individually as separate lots of record.
2. Annexations and Minor Lot Line Adjustments.
3. The division of land into two or more building sites or units for sale, lease or for condominiums, including campgrounds.
4. Voluntary Lot Mergers

Once a Final Subdivision Application is accepted as complete by the Planning Board, the applicant shall not start commence construction activities of any kind until the Planning Board has granted subdivision final approval and all the conditions precedent have been satisfied.

E. PROHIBITED BEFORE SUBDIVISION APPROVAL

Whenever any subdivision of land is proposed, no land within that proposed subdivision shall be sold, transferred, leased, altered, or cleared; no road construction or building development shall be started, no permit for the erection of buildings shall be issued, and no subdivision plat shall be filed with the Belknap County Registry of Deeds until all required Land Use permits and approvals shall have been issued. Furthermore construction activity associated with street

work or utility installations or tree removal shall not occur prior to all Conditions Precedent, as stipulated in the Notice of Decision being completed and authorization to proceed with such work is authorized in writing by the Planning Department.

Before the subdivision plat may be recorded in the Belknap County Registry of Deeds, transfer or sale of any part thereof, the owner or authorized agent shall apply to the Board on the appropriate application form with commensurate project security in accordance with these regulations.

SECTION II – DEFINITIONS

- A. If a term is used in these Subdivision Regulations, but is not defined herein, then refer to ARTICLE 200 Definitions in the Zoning Ordinance or SECTION 1.05 of the Site Plan Review Regulations.
- B. For the purposes of these Regulations, certain terms or words used herein shall be interpreted as follows:
1. The word person includes a firm, association, organization, partnership, trust, company or corporation as well as an individual. The word person is used interchangeably with the terms applicant, applicant, owner, or landowner.
 2. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
 3. The word shall is mandatory; the word may is permissive.
- C. The following terms shall have the meanings as follows:
1. 100-Year Flood: [from FDO] see Base Flood.
 2. Abutter: Any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use Board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use Board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use Board hearing, in the case of an abutting property being under a manufactured housing park form of ownership as defined in RSA 205-A: 1, II, the term "abutter" includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use Board.
 3. Acceptance: Recognition by a majority vote of the Planning Board by

members present at a meeting that an application is complete and ready for further consideration.

4. Accessory Apartment: A separate, independent, accessory and subordinate dwelling unit either located on the same property as the primary single family dwelling or within the primary single family dwelling itself. Examples include an apartment over a garage, a basement apartment or an extension to the existing house.
5. Accessory Building, Structure or Use: Means a building, structure or use incidental and subordinate to the main building and its use and occupying the same lot.
6. Affordable: Means housing with combined rental and utility costs or combined mortgage loan debt services, property taxes, and required insurance that do not exceed 30 percent of a household's gross annual income.
7. Agriculture: As defined by NH RSA 21:34-a, with the exception of septage, as amended.
8. Agritourism: As defined by RSA 21:34-a VI, means attracting visitors to a working farm for the purpose of eating a meal, making overnight stays, enjoyment of the farm environment, education on farm operations, or active involvement in the activity of the farm which is ancillary to the farm operation.
9. Airport – Means any area of land or water, whether constructed or not, which is a site for the landing and taking-off of aircraft or utilized or to be utilized publicly or privately as a point of arrival or departure by air.
10. Alternative Tower Structure: Innovative siting techniques that shall mean man made trees, clock towers, bell steeples, light poles, and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.
11. Alton Planning Board or Board: The Planning Board of the Town of Alton, New Hampshire.
12. Amusement Use: Indoor: Pinball/video arcade, dance hall, bowling alley, movie theater, tennis center, or gymnasium.
13. Amusement Use: Outdoor: Miniature golf, drive-in theater, and circus/carnival.
14. Annexation: The sale, transfer, or other conveyance of land to the owner of adjoining land which does not increase the number of parcels, lots, or owners

and does not result in additional lots of substandard areas under the Zoning Ordinance. Annexations include minor lot line adjustments.

15. Antenna: Any exterior apparatus designed for telephonic, radio, television, personal communications service (PCS), page network, or any other communications through the sending and/or receiving of electromagnetic waves of any bandwidth.
16. Antique Shop: A store, whether a principal use or accessory use, which sells exclusively furniture and home furnishings over seventy-five years old.
17. Applicant: The owner(s) of record or the duly authorized agent of the owner(s) of record of any land, which is proposed to be developed through the subdivision or site plan review process.
18. Approval: Recognition by the Planning Board, certified by written endorsement on the subdivision plat, that the subdivision plat meets the requirements of these Regulations and in the good judgment of the Board, satisfies all criteria of good planning and design.
19. Area of Shallow Flooding: [from FDO] A designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with a one (1%) percent or greater annual chance of flooding to an average depth of one (1) to three (3) feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
20. Area of Special Flood Hazard: [from FDO] Is the land in the floodplain within a community subject to a one (1%) percent or greater chance of flooding in any given year. The area is designated on the FIRM as Zones A and AE.
21. Assisted Living CCRC Facilities: Facilities which provide housing and care for residents who are no longer medically self-sufficient but who are not yet in need of the more expensive (and more institutional) skilled nursing care. An example would be an arthritis patient who needs assistance with dressing and the like but who can otherwise carry on a daily routine. Assisted Living facilities must include room and board (serving a minimum of one meal per day - up to three), provision of personal care assistance, medication assistance, and minimum qualification for employed staff per NH Chapter He-P 805 & He-P-804. The housing component of the facility is located within one building on the site.
22. Automobile, motorcycle, light truck sales, leasing or rental: Sales, leasing,

rental, and related servicing of new and used automobiles, light trucks, vans and sport utility vehicles limited to a capacity of not more than one-and-one-half (1 1/2) tons, motorcycles, motor scooters, mopeds, all-terrain vehicles, snowmobiles, go-carts, utility trailers, and similar items; excluding, however, commercial wrecking, dismantling, or junkyard.

23. Automobile Service Station: Any building or premises used primarily for the retail sale of gasoline and lubricants, but which may also provide for the servicing of motor vehicles and small engine repair including grease racks, tire repairs, battery changes, hand washing of automobiles and the sale of merchandise and supplies related to the servicing of motor vehicles, but excluding body and fender work, painting, storage of autos not in operating condition or other work involving noise, fumes, glare or smoke.
24. Automotive and Truck Junk Motor Vehicle Dealer: Every person or firm who has an established place of business at which he is engaged full or part time in the business of buying second hand motor vehicles for the purpose of taking the same apart, or buying and selling parts of second hand motor vehicles, or tires for the assembling of second hand motor vehicle parts, in accordance with RSA 236:112 V (c), as amended.
25. Automotive and Truck Motor Vehicle Dealer: Every person engaged full or part time in the business of selling or exchanging new and second hand motor vehicles on commission or otherwise having complied in full with the intent and conditions of RSA 236:112 V (A), as amended.
26. Automotive and Truck Motor Vehicle Washing Facility: A site or structure used for the washing of trucks or automobiles.
27. Automotive and Truck Repair Garage: A structure, premises and land in which, or upon which, a business, service, or industry involving the maintenance, servicing, repair, or painting of vehicles is conducted or rendered.
28. Automotive and Truck Used Motor Vehicle Dealer: Every person or firm engaged full or part time in the business of selling or exchanging second hand motor vehicles on commission or otherwise having complied in full with the intent and conditions of RSA 236:112 V (B), as amended.
29. Basal Area: The cross sectional area of a tree measured at a height of 4-1/2 feet above the ground, usually expressed in square feet per acre for a stand of trees.
30. Base Flood: [from FDO] The flood having a one (1%) percent chance of

being equaled or exceeded in any given year.

31. Base Flood Elevation: [from FDO] Means the computed elevation to which floodwater is anticipated to rise during the base flood.
32. Basement: [from FDO] Any area of the building having its floor sub- grade (below ground level) on all sides.
33. Bed and Breakfast: Overnight accommodation and morning meal in a dwelling unit provided to transients for compensation.
34. Best Management Practices (BMP): A proven or accepted structural, non-structural, or vegetative measure the application of which reduces erosion, sediment, or peak storm discharge, or improves the quality of stormwater runoff.
35. Boat Sales: A facility which displays and sells boats for retail purposes. A boat sales facility may perform only routine tasks necessary to prepare a new boat for use in the water.
36. Boat Sales and Service: A facility for the sales, servicing, and fueling of new and used boats. The facility may include a retail sales area for boating related accessories. No overnight docking facilities and no all day or overnight parking facilities are provided.
37. Boat Service: A facility that provides maintenance, repair and upkeep of boats including hull repair, engine repair and routine maintenance.
38. Boat Storage: A location where boats are stored for commercial purposes within or without a structure.
39. Breakaway Wall: [from FDO] A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation.
40. Building: [from FDO] See Structure [from FDO]
41. Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.
42. Building Envelope: The three-dimensional space within which a structure is permitted to be built on a lot and that is defined by maximum height

regulations and minimum setbacks.

43. Building Trade or Repair Shop: A structure used for storing, maintaining and supporting a contractor's operations. The structure is accessory to the contractor's operations. This is not to be considered a contractor's storage yard.
44. Bunkhouse: An accessory building to a principal residential building on the same lot which provides additional living and bedroom space.
45. Campsite – Means a parcel of land in a recreational campground or camping park rented for the placement of a tent, recreational vehicle, or a recreational camping cabin for the overnight use of its occupants.
46. Certificate of Occupancy: A document issued by the Code Official allowing the occupancy or use of a building and certifying that the structure or use has been constructed and will be used in compliance with all applicable municipal codes and ordinances.
47. Certified Soils Scientist: A person who, by reason of special knowledge of soil science principles acquired by professional education and practical experience, as specified by RSA 310-A:84, I and II, as amended, is qualified to identify, classify, and prepare soil maps according to the standards of the National Cooperative Soil Survey, or standards adopted by the New Hampshire Department of Environmental Services, or standards adopted by the Board, and who has been duly certified by the State of New Hampshire.
48. Certified Wetlands Scientist: Means a person who, by reason of his or her special knowledge of hydric soils, hydrophytic vegetation, and wetland hydrology acquired by course work and experience, as specified by RSA 310-A:84, II-a and II-b, as amended, is qualified to delineate wetland boundaries and prepare wetland maps in accordance with standards for identification of wetlands adopted by the New Hampshire Department of Environmental Services or the United States Army Corps of Engineers or its successor, and who has been duly certified by the State of New Hampshire.
49. Church: A building or structure or group of buildings or structures that by design and construction is primarily intended for conducting organized religious services and associated accessory uses.
50. Clear Days: For the purpose of public notice, clear days shall not include the day of publication or posting of the notice and shall not include the day of the public hearing.

51. Code Official: The person selected by the Board of Selectmen to interpret and enforce the Building Codes, the Health Regulations and the Zoning Ordinance.
52. Commercial: A use primarily concerned with the sale of goods or services.
53. Commercial Function Facility: A facility designed exclusively and predominantly for the gathering of people for functions or events for commercial purposes including but not limited to, weddings, reunions, birthday parties, and other social, religious, political or meeting events. Such facilities may be located entirely within a building or other enclosed structure, under a tent, outside or in some combination of all three. The owner of a residential property that holds an infrequent event on his/her property that is non-commercial in nature and/or family-related is exempt from the definition of a commercial function facility. Concert venues are not included in the definition of a commercial function facility.
54. Complete Application: A final subdivision plat and application form submitted with all other information and materials required by the Planning Board as required by SECTION IX, D. for a Minor Subdivision and SECTION IX, A., B., and C. for a Major Subdivision. The information submitted shall be sufficient to invoke the Board's jurisdiction to accept the application as complete, begin the review process, and make an informed decision.
55. Conceptual Consultation: This is the first step of the pre-application review process prior to the Design Review application or Final Subdivision application. A Conceptual Consultation is an optional step for both a Minor and a Major Subdivision application.
56. Conditional Approval: Recognition by the Planning Board, certified in a written Notice of Decision, that the subdivision is not finally approved until all the conditions precedent set forth in the Notice of Decision are met.
57. Condominium: Real property and interest therein, where the undivided interests in the common area are vested in the unit owners or in cooperative or corporate association consisting of the unit owners. It includes, but is not limited to multifamily, group, clustered or single family housing wherein units are individually owned but wherein open space and other facilities are held in common ownership. Condominiums shall be considered a subdivision plan as outlined in RSA 356: B, as amended and reviewed accordingly.
58. Conditional Use Permit: A regulatory tool used by municipalities to implement “innovative land use controls” adopted pursuant to NH RSA 674:21.

59. Conservation: A careful preservation and protection of something, planned management of a natural resource to prevent exploitation, destruction or neglect.
60. Construction Observation: Construction monitoring performed by the municipal engineering consultant chosen by the Planning Board to review and comment in relation to the Subdivision Regulations and the approved plans and permits.
61. Construction Trailer: A boxcar or mobile trailer used at a construction site where a residential or commercial building is being undertaken and utilized for storage, occupancy or warehousing purposes.
62. Contiguous Lots: Means adjacent or abutting lots which have a common boundary line.
63. Continuing Care Retirement Communities (CCRC): A single retirement community site or campus containing two or more of the following components: 1) Independent Living CCRC facilities, 2) Assisted Living CCRC facilities, 3) Skilled Nursing CCRC facilities, and 4) CCRC Support facilities.
64. Contractor: The person or company representing the Owner/Developer who is responsible for the construction of the proposed development in accordance with the approved plans.
65. Contractor Equipment Storage: Area used for the storage of equipment and material used in contractor's business.
66. Corner Lots: A lot with at least two contiguous sides abutting upon streets.
67. Critical Areas: Disturbed areas of any size within 50 feet of a stream, bog, water body, or poorly or very poorly drained soils; disturbed areas exceeding 2,000 square feet in highly erodible soils; or, disturbed areas containing slope lengths exceeding 25 feet on slopes greater than 15 percent.
68. Dark Sky Specification: Specification of the International Dark-Sky Association, 3225 N. First Ave., Tucson AZ 85719, <http://www.darksky.org>, intended to control sky-glow.
69. Day: A calendar day unless otherwise noted.
70. Day Care, Home: (Family day care home) An occupied residence in which child day care is provided for less than 24 hours per day, except in

emergencies, for up to 6 children from one or more unrelated families. The 6 children shall include any foster children residing in the home and all children who are related to the caregiver except children who are 10 years of age or older. In addition to the 6 children, up to 3 children attending a full day school program may also be cared for up to 5 hours per day on school days and all day during school holidays.

71. Design Review: This is the second step in the pre-application review process following the optional Conceptual Consultation step and prior to the required Final Subdivision application. The Design Review step is optional for a Minor Subdivision application and a required step for a Major Subdivision application.
72. Development: [from FDO] Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavating or drilling operations or storage of equipment or materials.
73. Direct Light: Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.
74. Disturbed Area: An area where the natural vegetation has been removed exposing the underlying soil, or vegetation has been covered.
75. Drive-in Restaurant: Any place or premises used for sale, dispensing, or serving of food, refreshments, or beverages in automobiles including take out and including those establishments where customers may serve themselves and may eat and drink food, refreshments, or beverages in automobiles and including establishments intended for large volume or fast service with on or off-premises consumption, which, because of the nature of sales, operation or market service cause a large volume or frequent turnover of vehicular traffic.
76. Driveway: Shall be defined as any path of access serving less than three dwelling units that is used by motor vehicles to gain entry upon private property from a public right-of-way. This includes: parking pads, private roads and any other means of access to public or private property from a public highway.
77. Duplex: A building containing two single-family dwelling units totally separated from each other by an unpierced wall extending from ground to roof. There shall be separate entrances for each unit.
78. Dwelling - Multi-family: A residential building designed for or occupied by three or more families on a single lot.

79. Dwelling - Single-family: A detached residential building, other than a manufactured home, designed for and occupied by one family only.
80. Dwelling Structure: Any enclosed space wholly or partly; which may contain one or more dwelling units; used or intended to be used for living, sleeping, cooking, and eating.
81. Dwelling Unit: One room or group of rooms, constituting a separate independent housekeeping establishment for owner occupancy, rental, or lease; located within a dwelling structure and physically separated from any other dwelling unit which may be in the same dwelling structure, forming a single habitable dwelling unit with facilities used or intended to be used by a single family for living, sleeping, cooking, and eating.
82. Dwelling Unit - CCRC (Continuing Care Retirement Community): A dwelling unit, with or without kitchen facilities, located within a CCRC site which provides the required Continuing Care Retirement support services and facilities for seniors or disabled persons.
83. Easement: An acquired privilege which one party may have in the land of another.
84. Elderly Housing: Any elderly housing development under this section must be established and maintained in compliance with the Fair Housing Act, as amended, 42 U.S.C. Sec 3601 et seq. The Planning Board may require assurance of compliance with the Act by deed restriction or other instrument as condition of approval. "Such assurance may consist of a written plan submitted by the developer, which shall set forth: (1) the regulations under the Fair Housing Act where by a project may lawfully discriminate in favor of elderly residents, and (2) how the developer proposes to comply with such requirements, including covenants and other deed restrictions and other to-be-recorded agreements". At least one resident of the household must be 62 years old or older.
85. Energy Facility: A facility, which produces energy to include the following only: solar power, methane or hydropower as a small scale (under 100KW).
86. Erosion: The detachment and movement of soil or rock fragments by water, wind, ice, or gravity.
87. Escrow: Monies placed in escrow with the Town to cover all costs related to plan reviews and/or construction observations based on an executed agreement with the municipal engineering consultant or other professional.

88. FAA: An acronym that shall mean the Federal Aviation Administration.
89. FCC: An acronym that shall mean the Federal Communications Commission.
90. FDO: The definition pertains to the Floodplain Development Overlay Districts SECTION 660.
91. FEMA: [from FDO] The Federal Emergency Management Agency.
92. Fire Wood Processing Site and/or Facility: A structure and/or site used for the processing of logs into fuel wood. Such site or structures include, but are not limited to, wood splitters, saws and wheeled vehicles used for moving the logs for processing.
93. Fixture: The assembly that houses the lamp or lamps and can include all or some of the following parts: housing, a mounting bracket or pole socket, a lamp holder, ballast, a reflector or mirror and/or a refractor or lens.
94. Flood Elevation Study - [from FDO]: An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e. mudflow) and/or flood-related erosion hazards.
95. Flood Insurance Rate Map (FIRM) - [from FDO]: means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community.
96. Flood Insurance Study - [from FDO]: Means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e. mudflow) or flood-related erosion hazards.
97. Flood or Flooding [from FDO]: means a general and temporary condition of partial or complete inundation of normally dry land areas from:(1) the overflow of inland or tidal waters, (2) the unusual and rapid accumulation or runoff of surface waters from any source.
98. Flood or Spot Light: Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.
99. Flood Proofing - [from FDO]: Any combination of structural and non-

structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

100. Floodplain or Flood-prone Area - [from FDO]: means any land area susceptible to being inundated by water from any source.
101. Floodway - [from FDO]: see Regulatory Floodway.
102. Forestry: Timber growing and harvesting, not including processing activities such as sawmills and assembly yards.
103. Franchise Architecture: A building style, design, or form which can be identified, without use of any other signage, as a specific business entity by name.
104. Frontage, Shoreland: The average of the distances measured in feet along the natural mean high water level reference line and along a straight line drawn between the points at which the reference line intersects the side lines of the property.
105. Frontage, Street: The distance along the front lot line or right-of-way line of a Class V Highway or better lawfully existing in the Town of Alton, or as approved by the Planning Board measured in feet. The minimum frontage distance shall be contiguous. Each lot shall meet minimum frontage requirements on the street through which beneficial access is achieved.
106. Functionally Dependent Use - [from FDO]: A use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking and port facilities that are necessary for the loading/unloading of cargo or passengers, and ship building/repair facilities but does not include long-term storage or related manufacturing facilities.
107. General Store: Any retail establishment of 2,000 square feet or less in size which offers for sale prepackaged food products, household items, news papers and magazines, as well as sandwiches and other freshly prepared foods for off-site consumption.
108. Glare: Light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.
109. Greenhouse - (Commercial Greenhouse): A structure in which plants, vegetables, flowers, and similar materials are grown for sale.

110. Habitable Space – A space in a building for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces or similar areas are not considered habitable spaces.
111. Habitation – A place of residence, dwelling or abode.
112. Height of Luminaire: The vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.
113. Heliport – An area, either at ground level or elevated on a structure, licensed by the federal government or an appropriate state agency and approved for the loading, landing, and takeoff of helicopters and including auxiliary facilities, such as parking, waiting room, fueling, and maintenance equipment.
114. Highest Adjacent Grade - [from FDO]: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
115. Highly Erodible Soils: Any soil with an erodibility class (K factor) greater than or equal to 0.43 in any layer as found in Table 3-1 of the "Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire."
116. Historic Structure - [from FDO]: Any structure that is:
- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the interior; or
 - (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - 1) By an approved state program as determined by the Secretary of the Interior, or
 - 2) Directly by the Secretary of the Interior in states without approved programs.

117. Home Business: A Home Business is an accessory use of a dwelling unit for a high impact business use which results in a product or service. It is a business which is carried on by a resident or residents who shall have their residence in the dwelling unit, which is clearly subordinate to the residential use of the dwelling unit, and which complies with **all** of the criteria outlined in SECTION 333 Criteria for a Home Business in the Site Plan Review Regulations. If the Home Business does not have an on-premise sign, does not have any non-resident employees, does not have any customer, client or employee traffic, does not have any outside operations, storage, or display of materials or products, then it is allowed by right with no minor site plan review required. Only Home Businesses exceeding these thresholds need a minor site plan review.
118. Homeowners Association: A community association, other than a condominium association, that is organized in a development in which individual owners share common interests and responsibilities for costs and upkeep of common open space or facilities.
119. Inclusionary Zoning: A regulatory tool used by municipalities to encourage workforce housing development within the private market. This voluntary tool is enabled as an “innovative land use Control” adopted pursuant to NH RSA 674:21.
120. Independent Living CCRC: Facilities which provide housing and care for residents who have few health care needs that prevent them from carrying on a normal lifestyle. Support facilities must include room and board (serving a minimum of one meal per day - up to three), provision of personal care assistance, medication assistance, and minimum qualification for employed staff per NH Chapter He-P 805 & He-P-804. These facilities typically consist of small multi-family dwellings but can also include some more single-family-oriented living facilities such as townhouses, villas or cottages. The Continuing Care Retirement Community support facilities may be located in a separate building on the same site.
121. Indirect Light: Direct light that has been reflected or has been scattered off other surfaces.
122. Inn: A commercial facility for the housing and feeding of transients. Typically the food services are available to the general public and not limited to the transients housed at the Inn.
123. Kennel: An establishment in which a primary use is housing dogs, cats, or other household pets, and/or grooming, breeding, boarding, training or selling of animals.

124. Lamp: The component of a luminaire that produces the actual light.
125. Land: A real and substantial solid lot, tract or parcel of property located in the Town of Alton, which is a not water dedicated and defined for the purpose of ownership.
126. Land-Locked Lot: A parcel, which is substandard by reason of no legal access.
127. Laundry or Dry Cleaning includes Self Service: Cleaning of clothing either by water and soap or by chemicals.
128. LED: Light emitting diodes are diodes (electronic components that let electricity pass in only one direction) that emit visible light when electricity is applied, much like a light bulb. Light-emitting diodes produce more light per watt than incandescent bulbs
129. Library: A place in which literary, musical, artistic or reference materials are kept for use and not for sale (except for non-profit sales, by the Library, itself).
130. Light Duty Truck – Means a truck with a maximum gross vehicle weight rating (GVWR) of 14,000 pounds. The gross vehicle weight rating (GVWR) is based on the gross vehicle weight of the truck plus the average cargo weight in the truck. It does not include the weight of any towed trailer or recreational vehicle.
131. Light Industry: A use involving the manufacture of a product not requiring heavy, noisy, or otherwise objectionable machinery or transporting equipment.
132. Light Source: Light source includes any reflector, refractor or globe as well as the lamp.
133. Light Trespass: The shining of light produced by a luminaire or luminaires beyond the boundaries of the property on which it is located.
134. Lodge or Private Club: A group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings and a constitution and bylaws.
135. Lodging House: A building in which the rooms are rented with or without meals to three (3) or more, but not exceeding ten (10) persons.

136. Lot: A parcel of land at least sufficient in size to meet the minimum requirements for use, coverage and area and to provide required yards and open spaces.
137. Lot Line Adjustment: Please refer to the definition of Annexation.
138. Lot of Record: A lot existing under deed or a lot described by metes and bounds and recorded as a Plan for Record, or a lot which is part of a subdivision approved by the Alton Planning Board and recorded in the Belknap County Registry of Deeds.
139. Lot Size: The total square footage of land area within the boundaries of the lot.
140. Lowest Floor - [from FDO]: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor. Provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.
141. Lumber Yard: An establishment where the general public can purchase building supplies.
142. Lumen: A unit of luminous flux. One-foot candle is one lumen per square foot. For the purposes of this Regulation, the lumen-output values shall be the INITIAL lumen output ratings of a lamp.
143. Luminaire: This is the complete lighting system, and includes a lamp or lamps, lenses and a fixture.
144. Manufactured Home - [from FDO]: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" includes park trailers, travel trailers, and other similar vehicles placed on site for greater than 180 consecutive days. This includes manufactured homes located in a manufactured home park or subdivision.
145. Manufactured Home Park: Land upon which two or more manufactured homes are parked and occupied for living purposes, regardless of whether or not a charge is made for such accommodations. A park remains in single ownership with lots offered on a rental basis.

