

**CHESTERFIELD PLANNING BOARD
LAND DEVELOPMENT REGULATIONS**

Table of Contents

<u>Article & Section</u>	<u>Page</u>
I. INTRODUCTION	1
100 Title	1
101 Scope and Applicability	1
102 Authority	1
103 Purpose	1
104 Repeal of Prior Regulations	1
II. TYPES OF LAND DEVELOPMENT	2
200 General	2
201 Categories of Land Development	2
III. APPLICATION PROCEDURES	5
300 General	5
301 Preliminary Conceptual Consultations	5
302 Preliminary Applications	6
303 Final Applications	6
IV. REQUIRED SUBMITTALS	9
400 General	9
401 Drafting Standards for All Plans	9
402 Preliminary Conceptual Consultations	10
403 Preliminary Applications	10
403.1 All Preliminary Applications	10
403.2 Preliminary Applications for Major Subdivisions	11
403.3 Preliminary Applications for Major Site Developments and Condominium Conversions	12
404 Final Subdivisions Applications	14
404.1 General	14
404.2 All Subdivisions	14
404.3 Lot Line Adjustment Subdivisions	15
404.4 Minor Subdivisions	15
404.5 Major Subdivisions	16
405 Final Site Development Applications	18
405.1 General	18
405.2 Minor Site Developments	18
405.3 Major Site Developments and Condominium Conversions	19

<u>Article and Section</u>	<u>Page</u>
V. PUBLIC HEARINGS	21
500 General	21
501 Notification	21
502 Testimony at Hearings	21
503 Adjourned Hearings	22
504 Hearings on Reviewed Proposals	22
VI. LAND DEVELOPMENT STANDARDS	23
600 General	23
601 Zoning and Other Regulations	23
602 Subdivision Design Standards	23
603 Septic System Standards	28
604 Surface Water Management Standards	28
605 Erosion and Sediment Control Standards	29
606 Standards for the Preservation of Natural Features and the Environment	30
607 Street Lighting	32
608 Underground Cables	32
609 Special Provision for Flood Hazard Areas	32
610 Site Planning Standard	33
611 Premature Land Development	36
VII. REQUIRED IMPROVEMENTS, BONDS AND CONSTRUCTION STANDARDS	38
700 Required Subdivision Improvements	38
701 Required Site Development Improvements	39
702 Impact Fees (reserved)	40
703 Bonding Requirements	40
704 Commencement of Construction	41
705 Street Construction	41
706 Waterline Construction	44
707 Sanitary Sewer Construction	44
VIII. ADMINISTRATION, ENFORCEMENT AND FINES	45
800 Administration	45
801 Enforcement	45
802 Fines and Penalties	45
803 Recovery of Legal Costs	46
IX. WAIVER, AMENDMENT, SEVERABILITY AND EFFECTIVE DATE	47
900 Waiver	47
901 Amendment	47
902 Severability	47
903 Effective Date	47
Appendix A Definitions	48
Appendix B Fees	50

ARTICLE 1
INTRODUCTION

100 TITLE

These regulations may be known and may be cited as “Land Development Regulations of the Town of Chesterfield, New Hampshire.”

101 SCOPE AND APPLICABILITY

These regulations apply to all land development in Chesterfield. All subdivisions of land and all development or change or expansion of use of tracts for non-residential uses or for multi-family dwelling units must comply with these regulations, except minor site developments exempted under 201.2.C.

102 AUTHORITY

The regulations are enacted pursuant to the authority granted the Chesterfield Planning Board to regulate subdivisions by the June 17, 1964 Town Meeting and pursuant to the authority granted the Chesterfield Planning Board to review site plans on non-residential and multi-family developments by the March 4, 1975 Town Meeting.

Both Town Meeting actions were taken pursuant to the Planning and Zoning Enabling Legislation of the State of New Hampshire, currently codified at NH RSA 674:35 and NH RSA 674:43, respectively.