146. Manufactured Home Park or Subdivision – [from FDO] Means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
147. Manufactured Housing: As defined by RSA 674:31, as amended, a manufactured home is any structure, transportable in one or more sections, which, in the traveling mode, is 8 body feet or more in width and 40 body feet or more in length, or when erected on site, is 320 square feet or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating and electrical heating systems contained therein. This definition shall not include pre- site built housing as defined in RSA 674:31A.
148. Marina: A facility for the storing, servicing, fueling, berthing and securing of boats and that may include eating, sleeping and retail facilities for owners, crews and guests.
149. Master Plan: The Master Plan adopted by the Town of Alton Planning Board, pursuant to RSA 674:2, as amended.
150. Mean Sea Level - [from FDO]: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
151. Medical Center, Medical Laboratory – (Medical building): A building that contains establishments dispensing health services.
152. Mixed Use: The development of a tract of land, building, or structure with a variety of complementary and integrated uses, such as, but not limited to residential, office, manufacturing, retail, public, or entertainment, in a compact urban form.
153. Motel: An establishment providing sleeping accommodations with a majority of all rooms having direct access to the outside without necessity of passing through the main lobby of the building.
154. Municipal Engineering Consultant: A private engineering firm chosen by the Planning Board to provide plan reviews and on-site construction observation.
155. Museum: An institution devoted to the procurement, care, study and display of objects of lasting interest of value.

156. Mylar: A thin strong polyester film used for recording purposes.
157. Natural Woodland Buffer: A forested area consisting of various species of trees, saplings, shrubs, and ground covers in any combination and at any stage of growth.
158. New Construction – [from FDO]: Means, for the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, new construction means structures, for which start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes and subsequent improvements to such structures.
159. Non-Conforming Lot: A lot that lawfully existed at the time the ordinance became effective, but which does not conform with the minimum lot size, minimum street frontage, minimum shoreland frontage, and/or minimum buildable area regulations for the district in which it is located.
160. Non-Conforming Structure: A building or structure which was lawfully maintained at the time the ordinance became effective, but which does not conform with the use regulations for the district in which it is located, or the general provisions of the ordinance.
161. Non-Conforming Use: A use legally existing prior to the adoption or amendment of this ordinance and which is not in compliance with requirements of the district in which it is located.
162. Non-habitable Structure: Any structure that is not used for habitation such as a private garage, a shed, a workshop, a gazebo and similar non-habitable structures.
163. Nursing Home: An institution for the care of children, or the aged, or infirm, or a place of rest for those suffering bodily disorders, but not including facilities for surgical care or institutions for the care and treatment of mental illness, alcoholism or narcotics addiction.
164. Off-Site Improvements: Those improvements that are necessitated by a development but which are located outside the boundaries of the property that is subject to a subdivision plat or site plan approval of the Planning Board. Such Off-Site Improvements shall be limited to any necessary highway, drainage, and water and sewer upgrades pertinent to the development.

165. Open Space: A portion of a lot which is open and unobstructed from its lowest level to the sky except by natural vegetation. Said land, or portion thereof, shall not be occupied by buildings, parking lots, driveways, or other structures or man-made impervious surfaces. Open space shall not include right-of-ways or vehicular easements, wetlands or slopes greater than 25%. Septic fields shall be permitted to be installed in open space.
166. Outdoor Lighting: The night time illumination of an outside area or object by any man-made device located outdoors that produces light by any means.
167. Outdoor Recreation: Commercial recreational uses conducted in a natural or semi-natural setting, such as hunting preserves and paintball games. Outdoor Recreation does not include uses defined in this Ordinance as Amusement Use - Outdoor.
168. Owner(s): All persons with a legal interest in the land to be subdivided or developed.
169. Parking Space: An off-street space available for the parking of one motor vehicle.
170. Pharmacy: A retail store which devotes at least 65% of the useable retail space to the sale of medicines, medical supplies, and personal care products. The intent being to restrict this use to the traditional pharmacy.
171. Phasing: Development undertaken in a logical time and geographical sequence.
172. Planning Board: Means the Planning Board of the Town of Alton.
173. Plans: Site plans, engineering drawings, cross sections, profiles, architectural drawings, etc
174. Plat: An accurately scaled map, plan, drawing or chart prepared by a licensed land surveyor depicting the subdivision plan which is presented to the Board for recording in the Belknap County Registry of Deeds.
175. Pre-Application Review: The two steps, Conceptual Consultation and Design Review, prior to filing a complete final application.
176. Pre-Existing Towers or Antennas: Shall mean any tower or antenna lawfully constructed or permitted prior to the adoption of this ordinance.

177. Pre-Site Built Housing: As defined in RSA 674:31-a, a pre-site built house means any structure designed primarily for residential occupancy which is wholly or in substantial part made, fabricated, formed, or assembled in off-site manufacturing facilities in conformance with the US Department of Housing and Urban Development minimum property standards and local building codes, for installation, or assembly and installation, on the building site. This definition shall not include manufactured housing as defined in RSA 674:31.
178. Principal Building: A building in which is conducted the principal use of the lot on which it is located.
179. Private Garage: A deck, building, or parking structure, or part thereof, used or intended to be used for the parking and storage of vehicles and boats and that has vehicular access provided to it.
180. Private Tent Site – Means a site for placement of a tent on a private lot where there is no rental fee involved.
181. Professional Office: A room or group of rooms used for conducting the affairs of a business, profession, service, industry or government and generally furnished with desks, tables, etc.
182. Professional Review: An independent third party review of an application requested by the Planning Board. The professional reviewer shall be selected by the Planning Board and paid for by the applicant. The Planning Board may request professional reviews by a civil/structural/traffic engineer, attorney, environmental consultant, soil scientist, wetland scientist, wildlife biologist, etc.
183. Pro forma: Financial statements prepared in advance of a planned capital investment that models the anticipated results of the transaction, with particular emphasis on the projected cash flows and net revenues.
184. Project Area: The area within the site plan boundaries.
185. Protected Shoreland: For natural fresh water bodies without artificial impoundments, for artificially impounded fresh water bodies and for coastal waters and rivers, all land located within 250 feet of the reference line of public waters.
186. Public Waters:
(a) All fresh water bodies listed in the official list of public waters published by the Department of Environmental Services pursuant to RSA 271:20, II, whether they are great ponds or artificial impoundments.

- (b) Rivers, meaning all year round flowing waters of fourth order or higher, as shown on the current version of the US Geological Survey 7 ½' topographic maps.
 - (c) Merrymeeting Marsh – is defined as 520.1 feet above sea level.
- 187. Recreational Campground or Camping Park – Means a parcel of land on which 2 or more campsites are occupied or are intended for temporary occupancy for recreation dwelling purposes only, and not for permanent year-round residency, excluding recreation camps.
- 188. Recreational Camping Cabin – Means a structure on a campsite, 400 square feet or less, calculated by taking the measurements of the exterior of the cabin, including all siding, corner trim, molding and area enclosed by windows, but not the roof or porch overhang, or log overhang at corners. It shall be designed not for use as a permanent dwelling but as a temporary dwelling for recreational camping and vacation use. (It is not designed for routine travel on roads.)
- 189. Recreation Camps – As used in this subdivision the word “camp” means any place set apart primarily for recreational purposes for boys and/or girls. A recreation camp may be used by other groups for retreats and conferences when it is not being used for the primary recreational use for boys and/or girls. It shall not be construed as applying to private camps owned or leased for individual or family use, or to any camp operated for a period of less than 10 days in a year.
- 190. Recreational Vehicle - Means any of the following vehicles
 - (a) Motor home or van, which is a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
 - (b) Pick-up camper which is a structure designed to be mounted on a truck chassis, for use as a temporary dwelling for travel, recreation and vacation.
 - (c) Recreational trailer, which is a vehicular, portable structure built on a single chassis, 400 square feet or less when measured at the largest exterior horizontal projections, calculated by taking the measurements of the exterior of the recreational trailer including all siding, corner trim, molding, storage space and area enclosed by windows but not the roof overhang. It shall be designed primarily not for use as a permanent dwelling but as a temporary dwelling for recreational, camping, travel or seasonal use.
 - (d) Tent trailer, which is a canvas or synthetic fiber folding structure, mounted on wheels and designed for travel, recreation, and vacation purposes.

191. Recreational Vehicle - [to be used only with the FDO] is defined as:
- (a) built on a single chassis;
 - (b) 400 square feet or less when measured at the largest horizontal projection;
 - (c) designed to be self-propelled or permanently towable by a light duty truck; and
 - (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.
192. Recreational Use – Not For Profit: The purpose of which is not for gain and serves the general public, specifically excluding commercial recreation (this section does not preclude rental of single family dwellings).
193. Reference Line:
- (a) For natural fresh water bodies without artificial impoundments, the natural mean high water level. It shall be the responsibility of the owner/applicant to determine this water level. Where this water level is not easily discernible or in question, the natural mean high water level may be determined by the Department of Environmental Services.
 - (b) For artificially impounded fresh water bodies, the waterline at full pond as determined by the elevation of the top of the impoundment structure.
 - (c) For rivers, the ordinary high water mark. It shall be the responsibility of the owner/applicant to determine this water level. Where this water level is not easily discernible or in question, the ordinary high water mark will be determined by the Department of Environmental Services.
194. Regulatory Floodway - [from FDO]: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation more than a designated height.
195. Removal or Removed: Cut, sawed, pruned, girdled, felled, pushed over, buried, burned, killed, or otherwise destructively altered and physically transported off site in a legal manner.
196. Repair - Work conducted to restore an existing, legal structure by partial replacement of worn, broken, damaged or unsound parts or to fix a specific defect, during which all of the exterior dimensions are intact and remain so at the conclusion of construction. The foundation shall remain intact or the foundation may be reinforced or repaired to

accommodate the new construction or repair work. Repair shall not be used to allow the total demolition of an existing structure.

197. Restaurant: A building or other structure used principally to provide refreshment or meals to the public for consumption principally on the premises, including cafes, lunchrooms, cafeterias, tea rooms, sandwich shops and the like, but not including fast food restaurants.
198. Restaurant, Fast Food: A building used principally to dispense prepared food and/or beverages to the public for consumption on or off the premises, the major attributes of which are assembly line preparation of food and speed of dispensing, self-service to the customer's automobiles and which generates a large volume and rapid turnover of entering and exiting motor vehicle traffic.
199. Retail Store: An establishment engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.
200. Right-of-Way: Any area of land used for, or intended to be used for a street, road, or public use. The usage of the term "right-of-way" for land platting purposes in these Regulations shall mean that every right-of-way hereafter established and shown on a recorded plat is to be separate and distinct from the lots and parcels adjoining such right-of-way and not to be included within the dimensions or areas of such other lots or parcels.
201. Riverine: Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.
202. Schedule: A timetable.
203. School: Any building or part thereof, which is designed, constructed or used for education or instruction in any branch of knowledge.
204. Seasonal Cabin: A small residential structure that does not have all year round water availability (because of water service, insulation, heating, etc.), and is used for only the spring, summer and fall seasons.
205. Seasonal Use – A use carried on for the spring (starting May 1), summer, and fall (ending October 31) seasons of the year.
206. Security: Any assurance that may be accepted by the municipality to ensure that improvements required as part of an approval for an application for development will be satisfactorily completed.

207. Sediment: Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.
208. Setback: The distance from the extreme limit of a structure to a boundary line.
209. Shed – A small single-story building used or intended to be used for storage. A shed may have one or more sides unenclosed.
210. Shielding: Opaque attachment to a lighting fixture to prevent direct light from shining in a particular direction.
211. Shoreland Frontage: See Frontage, Shoreland.
212. Site Plan: An accurately scaled drawing showing the boundaries of the project area, the existing and proposed site features including, but not limited to, structures, parking, driveways, landscaping, lighting and natural features on the site.
213. Skilled Nursing CCRC Facilities: Facilities which provide housing and care for those whose health care needs require the constant attention of a medical staff. The housing component of the facility is located within one building on the site.
214. Small Engine Repair: An establishment where lawn mowers, lawn equipment, snow blowers, and similar yard maintenance equipment is serviced. (Sales of such equipment are not considered under this definition).
215. Small Wind Energy Facility: A structure which produces energy on a small scale not exceeding 100 KW.
216. Special Exception: A special allowance granted under specific authority of the ordinance when all of the conditions stated in the ordinance are found to exist, permitting a use of land or buildings in a manner that is other wise prohibited.
217. Special Flood Hazard Area - [from FDO]: An area having special flood, mudslide (i.e. mudflow) and/or flood-related erosion hazards, and shown on a FHBM or FIRM as Zone A, AO, A1-30, AE, A99, and AH.
218. Stabilized: When the soil erosion rate approaches that of undisturbed soils. Soils which are disturbed will be considered protected when covered with a healthy, mature growth of grass or a good covering of hay or straw mulch (2 tons/acre). Mulch is only a temporary measure; ultimately, the site needs vegetation.

219. Start of Construction - [from FDO]: Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the state of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of street and/or walkways; or does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or shed not occupied as dwelling units or not part of the main structure.
220. Storage Containers: Any vehicle or structure so designed and constructed in such manner for transportation and/or storage of goods, equipment and/or materials, and so designed that it is or may be mounted on wheels and used as a conveyance on highways or streets, propelled or drawn by other motive power. This is specifically intended to include storage containers, pods and steel shipping containers.
221. Stormwater Runoff: The water from precipitation that is not absorbed, evaporated, or otherwise stored within the contributing drainage area.
222. Stream: Areas of flowing water occurring for sufficient time to develop and maintain defined channels but may not flow during dry portions of the year. Includes but is not limited to all perennial and intermittent streams located on U.S. Geological Survey Maps.
223. Street: A public thoroughfare, town highway, street, road or avenue, including the full width of its right-of-way, lawfully existing in the Town of Alton whether private or town maintained serving three or more dwelling units.
224. Structure: Anything constructed or erected, or attached to a fixed location on the ground.
225. Structure - [from FDO]: means for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.
226. Studio, Art or Photographers: A place where works of art are created, displayed and sold, or instruction of the arts to students occurs in the fields of painting, drawing, sculpture, etching, craftwork, fine arts, photography, or

similar fields.

227. Subdivision: The division of a lot, tract, or parcel of land into two or more lots, plats, sites or other divisions of and for the purpose, whether immediate or future, of sale, rent, lease condominium conveyance or building development. The division of a parcel of land held in common and subsequently divided into parts among several owners shall be deemed a subdivision under this title. (RSA 672:14, as amended)
228. Subdivision, Major: The subdivision of land into four or more lots, plats or sites; or fewer lots if new streets or other municipal improvements are proposed.
229. Subdivision, Minor: The subdivision of land into three (3) or fewer lots within a five (5) year period that are fronting on an existing street that meets Town road standards, and requiring no new streets, or other municipal improvements.
230. Submission: The presentation of an application to the Planning Board at a regularly scheduled meeting for consideration of completeness.
231. Substantial Damage - [from FDO]: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
232. Substantial Improvement - [from FDO]: Any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceeds fifty (50%) percent of the market value of the structure. The market value of the structure should be: (1) the appraised value of the structure prior to the start of the initial repair or improvement; or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, "Substantial Improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a structure listed on the National Register of Historic Places.
233. Surety Bond: A bond issued by an entity on behalf of a second party, guaranteeing that the second party will fulfill an obligation or series of obligations to a third party. In the event that the obligations are not met, the

third party will recover its losses via the bond.

234. Surveyor: Duly designated licensed land surveyor as required by the New Hampshire licensing laws.
235. Telecommunications Facilities: Any structure, antenna, tower, or other device which provides commercial mobile wireless services, unlicensed wireless services, cellular phone services, specialized mobile radio communications (SMR), and personal communications services (PCS), and common carrier wireless exchange access services.
236. Telecommunications Tower: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self supporting lattice towers, guide towers, or monopoles. The term shall include: television towers, radio towers, microwave towers, cellular phone towers, alternative tower structures, and the like.
237. Temporary Outdoor Lighting: The specific illumination of an outside area or object by any man-made device located outdoors that produces light by any means for a period of less than 7 days, with at least 180 days passing before being used again.
238. Tent: Means a portable canvas or synthetic fiber structure used as a temporary dwelling for vacation or recreation purposes.
239. Tower Height: The distance measured from the ground level to the highest point on the tower or other structure, even if said highest point is an antenna.
240. Traffic Impact Study: A report analyzing anticipated roadway conditions with and without an applicant's development.
241. Upland: Landforms other than Jurisdictional Wetlands (lakes streams and wetlands) and wetlands as defined in RSA 674:55.
242. Utility: A governmental, nonprofit or private organization that provides the public with gas, water, sewage, transportation, communication or similar services.
243. Variance: A waiving of the strict requirements of the ordinance made under general authority when there is a showing of peculiar conditions inherent in the property which cause a hardship under the terms of this ordinance.
244. Violation – [from FDO]: Means the failure of a structure or other development to be fully compliant with the community's floodplain

management regulations.

245. Voluntary Merger: When an owner of two or more contiguous preexisting approved or subdivided lots or parcels merges them for municipal taxation and regulation purposes per RSA 674:39-a.
246. Warehouse: Facilities for the storage of farm products, furniture, household goods, or other commercial goods of any nature for later distribution to wholesalers and retailers. Includes cold storage. It does not include terminal facilities for handling freight.
247. Waste: Material that is processed for resource conservation such as yard waste, septage, compost, stump grindings, etc. Excluding sludge and hazardous waste as defined under RSA 147-A: 3, I, as amended, or listed under RSA 147-A: 3, II, as amended.
248. Waste Facility: A site or structure used for the storage, processing and/or distributing of waste material.
249. Water Extraction Site and/or Facility: A site or structure used for the commercial extraction of “spring” water. The site or facility can include, but is not limited to, entrance roads, parking, storage tanks, pumping facilities, purification facilities and office space.
250. Water Surface Elevation - [from FDO]: The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.
251. Wetlands: An area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include, but are not limited to swamps, marshes, bogs and similar areas.
252. Wholesale Marketing: Establishments engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Includes such establishments as: merchant wholesalers; agents, merchandise or commodity brokers, and commission merchants; assemblers, buyers and associations engaged in the cooperative marketing of farm products; stores primarily selling electrical, plumbing, heating and air conditioning supplies.

253. Workforce Housing: Means housing which is intended for sale and which is affordable to a household with an income of no more than 100 percent of the median income for a 4-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. “Workforce housing” also means rental housing which is affordable to a household with an income of no more than 60 percent of the median income for a 3-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development.
254. Yield Plan: Means a plan or plan set that shows the maximum number of conforming building lots that is reasonably achievable under a conventional subdivision following the requirements of the zoning ordinance and subdivision regulations.

SECTION III - ADMINISTRATION AND ENFORCEMENT

A. FAMILIARIZATION

The applicant shall familiarize themselves with all Federal, State and local regulations relative to zoning, health, buildings, roads and other pertinent data, so that **they are** aware of the obligations and standards with which the proposed subdivision must comply.

B. COMPLIANCE WITH THESE RULES and REGULATIONS

All plans and all procedures relating thereto shall in all respects comply with the provisions of these rules and regulations, unless the Planning Board authorizes a waiver in accordance with SECTION III, C. of these and all applicable Federal, State and local land use regulations.

C. WAIVERS

1. All subdivision applications are encouraged to discuss any waiver requests with applicable municipal representatives, during the Design Review phase, typically at the pre-application meeting.
2. Upon written request, as accompanied by a subdivision application, the Planning Board will carefully consider all requested waivers of these regulations. Waiver approval may or may not be granted to the application submittal requirements, but not the design standards, if the Board finds, by majority vote, that:
 - a. Strict conformity with the regulations would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations; or
 - b. 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.
3. The Planning Board will review and consider all subdivision waivers, prior to determining application completeness. Should the waiver be denied, then the pending

application will be determined to be incomplete as submitted. The pending application would then require revision and re-submission without waiver requests in order to be determined to be complete, at a subsequent Planning Board meeting.

D. MOST RESTRICTIVE REGULATIONS

Whenever these regulations differ from those prescribed by any statute, ordinance or other regulations, that provision which imposes the greater restriction or the higher standard shall govern, to the extent not contrary to state law.

E. COMPLIANCE WITH ZONING ORDINANCE

The Planning Board will not approve or modify and approve any subdivision application, unless all buildings, structures and lots shown on said plan/application comply with the Town's zoning ordinance. The Alton Planning Board is not legally authorized to waive or vary provisions of the Alton Zoning Ordinance. The Alton Zoning Board of Adjustment is the only authority which may grant variances to the provisions of the Alton Zoning Ordinances. An applicant with a land development proposal which does not comply with the Alton Zoning Ordinance must either revise the proposal to comply with the Zoning Ordinance or obtain the necessary variance(s) from the Zoning Board of Adjustment.

All Zoning Board of Adjustment approvals must be obtained and submitted with Subdivision application, in order for the application to be deemed complete.

F. COMPLIANCE WITH SITE PLAN REGULATIONS

The applicant is advised to consult the Site Plan Review Regulations, which may or may not be applicable to the proposed subdivision application. Concurrent site plan and subdivision applications may be permitted at the Planning Board's discretion, depending on the complexity of the proposed application.

G. PROFESSIONAL REVIEW SERVICES

The Planning Board may or may not require professional review services for any and all subdivision applications. Professional review services will be determined and requested at the Planning Board's discretion, depending on the complexity of the proposed application.

The applicant shall pay the cost of a professional review of various parts or of the whole of the proposed subdivision upon such terms and conditions as the Planning Board deems to be appropriate as provided by RSA 676:4-I (g). The applicant must sign an agreement for each professional review service requested. Then the applicant will establish a professional service escrow in the requested amount. No professional services may commence, until a signed agreement and escrow has been established with the Town. The applicant shall maintain a positive balance in all escrow accounts at all times during the review process or the Planning Board will suspend further application consideration, until the escrow account is replenished. All remaining escrow funds will be returned to the applicant, following the application processes conclusion or application written withdrawal, whichever applies.

By way of example, the Planning Board may request professional reviews by a civil/structural/traffic engineer, attorney, environmental consultant, soil scientist, wetland scientist, wildlife biologist, etc. The Planning Board shall make the determination of which professional services are required and their respective commensurate costs depending on the proposed application complexity.

H. DEVELOPMENT OF POTENTIAL REGIONAL IMPACT

All major subdivision applications shall be reviewed by the Planning Board for potential regional impacts, based on the guidelines in SECTION IX, B., 14., SECTION IX, C., 14., and SECTION X, P. after the application has been determined complete and prior to the public hearing process. Upon the Board's ruling, all projects having potential regional impact shall be referred to the applicable regional planning commission(s) and respective municipalities land use board(s) for review. The Alton Planning Board will furnish written public record of such determination.

All regional impact notification shall be sent by certified mail within 5 days of the specific Planning Board meeting by notifying the regional planning commission(s) and the affected municipalities by certified mail at least 14 days prior to the next regularly scheduled public hearing.

I. OFF-SITE IMPROVEMENT FEES

1. The Planning Board may or may not collect Off-Site Improvement Fees towards capital improvements, in lieu of construction when, in the judgment of the Board, the following conditions exist:
 - a. There is a serious off-site issue that needs to be corrected in order to assure that a proposed development will not exceed the existing capacity of roads, water, sewer, or drainage systems, nor create hazards such as flooding or fire, nor otherwise impose excessive public expense.
 - b. The necessary improvement(s) require expense beyond that which can reasonably be attributed to the proposed development.
 - c. The fees to be collected can reasonably be expected to result in the necessary improvements, and that those improvements can reasonably be expected to be completed within six (6) years of the date of the payment of the fee.
2. Any fees collected under the provisions of this section shall be administered by the Planning Department in conjunction with the Highway Department in accordance with RSA 674:21, V, (j).

J. SECURITY

1. Final approval shall not be granted and no subdivision plat shall be signed and recorded until either one of the three options are exercised:
 - a. Option 1 – Build First: all street work and utility installations shall be completed in accordance with the approved plans and all applicable federal, state and local regulations/permits.
 - b. Option 2 – Security: security as described below has been approved and

accepted for all subdivision and any off-site improvements required by the approved subdivision plan and these regulations.

- c. Option 3 – Recorded Covenants: a project specific covenant restricting lot sales and building permits is submitted for review acceptance and recording at the Belknap County Registry of Deeds. The standard format for a Covenant Restricting Lot Sales and Building Permits is attached as Appendix B.

2. If the applicant chooses Option 1, then:

- a. the subdivision plat will not be signed and recorded until the on-site subdivision improvements and any required off-site improvements have been constructed and approved;
- b. security for stabilizing and restoring the site must first be submitted to the Planning Board for approval before final approval and construction begins. The applicant shall submit a cost estimate for stabilization and restoration of the site prepared by a civil engineer for review by the outside consulting, civil engineering firm of the Planning Board's choice. This cost estimate shall include a break-down of time and materials associated with stabilizing and restoring the site to ensure that onsite environmental conditions and features are protected and that off-site properties are not adversely impacted in the event said improvements fail to be installed. The proposed amount of the security to cover the costs of restoring and stabilizing the site shall be reviewed by the municipal engineering consultant of the Planning Board's choice and approved by the Planning Board.
- c. after all the subdivision improvements have been constructed, inspected and approved by the Planning Board, the subdivision plat will be signed by the Planning Board Chair and recorded after the applicant provides the Planning Department with a maintenance or warranty security in the amount of 10% of the total cost for all the subdivision improvements to be held for a period of 18 months. This maintenance or warranty security will be released by the Planning Board to the applicant after the 18 month period if the municipal engineering consultant of the Planning Board's choice verifies that all of the subdivision improvements are without material defect and the security is ready to be released and the as-built plans required by SECTION XI., J have been provided.
- d. If the applicant chooses to provide full security for all remaining improvements before the construction of all the subdivision improvements is complete, then the applicant must follow the provisions outlined in SECTION III, J., 3 to follow.