103 PURPOSE

These regulations are intended to promote the health, safety, general welfare and prosperity in a manner consistent with authority granted by the Planning and Zoning Enabling Legislation of the State of New Hampshire, as amended (i.e. RSA Chapters 672-677).

104 REPEAL OF PRIOR REGULATIONS

These regulations repeal the Planning Board’s prior Subdivision Regulations and Site Plan Review Regulations

ARTICLE II

TYPES OF LAND DEVELOPMENTS

200 GENERAL

Land development may be either a subdivision or a site development. Sometimes land development may be both.

200.1 Definition of Subdivision

A subdivision is the division of a lot, tract or parcel of land into two or more lots, plats, sites or other divisions of land into two or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among several owners shall be deemed a subdivision under this ordinance. Easements granted in gross to a public utility, as described in RSA 672:14 (III), are not subdivisions.

200.2 Definition of Site Development

A site development is any building or construction activity that develops, changes or expands a non-residential or multi-family residential use of land or any other change or expansion of non-residential or multi-family use. Site development includes enlargement of structures and/or expansion of uses; conversion of structures and/or sites to new uses; a change in use or intensification of use of a structure or site; conversion of buildings and sites to the condominium form of ownership; and Telecommunication Facilities including co-location on existing facilities, (see Town of Chesterfield Zoning Ordinance Regulations Article 409).

201 CATEGORIES OF LAND DEVELOPMENTS

For the purpose of efficiency of regulation, the following categories of land development are hereby established. The procedural requirements for approval of land developments vary among these categories.

201.1 Subdivisions

- A. Major subdivisions: are subdivisions of land which contain more than three (3) lots or which require construction of a new street or extension of an existing street.
- B. Minor subdivisions are subdivisions of land which contain not more than three (3) buildable lots and which do not require any street construction or new streets.

- C. Lot line adjustments are subdivisions which involve only adjustment of boundaries among existing lots and which do not create any new buildable lots.

201.2 Site Development

- A. Major site developments are all site developments which involve any one of the following circumstances.
1. The initial development of a site.
 2. Expansion of the building ground coverage on a site by more than twenty-five percent (25%).
 3. Expansion of the aggregate parking, driveway and loading and unloading areas of a site by more than twenty-five percent (25%).
 4. Expansion of the volume of the existing buildings on the site by more than twenty-five (25%).
 5. Construction (or expansion) of a non-building accessory structure which involves the disturbance of more than 400 square feet of land area.
 6. Construction of a structure more than twelve feet in height, other than utility poles.
 7. Change in use.
- B. Minor site developments are all site developments which are not major site developments as described by 201.2A or which are not exempt.
- C. Exempt site developments are site developments that are:
1. Additions of less than 100 square feet to buildings; and/or,
 2. Expansion of less than 100 square feet of parking areas or driveways.
 3. The surfacing of an existing unsurfaced parking area or driveway.
 4. Farming and agricultural uses (as defined in RSA 21:34-a) in the Rural Agricultural Zone shall be exempt from site development requirements for:
 - a. New buildings, additions, and accessory structures the sum of whose footprints add no more than 15,000 square feet to the property baseline.
 - b. Driveways, parking, and outside storage areas accessory to existing or new structures.

Provided that:

- c.1. The baseline to which the 15,000 square feet can be added is the total sum of all structure footprints in existence on the property on the date paragraph 201.2C4 (amended) is adopted.
- c.2. Increase in structure footprints resulting from federal, state, or locally mandated requirements should be added to the baseline defined above; creating a new reference baseline to which the 15,000 square feet can be added.

c.3. In the event of deeded transfer of farm or agricultural use property, the baseline to which an additional 15,000 square feet can be added is the total sum of all structure footprints in existence on the property on the date of deed transfer.

Nothing contained in the above paragraphs shall be construed to exempt farming and agricultural uses from the building ordinance and the applicable area, coverage, setback, and yard requirements of the Zoning Ordinance. Non-residential farming and agricultural uses shall be exempt from district frontage requirements in accordance with paragraph 202.2 (amended) of the Zoning Ordinance.