3. If the applicant chooses the Option 2, then:

- a. As a condition of final subdivision approval, the Board shall require the posting of security in an amount sufficient to defray the costs of construction of streets public utilities or other subdivision improvements on-site and off-site.

- b. The applicant shall submit a cost estimate of the improvements prepared by a civil engineer for Town review by the municipal engineering consultant of the Planning Board's choice. This cost estimate shall include a break down of time and materials associated with completion of all subdivision and any off-site improvements and shall be the basis for establishing the amount of security before the inflation factor is added. The proposed amount of the security shall be reviewed by the municipal engineering consultant of the Planning Board's choice and approved by the Planning Board. It shall be sufficient to cover the costs of the improvements and the estimated cost of inflation over the projected term of the security not to exceed 10% per year. All costs of such review shall be paid by the applicant. The Planning Board shall have the discretion to specify the time period for completion of the improvements to be covered by the security in order to secure to the Town the actual construction and installation of such improvements. The Town shall have the power to enforce such securities by all appropriate legal remedies.
- c. Forms of Security: Acceptable forms of security include:
- (1) **Irrevocable letter of credit:** An irrevocable letter of credit is the preferred form of security. A suggested form for an irrevocable letter of credit is attached as Appendix A. Irrevocable letters of credit with language differing from the suggested irrevocable letter of credit form must be approved by the Planning Board after review by Town Counsel at the applicant's expense.
 - (2) **Surety bond:** Where a surety bond is provided as security, it shall be issued by a Surety Company authorized to do business in the State of New Hampshire and shall be approved by the Planning Board after review and approval as to form and sureties by Town Counsel at the applicant's expense.
 - (3) **Certified check or bank check:** When a certified check or bank check is proposed as security it shall be properly endorsed to the Town of Alton. Any security submitted in an amount of \$5,000 or more shall be deposited into an interest bearing account by the Town Treasurer.
 - (4) **Cash:** Any cash submitted in an amount of \$5,000 or more shall be deposited into an interest bearing account by the Town Treasurer.
 - (5) **Other type of security:** Other type of security shall be approved by the Planning Board after review and approval by Town Counsel at the applicant's expense.
- d. The security shall be posted with the Planning Department before the Planning Board will sign and record the subdivision plat. Security must be posted before any clearing, construction or development begins on the site.
- e. The security may be released by the Planning Board all at once at the completion of the project or in phases as portions of the secured improvements or installations are completed.

- f. For the Planning Board to release security in phases, the municipal engineering consultant of the Planning Board's choice must first review and make a recommendation on the amount of security to be released by the Planning Board.
 - g. After all the subdivision improvements have been constructed, inspected and approved by the Planning Board, the applicant shall provide the Planning Department with a maintenance or warranty security in the amount of 10% of the total cost for all the subdivision improvements to be held for a period of 18 months. This maintenance or warranty security will be released by the Planning Board to the applicant after the 18 month period if the municipal engineering consultant of the Planning Board's choice verifies that all of the subdivision improvements are without material defect and the security is ready to be release and the as-built plans required by SECTION XI, I. have been provided.
4. If the applicant chooses the Option 3, then;
- a. the applicant shall file a fully executed covenant(s) restricting lot sales and building permits in order to protect the Town's interests. This option is available only to address situations where the subdivision plat for the entire development was recorded without security or situations where the applicant proposes phasing after the subdivision plat has been recorded.
5. Phasing Plan: If a phasing plan is approved by the Planning Board, then the applicant may elect to build or provide security for each phase individually. The Planning Board shall grant final approval and record each phase separately so that at no point in time is a phase of a subdivision plat signed and recorded without the improvements for the phase completed, inspected and approved, or security for the phase on file with the Planning Department.
6. If any of the subdivision improvements (road, water, etc.) are to be municipally managed, following project completion, then the applicant may apply to the Town for acceptance. Please refer to SECTION XI, J. Street Acceptance Plans. All potential subdivision improvement acceptances may only occur after the proposed approved subdivision improvements have been observed/documentated throughout construction, are completed to all existing municipal standards and are without significant material defect following the eighteen (18) month maintenance/warranty period.

K. SIGNING THE SUBDIVISION PLAT, SELLING LOTS AND ISSUANCE OF BUILDING PERMITS

- 1. Prior to signing an approved subdivision plat, the Planning Board Chair or their designee, shall review and confirm the following;
 - a. All required State and Federal permits have been obtained, are signed/dated and on file with the Town.
 - b. All application conditions precedent of approval have been satisfied as specified.

- c. Project construction observation agreement and escrow have been established.
 - d. Project security has been specified in writing and/or is established.
 - e. All project fees have been paid, including outstanding subject property taxes
2. A subdivision plat is not formally approved unless signed and dated by the Planning Board Chair.
 3. No lots shall be sold or conveyed until a subdivision plat is formally approved and recorded at the Belknap County Registry of Deeds.
 4. No municipal permits of any kind shall be issued until a subdivision plat is formally approved.

L. SUBDIVISION IMPROVEMENTS REQUIRED BEFORE ISSUANCE OF BUILDING PERMITS

The applicant shall complete the subdivision improvements in accordance with the approved plans and federal/state permits, before a building permit will be issued. In general, the following are considered typical milestone improvement activities:

1. Erosion Control: The applicant shall install all temporary erosion control measures, as specified on the approved subdivision plans and/or permits, before any land disturbance or construction commences, whenever practical and applicable. All temporary and permanent erosion control measures shall be monitored and maintained at all times. If the erosion control measures are not maintained to function properly, then the Town shall issue a CEASE AND DESIST ORDER for all construction until the erosion control measures have been properly reinstalled by the applicant or their assigned agents. In extreme cases, such as default or project inactivity, the Town may use security funds to make any and all temporary or permanent erosion control repairs.
2. Utilities: Any and all applicable municipal services such as water or drainage shall be constructed, inspected and approved. Electric utility service shall be installed.
3. Stormwater Management: Stormwater management improvements for major subdivisions, as determined by the Planning Board, shall be constructed, observed by the municipal consultant and approved.
4. Roads: The new roadway improvements shall be constructed, observed by the municipal consultant and approved. All roadway materials (gravels & pavement) shall be tested with written project test report results being submitted to the Town. In addition, the acting Fire Chief will be required to certify the newly constructed roads are capable of providing safe emergency vehicle access, prior to use.
5. Wastewater Treatment Improvements: All individual or community septic systems shall receive New Hampshire Department of Environmental Services written approval prior to construction and written proof of state inspection and acceptance, prior to use.
6. Water Supply for Firefighting Purposes:
 - a. Water Service provided by the Alton Water Works: If water service is to be provided by the Alton Water Works, then the water distribution system and

fire hydrants shall be installed to the Town specifications, inspected and approved.

- b. Rural Water Supply: If a rural water supply (dry hydrant, fire pond or cistern) is required by subdivision approval, then the applicable fire protection measure shall be installed, inspected and approved by the Fire Department and the municipal engineering consultant of the Planning Board's choice.

M. SUBDIVISION IMPROVEMENTS REQUIRED BEFORE A CERTIFICATE OF OCCUPANCY IS ISSUED FOR A BUILDING PERMIT

The applicant shall complete the subdivision improvements in accordance with the approved plans and federal/state permits, before a certificate of occupancy will be issued. In general, the following are considered typical milestone improvement activities:

1. Roads: The subdivision roads must be completed and paved to no less than the binder course (first lift, typically 2" depth compacted). All associated roadway preparation testing and observations records shall be submitted and be on file with the Town.
2. Domestic Water Supply Improvements:
 - a. Water System serving more than one (1) Dwelling Unit: All shared or community water supplies, whether public or private, shall be installed, inspected and approved prior to use.
 - b. Water System serving more than fifteen (15) or more Dwelling Units or 25 or more People: All shared or community water supplies, whether public or private, shall be installed, inspected and approved by NHDES prior to use. A backflow preventer shall be installed on the system. They shall be managed by a Certified System Manager.
 - c. Water serving an Individual Dwelling Unit: A domestic water supply must be installed, tested and functioning in the building seeking a certificate of occupancy.
3. Wastewater Treatment Improvements: Similar to water supplies, all sanitary sewer systems whether individual sites or community systems shall first receive NHDES design approval, then field inspections and acceptance, prior to use.
4. Telephone and Cable TV Utilities: Telephone and Cable TV utilities shall be installed prior to occupancy.
5. As-Built Plans: As-Built Plans must be submitted to the Planning Department before a certificate of occupancy will be issued for any residence in the subdivision.

N. FIVE-YEAR EXEMPTION

1. Pursuant to RSA 674:39, every subdivision plat approved by the Planning Board and properly recorded in the Registry of Deeds shall be exempt from all subsequent changes in Subdivision Regulations, Site Plan Review Regulations, impact fee ordinances, and Zoning Ordinances adopted by the Town, except those regulations and ordinances which expressly protect public health standards, such as water quality and sewage treatment requirements, for a period of 5 years after the date of approval;

provided that:

- a. Active and substantial development or building has begun on the site by the owner or the owner's successor in interest in accordance with the approved subdivision plat within 24 months after the date of approval, or in accordance with the terms of the approval, and, if a bond or other security to cover the costs of roads, drains, or sewers is required in connection with such approval, such bond or other security is posted with the town at the time of commencement of such development;
 - b. Development remains in full compliance with the public health regulations and ordinances specified in this section; and
 - c. At the time of approval and recording, the subdivision plat conforms to the subdivision regulations, site plan review regulations, and zoning ordinances then in effect at the location of such subdivision plat.
2. Once substantial completion of the improvements as shown on the subdivision plat has occurred in compliance with the approved subdivision plat or the terms of said approval or unless otherwise stipulated by the Planning Board, the rights of the owner or the owner's successor in interest shall vest and no subsequent changes in subdivision regulations, site plan regulations, or zoning ordinances, except impact fees adopted pursuant to RSA 674:21 and 675:2-4, shall operate to affect such improvements.
 3. The Planning Board may, as part of its subdivision regulations or as a condition of subdivision plat approval, specify the threshold levels of work that shall constitute the following terms, with due regard to the scope and details of a particular project:
 - a. 'Substantial completion of the improvements as shown on the subdivision plat' for purposes of fulfilling paragraph 2; and
 - b. 'Active and substantial development or building,' for the purposes of fulfilling paragraph 1.
 4. Failure of the Planning Board to specify by regulation or as a condition of subdivision plat approval what shall constitute 'active and substantial development or building' shall entitle the subdivision plat approved by the Planning Board to the 5 year exemption described in paragraph 1. The Planning Board may, for good cause, extend the 24 month period set forth in paragraph 1(a).

O. DEFINITION OF "ACTIVE AND SUBSTANTIAL DEVELOPMENT AND BUILDING" AND "SUBSTANTIAL COMPLETION OF IMPROVEMENTS UNDER RSA 674:39 FIVE YEAR EXEMPTION"

The Planning Board may as a condition of subdivision approval, specify the threshold levels of work that shall constitute the following terms, with due regard to the scope and details of a particular project:

1. 'Substantial completion of the improvements as shown on the subdivision plat'; and
2. 'Active and substantial development or building'.

P. REVOCATION OF RECORDED APPROVAL

1. A subdivision plat, street plat, site plan or other approval which has been filed with the appropriate recording official under RSA 674:37 may not be revoked, in whole or in part, by the Planning Board, except pursuant to this section, and only under the following circumstances:
 - a. At the request of, or by agreement with, the applicant or the applicant's successor in interest.
 - b. When the applicant or successor in interest to the applicant has performed work, erected a structure or structures, or established a use of land, which fails to conform to the statements, plans or specifications upon which the approval was based, or has materially violated any requirement or condition of such approval.
 - c. When the applicant or successor in interest to the applicant has failed to perform any condition of the approval within a reasonable time specified in the approval, or, if no such time is specified, within the time periods specified in RSA 674:39.
 - d. When the time periods specified in RSA 674:39 have elapsed without any vesting of rights as set forth therein, and the plat, plan or other approval no longer conforms to applicable ordinances or regulations.
 - e. When the applicant or successor in interest to the applicant has failed to provide for the continuation of adequate security as provided by RSA 674:36, III (b) and 674:44, III (d) until such time as the work secured thereby has been completed.
2. Prior to recording any revocation under this section, the Planning Board shall give notice, as provided by RSA 676:4, I(d), to the public, the applicant or the applicant's successor in interest, and all abutters and holders of conservation, preservation, or agricultural preservation restrictions. The notice shall include the Planning Board's reasons for the revocation. A hearing with notice as provided in RSA 676:4, I (d) shall be held at the request of any party receiving such notice, submitted within 30 days of receiving such notice, or if the Planning Board determines to hold a hearing.
3. A declaration of revocation, dated and endorsed in writing by the Planning Board, and containing reference to the recording information for the plat, plan or other approval being revoked, shall be filed for recording with the Registry of Deeds, no sooner than 30 days after written notification of the revocation is served on the applicant or the applicant's successor in interest, in person or by certified mail, or 30 days after any public hearing, whichever is later. If only part of an approval is revoked, that portion of land subject to revocation shall be clearly identified in the declaration. The declaration shall be recorded under the same name or names as was the original approval, as well as the names of subsequent owners, if any, of the land or part thereof subject to revocation, as identified by the municipality.
4. A revocation under this section may be appealed pursuant to RSA 677:15. Nothing in this section shall affect the municipality's ability, either before or after such a revocation, to pursue other remedies or penalties as set forth in RSA 676:15-17.

Q. ENFORCEMENT, FINES & PENALTIES AND INJUNCTIVE RELIEF

These regulations shall be enforced by the provisions of the Alton Zoning Ordinance and the provisions of the following state statutes:

1. RSA 676:15, as Amended Injunctive Relief;
2. RSA 676:16, as Amended Penalties for Transferring Lots in Unapproved Subdivisions;
3. RSA 676:17, as Amended Fines and Penalties;
4. RSA 676:17-a, as Amended Cease and Desist Orders;
5. RSA 676:17-b, as Amended Local Land Use Citations; Pleas by Mail; and
6. Any Amended or Additional Statutory Provisions for Enforcement.

R. APPEALS

Any person aggrieved by a decision of the Planning Board concerning a plat, or subdivision may appeal there from to the Superior Court as provided by RSA 677:15.

S. SEPARABILITY

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

T. INTERPRETATION

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

U. AMENDMENTS

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 Planning Board, but not until the Planning Board conducts a public hearing to consider the proposed amendment as per RSA 675:6. Certified copies signed by a majority of the Planning Board members are required be filed with the Town Clerk as specified in RSA 675:8. A courtesy filing with the New Hampshire Office of Energy and Planning may also be done as specified in RSA 675:9.

V. NUMBERING

After amendments are adopted, the Planning Board shall have the authority to renumber the sections consecutively and correct typographical errors without an additional vote at Town Meeting.

SECTION IV - APPLICATION PROCEDURES FOR A MAJOR SUBDIVISION

A. CONCEPTUAL CONSULTATION APPLICATION (Optional)

1. Applicants may engage in an informal discussion with the Board as a Conceptual Consultation, prior to filing a Design Review Application or Final Subdivision

Application.

2. A Conceptual Consultation Application shall be filed with the Planning Board 21 days prior to the regular scheduled meeting for the Planning Board review.
3. A Conceptual Consultation Application review can only occur at a posted meeting of the Board. Such Conceptual Consultation Application review shall discuss the proposal in general terms only and be directed toward:
 - a. Reviewing the basic concepts of the proposal;
 - b. Reviewing the proposal with regard to the master plan and zoning ordinance; and
 - c. Explaining the state and local regulations, including the Subdivision Regulations, that may apply to the proposal.
4. The applicant may use a general map sufficient to explain the concept; such map, however, shall not include any specific design, engineering or surveying information. The Planning Board will stop further consideration of a Conceptual Consultation Application if the applicant presents plans that are too detailed regarding engineering and surveying information.
5. Abutters are not notified of this step in the process. This step is not required, but is optional, at the request of the applicant.
6. In no case is either the applicant or the Board bound by any discussion, and any statements made by Board members shall not be the basis for disqualifying said members or invalidating any action eventually taken on the application.
7. If the applicant desires to discuss the subdivision proposal in more detail than the basic concept, then he/she must submit a Design Review Application which involves a public hearing with notice to abutters.

B. DESIGN REVIEW APPLICATION

1. A Design Review Application goes beyond the conceptual and general stage, involving more specific design and engineering details of the potential application. The Design Review Application is the phase of the planning process when:
 - a. any issues can be identified by the Planning staff, the Planning Board and abutters, and alternatives explored to resolve those issues.
 - b. a site walk can be conducted,
 - c. any special studies needed for submission with the Final Application can be identified,
 - d. any waiver requests for the submission of a Final Application can be discussed, and
 - e. whether the project is a project of potential regional impact can be discussed.
2. A Design Review Application is required for a **Major** Subdivision. A Design Review Application is conducted by the Planning Board at a public hearing with abutters and the public properly notified, as set forth in SECTION IV, D.
3. A Design Review Application is not required for projects requiring a **Minor** Subdivision Application. A Design Review Application for a **Minor** Subdivision Application is optional for the applicant.

4. A complete Design Review Application shall be filed with the Planning Board 21 days prior to the regular scheduled meeting for Planning Board review. A complete Design Review Application shall consist of all data required in SECTION IX, B. of these regulations unless one or more submission requirements are waived by the Planning Board before acceptance of the Design Review Application as complete.
5. At the next meeting no more than 30 days from the date of delivery for which notice can be posted, the Board will determine whether the Design Review Application is complete. If the application is incomplete, the Board will identify the missing items and notify the applicant.
6. Acceptance of a complete Design Review Application shall only occur at a meeting of the Planning Board after due notification has been given according to SECTION IV, D. Acceptance of a complete Design Review Application will be by affirmative vote of a majority of the Board.
7. There is no time limit on the review of a Design Review Application.

C. FINAL APPLICATION:

1. A complete Final Application shall be filed with the Planning Board 21 days prior to the regular scheduled meeting for Planning Board review. A complete Final Application shall consist of all data required in SECTION IX, C. of these regulations unless one or more submission requirements are waived by the Planning Board before acceptance of the Final Application as complete.
2. At the next meeting no more than 30 days from the date of delivery for which notice can be posted, the Board will determine whether the Final Application is complete. If the application is incomplete, the Board will identify the missing items and notify the applicant.
3. Acceptance of a complete Final Application shall only occur at a meeting of the Planning Board after due notification has been given according to SECTION IV, D. Acceptance of a complete Final Application will be by affirmative vote of a majority of the Board.

D. PUBLIC HEARING AND NOTIFICATION

1. The Planning Board shall not take action on a Design Review or Final Application without first holding a public hearing, with notice as provided below. The Planning Board must first accept a Design Review or Final Application as complete before conducting the public hearing on the application.
2. Notice of a Design Review Application or a Final Application shall be given to the abutters, the landowner, the applicant, any holders of conservation, preservation or agricultural preservation restrictions, and every engineer, architect, land surveyor, soil scientist, or other professional whose seal appears on any plat by the Planning Department. Notice shall also be given to the utility company who has a utility corridor crossing or abutting the property that is included in the application.
3. Notice shall be sent by certified mail, mailed to provide at least ten (10) "clear days" prior to the submission to the Planning Board by the Planning Department. The public will be given notice at the same time, by posting at the Town Hall, by posting at the

Post Office, and publication in a newspaper of general circulation.

4. The notice shall give the date, time, and place of the Planning Board meeting at which the application will be formally submitted to the Board, shall include a general description of the proposal to be considered, and shall identify the applicant and the location of the proposal.
5. If the notice for the public hearing was included in the notice for the submission of an application for completeness review, additional notice of the public hearing is not required.
6. Additional notice is not required for an adjourned session provided that the date, time, and place of the adjourned session are made known at the prior meeting.
7. If notice is given for a Design Review Application, a separate notice is required for submission of a Final Application for completeness review and a public hearing on a Final Application.

E. INTERDEPARTMENT MUNICIPAL REVIEW – COMPLETE APPLICATION

The Planning Department shall refer a Design Review Application and a Final Application for a Major Subdivision to the Town departments for review and comment.

F. PLANNING BOARD ACTION - COMPLETE APPLICATION

1. The Board shall begin consideration of the application at a public hearing following a determination by the Planning Board that the application is complete. The public hearing can be scheduled later on the same agenda and date as the completeness determination or at the next Board meeting.
2. No decision is rendered by the Planning Board on a Design Review Application.
3. The Board shall act to approve, conditionally approve, or disapprove the complete Final Application within **65 days** of acceptance of the application being accepted as complete by the Board.
4. An applicant may waive the requirement for Board action within the time periods specified in these regulations and consent to such extension as may be mutually agreeable. The Board may apply to the Selectmen for an extension not to exceed an additional **90 days**, before acting on a Final Application, if the applicant is not amenable to an extension.
5. Approval of the Final Application and any conditions of approval shall be indicated in the Notice of Decision, signed and dated by the Chairman of the Board or his designee.
6. If any Final Application is disapproved, the grounds for such disapproval shall be adequately stated in the records of the Planning Board and in the written notice of decision mailed to the applicant by certified mail, return receipt requested, within 5 days of the decision.

G. FAILURE OF THE PLANNING BOARD TO ACT

1. In the event that the Planning Board does not act on a Final Application accepted as complete within the prescribed time period, the applicant may petition the Selectmen to issue an order directing the Planning Board to act within **30 days**.

2. If the Planning Board fails to act within **40 days** of receiving this directive from the Selectmen, the Selectmen must approve the Final Application unless they find in writing that the plan does not comply with a local regulation. In the event the Selectmen fail to act, the applicant may petition superior court to approve the plan.

H. CONDITIONAL APPROVAL

1. The Board may grant conditional approval of a Final Application, but the subdivision plat will not be signed or recorded until all of the conditions have been met.
2. A further public hearing is **not required** when such conditions:
 - a. Are administrative in nature;
 - b. Involve no discretionary judgment on the part of the Board;
 - c. Involve permits and approvals granted by other boards or agencies, unless any subsequent changes to the plan would constitute grounds for a new or amended application process.
3. An additional public hearing **is required** to consider conditions that are not simply administrative in nature and which may involve judgment by the Planning Board such as submission of an adequate drainage plan or submission of a landscaping plan that will provide an adequate buffer for abutters. The public hearing will be limited to considering the condition(s) of approval under review.
4. Please refer to SECTION XI, C. for the time frame to comply with conditions precedent of approval.

I. SITE WALK

1. Whenever the Board deems it necessary to visit the site for the consideration of an application, a time will be arranged for a site walk. If a majority of the Planning Board attends, the site walk shall be posted as a meeting of the Board pursuant to the Right-to-Know provisions of RSA 91-A, and minutes shall be kept.
2. The Board, individual Board members, the municipal engineering consultant representing the town, Town Planner or designee may conduct site observations of the proposed subdivision prior to approval to ascertain the conditions of the site and following approval to observe the progress of the work.
3. All applications are conditioned upon the owner allowing access to the property, to the extent reasonable and necessary to properly review the application. Denial of access, including access for a site walk, automatically terminates any further consideration of the proposal.

J. SUBDIVISION APPLICATION FEES

1. The applicant is responsible for all applicable subdivision application fees in accordance with the latest subdivision application fee schedule.
2. No application will be eligible for Planning Board review and or acceptance without complete and full compliance with all applicable subdivision application fee submittals at the time of application submittal deadline. Failure to pay fees and any reasonable costs required by the Board is cause for disapproval of the application without public hearing. (RSA 676:4, I, e, (2), as amended).

3. In addition to the standard subdivision application fee(s), the applicant is responsible to pay all requested professional services fee(s), such as special investigative studies, environmental assessments, legal review, municipal engineering review, administrative expenses or other matters required by the Board in order to make an informed decision on the application. Please refer to SECTION III., G. on Professional Review Services.
4. Recording fees and related expenses shall be paid by the applicant in accordance with current policy of the Belknap County Registry of Deeds.

K. CONCURRENT AND JOINT HEARINGS

The applicant may petition two (2) or more land use boards to hold a joint hearing in conjunction with a subdivision hearing, if approval from all boards is required for the same project. Depending on the complexity of the project, as determined by the Planning Board, each land use board shall have the authority on its own initiative to request either a separate or joint meeting at any point in time throughout the application(s) municipal process. However, each land use board reserves the right to disregard such joint hearing petition for any reason at any time, if determined to be in the best interest of the Town, as defined in the current master plan.

L. PLANS FOR DISTRIBUTION TO DEPARTMENTS

Following Planning Board approval and completion of all conditions precedent, the applicant shall provide the Planning Department with complete full-scale sets of approved subdivision plans, including any revisions required by conditions precedent, for the Planning Board Chair to sign and be distributed to the following:

1. Planning Department;
2. Highway Department;
3. Fire Department;
4. Assessing Department;
5. Building Department;
6. Water Department, if applicable; and
7. Municipal Engineering Consultant, if applicable.

This step needs to be completed before the Planning Board will transmit the mylar for the subdivision plat to the Belknap County Registry of Deeds for recording.

M. FINAL SUBDIVISION PLAT SIGNING and MYLAR RECORDING

The Planning Board will sign and record the mylar for the Final Subdivision Plat in the Belknap County Registry of Deeds after:

1. all conditions precedent have been satisfied;
2. all the plan sets required in SECTION IV, L. above have been provided; and
3. either:
 - a. all subdivision improvements have been completed, inspected and approved as provided by SECTION III, J, 2.; or
 - b. security as required by SECTION III, J, 3. has been provided.

The Planning Department shall transmit the mylar of the final subdivision plat signed by the Chair of the Planning Board to the Belknap County Registry of Deeds within 30 days after the mylar is signed. If there are any associated documents to record for the subdivision such as, but not limited to, restrictive covenants, easements, or homeowner association declarations and bylaws, the applicant shall deliver signed and notarized copies of those documents ready to be recorded to the Planning Board to record with the plat. The applicant shall pay for the recording fees and the expense of mailing the mylar and any other documents to the Registry to be recorded. The applicant shall submit a check payable to LCHIP as required by state statutes to be transmitted to the Belknap County Registry of Deeds along with the signed plat to be recorded unless the fee is no longer required by state statutes.

N. FINAL SUBDIVISION PLAN DISTRIBUTION

After the plat and any associated documents are recorded in the Belknap County Registry of Deeds, the Registry returns a form to the Planning Department identifying the Plan Number and Drawer Number for the recorded plat and the Book and Page numbers for any associated documents. The Planning Department notes the Plan Number and Drawer Number for the recorded plat on paper copies of the plat provided by the applicant signed by the Planning Board Chair and the Book and Page numbers on any associated documents provided by the applicant. The copies of the plat and the associated documents are distributed as follows:

1. one (1) colorless 22"x34" plan copy to be retained in the Planning Board file
2. one (1) colorless 22"x34" plan copy to be provided to each owner of the subdivision
3. one (1) colorless 22"x34" plan copy to be provided to the applicant's agent
4. one (1) colorless 22"x34" plan copy to be provided for the Town Assessor for the property file
5. one (1) electronic (pdf format) copy to the Planning Department – CD or Flash Drive

O. CONDITIONAL APPROVAL COMPLIANCE SCHEDULE

1. When the Board approves an application, the applicant shall have one (1) year from the date of the meeting at which the application is approved with conditions to complete any conditions precedent that are required prior to signing and recording the subdivision plat. Failure to complete any conditions within the one (1) year timeframe shall invalidate the Board's approval, unless an extension is approved by the Board under (2) to follow, and the applicant shall be required to seek a new subdivision approval from the Board.
2. If an applicant feels that additional time is required beyond one (1) year, a different schedule of compliance must be formally requested at the time of application. Unless the Board specifically approves a different compliance schedule, the one (1) year limit shall apply. If an applicant makes a good faith effort to complete established conditions, but is unable to comply with the one (1) year deadline, a request for an extension must be submitted to the Planning Board at least thirty (30) days prior to the expiration of the one (1) year period. The Board shall determine whether a reasonable effort has been made to comply and shall then determine what if any extension is acceptable.

SECTION V - APPLICATION PROCEDURES FOR A MINOR SUBDIVISION

The application procedure for a Minor Subdivision shall be the same as for a Major Subdivision as outlined in SECTION IV above except:

1. A Design Review is ***not*** required for a ***Minor Subdivision***. A Design Review for a Minor Subdivision is optional for the applicant. If the applicant chooses to apply for a Design Review Application for a Minor Subdivision it shall comply with the provisions of SECTION IV, B. Design Review Application.
2. Minor Subdivisions need ***not*** be referred for comment as required for Major Subdivisions in SECTION IV, E.
3. A complete set of approved Minor subdivision plans does ***not*** need to be provided to the municipal engineering consultant of the Planning Board's choice as provided in SECTION IV, L., 7. since by definition minor subdivisions do not include any street or utility improvements.
4. SECTION XI, F. (Construction Observation Services) does not apply to a Minor Subdivision since by definition minor subdivisions do not include any street or utility improvements.

SECTION VI - APPLICATION PROCEDURES FOR ANNEXATIONS OR LOT LINE ADJUSTMENTS

The application procedure for an annexation or lot line adjustment shall be as follows:

A. APPLICATION REQUIRED:

Any person desiring an annexation or lot line adjustment as defined in these regulations MUST apply to the Planning Board in writing on the designated application form and pay the required fees. The applicant shall contact the Planning Department to schedule the public hearing with the Planning Board to review the application.

B. APPLICATION FILING:

The applicant shall file the application and related materials as required by these regulations by delivering the complete application to the Planning Department at least twenty-one (21) days prior to the Planning Board meeting date to consider whether the application is complete.

C. NOTICES:

Notice shall be provided by certified mail at least ten (10) "clear days" prior to the submission to the Planning Board by the Planning Department. The notice shall include the date, time and place upon which the application will be formally submitted to the Planning Board for completeness review and the public hearing to consider the application. Notice shall be sent to:

1. all abutters;
2. any professionals assisting with preparing the application such as attorneys, engineers, architects, landscape architects, land surveyors, wetland scientists or soil scientists;
3. holders of any conservation, preservation, or agricultural preservation restrictions;
4. the landowner; and
5. the applicant.

Such notice shall also be given at the same time to the general public by posting a copy of the notice at the Town Hall, the Post Office, and publication in a newspaper of general circulation.

D. COMPLETENESS REVIEW:

1. At the next meeting, no more than 30 days from the date of delivery for which notice can be posted, the Board will determine whether the final application is complete or incomplete.
2. If the application is found incomplete, the Board will identify the missing items and notify the applicant in writing.
3. Acceptance of a complete final application shall only occur at a meeting of the Planning Board, after due notification has been given according to SECTION VI, C.
4. Acceptance of a complete final application will be by affirmative Planning Board majority vote.

E. PUBLIC HEARING:

1. The Planning Board shall review the application at the scheduled public hearing, after determining the application is complete, including payment of all fees.
2. The Planning Board shall act to approve or disapprove the application within **sixty-five (65) days** after submission and acceptance by the Planning Board subject to the extensions outlined in SECTION IV, F.
3. Approval of the application and any conditions of approval shall be indicated in the Notice of Decision, signed and dated by the Chairman of the Board or his designee.
4. In case of disapproval of any application, the grounds for such disapproval shall be adequately stated upon the records of the Planning Board and a copy thereof shall be mailed to the applicant certified mail, return receipt requested within 5 days of the decision.

F. ANNEXATION OR LOT LINE ADJUSTMENT PLAT SIGNING AND RECORDING:

1. Within **sixty (60) days** after the annexation or lot line adjustment plat is approved by the Planning Board, the applicant shall deliver copies of signed deeds to the Planning Department ready to be recorded after recording the annexation plat.
2. The Planning Board shall sign the annexation plat following approval provided conditions precedent have been satisfied and the deeds to be recorded have been received.
3. After receiving the signed deeds, the Planning Board shall transmit the signed mylar to the Registry of Deeds of Belknap County for recording, charging the developer for the recording fees.
4. The Town shall fill in the subdivision plat recording information in the signed deeds after the recorded plat is returned from the Registry and transmit the original signed deeds to the Registry for recording, charging the developer for the recording fees.
5. For good cause shown, the time limit for recording may be extended by the Planning Board.
6. The applicant shall submit a check payable to the Belknap County Registry of Deeds for the LCHIP fee to be transmitted to the Registry of Deeds of Belknap County along with the plat and deeds to be recorded unless the fee is no longer required by state statute.

G. PLAT DISTRIBUTION:

After the plat and any associated documents are recorded in the Belknap County Registry of Deeds, the Registry returns a form to the Planning Department identifying the Plan Number and Drawer Number for the recorded plat and the Book and Page numbers on the deeds. The Planning Department notes the Plan Number and Drawer Number for the recorded plat on paper copies of the plat signed by the Planning Board Chair and the Book and Page numbers on the deeds. The copies of the plat and the deeds provided by the applicant are distributed as follows:

1. one (1) colorless 22"x34" plan copy to be retained in the Planning Board file
2. one (1) colorless 22"x34" plan copy to be provided to each owner of the subdivision

3. one (1) colorless 22"x34" plan copy to be provided to the applicant's agent
4. one (1) colorless 22"x34" plan copy to be provided for the Town Assessor
5. one (1) electronic (pdf format) copy to Planning – CD or Flash Drive

SECTION VII - VOLUNTARY LOT MERGER

A. LOT MERGER PROCEDURES:

The application procedure for a Voluntary Lot Merger shall be as follows:

1. Any property owner who owns two or more contiguous lots who wishes to merge them for municipal regulation or taxation purposes shall file a completed Voluntary Lot Merger Form with the Planning Department.
2. The Voluntary Lot Merger Form must be complete, legible and include original signatures.
3. The Voluntary Lot Merger Form shall be accompanied by the following:
 - a. A copy of the relevant portion of the Town of Alton Tax Map clearly identifying the lots to be merged and the lot line(s) to be discontinued.
 - b. Copies of the deeds that are referred to on the Voluntary Merger of Lots of Record Form. Where land has been inherited by the applicant, a copy of the "Notice to cities and towns" per RSA 554:18-a shall be provided.
 - c. A check payable to the Belknap County Registry of Deeds for the recording fee and a check payable to the Town of Alton for mailing.
4. The Town Assessor shall verify that the legal owners of all the lots submitted for merger are identical and the correct deed(s) have been cited.
5. The Town Tax Collector shall verify that all real estate taxes on all lots are current. If the property taxes are not current, the Tax Collector shall notify the Town Planner.
6. The Town Planner shall verify that the voluntary lot merger complies with the section on standards to follow..
7. Within **30 days** of filing the form with the Planning Department, the Voluntary Lot Merger Form shall be presented to the Planning Board to authorize the Planning Board Chair to endorse the form if it conforms with the standards outlined below. No abutter or public notice and no public hearing are required. If the form does not comply with the procedures and standards outlined in these regulations, then the Planning Board shall deny the request and send written notice to the applicant setting forth the reasons for the denial.
8. Prior to recording the Voluntary Lot Merger Form, the Town Assessor shall assign a tax map and lot number for the merged lot and sign the form.
9. The Town Planner shall send the fully executed Voluntary Merger of Lots of Record Form to the Belknap County Registry of Deeds to be recorded.
10. Copies of the Voluntary Lot Merger form with the recording information from the Registry of Deeds shall be distributed to:
 - a. one (1) colorless 22"x34" plan copy to be retained in the Planning Board file

- b. one (1) colorless 22"x34" plan copy to be provided to owner of the merger
- c. one (1) colorless 22"x34" plan copy to be provided to the applicant's agent
- d. one (1) colorless 22"x34" plan copy to be provided for the Town Assessor
- e. one (1) electronic (pdf format) copy to Planning – CD or Flash Drive

B. LOT MERGER STANDARDS:

Voluntary Lot Merger shall conform to the following standards:

- 1. The legal owners of all lots submitted for merger are identical.
- 2. Lots to be merged must be contiguous. Lots separated by a stream or a public or private street may be considered contiguous if they are or can be used in a unitary fashion (e.g. septic system on one lot serving a dwelling across the street).
- 3. The Voluntary Lot Merger would not violate the zoning ordinance or other land use regulation.
- 4. A Voluntary Lot Merger shall not be merged unless all the real estate taxes are current.
- 5. Lots shall not be merged unless all owner(s) certify either:
 - a. none of the lots proposed for merger are subject to mortgages, liens or encumbrances; or
 - b. to the extent there are mortgages, liens or encumbrances, they apply equally to all lots submitted for merger.
- 6. The owner(s) signature(s) shall be acknowledged by a Justice of the Peace or Notary Public.

SECTION VIII - CONDOMINIUM DEVELOPMENT

- A. All Condominium Developments, including conversions of existing units or new construction for condominium conveyance, having **three (3) or fewer units** will follow all land use regulations pertaining to Minor Subdivisions and the Site Plan Review Regulations if the proposal is for a multi-family residential use.
- B. All Condominium Developments, including conversions of existing units or new construction for condominium conveyance, having **four (4) or more units** will follow all land use regulations pertaining to Major Subdivisions and the Site Plan Review Regulations if the proposal is for a multi-family residential use.
- C. All Condominium Developments, including conversions of existing units or new construction for condominium conveyance, will require Board approval and compliance with relevant sections of RSA 356-B as amended. Planning Board approval is required whether or not State approval is required under those statutes, or under rules adopted pursuant to those statutes.
- D. All Condominium Developments, including conversions of existing units or new construction for condominium conveyance, shall comply with the requirements of SECTION 329

CONDOMINIUMS of the Zoning Ordinance.

SECTION IX - APPLICATION SUBMITTAL REQUIREMENTS

A. **MAJOR SUBDIVISIONS - CONCEPTUAL CONSULTATION APPLICATION**

A Conceptual Consultation Application is not required, but will be granted upon written request for any and all subdivision applications. Applicant's who choose, may discuss their subdivision proposal in general terms with the Planning Board. Please refer to SECTION IV, A for more information.

A conceptual consultation application shall include the following items:

1. An application form completed and signed by the landowner(s) or the landowner(s)'s authorized agent and a conceptual consultation checklist of application requirements;
2. Written authorization from the landowner(s) of record for any agent(s) to represent and sign for the landowner(s);
3. Payment of the application fee, based on the current Planning Board fee schedule;
4. A brief project narrative explaining the subdivision proposal in general terms including any potential regulatory waivers and points of special interests.
5. A colorless sketch of the subdivision proposal layout
(not required to be prepared by a licensed professional)

B. **MAJOR SUBDIVISIONS - DESIGN REVIEW APPLICATION**

Design Review is required for all major subdivision applications. Please refer to SECTION IV, B. for more information. A complete application for a Design Review Subdivision Application shall include the following information:

1. An application form completed and signed by the landowner(s) or authorized agent;
2. A completed and signed application checklist;
3. Written authorization from the landowner(s) of record for any agent(s) to represent and sign for the landowner(s);
4. An abutter's list to include:
 - a. Names and addresses of all abutters, taken from the Town records not more than five (5) days before the day of filing;
 - b. The name and address of any professional(s) assisting with preparing the application and subdivision plans;
 - c. Names and addresses of all holders of conservation, preservation or agricultural preservation restrictions encumbering the subject parcel;
 - d. Names and addresses of landowner(s); and
 - e. Names and addresses of applicant(s) if different from the landowner(s).
5. Payment of the application fees, based on the current Planning Board fee schedule;
6. Any requests for waivers presented in writing shall cite the specific section of the regulations requested to be waived and shall include the rationale for the waiver(s) as provided in SECTION III, C. Waiver of Requirements;
7. Plans and Maps - General:

- a. All design drawings shall be prepared by New Hampshire licensed professionals on separate plans on separate sheets, rather than combining them onto one plan, in order that they are clear and legible.
 - b. The applicant shall submit five (5) copies of the complete project plan set of full size plans (22" x 34") and ten (10) copies of the complete project plan set of reduced-scale plans (11" x 17").
 - c. All the required full scale maps shall:
 - 1) be drawn at a scale of not more than 100 feet per inch. For greater detail, the Planning Board at its discretion may require maps to be drawn at a scale of 50 feet per inch.
 - 2) be prepared, signed and sealed by a NH Registered surveyor, civil engineer, and other professionals as required. The name and address of the surveyor, civil engineer and any other professionals shall be provided on the plat.
 - 3) show date of preparation and any dates of revisions; and
 - 4) include the name of the Town and subdivision, name and address of applicant and registered surveyor and civil engineer.
8. Required maps shall include the following:
- a. Survey Plat: The site survey plat shall show the following information and conform to the following specifications:
 - 1) Show a complete boundary survey showing metes and bounds of the entire contiguous parcel owned by the applicant, whether or not all land therein is to be subdivided, referenced to a public street intersection or USGS bench mark. A minimum of two (2) bench marks shall be provided.
 - 2) Show:
 - (a) existing and proposed lot lines,
 - (b) bearings and dimensions,
 - (c) lot sizes in square feet and acres,
 - (d) consecutive numbering of lots,
 - (e) the location and type of all proposed and existing survey monuments, and
 - (f) the survey accuracy documenting that the accuracy is equal to 1 part in 10,000 or better.

Where a portion of the applicant's property is not included in the subdivision application, the applicant shall provide sufficient information to demonstrate that the remaining portion of the property not subdivided complies with the minimum requirements of the zone district to be a conforming lot.
 - 3) Show:
 - (a) north point (identify whether true north or magnetic north was used),
 - (b) graphic scale,
 - (c) tax map(s) and lot number(s) of parcel(s) included in

- subdivision application,
 - (d) a legend that includes **all** the symbols used on the plat if not labeled on the plat; and
 - (e) a site location map which shall show the proposed subdivision in relation to major roads in the vicinity of the subdivision.
- 4) Show:
- (a) existing and proposed public street right-of-way lines or center lines for private roads, dimensions of arc lengths and radii;
 - (b) points of curvature and tangency of curved streets;
 - (c) bearings of lot lines;
 - (d) names of existing and proposed streets and classification of street; and
 - (e) width of adjacent street(s), pavement and right-of-way.
- 5) Show or note building setback lines as required by the Zoning Ordinance and identify the Zone District(s).
- 6) Show the minimum contiguous upland area required by the Zoning Ordinance for each lot excluding jurisdictional wetlands and areas with slopes in excess of 25%. Identify the minimum contiguous upland area in square feet and acres for each lot.
- (a) All jurisdictional wetland boundaries shall be as designated in the field by a N.H. licensed certified Wetland Scientist. The designated wetland boundaries shall be located for mapping purposes by a NH licensed surveyor and shall be shown on the plat. Both a NH Surveyor and a NH Wetland scientist shall stamp the plat, which describes wetlands. The wetland boundaries shall be “flagged” in the field using plastic ribbon bearing descriptive text.
- 7) Show location of any existing and proposed easement(s) and areas affected by any existing and proposed covenants, reservations and restrictions, benefiting or burdening the property.
- 8) Show location of existing or proposed parks and other open space, and significant natural and manmade features including, but not limited to, buildings surface water features, rock ledges, stone walls, old mill sites, cemeteries or burial sites and other unique features.
- 9) Show all jurisdictional Wetlands as defined by the Zoning Ordinance and the 25 foot Wetland Buffers required by the Zoning Ordinance.
- 10) Show all areas designated as a "Special Flood Hazard Area". The one-hundred year base flood elevation data must be denoted on the plat as required by the Town of Alton Floodplain Ordinance in accordance with the Federal Emergency Management Agency.
- 11) This map shall identify any portion of the subdivision located within the Aquifer Protection Overlay District.
- 12) This map shall identify any portion of the subdivision located within

the Shoreland Protection Overlay District including the 50 foot shoreland setback.

- 13) Show all areas with slopes in excess of 25%.
- 14) Show all zoning district boundary lines and identify the zone district(s).
- 15) Show location of driveway access to each lot.
- 16) Show names, addresses, and tax map and lot numbers of all abutters as they appear in the town records not more than five (5) days before the date of filing the application.
- 17) Show a general site location map identifying the subdivision boundary and proposed streets in relation to major roads or other features shown on the town map.
- 18) Show subdivisions, lot lines existing buildings, and intersecting streets and driveways within 200 feet of the parcel to be subdivided.
- 19) Identify the area in current use, if any, for each proposed lot.
- 20) The survey map shall include the following title blocks:

NAME OF SUBDIVISION

Name(s) and address (es) of Landowner(s)

Date of Preparation and date(s) of any revision(s) including description of revision(s)

- b. Topographic Map: The topographic map shall show existing topography and proposed changes in topography. Existing contours shall be shown as dashed lines and proposed contours shall be shown as solid lines. Contours of existing grade shall be shown at intervals of not more than two (2) feet unless otherwise approved by the Planning Board. Intervals less than two (2) feet may be required depending on the character of the topography. All low points, high points and other areas needing spot elevations shall be shown.

The contours should be referenced to M.S. L. (mean sea level) or to the mean high water level of the nearest surface water or to other local bench mark. At least one permanent benchmark shall be set on the property and be described on the plans. This benchmark shall be available to allow the reestablishment of the vertical data plain.

Contour lines are to be actual contours and not interpolations of USGS maps unless otherwise approved by the Planning Board. The Planning Board may accept interpolations of USGS maps for remaining portions of large lots that are not to be subdivided in the current application.

- c. Soils Map: The soils map shall show the location of soil mapping units and boundaries as shown on the Natural Resource Conservation Service Soil Mapping. A legend on the soils map shall identify soil mapping unit symbols and soil names.

In addition the soils map shall show all percolation test sites, soil test pits and borings, the results of all soil tests including dates, locations by reference to soil map, percolation rates, soil profile with depth to ledge, clay, hard pan and existing and seasonal high water table.

- d. Utilities Plan Map: This map shall show the location of all existing and proposed utilities including lines and associated facilities for water, sewer, telephone, electric, gas, and cable TV as well as the location of existing or proposed wells and on-site sewage disposal systems, including the 4,000 square foot replacement area required by the NH Department of Environmental Services for on-site waste disposal.
- e. Fire Protection Plan Map:
This map shall also show the concept and location of the fire protection measures to be provided to include fire hydrants (active or dry), fire ponds or on-site water supply tanks.
- f. Drainage Plan Map: This map shall show all surface water on and within two hundred (200) feet of the subdivision including rivers, streams, intermittent streams, lakes, ponds, marshes, and jurisdictional wetlands. This map shall show all areas designated as a "Special Flood Hazard Area". This map shall identify any portion of the subdivision located within the Aquifer Protection Overlay District and within the Shoreland Protection Overlay District including the 50 foot shoreland setback. This map shall show all existing and proposed drainage facilities on and within two hundred (200) feet of the subdivision

9. Erosion and Sedimentation Control Plan

The Erosion and Sedimentation Control Plan shall contain sufficient information to describe the nature and purpose of the proposed development, pertinent conditions of the site and the adjacent areas, and the concept for both temporary and long-term proposed erosion and sedimentation controls proposed for the subdivision.

10. Stormwater Management Plan

The Stormwater Management Plan shall contain sufficient information to describe the nature and purpose of the proposed development, pertinent conditions of the site and the adjacent areas, and proposed best management practices for the permanent management and treatment of stormwater proposed for the subdivision.

The concept for an Operation and Maintenance Plan (O&M Plan) for the permanent storm water management system shall be submitted. The maintenance plan shall be designed to ensure compliance with these regulations in all seasons and throughout the life of the system.

11. Soils Report

In addition to the Soils Map required by SECTION IX, B., 8, c., the applicant shall submit a Soils Report prepared by a Certified Soils Scientist which provides an analysis of the suitability of the soils for the proposed development. The Planning Board may choose to refer the soils report to an independent Certified Soils Scientist for his/her review of the suitability of the soils for the proposed development given the percolation test pit results, the soils mapping and the soils report prepared by a soils scientist or engineer.

12. Road and Driveway Profiles & Typical Cross Sections

- a. Centerline profiles showing existing and proposed elevations along the centerlines and proposed grades shall be provided for all proposed streets and for each proposed driveway from the street to the building site. Profiles shall be drawn at a scale of one (1) inch equals fifty (50) feet horizontal scale and one (1) inch equals five (5) feet vertical scale.
- b. Typical road and driveway cross-sections shall be provided. Road cross-sections shall include the proposed roadway, sidewalks, and ditches. Cross-sections shall be drawn to a convenient scale of not more than one (1) inch equals ten (10) feet with both horizontal and vertical scales being the same.

13. Driveway Sight Distance Analysis

A sight distance analysis for each proposed driveway location shall be provided.

14. Regional Impact Analysis

The applicant shall provide an analysis of the potential for regional impact of his subdivision proposal on neighboring municipalities, because of factors such as, but not limited to, the following:

- a. Relative size or number of dwelling units compared with existing stock;
- b. Proximity to the borders of a neighboring community;
- c. Transportation networks;
- d. Anticipated emissions such as light, noise, smoke, odors, or particulates;
- e. Proximity to aquifers or surface waters that transcend municipal boundaries; and
- f. Shared facilities such as schools and solid waste disposal facilities.

15. Future Development

Where the layout submitted covers only a part of the applicant's entire holding, a non-binding sketch or narrative proposal of the prospective future road system of the portion not submitted for subdivision shall be furnished and the road system of the

submitted part will be considered in the light of connections with the road system of the part not submitted.

16. Project Narrative:

- a. Describe Scale - Numbers of acres, dwelling units, bedrooms, projected increase on auto trips per day and overall positive and negative impacts on the community.
- b. Describe Timing - Estimated time to construct, phasing, and description of further subdivision potential.
- c. Describe Significant Features – List of environmental features (wetlands, water bodies, rock outcroppings, wildlife habitat, etc.) and manmade features (stone walls, structures, trails, historic features, burial grounds, etc.). Description of efforts to preserve and maintain significant features.

17. Additional Information

The Planning Board may require such additional information to be provided at the applicant's expense as it deems necessary in order to evaluate the subdivision in relation to the purposes and scope of these regulations.

Additional information may include, but is not limited to:

- a. A traffic study done by a qualified professional that analyzes the traffic impact on roads, bridges and intersections.
- b. A fiscal impact study done by a qualified professional that analyzes the fiscal impact of the subdivision proposal on Town services.
- c. An environmental impact study done by a qualified professional that analyzes the environmental impact of the subdivision proposal.