In Keeping with Town goals of maintaining and promoting the rural character of Chesterfield, farming and agricultural uses that are not exempt from the Land Development Regulations are encouraged to ask for waivers where appropriate.

D. Phased Site Developments

Developers shall not phase a series of exempt site developments to escape the provisions of these regulations or phase a series of minor and/or exempt site developments to escape the review requirements for major site developments. Site developments on a tract which occur within a twelve (12) month period and which, when combined together, constitute either a major site development or a minor site development shall be considered as such and shall accordingly comply with the appropriate provisions governing major or minor site developments, as applicable.

201.3 Condominium Conversions

Condominium conversions are both major subdivisions and major site developments. Condominium conversions shall meet the procedural requirements set forth herein for major site developments.

ARTICLE III

APPLICATION PROCEDURES

300 GENERAL

Any person proposing to subdivide land or to develop, change or expand the non-residential or multi-family residential use of sites must apply to the Chesterfield Planning Board for approval, unless exempted under 201.2C. Procedures for final applications are set forth in 303. All potential applicants may, at their option, apply for preliminary conceptual consultation as per 301; and applicants for major subdivisions, major site developments or condominium conversions may apply for preliminary review as per 302.

301 PRELIMINARY CONCEPTUAL CONSULTATIONS

Any potential formal applicant may request a preliminary conceptual consultation with the Planning Board. Such consultations shall take place only at formal meetings of the Planning Board.

301.1 Purpose

Preliminary conceptual consultations are consultations only for the purpose of discussing proposals in conceptual form or for assistance in resolving problems meeting application requirements. Discussions at preliminary consultations do not bind either the applicant or the Planning Board.

301.2 Requests for Consultation

Requests for preliminary conceptual consultation shall be made as provided by the Planning Board. The Planning Board reserves the right to delay scheduling preliminary consultations when its regular meeting agenda is filled with other applications.

301.3 Required Plans and Information

A preliminary conceptual consultation shall be accompanied by the plans and information required by 402.

301.4 Required Fees

None

301.5 Hearings and Notice Requirements

None

302 PRELIMINARY APPLICATIONS

All applicants for approval of major subdivisions, major site developments and condominium conversions may submit preliminary applications to the Planning Board in accordance with the procedures set forth herein. In accordance with RSA 676:4, approval of preliminary applications is not binding on either the Board or the applicant.

302.1 Filing of Preliminary Applications

Preliminary applications shall be made on forms provided by the Planning Board and shall be filed with the Planning Board at least eighteen (18) days prior to a regular meeting of the Planning Board.

All applications shall be signed by the landowner or his authorized agent. If signed by an agent, the application shall be accompanied by a notarized authorization signed by the landowner.

302.2 Required Plans and Information

Preliminary applications shall be accompanied by the plans and information required by 403.

302.3 Required Fees

An application for preliminary review required payment of fees in accordance with the fee schedule attached to these regulations as Appendix B. Additionally, pursuant to NH RSA 676:4 I. (g), the Board may require additional reasonable fees to conduct investigative studies necessary to its review of the preliminary application.

302.4 Hearings

The Planning Board shall hold a public hearing with notification to abutters in accordance with notice procedures set forth in Article V.

303 FINAL APPLICATIONS

All persons who subdivide land or develop, change or expand the non-residential or multi-family residential use of sites must make final application to the Chesterfield Planning Board for approval.

303.1 Filing of Final Applications

Applications for final subdivision or site development approval shall be made on forms provided by the Planning Board and shall be filed with the Planning Board at least eighteen (18) days prior to a regular meeting. The Clerk, Chairman, other designated representative of the Planning Board, or an agent of the Planning Board may return to an applicant a final

application that is incomplete; or not accompanied by the required plans and information; or not accompanied by the required fees.

All applications shall be signed by the landowner or his authorized agent. If signed by an agent, the application shall be accompanied by a notarized authorization signed by the landowner.