C. MAJOR SUBDIVISION - FINAL APPLICATION

A complete application for a Final Subdivision Application shall include the following information and maps:

1. An application form completed and signed by the landowner(s) or authorized agent;
2. A completed and signed Final Major Subdivision Checklist of Application Requirements;
3. Written authorization from the landowner(s) of record for any agent(s) to represent and sign for the landowner(s);
4. An abutter's list to include:
 - a. Names and addresses of all abutters, taken from the Town records not more than five (5) days before the day of filing;
 - b. The name and address of any professional(s) assisting with preparing the application and subdivision plans;
 - c. Names and addresses of all holders of conservation, preservation or agricultural preservation restrictions; and
 - d. Names and addresses of landowner(s); and
 - e. Names and addresses of applicant(s) if different from the

- landowner(s).
5. Payment of the application fees based on the current Planning Board fee schedule;
 6. Any requests for waivers presented in writing shall cite the specific section of the regulations requested to be waived and shall include the rationale for the waiver(s) as provided in SECTION III. C. Waiver of Requirements;
 7. Plans and Maps - General:
 - a. All design drawings shall be prepared by New Hampshire licensed professionals on separate plans on separate sheets, rather than combining them onto one plan, in order that they are legible and clear.
 - b. The applicant shall submit five (5) copies of the complete set of full-scale plans (22" x 34") and ten (10) copies of the complete set of reduced-scale plans (11" x 17").
 - c. All the required full scale maps shall:
 - 1) be drawn at a scale of not more than 100 feet per inch. For greater detail, the Planning Board at its discretion may require maps to be drawn at a scale of 50 feet per inch;
 - 2) be prepared, signed and sealed by a NH Registered surveyor, civil engineer, and any other professionals as required. The name and address of the surveyor, civil engineer and any other professionals shall be provided on the plat.
 - 3) show date of preparation and any dates of revisions; and
 - 4) include the name of the Town and subdivision, name and address of applicant and registered surveyor and civil engineer.
 8. Required maps shall include the following:
 - a. Final Survey Plat (Plat to be recorded if approved): The site survey plat shall show the following information and conform to the following specifications:
 - 1) Be drawn in permanent black ink on permanent, reproducible material on the size and type of material specified by the Belknap County Registry of Deeds.
 - 2) Show a complete boundary survey showing metes and bounds of the entire contiguous parcel owned by the applicant, whether or not all land therein is to be subdivided, referenced to a public street intersection or USGS bench mark. A minimum of two (2) bench marks shall be provided. The Final Survey plat shall be prepared, signed and sealed by a NH Registered surveyor.
 - 3) Show:
 - (a) existing and proposed lot lines,
 - (b) bearings and dimensions,
 - (c) lot sizes in square feet and acres,
 - (d) consecutive numbering of lots,
 - (e) the location and type of all proposed and existing survey monuments, and
 - (f) the survey accuracy documenting that the accuracy is equal to 1 part in 10,000 or better.

Where a portion of the applicant's property is not included in the subdivision application, the applicant shall provide sufficient information to demonstrate that the remaining portion of the property not subdivided complies with the minimum requirements of the zone district to be a conforming lot.

- 4) Show:
 - (a) north point (identify whether true north or magnetic north was used),
 - (b) graphic scale,
 - (c) tax map(s) and lot number(s) of property included in subdivision application, and
 - (d) a legend that includes all the symbols used on the plat if not labeled on the plat; and
 - (e) a site location map which shall show the proposed subdivision in relation to major roads in the vicinity of the subdivision.
- 5) Show:
 - (a) existing and proposed public street right-of-way lines or center lines for private roads, dimensions arc lengths and radii;
 - (b) points of curvature and tangency of curved streets;
 - (c) bearings of lot lines;
 - (d) names of existing and proposed streets and classification of street; and
 - (e) width of adjacent streets, pavement and right-of-way.
- 6) Show or note building setback lines as required by the Zoning Ordinance and identify the Zone District(s).
- 7) Show the minimum contiguous upland area required by the Zoning Ordinance for each lot excluding jurisdictional wetlands and areas with slopes in excess of 25%. Identify the minimum contiguous upland area in acres for each lot.
 - (a) All jurisdictional wetland boundaries shall be as designated in the field by a N.H. licensed certified Wetland Scientist. The designated wetland boundaries shall be located for mapping purposes by a NH licensed surveyor and shall be shown on the plat. Both a NH Surveyor and a NH Wetland scientist shall stamp the plat, which describes wetlands. The wetland boundaries shall be “flagged” in the field using plastic ribbon bearing descriptive text.
- 8) Show location of existing and proposed easements and areas affected by existing and proposed covenants, reservations and restrictions, benefiting or burdening the property.
- 9) Show location of existing or proposed parks and other open space, and significant natural and manmade features including, but not limited to, buildings surface water features, rock ledges, stone walls, old mill

- sites, cemeteries or burial sites and other unique features.
- 10) Show all jurisdictional wetlands as defined by the Zoning Ordinance and the 25 foot Wetland Buffers required by the Zoning Ordinance.
 - 11) Show all areas designated as a "Special Flood Hazard Area". The one-hundred year base flood elevation data must be denoted on the plat as required by the Town of Alton Floodplain Ordinance in accordance with the Federal Emergency Management Agency.
 - 12) This map shall identify any portion of the subdivision located within the Aquifer Protection Overlay District.
 - 13) This map shall identify any portion of the subdivision located within the Shoreland Protection Overlay District including the 50 foot shoreland setback.
 - 14) Show all areas with slopes in excess of 25%.
 - 15) Show all zoning district boundary lines and identify the Zone District(s).
 - 16) Show location of driveway access to each lot.
 - 17) Show names, addresses, and tax map and lot numbers of all abutters as they appear in the town records not more than five (5) days before the date of filing the application.
 - 18) Show a general site location map locating the subdivision boundary and proposed streets in relation to major roads or other features shown on the town map.
 - 19) Show subdivisions, lot lines existing buildings, and intersecting streets and driveways within 200 feet of the parcel to be subdivided.
 - 20) A note shall be added to the plat stating the total acreage of each Current Use Category for each lot in current use, as applicable. If part or all of one or more lots is in current use, then the property owner shall submit an updated current use application for those lots to the Town Assessor prior to the plat being signed. An updated current use application does not need to be recorded again and there is no cost for an updated current use application. The Town Assessor shall verify receipt of this updated current use application prior to the plat being signed.
 - 21) identify the following information as notes on the plat:
 - NHDES - Subdivision Approval Number for Wastewater Treatment & date of approval

 - NHDES - Wetlands Permit: Dredge and Fill Permit Number & date of approval

 - NHDES – Shore Land Permit Number & date of approval

 - NHDES - Alteration of Terrain Permit Number & date of approval

NHDES Community Water Supply System Permit Number & date of approval

NH Department of Transportation Access Permit Number& date of approval; or

Date of approval by the Alton Highway Department for road /driveway access point(s)

Date of approval by the Alton Water Works for Town water service

EPA Phase II Stormwater Permit Number & date of approval

22) The survey map shall include the following title blocks:

NAME OF SUBDIVISION

Name(s) and address (es) of Landowner(s)

Name, address and seal of Surveyor

Name, address and seal of Civil Engineer

Date of Preparation and date(s) of any revision(s) including description of revision(s)

Planning Board Approval Date _____

Signature of Planning Board Chair:

Alton Planning Board Chair

Date

- b. Topographic Map: The topographic map shall show existing topography and proposed changes in topography. Existing contours shall be shown as dashed lines and proposed contours shall be shown as solid lines. Contours of existing grade shall be shown at intervals of not more than two (2) feet unless otherwise approved by the Planning Board. Intervals less than two (2) feet may be required depending on the character of the topography. All low points, high points and other areas needing spot elevations shall be shown.

The contours should be referenced to M.S. L. (mean sea level) or to the mean high water level of the nearest surface water or to other local bench

mark. At least one permanent benchmark shall be set on the property and be described on the plans. This benchmark shall be available to allow the reestablishment of the vertical data plain.

Contour lines are to be actual contours and not interpolations of USGS maps unless otherwise approved by the Planning Board. The Planning Board may accept interpolations of USGS maps for remaining portions of large lots that are not to be subdivided in the current application.

- c. Soils Map: The soils map shall show the location of soil mapping units and boundaries as shown on the Natural Resource Conservation Service Soil Mapping. A legend on the soils map shall identify soil mapping unit symbols and soil names.

In addition the soils map shall show all percolation test sites, soil test pits and borings, the results of all soil tests including dates, locations by reference to soil map, percolation rates, soil profile with depth to ledge, clay, hard pan and existing and seasonal high water table.

- d. Utilities Plan Map: This map shall show the location and details of all existing and proposed utilities including lines and associated facilities for water, sewer, telephone, electric, gas, and cable TV as well as the location of existing or proposed wells and on-site sewage disposal systems, including the 4,000 square foot replacement area required by the NH Department of Environmental Services for on-site waste disposal.

- e. Fire Protection Plan Map:
This map shall also show the fire protection measures to be provided to include fire hydrants (active or dry), fire ponds or on-site water supply tanks.

The design plans and specifications shall be shown on the Fire Protection Plan Map.

- f. Drainage Plan Map: This map shall show all surface water on and within two hundred (200) feet of the subdivision including rivers, streams, intermittent streams, lakes, ponds, marshes, and jurisdictional wetlands. This map shall show all areas designated as a "Special Flood Hazard Area". This map shall identify any portion of the subdivision located within the Aquifer Protection Overlay District and within the Shoreland Protection Overlay District including the 50 foot shoreland setback. This map shall detail all existing and proposed drainage facilities on and within two hundred (200) feet of the subdivision to include all drainage ditches, drainage swales, storm drainage lines, and all drainage structures. This plan shall show the final identification, location, elevation, grades, profiles and contours at two (2) foot intervals for

the existing and proposed drainage ways and structures.

9. Erosion and Sedimentation Control Plan

The Erosion and Sedimentation Control Plan shall contain sufficient information to describe the nature and purpose of the proposed development, pertinent conditions of the site and the adjacent areas, and proposed erosion and sedimentation controls. The applicant shall submit such material as is necessary to show that the proposed development will comply with the design standards and contain the information listed below.

- a. Design: The Erosion and Sedimentation Control Plan shall be designed to comply with the requirements of the NH Department of Environmental Services under RSA 485-A; 17. The preferred design includes the use of Low Impact Development best management practices (BMPs) for managing stormwater and controlling erosion. The Stormwater Management and Erosion Control Handbook for Developing Areas in New Hampshire shall also be used in selecting the design and the BMPs to manage stormwater and control erosion.
- b. Contents: The Erosion and Sedimentation Control Plan shall contain the following information:
 - 1) Names, addresses, and telephone numbers of the owner, applicant, and person(s) or firm(s) preparing the plan;
 - 2) Title, date, north arrow, names of abutters, legend, and locus map;
 - 3) Location and description of natural features including:
 - (a) Watercourses and water bodies, wetland resource areas, riparian zones and all floodplain information, including the 100-year flood elevation based upon the most recent Flood Insurance Rate Map, or as calculated by a professional engineer for areas not assessed on these maps;
 - (b) Existing vegetation of various kinds including tree lines, shrub layer, ground cover and herbaceous vegetation, and trees with a caliper twelve (12) inches or larger, noting specimen trees and forest communities; and
 - (c) Habitats mapped by the New Hampshire Natural Heritage Program as Rare Plant Species and Natural Communities within five hundred (500) feet of any construction activity.
 - 4) Lines of existing abutting streets showing drainage and driveway locations and curb cuts;
 - 5) Existing soils (type, hydrologic group, erodibility) and the volume and nature of imported soil materials;
 - 6) Topographical features including existing and proposed contours at intervals no greater than two (2) feet with spot elevations provided when needed;
 - 7) Steep slopes for pre-development and post-development conditions, delineated by 0%-15%, 15%-25%, and over 25%;

- 8) Surveyed property lines showing distances and monument locations, all existing and proposed easements, rights-of-way, and other encumbrances, the size of the entire parcel, and the delineation and number of square feet of the land area to be disturbed;
- 9) Drainage patterns, watersheds and subwatersheds, with calculations of proposed land disturbance within each subwatershed and areas of soil to be disturbed in each watershed throughout the duration of the proposed land disturbance activity;
- 10) Location and details of erosion and sediment control measures with a narrative of the construction sequence/phasing of the project, including both operation and maintenance for structural and non-structural measures, interim grading, and material stockpiling areas;
- 11) Path and mechanism to divert uncontaminated water around disturbed areas, to the maximum extent practicable;
- 12) Location and description of and implementation schedule for temporary and permanent seeding, vegetative controls, and other temporary and final stabilization measures;
- 13) A description of construction and waste materials expected to be stored on-site. The Plan shall include a description of controls to reduce pollutants from these materials, including storage practices to minimize exposure of the materials to stormwater, and spill prevention and response.
- 14) A description of provisions for phasing the project where 40,000 square feet of contiguous area or greater is to be altered or disturbed;
- 15) Plans, reports, and calculations must be stamped and certified by a qualified professional civil engineer; and
- 16) Such other information as is required by the Planning Board.

10. Stormwater Management Plan

The Stormwater Management Plan shall contain sufficient information to describe the nature and purpose of the proposed development, pertinent conditions of the site and the adjacent areas, and proposed best management practices for the permanent management and treatment of stormwater. The Stormwater Management Plan shall contain sufficient information for the Planning Board to evaluate the environmental impact, effectiveness, and acceptability of the measures proposed by the applicant for reducing adverse impacts from stormwater. The Plan shall be designed to comply with the requirements of the NH Department of Environmental Services under RSA 485-A; 17. The preferred design includes the use of Low Impact Development best management practices (BMPs) for managing stormwater and controlling erosion. The Stormwater Management and Erosion Control Handbook for Developing Areas in New Hampshire shall also be used in selecting the design and the BMPs to manage stormwater and control erosion. The Stormwater Management Plan shall fully describe the project in drawings, and narrative.

- a. Stormwater Management Plan Requirements: The Stormwater Management

Plan shall contain the following information:

- 1) A locus map;
- 2) The existing zoning, and land use at the site;
- 3) The proposed land use;
- 4) The location(s) of existing and proposed easements
- 5) The location of existing and proposed utilities;
- 6) The site's existing & proposed topography with contours at two (2) foot intervals;
- 7) The existing site hydrology;
- 8) A description & delineation of existing stormwater conveyances, impoundments, and jurisdictional wetlands on or adjacent to the site or into which stormwater flows;
- 9) A delineation of 100-year flood plains, if applicable;
- 10) An estimate made by a Certified Soil Scientist of seasonal high groundwater elevation in each area to be used for stormwater retention, detention, or infiltration;
- 11) The existing and proposed vegetation and ground surfaces with runoff coefficient for each;
- 12) A drainage area map showing pre and post construction watershed boundaries, drainage area and stormwater flow paths;
- 13) A description and drawings of all components of the proposed drainage system including:
 - (a) locations, cross sections, and profiles of all brooks, streams, drainage swales and their method of stabilization;
 - (b) all measures for the detention, retention or infiltration of water;
 - (c) all measures for the protection of water quality;
 - (d) the structural details for all components of the proposed drainage systems and stormwater management facilities including all catch basins, drop inlets and man-holes shall be shown in profile and the type of grate with rim elevations shall be specified;
 - (e) notes on drawings specifying materials to be used, construction specifications, and typicals;
 - (f) expected hydrology with supporting calculations.
 - (g) Design plans for all proposed Low Impact Design (LID) Best Management Practices (BMP).
 - (h) Pipe profiles for all culverts and closed drain system pipes. These may be shown on roadway cross sections, roadway profile or on a completely separate profile, including existing and proposed finished grades, as required. Plans shall specify pipe type, size, length, slope and invert elevations.
 - (i) Any ditch section proposed, which is different from the typical roadside ditch, shall be shown in detail giving the bottom

- width, side slopes and minimum depth of ditch.
- (j) Permanent erosion control measures shall be specified and detailed on the plans for all roadside ditches (where required) and the drainage pipe outlets. Sufficient detail shall be provided to properly construct the intended item (i.e., stone size, thickness of stone layer, subgrade preparation or protection, depth of stone lining in ditch, etc).
 - (k) Sufficient plans and construction details for any detention and retention ponds shall be provided.
- 14) The proposed improvements including location of buildings or other structures, impervious surfaces, and drainage facilities, if applicable;
 - 15) The timing, schedules, and sequence of development including clearing, stripping, rough grading, construction, final grading, and vegetative stabilization;
 - 16) A maintenance schedule for the period of construction; and
 - 17) Any other information requested by the Planning Board.
- b. Operation and Maintenance Plan: An Operation and Maintenance Plan (O&M Plan) for the permanent storm water management system is required at the time of final application. The maintenance plan shall be designed to ensure compliance with these regulations in all seasons and throughout the life of the system. The Planning Board shall make the final decision of what maintenance option is appropriate in a given situation. The Planning Board will consider natural features, proximity of site to water bodies and wetlands, extent of impervious surfaces, size of the site, the types of stormwater management structures, and potential need for ongoing maintenance activities when making this decision. Once approved by the Planning Board, the Operation and Maintenance Plan shall be recorded at the Belknap County Registry of Deeds at the expense of the current owners, shall remain on file with the Planning Board and shall be an ongoing requirement. The Operation and Maintenance Plan shall conform to the requirements listed below. Stormwater management easements shall be provided by the property owner(s) and shall be sufficient in location and extent to carry out the required maintenance.
- 1) Operation and Maintenance Plan Requirements: An Operation and Maintenance Plan shall include:
 - (a) The name(s) of the owner(s) for all components of the system;
 - (b) Maintenance agreements that specify:
 - (1) The names and addresses of the person(s) responsible for operation and maintenance;
 - (2) The person(s) responsible for financing maintenance and emergency repairs;
 - (3) A Maintenance Schedule for all drainage structures, including swales and ponds;
 - (4) A list of easements with the purpose and location of each; and

- (5) The signature(s) of the owner(s).
- 2) Stormwater Management Easement(s):
 - (a) Stormwater management easements shall be provided by the property owner(s) as areas are necessary for:
 - (1) access for facility inspections and maintenance;
 - (2) preservation of stormwater runoff conveyance, infiltration, and detention areas and facilities, including flood routes for the 100-year storm event; and
 - (3) direct maintenance access by heavy equipment to structures requiring regular cleanout maintenance.
 - (b) The purpose of each easement shall be specified in the maintenance agreement signed by the property owner;
 - (c) Stormwater management easements are required for all areas used for off-site stormwater control; and
 - (d) Easements shall be recorded with the Belknap County Registry of Deeds at the applicant's expense with the final subdivision plat.
- 3) Changes to Operation and Maintenance Plans:
 - (a) The owner(s) of the stormwater management system must notify and obtain approval from the Planning Board through the Planning Department of proposed changes in ownership or assignment of financial responsibility.
 - (b) The maintenance schedule in the Maintenance Agreement may be amended to achieve the purposes of these Stormwater Management and Erosion Regulations by mutual agreement of the Planning Board and the Responsible Parties. Amendments must be in writing and signed by all Responsible Parties. Responsible Parties shall include owner(s), persons with financial responsibility, and persons with operational responsibility. Once the amended Plan is signed the Planning Board shall file it at the Registry of Deeds at the expense of the current owner(s).
- 4) Annual Report Submittal:

The Responsible Parties must submit annual reports regarding the inspection and maintenance of the BMPs for which they are responsible. A copy of the annual report shall be sent by the Responsible Parties to the Town Code Official, the Planning Board, and the Board of Selectmen. The reports must include:

 - (a) Descriptions of the condition of the BMPs;
 - (b) Descriptions of maintenance performed; and
 - (c) Receipts for maintenance performed.

The Town Planning Department shall maintain a file with all the required Annual Reports and the dates they are due annually. If an

Annual Report is not received on time the Town Planning Department shall notify the Code Official and the Board of Selectmen for enforcement action.

11. Soils Report

In addition to the Soils Map required by SECTION IX, C., 8, c., the applicant shall submit a Soils Report prepared by a Certified Soils Scientist which provides an analysis of the suitability of the soils for the proposed development. The Planning Board may choose to refer the soils report to an independent Certified Soils Scientist for his/her review of the suitability of the soils for the proposed development given the percolation test pit results, the soils mapping and the soils report prepared by a soils scientist or engineer.

12. Road and Driveway Profiles, Cross Sections and Details

- a. Centerline profiles showing existing and proposed elevations along the centerlines and proposed grades shall be provided of all proposed streets and for each driveway from the street to the building site. Profiles shall be drawn at a scale of one (1) inch equals fifty (50) feet horizontal scale and one (1) inch equals five (5) feet vertical scale.
- b. Cross-sections shall be provided of all proposed streets at fifty (50) foot stations and at all catch basins, bridges, or culverts. Road cross-sections shall include the proposed roadway, sidewalks and ditches. Driveway cross-sections shall be provided at 20 foot intervals from the street travelway to the building site. Cross-sections shall be drawn to a convenient scale of not more than one (1) inch equals ten (10) feet with both horizontal and vertical scales being the same.
- c. Construction details of all roadway, curbing and sidewalk improvements shall be shown.

13. Driveway Sight Distance Analysis

Provide a sight distance analysis for each proposed driveway location.

14. Regional Impact Analysis

The applicant shall provide an analysis of the potential for regional impact of his subdivision proposal on neighboring municipalities, because of factors such as, but not limited to, the following:

- a. Relative size or number of dwelling units compared with existing stock;
- b. Proximity to the borders of a neighboring community;
- c. Transportation networks;
- d. Anticipated emissions such as light, noise, smoke, odors, or particulates;
- e. Proximity to aquifers or surface waters that transcend municipal boundaries; and
- f. Shared facilities such as schools and solid waste disposal facilities.

15. Future Development
Where the layout submitted covers only a part of the applicant's entire holding, a non-binding sketch or narrative proposal of the prospective future road system of the portion not submitted for subdivision shall be furnished and the road system of the submitted part will be considered in the light of connections with the road system of the part not submitted.
16. Project Narrative
- a. Describe Scale - Numbers of acres, dwelling units, bedrooms, projected increase on auto trips per day and overall positive and negative impacts on the community.
 - b. Describe Timing - Estimated time to construct, phasing, and description of further subdivision potential.
 - c. Describe Significant Features – List of environmental features (wetlands, water bodies, rock outcroppings, wildlife habitat, etc.) and manmade features (stone walls, structures, trails, historic features, burial grounds, etc.). Description of efforts to preserve and maintain significant features.
17. Subdivisions located within "Special Flood Hazard Areas"
The one-hundred year base flood elevation data must be denoted on the plat as required by the Town of Alton Floodplain Ordinance in accordance with the Federal Emergency Management Agency. The applicant of any proposed subdivision which includes land which has been designated as a "Special Flood Hazard Area" by the National Flood Insurance Program shall provide the following:
- a. The applicant shall submit all necessary permits from those governmental agencies from which approval is required by Federal or State law, including SECTION 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
 - b. The applicant of any subdivision proposal greater than 50 lots or 5 acres, whichever is the lesser, shall submit base flood elevation data.
 - c. The applicant shall submit sufficient evidence such as construction drawings, grading and land treatment plans in order for the Planning Board to determine that:
 - 1) All such proposals are consistent with the need to minimize flood damage;
 - 2) All public utilities and facilities, such as sewer, gas, electrical, 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.
18. Legal Documents Required
Where applicable to a specific subdivision, the following legal documents shall be submitted with the final subdivision application and approved by Town Counsel prior to the Planning Board Chair signing the final plat and prior recording the final plat:

- a. Agreement to Convey Lands to the Town: The applicant shall submit an agreement to convey lands to the Town to be used for streets, open space and other public purposes, with transfer of title to such interests to be effective on such date as the Town accepts such land.
- b. Assumption of Liability: The applicant shall provide the Planning Board a written acknowledgment of the assumption 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 of Alton.
- c. Homeowners Association Documents: The applicant shall provide the Planning Board with the declaration of covenants and restrictions and bylaws creating a homeowner's association to maintain the roads and other public or private subdivision improvements even if the Town may assume maintenance responsibility for some or all of those improvements at some future date.
- d. Easements and rights-of-way over property to remain in private ownership: The applicant shall provide the Planning Board with easements and rights-of-way over property to remain in private ownership.
- e. Easements or other rights to drain onto or across other property: The applicant shall provide the Planning Board with easements or other rights to drain onto or across other property whether public or private, including a street. If the storm water drainage system may create additional flow or change water flow over any adjacent property, which in the Planning Board's opinion would substantially interfere with the reasonable use of that property, then the applicant shall obtain an agreement to provide an easement therefore from the adjacent and/or nearby owner. The applicant shall submit a written undertaking to hold the town harmless from any claims for damage resulting there from.
- f. Security: The applicant shall provide the Planning Board with security as required by SECTION III, J. of these regulations.
- g. Covenant Restricting Lot Sales: A covenant restricting lot sales shall be provided to the Planning Board if the applicant chooses this method for securing the subdivision.
- h. Indemnification: In event of damage to Town property or facilities, incurred by or from work performed by or for the applicant, the applicant shall indemnify, defend and hold harmless the Alton Highway Department for subsequent maintenance of pavement, shoulders, catch basins, culverts, storm sewers and any additional costs.
- i. Easements for Water Supplies for Firefighting Purposes: The applicant shall provide the Planning Board with a written easement for any water supplies for firefighting purposes the town agrees to maintain and an easement for the Fire Department to access those water supplies. The location of these easements shall be shown on the subdivision plat.
- j. Condominium Documents: The applicant shall provide the Planning Board with any and all condominium documents applicable to the project.