303.2 Required Plans and Information

Applications for formal approval shall be accompanied by the plans and information required by 404 for subdivisions or by 405 for site developments.

303.3 Required Fees

An application for formal approval required payment of fees in accordance with the fee schedule attached to these regulations as Appendix B. Additionally, pursuant to NH RSA 676:4. (g), the Board may require additional reasonable fees to conduct investigative studies necessary to its review of the application.

303.4 Formal Consideration by Planning Board

Within thirty (30) days after filing of the completed application in accordance with 303.1, the Planning Board will either: (1) return an application as being incomplete; or (2) schedule acceptance of the application for further processing and a public hearing.

A. Public Hearing: Formal consideration shall begin with a public hearing with notification to the abutters, in accordance with the procedures set forth in Article V. No application shall be approved or denied without this public hearing, except: (1) as provided in 303.5 (lot line adjustments); or, (2) when the application is not accepted because it is incomplete or lacks the required submittals or fees. The date of the public hearing shall be considered the date upon which the Planning Board has commenced its formal consideration of the application; and, for statutory purposes, it shall also be considered the date of submission and acceptance of the application, regardless of the date upon which the application was filed.

B. Inspection of Site: The Planning Board and/or any of its agents may make a visual on-site inspection(s) of the land at any stage of the proposal. Inspection is to be at such time when the site is free of snow cover, unless the Board is satisfied that such inspection is not required.

C. Ninety (90) Day Review Period: The Planning Board shall act to approve or disapprove the applications within ninety (90) days of the public hearing. Upon failure of the Planning Board to approve, disapprove or conditionally approve the application, the applicant may obtain from the Selectmen an order directing the Planning Board to act within thirty (30) days. Failure of the Planning Board to act upon such order of the Selectmen shall constitute grounds for the Selectmen to act on the application within forty (40) days as provided by RSA 676:4 I. (c).

D. Extension of Ninety (90) Day Review Period: The Planning Board may apply to the Selectmen for an extension not to exceed an additional ninety (90) days before acting to approve or disapprove an application.

E. Waiver of Ninety (90) Day Review Period: The applicant may waive the requirement for Planning Board action within the time periods specified in 303.4 C, D (above) and consent to such extensions as may be mutually agreeable.

F. Final Decisions: When the Planning Board reaches a final decision on an application, it shall issue the decision in writing and place the decision on file with the Town Clerk within seventy-two (72) hours. Approval of a plan does not constitute acceptance by the Town of any street, land or other facility included thereon.

G. Recording of Approved Plat: An approved final subdivision plat shall be recorded by the Planning Board at the Cheshire County Registry of Deeds prior to any transfer of ownership within the subdivision. A fee will be charged to the applicant for this service.

H. Disapproval: In case of disapproval of any application submitted to the Planning Board, the ground(s) for such disapproval shall be stated upon the records of the Planning Board, and the Planning Board shall provide the applicant with written reasons for the disapproval.

I. Withdrawal: If an application is withdrawn prior to the public hearing or immediately upon closing of the hearing, no further action is required of the Planning Board, and the application process is terminated, without prejudice to the applicant. One copy of the withdrawn plans and required submittals shall remain with the Planning Board.

J. Resubmittal: The Planning Board shall not accept resubmittal of a disapproved application unless the defect(s) that formed the basis for disapproval have been cured or unless these regulations have been amended in a manner that eliminated the defect (s).

K. Appeals: Persons aggrieved by any decision of the Planning Board may appeal to the Superior Court pursuant to NH RSA 677:15. Persons considering appeal should be cognizant of the limitations which NH RSA 676:4 IV places on court review of Planning Board procedures.

303.5 Hearing Exception for Lot Line Adjustments

Applications for subdivisions involving only lot line adjustments, as described in 201.1 C, do not require public hearings. However, all abutters shall be notified of the time and place of the meeting at which the application will be considered, and all abutters shall be given a chance to be heard at that meeting.

303.6 Expiration of Conditional Approvals

All conditional approvals granted by the Board shall expire one year from the date of conditional approval, unless the conditional approval explicitly sets a different expiration date, which shall be so stated in the record.

ARTICLE IV
REQUIRED SUBMITTALS

400 GENERAL

All applications shall be accompanied by the plans and information required herein. Applications that are not complete because of missing required information will be rejected by the Board, its representative or its agent. The information required varies according to both the type of review process selected by the applicant and the type of application. This article is subdivided as follows:

401 DRAFTING STANDARDS FOR ALL PLANS

402 PRELIMINARY CONCEPTUAL CONSULTATIONS

403 PRELIMINARY APPLICATIONS

- Major Subdivisions
- Major Site Developments and Condominium Conversions

404 FINAL SUBDIVISION APPLICATIONS

- Lot Line Adjustment Subdivision
- Minor Subdivision
- Major Subdivision

405 FINAL SITE DEVELOPMENTS

- Minor Site Developments
- Major Site Developments and Condominium Conversions

401 DRAFTING STANDARDS

All plan sheets required herein, except sketch plans submitted with preliminary consultations, shall comply with the following standards:

- A. A sheet size of 22 inches by 34 inches, or smaller.
- B. A scale adequate to represent all detail required by these regulations.
- C. The name of the proposal and the name and address of the owner of record and applicant(s) (if different).
- D. Name and address of the engineer or architect.
- E. Tax map references (sheet and parcel and locus diagram).

- F. Location of all abutters, keyed to required abutters lists.
- G. Acreage quantities for all lots, to the nearest hundredth of an acre, and square footage on all lots less than two (2) acres in size.
- H. Date and north arrow.
- I. Match lines, as necessary.
- J. Date and revision blocks: Every plan sheet shall be dated with a specific month, day and year. A revision block shall be included on each sheet and each revision made to the sheet after the initial date shall be noted.
- K. Adequate space, on each sheet, for the approval signature of the Planning Board, the date of approval and the Planning Board file number.

402 PRELIMINARY CONCEPTUAL CONSULTATION

402.1 Subdivisions

A sketch plan of the subdivision, drawn to scale, and showing the following:

- A. Approximate location of lot lines (existing and proposed).
- B. Approximate lot measurements and areas (existing and proposed).
- C. Approximate location of streets.
- D. Approximate natural drainage vectors.
- E. Approximate location of any significant natural features.

402.2 Site Development Plans and Condominium Conversions

- A. A sketch plan of the proposal, drawn to scale, showing the general location of all existing and proposed buildings, parking areas, driveways, and waste disposal facilities.
- B. A brief written "Summary of Proposed Use" describing, in some specificity, the type and intensity of use proposed for the site.

403 PRELIMINARY APPLICATIONS

403.1 All Preliminary Review Applications

- A. Application Form: A completed application form including the correct names and mailing addresses of the owner(s) of record, applicant(s) (if different), and the location of the proposal.

- B. Abutter's List: A separate list showing the correct names and mailing addresses of the owner(s) of record, applicant(s) (if different) and all abutters keyed to the plan. The abutter's list shall be current as of no more than five (5) days before the filing.
- C. Inspection Permission: Written permission for the members of the Planning Board or their agents to inspect the site, as necessary.

403.2 Preliminary Applications for Major Subdivisions

In addition to the information required by 403.1, above, an applicant for preliminary review of a major subdivision shall submit three (3) copies of:

- A. Preliminary Subdivision Plan: An engineered preliminary plan of the subdivision showing all proposed streets, lots and other improvements, including utilities, and abutting lots with the names of the owners thereof. Plans shall indicate percent grade of streets, width, and cross sections and the location, sizes and material of all water and sewer pipes, electric and telephone lines, storm water pipes, drains and culverts. Cross-sectional drawings shall be provided at fifty (50) foot intervals for all new streets and shall show the existing terrain based on field surveys.
- B. Preliminary Topographic and Soils Plan: A topographical plan of the entire parcel being subdivided showing contours at two (2) foot vertical intervals referenced to National Geodetic Vertical Datum of 1929 (NGVD). The topographic plan shall also show:
 - 1. The high and low points of each proposed lot.
 - 2. Natural drainage vectors for each lot.
 - 3. The boundary of the 100 year flood zone, where applicable.
 - 4. Soils data based on the latest Soil Conservation Service, Cheshire County Soils Survey Maps, or other mapping deemed acceptable by the Planning Board.
 - 5. The location of and pertinent data on test pits and percolation test results. Information shall include at least the following: the location of test pits, percolation test date, and an outline of the proposed leach field area.
 - 6. For minor subdivisions only, the Planning Board may waive the requirement for the topographic and soils plan, as follows:
 - a. On proposed lots larger than three (3) acres, the plan may only cover those portions of the lot to be occupied by structures and/or waste disposal systems, provided that there are no apparent drainage problems on the other areas of the lot.

- b. In other circumstances where, in the opinion of the Planning Board, the required topographic or soils information for all or part of a parcel is unnecessary to the determinations required by Article VI.
- C. Preliminary Surface Water Drainage Management Plan (SWDMP): The SWDMP shall be a separate plan from other required plans. It shall include at least three (3) plan sheets and a hydrological analysis, as follows:
1. An areawide plan at a scale of 1 inch equals 200 feet (tax map scale) which depicts the areawide drainage system into which the site drains. Said areawide plan shall show the flow from the site to the point at which the areawide drainage system outflows into one of the major year-round watercourses in the Town.
 2. A plan of the existing topography of the parcel, showing soils data plus:
 - a. The high and the low point of the parcel.
 - b. Existing streams and watercourses, including seasonal watercourses and watercourses reasonably close to the parcel being developed.
 - c. Existing surface drainage vectors and existing flows onto abutting properties; into present watercourses; and into present storm drain systems. Such estimates shall be for both the 10 year/24 hour storm and for the 50 year/24 hour storm and shall be calculated in accordance with standard hydrological techniques for small watersheds such as those of the Soil Conservation Service's handbook: "Urban Hydrology for Small Watersheds, Technical Release No. 55," as amended.
 - d. The boundary of the 100 year flood zone, where applicable.
 3. A plan of the proposed surface water management system, showing all of the information required by D. 2, above, plus:
 - a. Finished grading of the site.
 - b. Leachfield areas.
 - c. Lot by lot tabulations of estimated impervious coverages and lawn areas.
 - d. All proposed drainage facilities, including details of location, size, and material.
 - e. Drainage vectors showing the directions of flow off each proposed lot, after development, and the flows onto abutting properties, after development.

403.3 Preliminary Application for Major Site Developments and Condominium Conversions

In addition to the information required by 403.1, above, an applicant for preliminary review of a major site development shall submit three (3) copies of:

A. Preliminary Site Plan: The preliminary site plan shall:

1. Cover the entire parcel being developed and show all dimensions thereto.
2. Show all existing or proposed structures and all proposed additions thereto.
 - a. Parking areas, driveways and loading and unloading areas are considered structures under Chesterfield's ordinances and must therefore, be depicted.
 - b. Setback dimensions must be shown for all structures, including parking areas.
 - c. First floor slab elevations must be shown for all existing or proposed buildings.
3. Show the type and location of all existing or proposed streets, utilities, drainage facilities and on-site waste disposal facilities.
4. Indicate the locations of all structures on abutting properties and the distances to each one from the property line of the site.
5. Show parking layouts with individual spaces delineated.
6. Show location and types of all exterior lighting.
7. Show existing and proposed landscaping buffers or plantings.
8. Show location of all solid waste collection facilities.
9. Show all existing and proposed sidewalks, curbs and gutters.
10. Show location of and height of all existing and proposed fences and walls.