19. Agency or Permit Approvals

The following applicable permits shall be obtained and submitted prior to final approval, signing and recording the subdivision plat:

- a. An Access Permit approval from the N.H. Department of Transportation if access is on a state road or access approval date from the Public Works Director if access is from a Town or private road.
- b. Approval of a Community Water Supply System from the N.H Department of Environmental Services.
- c. Subdivision Approval for On-Site Sewage Disposal from the N.H Department of Environmental Services.
- d. An Alteration of Terrain Permit from the N.H. Department of Environmental Services for land disturbance in excess of 100,000 square feet in area or for land disturbance in excess of 50,000 square feet in area when project borders a body of water; and
- e. A Dredge and Fill Permit from the N.H. Department of Environmental Services Wetlands Board.
- f. Approval from the Alton Water Works if the Town is to provide water service to the subdivision;
- g. Approval of a Shore Land Permit from the N.H. Department of Environmental Services;
- h. EPA Phase II Stormwater Permit approval.

20. Terms Under Five Year Exemption Clause

The applicant shall submit a proposal in writing to satisfy the following terms under the five-year exemption clause (RSA 674:39):

- a. Active and substantial development within the first 24 months; and
- b. Substantial completion of the improvements.

21. Additional Information

The Planning Board may require such additional information to be provided at the applicant's expense as it deems necessary in order to evaluate the subdivision in relation to the purposes and scope of these regulations.

Additional information may include, but is not limited to:

- a. A traffic study done by a qualified professional that analyzes the traffic impact on roads, bridges and intersections.
- b. A fiscal impact study done by a qualified professional that analyzes the fiscal impact of the subdivision proposal on Town services.
- c. An environmental impact study done by a qualified professional that analyzes the environmental impact of the subdivision proposal.

D. MINOR SUBDIVISION

1. MINOR SUBDIVISION – CONCEPTUAL CONSULTATION APPLICATION

A Conceptual Consultation with the Planning Board on a proposed subdivision is available to the applicant, but not a required step. Please refer to SECTION IV, A. for more information on the procedures for this step in the process.

A Conceptual Consultation Application shall include the following items:

- a. An application form completed and signed by the landowner(s) or the landowner(s)'s authorized agent;
- b. A Conceptual Consultation Checklist of Application Requirements;
- c. Written authorization from the landowner(s) of record for any agent(s) to represent and sign for the owner;
- d. Payment of the application fees based on the current Planning Board fee schedule;
- e. A letter explaining the proposal in general terms; and
- f. A sketch of the subdivision proposal.

2. FINAL MINOR SUBDIVISION APPLICATION

A complete application for a Final Minor Subdivision Application shall include all of the following items:

- a. An application form completed and signed by the landowner(s) or the landowner(s)'s authorized agent;
- b. A completed Final Minor Subdivision Checklist of Application Requirements;
- c. Written authorization from the landowner(s) of record for any agent(s) to represent and sign for the landowner(s);
- d. An abutter's list to include:
 - 1) Names and addresses of all abutters, taken from the Town records not more than five (5) days before the day of filing;
 - 2) The name and seal of any professionals assisting with preparing the application and subdivision plan;
 - 3) Names and addresses of all holders of conservation, preservation or agricultural preservation restrictions;
 - 4) Notice shall also be given to the utility company who has a utility corridor crossing or abutting the property that is included in the application; and
 - 5) The landowner(s) and applicant(s) if different from the landowner(s).
- e. Payment of the application fees based on the current Planning Board fee schedule;
- f. Any requests for waivers presented in writing shall cite the specific section of the regulations requested to be waived and shall include the rationale for the waiver(s) as provided in SECTION III, C;
- g. Plans and Maps - General:
 - 1) All design drawings shall be prepared by New Hampshire licensed professionals on separate plans on separate sheets, rather than combining them onto one plan, in order that they are legible and clear.
 - 2) All the required full scale maps shall:

- 1) be drawn at a scale of not more than 100 feet per inch. For greater detail, the Planning Board at its discretion may require maps to be drawn at a scale of 50 feet per inch;
 - 2) be prepared, signed and sealed by a NH Registered surveyor and civil engineer;
 - 3) show date of preparation and any dates of revisions; and
 - 4) include the name of the Town and subdivision, name and address of applicant, registered surveyor, civil engineer and any other professionals.
- h. Required maps shall include the following:
- 1) Copies of a Final Site Survey Plat as required by SECTION IX, C, 8, a.: five (5) paper copies of the full-scale plan sets (22" x 34") and ten (10) paper copies of the reduced-scale plan (11" x 17").
 - 2) Copies of a Topographic Map as required by SECTION IX, C., 8, b.: five (5) paper copies of the full-scale plan sets (22" x 34") and ten (10) paper copies of the reduced-scale plan (11" x 17").
 - 3) Copies of a Soils Map as required by SECTION IX, C., 8, c.: five (5) paper copies of the full-scale plan sets (22" x 34") and ten (10) paper copies of the reduced-scale plan (11" x 17").
 - 4) Copies of a Utilities Map as required by SECTION IX, C., 8, d.: five (5) paper copies of the full-scale plan sets (22" x 34") and ten (10) paper copies of the reduced-scale plan (11" x 17").
- i. Soils report as required by SECTION IX, C., 11.
- j. Driveway Profiles and Cross Sections
- 1) Centerline profiles showing existing and proposed elevations along the centerlines and proposed grades shall be provided for each proposed driveway from the street to the building site. Profiles shall be drawn at a scale of one (1) inch equals fifty (50) feet horizontal scale and one (1) inch equals five (5) feet vertical scale.
 - 2) Driveway cross-sections shall be provided at 20 foot intervals from the street travelway to the building site. Cross-sections shall be drawn to a convenient scale of not more than one (1) inch equals ten (10) feet with both horizontal and vertical scales being the same.
- k. Driveway Sight Distance Analysis
Provide a sight distance analysis for each proposed driveway location.
- l. Future Development
Where the layout submitted covers only a part of the applicant's entire holding, a non-binding sketch or narrative proposal of the prospective future road system of the portion not submitted for subdivision shall be furnished and the road system of the submitted part will be considered in the light of connections with the road system of the part not submitted.
- m. Project Narrative:
- 1) Describe Scale - Numbers of acres, dwelling units, bedrooms, projected increase on auto trips per day and overall positive and

- negative impacts on the community.
- 2) Describe Timing - Estimated time to construct, phasing, and description of further subdivision potential.
- 3) Describe Significant Features – List of environmental features (wetlands, water bodies, rock outcroppings, wildlife habitat, etc.) and manmade features (stone walls, structures, trails, historic features, burial grounds, etc.). Description of efforts to preserve and maintain significant features.
- n. Information on subdivisions located within "Special Flood Hazard Areas" as required by SECTION IX, C., 17. if applicable."
- o. Applicable Required Legal Documents as specified in SECTION IX, C., 18.
- p. Applicable Agency or Permit Approvals as provided in SECTION IX, C., 19.
- q. The Planning Board may require such additional information to be provided at the applicant's expense as it deems necessary in order to evaluate the subdivision in relation to the purposes and scope of these regulations.

E. ANNEXATIONS OR LOT LINE ADJUSTMENTS

A complete application for an Annexation or Lot Line Adjustment shall include the following items:

1. An application form completed and signed by the landowner(s) or the landowner(s)'s authorized agent;
2. A completed and signed Annexation Checklist of Application Requirements;
3. Written authorization from the landowner(s) of record for any agent(s) to represent and sign for the landowner(s);
4. An abutter's list to include:
 - a. Names and addresses of all abutters, taken from the town records not more than five (5) days before the day of filing;
 - b. The name and seal of any professionals assisting with preparing the application and site plan;
 - c. Names and addresses of all holders of conservation, preservation or agricultural preservation restrictions; and
 - d. The landowner(s) and applicant(s) if different from the landowner(s).
5. Payment of the application fees based on the current Planning Board fee schedule;
6. Any requests for waivers presented in writing shall cite the specific section of the regulations requested to be waived and shall include the rationale for the waiver(s) as provided in SECTION III. C. Waiver of Requirements.
7. Five (5) paper copies of the full-scale annexation plat drawn to a scale of one (1) inch equals one hundred (100) feet (22" x 34") and ten (10) paper copies of the reduced-scale plan (11" x 17") to include:
 - a. Name, address, signature and seal by a NH Registered Surveyor;
 - b. Name of the Town and Annexation;
 - c. Name(s) and address (es) of property owner(s) and applicant(s), if different;
 - d. Names, addresses and tax map & lot numbers of all abutters as they appear in

- the Town records not more than five (5) days before the date of filing the application;
- e. Complete boundary survey showing metes and bounds for each of the properties involved in the annexation showing the boundary line to be moved as a dashed line and the new boundary line as a solid line;
 - f. Include a notation on the plat which explains the parcels and sizes as they exist before the annexation and the parcels and sizes which would result with approval of the annexation;
 - g. Show all jurisdictional Wetlands as defined by the Zoning Ordinance and the 25 foot Wetland Buffers regulated by the Zoning Ordinance.
 - h. Show all areas with slopes in excess of 25%.
 - i. Show the minimum contiguous upland area required by the Zoning Ordinance for each lot excluding jurisdictional wetlands and areas with slopes in excess of 25%. Identify the minimum contiguous upland area in acres and square feet for each lot.
 - j. North point, bar scale, date of preparation, and date(s) of any revision(s), tax map(s) and lot number(s) of property included in annexation application, and zone district(s) and zone district(s) regulations.
 - k. Site location map which shall show the proposed development in relation to major roads in the vicinity of the site.
 - l. Show location of existing or proposed easements and areas affected by existing and proposed covenants, reservations and restrictions benefiting or bordering the property.
 - m. Include a notation on the annexation plat stating: "The property conveyed as a result of this annexation shall not be deemed or considered a separate lot of record, but shall be regarded as merged into and made an integral part of the contiguous lot of land previously owned by the grantee(s) so that the same shall hereafter be one confirmed single lot of record."
 - n. A note shall be added to the annexation plat stating the total acreage of each Current Use Category for each lot in current use, as applicable. If part or all of one or more lots is in current use, then the property owner(s) shall submit an updated current use application for those lots to the Town Assessor prior to the plat being signed. An updated current use application does not need to be recorded again and there is no cost for an updated current use application. The Town Assessor shall verify receipt of this updated current use application prior to the plat being signed.
 - o. The annexation map shall include a Planning Board approval block for signature by the Chair/Vice-Chair and date.
8. The applicant shall deliver copies of signed deeds ready to be recorded with the approved annexation plat to the Planning Department. These signed deeds must be submitted within 60 days following Planning Board approval, unless extended by the Planning Board, and must be submitted before the plat is signed and recorded.

F. VOLUNTARY LOT MERGER

A complete application for a Voluntary Lot Merger shall include:

1. Any property owner who owns two or more contiguous lots who wishes to merge them for municipal regulation or taxation purposes shall file a completed Voluntary Lot Merger Form with the Planning Department.
2. The Voluntary Lot Merger Form must be complete, legible and include original signatures.
3. The Voluntary Lot Merger Form shall be accompanied by the following:
 - a. A copy of the relevant portion of the Town of Alton Tax Map clearly identifying the lots to be merged and the lot line(s) to be discontinued.
 - b. Copies of the deed(s) that are referred to on the Voluntary Merger of Lots of Record Form when the owner(s) acquired the lots to be merged. Where land has been inherited by the applicant, a copy of the "Notice to cities and towns" per RSA 554:18-a shall be provided.
 - c. A check payable to the Belknap County Registry of Deeds for the recording fee.

G. CONDOMINIUM DEVELOPMENT

- A. All Condominium Developments, including conversions of existing units or new construction for condominium conveyance, having **three (3) or fewer units** will follow all land use regulations, including the application submittal requirements, pertaining to Minor Subdivisions and the Site Plan Review Regulations if the proposal is for a multi-family residential use.
- B. All Condominium Developments, including conversions of existing units or new construction for condominium conveyance, having **four (4) or more units** will follow all land use regulations, including the application submittal requirements, pertaining to Major Subdivisions and the Site Plan Review Regulations if the proposal is for a multi-family residential use.
- C. All Condominium Developments, including conversions of existing units or new construction for condominium conveyance, will require Board approval and compliance with relevant sections of RSA 356-B as amended. Planning Board approval is required whether or not State approval is required under those statutes, or under rules adopted pursuant to those statutes.
- D. All Condominium Developments, including conversions of existing units or new construction for condominium conveyance, shall comply with the requirements of SECTION 329 CONDOMINIUMS of the Zoning Ordinance.

SECTION X - STANDARDS FOR SUBDIVISION DESIGN

All subdivisions, whether Major or Minor shall conform to the following standards for subdivision design unless waived by the Planning Board:

A. SUBDIVISION CRITERIA

All land being considered by the Town of Alton Planning Board for potential subdivision, regardless of size or classification shall conform to all municipal regulations, Town's master plan and be subject to the following minimum criteria;

1. Best Use of Land

The Planning Board, in considering any proposed subdivision application, will be responsible to uphold the present municipal regulatory and master plan intent having a focus on the highest and best use of the land, which does not create an undue hardship on the existing municipal infrastructure, emergency services, public safety or welfare and/or diminish property values. The Planning Board will give particular attention to the following items within the proposed subdivision, as well as how they may affect existing and potential adjoining land use: width, arrangement and location of streets, sanitation, drainage systems; steep slopes, shorelands, streams, wetlands, buffers, soil erosion, wildlife habitat, sizes and arrangement of lots, open space, parks and retention of major site features. Adequate street connections will be required whenever feasible to ensure access to adjoining subdivisions and lands.

2. Special Features

The Planning Board may require certain special features to be integrated into the subdivision application, as deemed applicable and beneficial to the greater Alton community and its surroundings when directly attributed to the overall direction and intent of the master plan. Special features may or may not include the following general examples; recreational space/amenities, infrastructure improvements, open space or environmental preservation and historical resource protection or preservation. Due regard shall be shown for all natural features, such as large trees, water courses, scenic points, historic spots, and other community assets, which if preserved will enhance the value of the subdivision, enrich the neighborhood and enhance the aesthetic values of the community.

B. CHARACTER OF LAND

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

C. COMPLIANCE WITH LOCAL, STATE & FEDERAL LAWS

Land development applications shall also comply with all other applicable federal, state and local laws, statutes, ordinances and regulations including but not limited to US Army Corps of Engineers, NH Wetlands Bureau Regulations, NH Dept of Transportation (DOT) highway access regulations, NH Department of Environmental Services Regulations, NH RSA 155-E statues as amended governing excavations and the Town of Alton Building Code, Highway

D. SCATTERED & PREMATURE SUBDIVISION DEVELOPMENT & OFF-SITE IMPROVEMENTS

1. Scattered & Premature Subdivision Development: The Planning Board shall determine based on the information presented and other information available and made part of the record, whether or not the amount of development contained in the proposed subdivision in relation to the quantum of services available will pose a danger to the public through insufficiency of services.

The Planning Board shall not approve a subdivision if such subdivision constitutes scattered or premature subdivision of land as would involve danger or injury to health, safety, or general welfare by reason of lack of water supply, drainage, transportation, school, fire department, or other public services, or necessitate an excessive expenditure of public funds for the supply of such services.

If a subdivision is determined by the Planning Board to be scattered and premature, the applicant may show through both on and Off-Site Improvements made at the expense of the applicant, that the subdivision is not scattered and premature or, if so, is overcome by remedial action of the applicant.

2. Off-Site Improvements: If the Planning Board determines that the proposed subdivision will adversely affect existing public facilities (including streets, sidewalks, drainage, sewer, and water supply) causing them to be inadequate to meet the additional needs created by the subdivision, then the applicant shall pay a reasonable share for such upgrading of the public facilities to an extent necessary to protect the public interest. If other properties benefit from the upgrading of such Off-Site Improvements, the Planning Board shall determine the portion of the cost to be paid by the applicant, taking into consideration the following elements:
 - a. The character of the area;
 - b. The extent that other public and private property will be benefited by the upgrading; and
 - c. Any other factors that the Planning Board deems appropriate to establish a rational connection between the needs created by the subdivision and the amount to be paid by the applicant.

E. PROHIBITION AGAINST RESERVE STRIPS

No privately owned reserve strip, except an open space area, shall be permitted which controls access to any part of the subdivision or to any parcel of land from any street, or from any land dedicated to public use, or which may be so dedicated.

F. LOT STANDARDS

1. Minimum Lot Size: Minimum lot sizes shall conform to the requirements of the

Alton Zoning Ordinance. The Board at its discretion may require such additional lot sizes to bring the proposal in accord with the best use of land beyond the requirements of the Zoning Ordinance. Minimum lot sizes described in the Zoning Ordinance are subject to change where topography or special conditions exist which would dictate larger minimums.

2. Lot Shape Formula: The following lot shape formula shall apply to all conventional subdivisions, regardless of size, shape, density and intended use:

<u>Proposed Lot Size</u> (after subdivision)	Maximum <u>Ratio</u> (average length-average width)
1 to 5 acres	3:1
6 to 10 acres	4:1
11 to 20 acres	5:1
21 to 30 acres	6:1
Over 30 acres	10:1

The Planning Board will entertain special lot geometry considerations to all existing and proposed lots great than 30 acres on a case by case basis, especially when overwhelming natural characteristics are compelling existing conditions.

G. STREET DESIGN STANDARDS

1. Road Standards: All new roads within any proposed subdivision shall meet the standards and specifications of the Town of Alton Highway Policy and Regulations in addition to the standards outlined to follow. Any existing road (Class VI included) which provides existing frontage to new lots or access to new roads of a proposed subdivision shall meet the Town of Alton minimum road standards. The applicant(s) may be required to bear that portion of the cost which bears a rational relationship to the needs created by and special benefits conferred upon the subdivision.
2. Road Layout & Acceptance: Roads shall not become Class V, public town roads, unless they are laid out and accepted in accordance with New Hampshire State law. Where driveways access town roads they shall meet the appropriate requirements of the Town's regulations.
3. Continuation of the Principal Roads & Through Circulation: New roads shall be so laid out as to accommodate the continuation of the principal roads in adjoining subdivisions or for their proper protection when adjoining property is not subdivided. The Planning Board shall ensure that there is adequate through circulation when needed as determined by the Planning Board for secondary emergency vehicle access and overall traffic circulation.
4. Dead end Roads: Dead end roads shall not be permitted to exceed 2,500 feet in length or be less than 500 feet in total length as measured from the edge of pavement of the existing road to the center of the proposed terminus. All dead end roads shall be constructed with a minimum pavement width of 20 feet in their entirety. Terminus shall be either a cul-de-sac with a minimum travel way radius of 60 feet; or a

hammerhead with a minimum travel way radius of 62 feet. The grade on the turnaround and on 30 feet of its approach straightaway shall be no greater than 2% to enable winter plowing.

5. Connecting Proposed Roads with Existing Roads: Whenever the Board finds need for connecting proposed roads with existing roads, such roads shall be incorporated on the plat and plans before approval of the subdivision.
6. Reservation of Right-of Way or Reserve Strip: Whenever the Board finds need for the reservation of one or more rights-of-way or one or more reserve strips, such reservations shall be made before final approval of subdivision plat. Reserve strips of land which, in the opinion of the Board, shows intent on the part of the applicant(s) to control access to the land dedicated or to be dedicated to public use, shall not be permitted.
7. Road Right-of Way: No road or highway right-of-way shall be less than fifty (50) feet in width and may be required to be more, if a greater road width is warranted in the opinion of the Board. The apportioning of the road widths among roadways, sidewalks, and possible grass strips shall be subject to the approval of the Board. Proposed names of new roads shall be reviewed by the Selectmen, or their designee, for compliance with 911.
8. Road Providing Existing Frontage for New Lots: Any existing road (Class VI included) which provides existing frontage to new lots or access to new roads of a proposed subdivision shall meet the Town of Alton minimum road standards. The applicant(s) may be required to bear that portion of the cost which bears a rational relationship to the needs created by and special benefits conferred upon the subdivision. The applicant should refer to the town of Alton's methodology related to impact fees.
9. Alignment
 - a. Streets shall be continuous and in alignment with existing streets as far as possible.
 - b. Street jogs with centerline offsets of less than 125 feet shall not be allowed.
 - c. A tangent of at least 100 feet shall be introduced between horizontal reverse curves on all proposed streets.
 - d. Approval of the general development street plan shall be required before allowing construction of small integral phases of the plan.
10. Intersections

When a street, public or private, leading from a subdivision is proposed to intersect an existing Town street or state highway, the entire intersection shall be examined for safety. The applicant shall place a STOP sign on the subdivision street. The driver of the stopped vehicle must be able to see enough of the existing street to turn or cross before a vehicle on it from either direction reaches the intersection or overtakes him. To establish and preserve adequate safe sight distance, the following provisions shall be required of the applicant in addition to those outlined in the Alton highway Policies and Standards:

 - a. Rounded Property Lines: Property lines at street intersections shall be rounded to provide a property line radius of not less than 30 feet.

- b. Rounded Pavement Edges: At all private and public street intersections, edges of the pavement, traveled way, or curb lines shall be rounded with large enough radii to allow safe passage of "emergency vehicles" as defined by the template, "Minimum Turning Path for Bus Design Vehicle".
11. Right-of-Way
 - a. Public Road, Immediate or Future: Any ROW intended to be immediately or in the foreseeable future deeded to the Town within a subdivision shall be clearly indicated by the two sidelines on the Plat and the area of such ROW subtracted from the land to be subdivided. This type of ROW will divide the land to be subdivided.
 - b. Permanently Private Road: Any ROW that is never intended to be deeded to the Town shall be clearly shown on the Plat as a single centerline and shall be considered as having no width which is deducted from the land to be subdivided. This type of ROW need not divide proposed lots through which it travels to provide legal access to lots further on in the subdivision.
 12. Guardrail:
Guardrail will be required where slopes extend more than 10 feet from the height of the break in shoulder to the original grade on a 2:1 slope or in other hazardous areas which are determined by the Planning Board. Where guardrail is required, place face of guardrail at old "Break in Shoulder" and add 18 inches to shoulder construction to a new "Break in Shoulder" to stabilize guardrail posts.
 13. Lots for Agricultural or Forestry Use Only:
Where lots are to be used for agricultural or forestry uses only, road construction requirements may be waived with the exception of the width of the right-of-way and the grade requirements. Such lots shall consist of a minimum of ten (10) acres and there shall be a note on the plat that states the lots are to be used for agricultural purposes only.
 14. Surface Course of Pavement:
The construction of a minimum of fifty (50) percent of the dwelling units in the subdivision must be completed before the surface course of pavement is laid down. The surface course of pavement must be laid down, inspected and approved before the Planning Board can grant approval for completion of the subdivision improvements.
 15. AASHTO Roadway Design Criteria:
The subdivision shall conform to the American Association of State Highway & Transportation Officials (AASHTO) Roadway Design Criteria such as, but not limited to, horizontal & vertical curves, design speeds, sight distance, intersection alignments, etc.
 16. Staking Centerline(s) of Proposed Street(s): At the earliest practical stage during the application, the subdivider shall place on the ground clearly observable survey stakes with ribbons marking the center line of all proposed streets.
 17. Alteration of Gradient: The Planning Board may modify the maximum and minimum gradient for short lengths of street where, in the judgment of the Planning Board ,

existing topographic conditions or the preservation of natural features indicate that such modification will result in the best subdivision of the land.

18. Street Signs: The subdivider shall be responsible for the initial installation of all necessary road signs related to the subdivision including stop signs, road name signs, speed limit signs, dead end signs and any other road signs deemed necessary by the Planning Board after recommendation by the Highway Administrator. For private roads, the subdivider is responsible for the initial installation of all street signs, and all replacements of street signs are the responsibility of the homeowners within the subdivision.
19. Fabric in Road Construction: Road design plans cannot always anticipate the conditions that will be encountered in the field during construction. If the person responsible for construction observation services for the Planning Board identifies the need to install fabric due to unforeseen conditions encountered in the road construction, then the applicant is responsible for installing the fabric. In the alternative, the applicant may choose to appeal the decision to the Planning Board and to halt construction of the road until a decision is reached.
20. One Way Loop Road: If approved by the Planning Board, a one way loop road shall be a minimum of fourteen (14) feet of travelway with two (2) foot shoulders on each side. All other aspects of the road design (depth of gravel, pavement thickness, etc.) shall conform with the Alton Highway Policy and Regulations.

H. SUBDIVISIONS LOCATED WITHIN "SPECIAL FLOOD HAZARD AREAS"

1. For any subdivision that involve land designated as "Special Flood Hazard Areas" (SFHA) by the National Flood Insurance Program (NFIP):
 - a. The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
 - b. The Planning Board shall require that all proposals for development greater than 50 lots or 5 acres, whichever is the lesser, include Base Flood Elevation (BFE) data within such proposals (i.e. floodplain boundary and 100-year flood elevation).
 - c. The Planning Board shall require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a determination that:
 - (i) all such proposals are consistent with the need to minimize flood damage;
 - (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and,

(iii) adequate drainage is provided so as to reduce exposure to flood hazards.

2. Submittal of an Army Corp of Engineers Hydrologic Engineering Centers River Analysis System (HEC-RAS) study and compliance with their criteria, as applicable.

I. WATER SYSTEM IMPROVEMENTS AND EASEMENTS

1. The water system within a subdivision proposed to be served by the Alton Water Works shall meet the standards and specifications required by the Water System. If an applicant intends to utilize Town of Alton water service he/she should make an appointment with the Alton Water Works Department to determine proper requirements and procedures. Plans must be submitted for review, if required. Written approval for allocation and hookup is required prior to Planning Board approval.
2. When the Alton Water Works certifies a need, a water main easement shall be established to provide for a future "loop" connection between the adjacent land and a water main proposed within the subdivision.
3. If an applicant is proposing a public or private community water system with fifteen (15) or more services serving twenty-five (25) or more people, then the community water system shall comply with the requirements of the NH Department of Environmental Services.

J. WASTEWATER TREATMENT SYSTEMS

The wastewater treatment system within a subdivision shall meet the requirements of the New Hampshire Department of Environmental Services, latest regulations.

K. UTILITIES

1. The Board may require a detailed analysis of existing utilities and the potential impact of the proposed subdivision upon them. Subdivision plans shall not be approved which fail to demonstrate that there is sufficient capacity for all required utilities.
2. All utilities must comply with the applicable utility company construction standards.
3. Where electric lines or other utilities are to be installed by a corporation or public utility, a letter of intent shall be required stating that the work will be done in reasonable time and without expense to the Town.
4. A plan indicating how the site will be served by electric, telephone, and any other public utility must be provided. If the utility company(s) requires an easement to provide service, no final approval shall be granted by the Alton Planning Board until such easements are secured. If no easements are required, a letter of intent to provide service from the utility company(s) must accompany the application.
5. Easements across lots or centered on rear or side lot lines shall be provided for utilities where necessary and shall be at least fifteen (15) feet wide.

L. FIRE PROTECTION

1. An adequate water supply for fire protection shall be available within the subdivision

or within a reasonable distance from the subdivision as determined by the Planning Board after recommendation from the Fire Department. The type of water supply system shall be approved by the Planning Board after recommendation from the Fire Department.

2. Subdivisions with frontage on bodies of water may be required to provide easements at suitable intervals for access of fire fighting equipment to said bodies of water which shall be used for no other purpose. The Town of Alton shall have the right to remove all growth and other obstructions from said easements and to improve them for the purpose intended.
3. The "Town of Alton Rural Fire Water Resource Plan" (Plan) dated June 30, 2009 identifies the locations for existing and proposed dry hydrant sites in Alton.
4. The following provisions for water supply for firefighting purposes shall apply to major subdivisions:
 - a. The cost of constructing dry hydrants to implement the Plan will be a Town cost and will be built into the Capital Improvements Program (CIP) and the annual capital budget. Dry hydrants will be built according to the prioritized list of dry hydrant sites developed by the Fire Department, as amended.
 - b.. The applicant will provide the Town with an easement for each dry hydrant site to provide the Fire Department with the right to access the dry hydrant site for use and maintenance. The Town through the Fire Department will be responsible for maintaining the dry hydrant sites. The Town will assume the liability for the fire ponds/dry hydrants. Fire ponds for which the Town accepts the liability must be secured with perimeter fencing to prevent unauthorized access.
5. Policies for water supply for firefighting purposes for new major subdivision proposals:
 - a. If a new major subdivision is proposed within the service area of an **existing** dry hydrant site, as determined by the Fire Department, identified in the Town of Alton Rural Fire Water Resource Plan (Plan), then the existing dry hydrant site would provide adequate fire protection for the new major subdivision.
 - b. If a new major subdivision is proposed within the service area of a **proposed** dry hydrant site, as determined by the Fire Department, identified in the Plan, then:
 - 1) If the **proposed** dry hydrant site is **budgeted for** construction in that year, then the budgeted dry hydrant site would provide adequate fire protection for the new major subdivision.
 - 2) If the **proposed** dry hydrant site is included on the prioritized list of dry hydrant sites by the Fire Department, but not budgeted for that year, then the Planning Board could make a determination the project is scattered and premature until the dry hydrant site is built. The developer can overcome the determination of scattered and

premature by volunteering to construct the dry hydrant as part of the improvements for his/her major subdivision.

- c. If a new major subdivision is proposed outside the service area of any of the **proposed** dry hydrant sites, as determined by the Fire Department, then:
- 1) The developer needs to propose an alternative method of providing adequate fire protection for the major subdivision. Otherwise, the Planning Board can make a determination the project is scattered and premature and deny the application. Alternative methods of providing adequate fire protection for the Planning Board to consider include:
 - (a) Finding and constructing a dry hydrant site within the service area of the major subdivision that is not included as a proposed site in the Town of Alton Rural Fire Water Resource Plan. Such a site would need the approval of the Planning Board after a recommendation by the Fire Department on the acceptability of the site, acceptance that the major subdivision is located within the service area of the dry hydrant site, and whether adequate fire protection would be provided.
 - (b) Constructing a cistern and providing an easement for maintenance and use by the Fire Department. The long-term maintenance, acceptance of liability, and, if needed, the replacement of the cistern would be the responsibility of a homeowners association for a major subdivision.
 - (c) Other options volunteered by the developer to provide adequate fire protection for the major subdivision that would lead the Planning Board to determine the project is not scattered and premature.

M. DRIVEWAYS

Each lot shall be served by a driveway which conforms with the standards specified in the Alton Driveway Regulations.

Location of driveways is intended to prove that there is at least one location for each lot that can meet the standards and requirements of the Driveway Regulations of the Town of Alton before all opportunity for lot line change is foreclosed by the Planning Board's approval of the Plat. These Driveway Regulations apply to driveways on both private and public streets.

N. PROPERTY MONUMENTATION – BOUNDS and PINS

1. Locations:

Permanent reference monuments shall be set on all lot corners, road corners and angles and road lines. Permanent survey monuments shall be set in the boundary of all property corners and on the street right-of-way at intersections of streets, point of curvature and points of tangency of curves. Adjacent monuments shall be in sight of

one another by a standing person. Monuments shall be placed on both sides of the street.

2. Monuments:

All monuments used as property corners and to designate right-of-way will be at least 4"x4" and 42" long and shall be installed after the sub-grade of the street is in place. A plug, brass plate, or pin shall serve as a reference point and a magnetic rod or other suitable metal device shall be located under or adjacent to the monument to allow recovery. For special circumstances the Board may allow plug brass plates in drilled ledge or 1/2"x1/2" x 42" iron pins.

3. Timing of Monument Installation

Monuments, except for the monuments along the roads, shall be installed before the final plat is signed by the Planning Board Chair and recorded in the Belknap County Registry of Deeds. The monuments along the roadway shall be set following the road construction and before the security for the subdivision is released.

O. POTENTIAL REGIONAL IMPACT

1. Development of regional impact means any subdivision proposal before the Planning Board which in the determination of the Planning Board could reasonably be expected to impact on a neighboring municipality, because of factors such as, but not limited to, the following:
 - a. Relative size or number of dwelling units compared with existing stock;
 - b. Proximity to the borders of a neighboring community;
 - c. Transportation networks;
 - d. Anticipated emissions such as light, noise, smoke, odors, or particulates;
 - e. Proximity to aquifers or surface waters that transcend municipal boundaries; and
 - f. Shared facilities such as schools and solid waste disposal facilities.
2. If the Planning Board determines a project is a development of potential regional impact, then it shall be reviewed following the procedures outlined in RSA 36:56 and RSA 36:57.

P. TRAFFIC IMPACT ANALYSIS

1. All subdivisions proposed to be located on or having an affect on a Town-maintained road or street shall be reviewed by the Planning Board to ascertain that adequate provisions have been made by the owner or his/her agent for traffic safety. To facilitate this review, the Planning Board may require the developer to provide a traffic impact study when deemed necessary by the Board due to size, location, or traffic generating characteristic of the development.
2. Traffic impact studies shall address each of the following:
 - a. Traffic circulation and access, including adequacy of adjacent streets and intersections, entrances and exits, traffic flow, sight distances, curb cuts, turning lanes, and existing or recommended traffic signalization. The Planning Board may require accident statistics. The Board, as policy,

recommends access to the site be combined with access to another site, through a shared driveway or parking lots connected by access roads wherever possible.

- b. Pedestrian safety and access.
 - c. Off-street parking and loading.
 - d. Emergency vehicle access.
 - e. Off-site improvements necessitated and to be constructed by the developer.
3. The Planning Board may retain the services of a consultant qualified in traffic planning to review the traffic impact study and to ensure that adequate provisions are made in the development plan to reduce or eliminate those impacts. The Board may further require that the developer place the funds for the estimated cost for this review with the Town of Alton in escrow. No traffic impact study review shall be started until such fees, if applicable, are paid in full.
 4. The Planning Board shall not approve projects that would reduce the level of service (LOS) at public intersections impacted by the proposed subdivision by two (2) levels of service or more. Nor will projects be approved if in the Board's judgment existing conditions do not provide sufficient capacity to support the project, or if approval of the subdivision would result in large expenditures of public funds to address traffic problems caused by approval of the subdivision. NOTICE: The Board shall normally not approve a subdivision which would result in service level "F" during peak hour, or where service level "F" conditions presently exist during peak hour. The Board shall normally not approve site plans which would result in service level "E" during peak hour or where service level "E" exists during peak hours, unless in the Board's judgment adequate corrective actions are anticipated to be complete by the time of the completion of the subdivision.
 5. For purposes of calculating LOS, the Planning Board's primary reference shall be the latest edition of the Institute of Transportation Engineers Highway Capacity Manual and Trip Generation Manual.

Q. PROTECTION OF NATURAL AND HISTORIC FEATURES

1. Each significant natural feature within the subdivision, including large or unusual trees, watercourses, natural stone outcroppings, and other scenic features, shall be shown on the subdivision plan and preserved to the greatest extent possible. Planning Board approval shall be obtained before removal of such features. No stream, brook, river, wetland, lake, pond, or aquifer shall be adversely affected.
2. Each existing building or man-made structure, including stone fences, cemeteries, graveyards, old wells, cellar holes, old mill sites, etc. shall be shown on the subdivision plan and reviewed with the Planning Board for historic significance. Such features shall not be altered, destroyed, or removed without Planning Board approval.

R. SURFACE WATER

1. Any subdivision discharging into the surface water of the Town may require a SECTION 401 (Clean Water Act) discharge permit from the State, may require a Chapter 485-A:17 wetland permit from the State, and may require a SECTION 404

or SECTION 10 fill permit from the U.S. Army Corps of Engineers.

2. Any subdivision with pipe discharge into surface waters of the Town must include a description of steps to be taken to avoid back flow of surface waters onto the subdivision.

S. STUMP DUMPS

1. Above-ground disposal of stumps is encouraged. Shredded material can be used for several purposes, including mulch and biomass fuel.
2. All locations of on-site burial of stumps incidental to the clearing of land for subdivisions must be indicated on the formally approved final subdivision plan.
3. Stumps and other organic material shall not be buried under roads.
4. Under no circumstances shall stump burial locations be placed within seventy-five (75) feet of any public or private drinking water supply

T. STORMWATER & EROSION CONTROL DESIGN STANDARDS

Subdivision plans shall be designed and constructed to comply with the following standards. The municipal engineering consultant to observe the construction of the subdivision improvements to ensure these standards are being met shall have the authority to enter on the property to conduct those observations.

1. Hydrologic and Hydraulic Criteria for All Designs
 - a. All drainage design shall be performed by a registered and licensed New Hampshire civil engineer, preferably having specific and recent stormwater design/permitting experience.
 - b. Impervious cover is measured from the site plan and includes any material or structure on or above the ground that prevents water from infiltrating through the underlying soil. Impervious surface is defined to include, without limitation: paved parking lots; sidewalks; roof tops; driveways; patios; and all roads, including gravel. Alternative surfaces (e.g., porous pavement, grass pavers, etc.) are encouraged for low-traffic driveways, sidewalks and parking lots, and these areas may be removed from the total impervious area calculations when designing the stormwater system for recharge and water quality criteria only. There is not one set of required design criteria since alternative paving technology is still evolving and improving. Thus, the applicant shall submit specifications for any proposed alternative surfaces, which shall be reviewed by the Planning Board on a case-by-case basis.
 - c. Determination of flooding and channel erosion impacts to receiving streams due to land development projects shall be measured at each point of discharge from the development project and such determination shall include any runoff from the balance of the watershed which also contributes to that point of discharge. No new drainage ways shall be created unless the necessary easements have been obtained and recorded. No increase in surface runoff shall be permitted if such increased runoff passes beyond the property lines of the parcel upon which such development occurs, unless it is within an approved public storm drainage system.

- d. The specified design storms shall be defined as a 24-hour storm using the rainfall distribution recommended by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS).
 - e. Proposed residential, commercial, or industrial subdivisions shall apply these stormwater management criteria to the land development as a whole. Individual lots in new subdivisions shall not be considered separate land development projects, but rather the entire subdivision shall be considered a single land development project. Hydrologic parameters shall reflect the ultimate land development and shall be used in all engineering calculations.
 - f. Soil test pits shall be performed by a qualified soil scientist at all proposed stormwater management locations to determine feasibility and appropriate design infiltration rates.
 - g. Inspections and maintenance of stormwater BMPs shall be required. The applicant shall submit an Operation and Maintenance Plan for the proposed stormwater management system as part of the application package. Responsibility for maintenance by subsequent property owners, including any homeowners association, on which permanent measures have been installed shall be included in the deed and shall run with the land. If the owner or homeowners association fails to adequately maintain such measures, the Town shall have the authority to perform required maintenance. The cost of such work shall be borne by the owner or homeowners association. If the owner or homeowners association fails to reimburse the town for this expense, then the Town shall have the right to place a lien on the property.
 - h. A disturbed area of 100,000 square feet (or 50,000 square feet inside the protected shoreland pursuant to RSA 483-B) requires a Site Specific Alteration of Terrain permit from NH Department of Environmental Services.
 - i. Disturbed areas of one acre or more may also require a Phase II permit from the US Environmental Protection Agency.
 - j. All measures in the plan shall meet as a minimum the Best Management Practices set forth in the "Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire".
 - k. Priority should be given to preserving natural drainage systems including perennial and intermittent streams, wetlands, swales, and drainage ditches for conveyance of runoff leaving the project area.
2. Stormwater Recharge (Re_v):
- a. The purpose of this criterion is to maintain existing recharge rates to preserve existing groundwater levels and stream base flows.
 - b. All storms up to one half inch must be retained on site for post-development conditions. The volume of water to be retained can be calculated using the following equation:

$$\text{Infiltration required per storm (ft}^3\text{)} = \text{impervious surfaces (ft}^2\text{)} \times 0.5 \text{ (inch)} / 12 \text{ (inches per foot)}$$
 - c. The Planning Board may alter or eliminate the recharge requirement if the site is situated on unsuitable soils. In this situation, the water quality volume must

still be treated through other BMPs designed to remove pollutants. Bioretention areas are the preferred alternative in these cases, as they most clearly mimic the benefits of infiltration.

- d. Redevelopment projects may not be able to achieve the one half inch recharge criteria due to site layout and limited space. These projects must recharge or treat a minimum of one quarter inch precipitation over the impervious surfaces.
- e. The following criteria also apply:
 - 1) Recharge shall not be concentrated in one area. It shall be distributed to multiple areas throughout the site, as feasible.
 - 2) The recharge volume does not apply to any portion of a site that discharges to areas designated as a stormwater hotspot. Hotspots are defined as sites with high potential pollutant loads, including:
 - (a) Auto salvage yards;
 - (b) Auto fueling stations;
 - (c) Fleet storage areas;
 - (d) Vehicle service and maintenance areas;
 - (e) Vehicle and equipment cleaning facilities;
 - (f) Commercial parking lots with average trip generation rates of 1,000 or greater per day, such as fast-food restaurants, convenience stores, high-turnover (chain) restaurants, and shopping centers;
 - (g) Road salt storage and loading areas if exposed to rainfall;
 - (h) Commercial nurseries;
 - (i) Flat metal (galvanized metal or copper) rooftops of industrial facilities;
 - (j) Outdoor storage and loading/unloading areas of hazardous substances;
 - (k) SARA 312 generators, if materials or containers are exposed to rainfall; and
 - (l) Marinas (service, repainting and hull maintenance areas).

Stormwater recharge may be prohibited or otherwise restricted within groundwater recharge areas, wellhead protection areas, or where certain unusual geological features may exist such as clays, shallow bedrock, or areas of documented slope failure.

3. Pretreatment:

- a. To prevent premature failure, the design of stormwater treatment devices shall include a pre-treatment device or method that will trap sand and sediments to avoid clogging the treatment mechanism. Infiltration of stormwater from the treatment device into underlying soils and eventually groundwater aquifers is an important beneficial component of the device.
- b. The following standards shall be followed to ensure that the device will permit sufficient treatment of stormwater and allow for a reasonable required maintenance frequency for the BMP, but not less than annually:

- 1) Pre-treatment devices shall be provided for each BMP; **and**
 - 2) Pre-treatment devices shall be designed to capture anticipated pollutants, such as oil and grease; **and**
 - 3) Pre-treatment devices shall be designed and located to be easily accessible to facilitate inspection and maintenance; **and**
 - 4) The developer shall maintain any BMPs used to trap sediment during construction to prevent sediment from leaving the site, and shall remove all sediment from all BMPs when construction is finished and the site is stabilized.
4. Flooding Protection (Q_p)
- a. Impervious and disturbed surfaces from development cause an increase in the volume, velocity and flow rates of stormwater leaving sites and entering surface waters. This in turn causes increased flooding of the receiving waters during storms, which damages the stream banks and can threaten both property and life.
 - b. The following standards should be followed to control peak discharge rates and improve the overall effectiveness of the BMPs. These are minimum design standards.
 - 1) The post-development peak discharge rate shall be equal to or less than the pre-development peak discharge rate (based on the 1-year, 2-year, 10-year, 25-year, & 100 year 24-hour storms). Exemptions may be granted for matching the 10-, 25-, and 100-year storms if a Downstream Analysis (Appendix B) is performed and the results indicate that detaining flood waters would exacerbate flooding problems downstream. A Downstream Analysis is required for all projects that are over 50 acres and have greater than 25% impervious cover, or when deemed appropriate by the Planning Board when existing conditions are already causing a problem; **and**
 - 2) The site shall be designed to ensure that all runoff from the site up to the maximum design storm (i.e., 100-year storm) enters the control structure. For example, the drainage system may only be sized to handle a ten-year storm, with larger storms flooding the distribution system and traveling overland. This overland flow, or overflow, must be directed into the peak flow control structure; **and**
 - 3) The applicant shall account for all run-on and run-off (including off-site impacts) in both pre- and post-development conditions; **and**
 - 4) The applicant shall prepare hydrographs for pre- and post-development conditions; **and**
 - 5) The pre-developed condition shall be considered forested land cover in good condition for all runoff calculations, regardless of clearing or cutting activities that may have occurred on the site during the pre-application period. Post development should assume the proposed condition for disturbed areas; **and**
 - 6) Use TR-55 to develop hydrographs and peak flow rates for the

proposed development site. Make sure all areas are accounted for in the pre/post runoff calculations. The total tributary area that contributes flow from the proposed site, including runoff entering the site through piped drainage or surface runoff from off-site sources, must be included even if a portion does not contribute flow to the BMP. The objective is for the development's storm drain design to account for total runoff leaving the site; **and**

- 7) Off-site areas should be modeled as "present land use condition" in good hydrologic condition for all storm events for both pre and post development calculations; **and**
- 8) The length of the overland sheet flow used in t_c calculations shall be limited to no more than 100 feet for pre-development conditions and 50 feet for post-development conditions.

5. Channel Protection (C_{p_v})

- a. The purpose of this criterion is to limit the total amount of time that a receiving stream exceeds an erosion-causing threshold based on pre-development conditions.
- b. Method: 24 hours extended detention of the post-development 1-year, 24-hour return frequency storm event shall be provided. Water bodies that support trout are exempted from the 24-hour extended detention requirement, with only 12 hours of extended detention required to meet this criterion.
- c. Exemptions to Channel Protection Requirement: Since there are practical limitations on minimum orifice or weir sizes needed to control C_{p_v} as well as flow and receiving water considerations, the requirement shall be waived for:
 - Small sites (i.e., sites requiring <1" orifice);
 - Post-development discharges from the site are less than 2 cfs; and
 - Direct discharges to 4th order or greater streams, lakes, and reservoirs where the development area is less than 5% of the watershed area upstream of the development site.

6. Water Quality Volume (WQ_v)

- a. It is important that BMPs are used to handle water quantity as well as treat water quality. The water quality volume should include the first flush of storms, as this is where the majority of pollutants are collected and discharged.
- b. Method: The water quality volume required to be treated shall be calculated as:

Water Quality Volume (ft³) = [(P)(R_v)(A)(43,560)]/12, where

P = rainfall depth in inches - use 1"

R_v = 0.05 + 0.009(I) where I is the percent impervious cover A = site area in acres

At a minimum use 0.2 inches per acre at sites with less than 15% impervious cover.

- c. Redevelopment projects may not be able to treat the full water quality volume as estimated due to site layout and limited space. These projects must treat a minimum of one half inch of precipitation over the impervious surfaces.
7. Erosion Control
- a. Land clearing and grading for construction purposes leaves soils susceptible to erosion. If not controlled, eroded soils may reach streams and lakes, filling them in and adding pollutants attached to the soil particles. It is important to have controls in place to prevent and control the erosion of disturbed lands.
 - b. The Erosion and Sedimentation Control Plan shall be designed to meet the Town of Alton Stormwater & Erosion Control Design Standards and Landscape Design Standards for Stormwater Treatment and designed to comply with the requirements of the NH Department of Environmental Services under RSA 485-A:17. In addition to the Low Impact Development best management practices (BMPs) for managing stormwater and controlling erosion, the Stormwater Management and Erosion Control Handbook for Developing Areas in New Hampshire shall also be used in selecting the design and the BMPs to use.
 - c. The following standards shall be met for erosion control:
 - 1) Prior to any land disturbance activities commencing on the site, the developer shall physically mark limits of no land disturbance on the site with tape, signs, or orange construction fence, so that workers can see the areas to be protected. The physical markers shall be inspected daily by the Municipal engineering consultant.
 - 2) Appropriate erosion and sediment control measures shall be installed and inspected by the Municipal engineering consultant prior to soil disturbance in accordance with the plans approved by the Planning Board. Measures shall be taken to control erosion within the project area. Sediment in runoff water shall be trapped and retained within the project area. Wetland areas and surface waters shall be protected from sediment. If any straw or hay bales must be used, each row shall be limited to intercepting no more than one half ($\frac{1}{2}$) acre of runoff area. Temporary seedings shall be used to stabilize exposed critical areas during development within 14 days of disturbance.
 - 3) Sediment shall be removed once the volume reaches $\frac{1}{8}$ the height of the silt fence or hay bale.
 - 4) Divert offsite runoff from highly erodible soils and steep slopes to stable areas.
 - 5) Land disturbance activities exceeding two acres in size (including lot development) should not be initiated without a sequencing plan that requires stormwater controls to be installed and the soil stabilized, as disturbance beyond the two acres continues. A construction phasing plan shall be submitted and approved by the Planning Board as part of the subdivision review process. Mass clearings and grading of the entire site shall not be permitted.

- 6) An area of exposed soil is not considered stabilized until there is permanent growing vegetation, such as grass, if that is the means to stabilize the exposed soil.
- 7) All stockpiles shall be surrounded by appropriate sediment controls. Soil stockpiles shall not be left exposed more than seven (7) days or they must be stabilized. Stockpile side slopes shall not be greater than 2:1.
- 8) The area of disturbance shall be kept to a minimum. Disturbed areas remaining idle for more than 14 days shall be stabilized with hydroseeding or other appropriate stabilization measure(s).
- 9) For active construction areas such as borrow or stockpile areas, roadway improvements and areas within 50 feet of a building under construction, a perimeter sediment control system shall be installed and maintained to contain soil and inspected by the Municipal engineering consultant prior to initial disturbance.
- 10) A tracking pad shall be constructed at all entrance/exist points of the site to reduce the amount of soil carried onto roadways and off the site.
- 11) Dust shall be controlled at the site by minimizing soil disturbance, applying mulch and establishing vegetation, water spraying, surface roughening, applying polymers, spray-on tackifiers, chlorides, and barriers.
- 12) On the cut side of roads, ditches shall be stabilized immediately with rock rip-rap or other non-erodible erosion control liners, or where appropriate, vegetative measures such as sod.
- 13) Permanent seeding shall be undertaken in the spring from April through June, and in the late summer and early fall from August to October 15. During the peak summer months and in the fall after October 15, when seeding is found to be impractical, an appropriate temporary mulch shall be applied. Permanent seeding may be undertaken during the summer if plans provide for adequate mulching and irrigation.
- 14) All slopes steeper than 3:1 (h:v, 33.3%), as well as perimeter dikes, sediment basins or traps, and embankments must, upon completion, be immediately stabilized with sod, seed and anchored straw mulch, or other approved stabilization measures. Areas outside of the perimeter sediment control system must not be disturbed.
- 15) Monitoring and maintenance of erosion and sediment control measures throughout the course of construction shall be required. The applicant shall submit an Operation and Maintenance Plan for temporary and permanent erosion control measures as part of the application package.
- 16) Temporary sediment trapping devices must not be removed until permanent stabilization is established in all contributory drainage

areas. Similarly, stabilization must be established prior to converting sediment traps/basins into permanent (post-construction) stormwater management facilities. All facilities used as temporary measures shall be cleaned prior to being put into final operation and inspected by the Municipal engineering consultant. Areas to be used as post-construction infiltration practices should be protected during construction to prevent compaction.

- 17) All temporary erosion and sediment control measures shall be removed after final site stabilization. Disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized within 30 days of removal and inspected by the Municipal engineering consultant.
- 18) Naturally occurring streams, channels and wetlands shall be used for conveyance of treated runoff leaving the project area.
- 19) Site development shall not begin before the erosion and sediment control plan is approved by the Planning Board, installed and inspected by the Municipal engineering consultant.
- 20) Erosion and sediment control measures shall be installed as scheduled in the plan as approved by the Planning Board.
- 21) The applicant shall maintain all soil and erosion control measures, including devices and plantings as specified in the plan approved by the Planning Board, in effective working condition. Responsibility for maintenance by subsequent property owners, including any homeowners association, on which permanent measures have been installed shall be included in the deed and shall run with the land. If the owner fails to adequately maintain such measures, the Town shall have the authority to perform required maintenance. The cost of such work shall be borne by the owner or homeowners association. If the owner or homeowners association fails to reimburse the town for this expense, then the Town shall place a lien on the property.

8. Storm Frequency Design Requirements

- a. All Swales & Buffer Areas: 10-year storm frequency
- b. Cross culvert pipes: 25-year storm frequency
- b. Closed drain system: 25-year storm frequency;
- c. Box culverts and bridges: 50-year storm frequency
- d. Stormwater Basins/Ponds: 100-year storm frequency with 1.0 ft of freeboard as measured from the maximum water surface elevation to the top of berm, having the following minimum width, based on size of impoundment:

Less than 5,000 sf	2.0 ft
5,000 to 10,000 sf	3.0 ft
10,000 to 25,000 sf	4.0 ft
25,000 sf to 40,000 sf	5.0 ft
> 40,000 sf	6.0 ft

Note: The Planning Board reserves the right to require that storm drain systems be designed for less frequent, more intense rainfalls where conditions warrant.

9. Culvert Design

- a. All computations for culvert pipes shall be documented and included in the drainage report. These shall be performed under the supervision of an engineer. The engineer shall stamp and sign the drainage report.
- b. All available records concerning rainfall and floods shall be used in the design of culverts and storm sewers.
- c. Pipe culverts will be designed as open flow channels. They will either be under inlet or outlet control. The exact control can be found by following the procedure outlined in "Hydraulic Charts for the Selection of Highway Culverts", published by Bureau of Public Roads as H.E.C. No. 5. This material can also be found in the NH DOT, DRAINAGE MANUAL.
- d. Minimum culvert pipe sizes are as follows:
 - Roadways - 15"
 - Drives - 12"
 - Private Sites – 12” with exceptions, based on Stormwater Design
- e. All Box Culverts or Steel Plate Culverts with a clear span of 10.0 feet or more will be considered as bridges.
- f. It is preferred that culverts be located to fit natural channels in lines and grade whenever practically possible.
- g. The minimum grade of all culverts shall be 0.4% or able to maintain a velocity of 2 fps.
- h. The maximum grade of all culverts shall be 12.0% or with a velocity not to exceed 10 fps.
- i. The maximum headwater depth from the top of the culvert immediately upstream from a pipe culvert shall be determined by the following:
 - * Damage to adjacent property;
 - * Damage to culvert and the roadway;
 - * Traffic interruption;
 - * Hazard to human life; and,
 - * Damage to stream & floodplain environment.

As a guide, the following table may be used under "normal conditions":

<u>PIPE SIZE</u>	<u>MAXIMUM ALLOWABLE HEADWATER</u>
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12" - 30"	2 times pipe diameter
36" - 48"	1 ½ times pipe diameter
54" - up	1 times pipe diameter

- j. Minimum cover for culverts, measured between the pipe crown and finished grade, shall be as follows:

Paved and Unpaved Roads: 3.0 ft minimum

<u>Drives:</u>	1.0 ft minimum
<u>Unpaved w/ Traffic:</u>	3.0 ft minimum
<u>Unpaved w/out Traffic:</u>	2.0 ft minimum

Acceptable pipe materials for culverts include: reinforced concrete; corrugated, galvanized steel; corrugated aluminum; and smooth lined, corrugated PVC pipe or other material acceptable to the Planning Board or its designated agent.

- k. All culverts shall be constructed with end sections, headers, or stone slope paving as specified below. End sections shall be permitted on all pipes less than 48" diameter, except 24" diameter where there is an active stream. Stone slope paving or riprap shall be permitted at culvert ends for pipes up to 24" in diameter.

10. Closed Drainage System Design

- a. A closed drainage system design may be required at the Planning Board's discretion in commercial or densely developed residential areas. However, low impact practices such as open channel systems are encouraged when feasible to improve treatment, reduce peaks, and promote regular maintenance.
- b. All computations for closed drainage system designs, shall be documented and included in the drainage report. These shall be performed under the supervision of an engineer.
- c. Storm drains shall be designed on the assumption that each inlet intercepts all runoff that contributes to it, providing the inlet capacity is equal to or greater than the design runoff.
- d. The compatibility of grate capacity, pipe capacity and design flow must be considered in closed system design.
- e. The minimum grade of closed system pipes will be 0.4% or able to maintain a velocity of 2 fps while flowing one-third full.
- f. Manholes shall be placed wherever a change in grade or alignment of a storm drain occurs but, in any case, a storm drain shall normally not have a manhole, catch basin or drop inlet more than 200 feet apart.
- g. In general use catch basins rather than drop inlets. Call for drop inlets only where no pipe inlet occurs and where soils and other debris are not liable to wash in, on slope drainage, in embankments, and in culverts.
- h. The minimum pipe size for closed systems under roadways is 15" diameter.
- i. Minimum cover for closed drainage systems, measured between the pipe crown and finished grade, shall be as follows:
 - * Paved and Unpaved Roads - minimum of 3' for all type of pipe material
 - * Under Drives - minimum of 1' for all type of pipe material; 2' preferred
 - * Under Grassed - minimum of 2' for all type of pipe material; 3' preferred

Acceptable pipe materials for closed drainage systems include: reinforced concrete; corrugated, galvanized steel; corrugated aluminum; and smooth lined, corrugated PVC pipe.

- j. The type of grate chosen will be based on the following usage restrictions:

NH DOT GRATE STD.

WHERE UTILIZED

A

In roadways, ditches, medians where bicycle traffic is NOT anticipated.

B & B Alt.

In roadways, ditches, medians, where bicycle and pedestrian traffic is anticipated.

C

In ditches & sumps off the roadway where vehicles cannot make contact with the structure.

E & E Alt.

Where high grate capacity is required and bicycle or pedestrian traffic is NOT anticipated.

- k. Placement of catch basins in curbed roadway sags shall conform to the following:

At least one catch basin will be located at the bottom of a sag. Depending on roadway classification and design considerations, an additional catch basin on either side could be necessary. The spacing between the three catch basins shall be such as to prevent ponding of 1/2 of the traveled way.

- l) No surface flow shall be allowed across streets.

11. Subsurface Drainage (Underdrains)

Subsurface drainage systems (underdrain pipe) shall be provided where the seasonal high ground water table is within five feet (5') of the finished roadway grade. Test pits or borings in roadway cut sections shall be taken, as required or ordered by the Municipal engineering consultant as required by the Planning Board, to locate the Seasonal High Water (SHWT) Table and determine the need for underdrain pipe. This pipe shall be perforated PVC with a minimum diameter of 6". Alternative underdrain pipe material shall require specific approval by the Planning Board or the Municipal engineering consultant. This design and construction shall be supervised by a civil engineer.

12. Off Site Drainage Considerations

The applicant's engineer shall determine the effect of a subdivision on the existing drainage facilities outside of the area of the subdivision ("off-site") and report the conclusions of this study to the Planning Board. Where the Planning Board anticipates that additional run-off incident to development of the subdivision will

overload an existing downstream drainage facility so that there will be damage to private property or an increase in the expenditure of public funds, the Planning Board shall not approve the subdivision until adequate provision is made, at the applicant's expense, for all downstream drainage. The Planning Board would accept a drainage easement obtained by the applicant from downhill property owner if an increased storm water flow is expected over their property and the applicant submits a written undertaking to hold the Town harmless for any claims for damage resulting there from.

13. Where a subdivision is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course and such further width or construction of either as will be adequate for the purpose.

SECTION XI – POST APPROVAL and CONSTRUCTION

A. PERMIT TO CONSTRUCT A SUBDIVISION ROAD

Following approval by the Planning Board of the Final Plat including a subdivision road, the Planning Board shall issue a permit to construct a subdivision road under such terms and conditions as it shall determine are appropriate. Before issuing the permit to construct the road, the Planning Board shall ensure that:

1. the escrow account(s) for all observation services has been established as required by the Planning Board in accordance with SECTION XI, F. CONSTRUCTION OBSERVATION SERVICES;
2. a copy of the final subdivision plans as approved by the Planning Board, including any revisions required by conditional approval by the Planning Board, have been provided to each applicable Town department and to the Public Works Director and/or the Municipal engineering consultant as required by the Planning Board;
3. the required pre-construction meeting between the applicant, the contractor(s) and the Public Works Director and/or the Municipal engineering consultant as required by the Planning Board has taken place in accordance with SECTION XI, E.;
4. all of the temporary erosion control measures shall be installed in accordance with the plans approved by the Planning Board.

Such permit shall be enforced by the Board of Selectmen under the same terms and conditions as a Building Permit including the right to issue STOP WORK ORDERS for violations of any of the procedures or requirements of the Planning Board.

B. SUBDIVISION CONSTRUCTION SCHEDULING

Both the Owner/Developer and Contractor or assigned agents thereof, are required to notify the Town and Construction Observation Representative Forty-Eight (48) hours prior to any construction activity.

C. TIME FRAME FOR COMPLIANCE WITH CONDITIONS PRECEDENT

1. When the Board approves an application, the applicant shall have one (1) year from the date of the meeting at which the application is approved with conditions to complete any conditions precedent that are required prior to signing and recording the subdivision plat. Failure to complete any conditions within the one (1) year timeframe shall invalidate the Board's approval, unless an extension is approved by the Board under (2) to follow, and the applicant shall be required to seek a new subdivision approval from the Board.
2. If an applicant feels that additional time is required beyond one (1) year, a different schedule of compliance must be formally requested at the time of application. Unless the Board specifically approves a different compliance schedule, the one (1) year limit shall apply. If an applicant makes a good faith effort to complete established conditions, but is unable to comply with the one (1) year deadline, a request for an extension must be submitted to the Planning Board at least thirty (30) days prior to the expiration of the one (1) year period. The Board shall determine whether a reasonable effort has been made to comply and shall then determine what if any extension is acceptable.

D. SUBDIVISION COMPLETION and APPROVAL EXPIRATION

Once any and all conditions of approval have been met and the Chairman of the Planning Board or his designee signs a subdivision plat, the applicant has twelve (12) months from the date of signing to start construction and, unless a different schedule is approved by the Board, must complete construction within thirty-six (36) months unless an extension has been formally requested and granted by the Board. Normally the Board shall not grant more than one extension per project, shall only grant an extension for reasonable cause, and shall normally not grant an extension for more than six (6) months.

Approved and recorded subdivision plats are protected from future changes in regulations and ordinances in accordance with RSA 674:39 Five Year Exemption. Please refer to SECTION III, N.

E. ADHERENCE OF SUBDIVISION TO APPROVED PLANS

1. After the Planning Board's approval of a subdivision plat, it will be the applicant's responsibility to see that construction does not deviate from the approved plat. Any changes to utilities, roads, or structures or other subdivision improvements as approved shall be reviewed by the municipal engineering consultant to determine if the change is minor or major. Minor changes may be approved by the municipal engineering consultant chosen by the Planning Board. Major changes shall require the submission of an amended final subdivision plan application with notice to abutters at the applicant's expense and approval by the Planning Board before construction can proceed on the basis of major changes.
2. Minor changes, by way of illustration, may include, but are not limited to, minor building or site adjustments due to unusual conditions encountered on-site during construction, an improvement in design such as a lower street grade, greater setbacks, additional storm drainage facilities or more landscaped open space, and minor changes

- to the location of roads, utilities, and building foundations due to subsurface conditions encountered during construction.
3. Major changes, by way of illustration, may include, but are not limited to, which result in either the movement or elimination of drainage facilities, utility line(s) or access(es), which create the potential of adversely affecting an abutting property as a result; downsizing utility lines; increasing road grades; increasing lot coverage over 2% and decreasing curve radii. Major changes shall require the resubmission a final amended subdivision application and approval by the Planning Board before construction can proceed on the major changes.
 4. Failure of the applicant to obtain the Planning Board's review and approval of other than minor changes in the approved site plan shall cause the Code Official to use enforcement measures deemed appropriate and necessary as provided in SECTION III, Q.

F. PRECONSTRUCTION MEETING FOR SUBDIVISION IMPROVEMENTS

Following approval by the Planning Board of a Final Subdivision Plat including a subdivision road and/or other subdivision improvements, a preconstruction meeting shall be conducted with the applicant, the contractor, the municipal engineering consultant of the Planning Board's choice, and the applicable Town Departments. The following need to be addressed before construction can proceed:

1. the security required by SECTION III, J. is on file with the Planning Department. If the build first option is chosen by the applicant and the plat is not to be recorded until the construction is complete, then he shall file the security for site restoration and reclamation. Otherwise security for all the subdivision improvements shall be filed with the Planning Department.
2. the agreement for construction observation services has been signed and the escrow account for those construction observation services by a municipal engineering consultant of the Planning Board's choice has been established as required by SECTION XI, F. CONSTRUCTION OBSERVATION SERVICES;
3. a copy of the complete set of final subdivision plans as approved and signed by the Planning Board Chair, including any revisions required by all conditions precedent as approved by the Planning Board, have been provided by the applicant for the outside consulting engineer of the Planning Board's choice, the Planning Department and to each applicable Town department;

G. CONSTRUCTION OBSERVATION SERVICES

The Planning Board shall require construction observation services for all major subdivisions which include street and/or utility line construction or for other subdivisions at the Planning Board's discretion. The cost of the construction observation services by a municipal engineering consultant of the Planning Board's choice shall be borne by the applicant. If the Planning Board determines the need for construction observation services and requires such as a condition of final plat approval, then prior to the start of construction the applicant shall sign an agreement for those construction observation services with the municipal engineering

consultant of the Planning Board's choice and establish an escrow account for the construction observation services with the Town based on the estimate for those services provided by the municipal engineering consultant of the Planning Board's choice. The applicant shall maintain a positive balance in the account at all times during construction to cover the expenses for construction observation services or be subject enforcement measures as provided in SECTION III, Q. Any remaining balance in the account after completion of all the required subdivision improvements as verified by the municipal engineering consultant of the Planning Board's choice shall be refunded to the applicant.

Construction observations shall comply with the provisions of the Construction Observation Manual. Construction observations by the municipal engineering consultant chosen the Planning Board are required when:

1. Temporary erosion control measures have been installed in accordance with the plans approved by the Planning Board. These erosion control measures must be maintained at all times during construction. If they are not maintained and functioning at all times during construction, then the Code Official shall issue a CEASE AND DESIST ORDER on all construction on the site until all erosion control measures are brought into compliance with the plans approved by the Planning Board.
2. Right-of-way has been cleared and before earth moving activities commence.
3. Sanitary sewer systems are installed, excluding private systems
4. Water systems are installed, excluding private wells
5. Drainage systems and other drainage improvements are installed
6. Major earthwork cut or fill operations
7. All Structural elements – retaining walls, bridges, etc.
7. All subgrade preparation
8. Select materials installation - sand and/or gravel placement & compaction
9. All pavement operations
10. All curbing operations
11. Gravel shoulder placement & compaction
12. Guardrail installation
13. Loam and seed installation
14. Site Signage
15. Erosion control monitoring
16. Any and all additional observations, as may be found necessary by the Planning Board or its assigned municipal agent(s).

The Municipal engineering consultant, as required by the Planning Board may make such additional observations as he/she deems necessary, depending on the complexity of work, duration, workmanship and number of crews operating.

H. CONSTRUCTION OBERVATION NOTIFICATION

All construction observations during construction activities shall have at least 48 hours (2 working days) advanced notice.

The Contractor, Owner or Developer shall be responsible to provide adequate advanced notice, as defined above.

In the unlikely event, timely construction observations are not possible, the Contractor, Owner or Developer shall be responsible to notify the Town Planning Department and Highway Department Administrator to make alternate arrangements.

I. SUBDIVISION CONSTRUCTION MATERIALS TESTING

All testing requested by the Public Works Director and/or the Municipal engineering consultant as required by the Planning Board will be done by a laboratory approved by the Planning Board and shall be paid for by the applicant.

J. SUBDIVISION AS-BUILT PLANS

Following completion, observation and acceptance of all subdivision improvements, the applicant shall submit As-Built Plan(s) to the Planning Department. This plan shall be drawn to scale and shall indicate by angles and dimensions, all underground utilities, road profiles and centerline elevations and final grading plan showing swales and ditches. The plan shall show easements, dedicated roadways and road beds. This plan shall be submitted to the Planning Department before the maintenance and warranty security is released to the applicant.

K. STREET ACCEPTANCE PLANS

When the applicant has completed all the improvements required for the subdivision as specified in the approved plans, all conditions of the Planning Board's approval and has complied with all the requirements of these regulations, then the applicant may file with the Board of Selectmen for acceptance of the completed street(s) as public way(s) under the following requirements:

1. The applicant shall file with the Board of Selectmen a copy of the approved subdivision as-built plans required under SECTION XI, I.
2. Street Layout Plans:
The applicant shall file with the Board of Selectmen, street layout plans (1 original type mylars and 4 paper prints) of the roadway that clearly shows all details, measurements, distances, drainage easements, rights-of-way, and bounds to the same scale and under the same conditions and requirements as for the subdivision plan for the plat.
3. Deeds and Easements:
The applicant shall file with the Board of Selectmen completed deeds and easements for all property within the subdivision to become public. Such deeds and easements shall be reviewed by Town Counsel at the applicant's expense. Such deeds shall be warranted to transfer complete and absolute title to the Town of Alton. Such easements shall grant the specified usage and rights in perpetuity. The deeds and/or easements shall include such other reasonable conditions as required by the Board of Selectmen.
4. Other Requirements:

The applicant shall provide all other materials or documents as required by law or the Board of Selectmen to facilitate the maintenance or layout of streets or properties.

SECTION XII - CERTIFICATION

The existing Subdivision Regulations last revised on September 21, 2010 are hereby repealed in their entirety and replaced with these new Subdivision Regulations dated April 17, 2015 as adopted by the Planning Board on May 5, 2015.

Certified to be a true copy, attest:

Chair

Vice-Chair

Secretary

Adopted: November 19, 1968
Amended: November 13, 1979
Amended: June 22, 1981
Amended: September 28, 1981
Amended: June 21, 1988
Amended: May 28, 1991
Amended: September 21, 2010

Amended: September 26, 1972
Amended: March 25, 1980
Amended: July 20, 1981
Amended: January 17, 1983
Amended: June 25, 1990
Amended: August 12, 2002
Repealed & Adopted: May 5, 2015

APPENDIX A - IRREVOCABLE LETTER OF CREDIT

IRREVOCABLE STANDBY LETTER OF CREDIT NO.

ACCOUNT PARTY:

BENEFICIARY:

**Town of Alton
Post Office Box 659
1 Monument Square
Alton, NH 03809**

PLACE AND DATE OF ISSUE:

PLACE AND DATE OF EXPIRATION:

AMOUNT:

_____, a registered New Hampshire bank, based within the State of New Hampshire, hereby establishes for the account of _____ in your favor this Irrevocable Letter of Credit No. _____, effective _____, 20__, and expiring at _____ at the close of business on _____ 20__.

Funds represented by this Credit up to the aggregate amount of _____ are available by SIGHT DRAFT of the Town of Alton drawn on us and accompanied by the following:

A notarized affidavit signed by the acting chairman for the Planning Board of the Town of Alton, New Hampshire stating that the following conditions have not been met in accordance with the plans and specifications set forth in the Planning Board's approval dated the ____ day of _____ 20__:

This letter of Credit may be reduced by the Town of Alton as work is completed and verified by observation reports to be submitted to the Bank by the Town of Alton.

Town of Alton Letter of Credit No. _____

Page 2

_____ 20 _____

The expiration of this Letter of Credit is the _____ day of _____, 20__ unless automatically extended for a 12 month period. It is a condition of This Letter of Credit that it is deemed to be automatically extended without amendment for period(s) of one year each for the current expiration date hereof, or any future expiration date, unless within sixty (60) days prior to any expiration date the Bank notifies the Town of Alton by certified mail addressed to the Town of Alton, Post Office Box 659, Alton, NH 03809, that the Bank elects not to consider this Letter of Credit renewed for any such additional period.

Any draft presented to the Bank hereunder must include the language “Drawn under _____ Irrevocable Letter of Credit No. ___ dated _____ 20__.” If presented at the Banks _____ office _____, NH, drawn in strict conformity with the terms of this Credit, the Bank will promptly honor the draft in accordance with your instructions. Partial drawings shall be noted by the Bank on the original Letter of Credit, which shall then be returned to you. The Bank shall retain this original Letter of Credit if the aggregate amount authorized herein has been drawn.

Upon the earlier of (i) the making by you of the last drawing available hereunder or (ii) the date on which this Credit expires, this Credit shall automatically terminate and all liability of the Bank shall cease.

This Letter of Credit is not transferable. Except as otherwise provided herein this Irrevocable Standby Letter of Credit shall be governed by and construed in accordance with the laws of the State of New Hampshire and to the extent not inconsistent therewith the Uniform Customs and Practice for Documentary Credit, Publication No. 600 of the International Chamber of Commerce.

BANK INSTITUTION NAME HERE:

BY: _____
AUTHORIZED SIGNATURE DATE

Applicants name/business name here, the account party, hereby agrees to the terms of the forgoing Letter of Credit.

Witness

Account Party Signature

APPENDIX B - COVENANT RESTRICTING LOT SALES & BUILDING PERMITS

COVENANT RESTRICTING LOT SALES & BUILDING PERMITS

_____ SUBDIVISION ALTON, N.H.

This covenant relates to property in Alton, Belknap County, New Hampshire, and is made on this _____ day of _____, 20 ____, by
(Property Owner/Subdivider's Name) _____
(Address) _____

RECITALS

1. The property owner has proposed to subdivide land located _____ Alton, Belknap County, New Hampshire.
2. The proposed subdivision is shown on a plan entitled, _____, dated _____, 20 ____, prepared by _____ which plan is to be recorded in the Belknap County Registry of Deeds as Plan # _____.
3. The land for the subdivision was conveyed to the subdivider by deed of _____, dated _____, 20 ____, and recorded at the Belknap County Registry of Deeds in Book ____, Page ____.
4. The property owner will be constructing and installing improvements for the subdivision, and, in accord with Section 9 of the Alton Land Subdivision Control Regulations, the Alton Planning Board has required the property owner to do one of the following in order for the Planning Board to sign the plat: (1) complete the improvements, (2) post security for completion of the improvements, or (3) record a Covenant Restricting Lot Sales with the Belknap County Registry of Deeds.
5. This restrictive covenant is filed pursuant to Section 9 of the Alton Land Subdivision Control Regulations last amended on _____, 20 ____.

PROVISIONS

1. The property owner will not sell, transfer, lease, or otherwise convey or enter into a contract to sell, transfer, lease or otherwise convey any lots in the subdivision or apply for any building permits until this covenant is released by the Town of Alton as provided below. This release may be done in phases.
2. The property owner shall furnish security to the Planning Board in an amount sufficient to stabilize the site and prevent erosion on the site in the event the property owner chooses to proceed with construction of the improvements as provided in 3., b. below before having provided security for all the subdivision improvements.

3. In accord with Section 9 of the Alton Land Subdivision Control Regulations, the Planning Board shall release this covenant by approving and recording an instrument that indicates that either:
 - a. Security in the form and amount acceptable to the Planning Board for the then required subdivision improvements remaining to be completed has been furnished to and accepted by the Planning Board; or
 - b. The required subdivision improvements have been constructed, inspected and have been approved by the Planning Board.
4. Nothing in this covenant shall obligate the Planning Board to approve the subdivision improvements or the proposed security. If at the time the certificate is requested or the security is proposed and the Planning Board determines that circumstances in the Town of Alton have so substantially changed so that the sale of and building on lots in the subdivision results in the need for either off-site improvements, impact fees, restrictions on the issuance of building or water permits, or other material or substantial changes have occurred in the Town of Alton since the subdivision was approved, the Planning Board shall consider the request for the certificate or approval of security as a new subdivision application.
5. This subdivision continues to be subject to and benefited by RSA 674:39 FOUR- YEAR EXEMPTION.

By: (Property Owner's Signature) _____

STATE OF NEW HAMPSHIRE
 COUNTY OF BELKNAP

The foregoing instrument was signed before me this ____ day of _____, 20____, who has produced (type of identification) _____

 Notary Public
 My Commission expires _____

The Alton Planning Board has read and approved this covenant.

THE TOWN OF ALTON PLANNING BOARD

By: _____

Chair