B. Preliminary Topographic and Soils Plan: The preliminary plan shall show all information required by 404.2 B.

C. Preliminary Surface Water Drainage Management Plan: The plan shall show all information required by 403.2 C.

D. Building Elevation: Preliminary elevation drawings from all applicable directions of all new buildings or additions to buildings.

E. Use Intensity Statement: A written statement describing the use proposed for the site in sufficient detail for the Planning Board to make a preliminary evaluation of the intensity of use proposed for the site. For example, for commercial developments information about the number of employees; floor space allocations; vehicular traffic generation;

growth potential; volumes and types of waste; etc. would all be required in order for the Planning Board to properly evaluate the intensity of use proposed for a site.

- F. Unnecessary Submittals: These regulations recognize that there will be variety in the types of major site developments that may be subject to these regulations. If an applicant feels that submittals of some of the information required herein constitutes an unnecessary hardship and that such submittals are not needed for the Board to reach the decisions required by Article VI, the applicant may request a waiver of the applicable submittal requirement.

404 FINAL SUBDIVISION APPLICATIONS

404.1 General

The requirements of this section are set forth in a cumulative manner. For example, an applicant for formal approval of a major subdivision must meet the requirements of 404.5 for major subdivisions and all of the prior stated requirements of 404.2 through 404.4.

404.2 All Subdivisions

- A. Application Forms: A completed application form including the correct names and mailing addresses of the owner(s) of record, applicant (s) (if different) and the location of the subdivision.
- B. Abutters List: A separate list showing the correct names and mailing addresses of the owner(s) of record, applicants (s) (if different) and all abutters, keyed to the plan. The abutters list shall be current as of no more than five days before the filing.
- C. Inspection Permission: Written permission for the members or agents of the Planning Board to inspect the site, as necessary.
- D. Final Subdivision Plat: Two (2) original mylars and two (2) prints of the final subdivision plat shall be submitted. The plat must comply with all of the drafting standards of 401. Additionally, the plat shall:
1. Meet all filing requirements of the Cheshire County Registry of Deeds.
 2. Include sufficient data to determine readily the location, bearing and length of every street line, lot line, boundary line and to reproduce such lines upon the ground. All dimensions shall be shown to hundredths of a foot and bearings to at least half minutes. The error of closure shall not exceed a ratio of 1 to 5,000. The final plat(s) shall show the boundaries of the property and the bounds of any public or private streets and easements abutting or pertaining to the proposed subdivision in any manner.
 3. Exhibit the name, license number and seal of a N.H. registered land surveyor.

4. The following statement shall be included on the final plat: "It is hereby certified that the perimeter survey closures and the layout of all lot boundary lines meet or exceed the technical requirements of the Chesterfield Subdivision Regulations." This statement shall be signed by the registered engineer or surveyor.
 5. As a practical measure, the Planning Board may further modify its survey requirements for large tracts, where the area to be approved for conveyance is a small part of the entire tract. However, in such a case the plat shall contain a certification complying with NH RSA 676:18 for all existing property lines and street lines not laid out by the surveyor.
 6. Show existing and new street names.
 7. Show existing and new house numbers, if required.
 8. Indicate all monuments to be installed as per 700.5.
 9. Indicate, in a manner readily understood by a typical purchaser, through delineations on the drawings and/or notes, all conditions of approval or limitations of these regulations which would affect, constrain or limit the development of a lot, including but not limited to zoning setbacks, driveway location limitations and waste disposal system locations.
 10. The plat shall contain the following statement: "The Subdivision Regulations of the Town of Chesterfield are a part of this plat, and approval of this plat is contingent on completion of all the requirements of said Subdivision Regulations, excepting only any waivers granted in writing by the Board and attached hereto."
 11. The plat shall contain a written, signed acknowledgement of the subdivider's responsibility for maintenance, and the assumption by him of liability for injuries and damages that may occur on any public road to be dedicated for public use, until such road has been legally accepted by the Town.
- E. Easements, Deeds, Covenants. Prior to final approval, all easements or deeds proposed for conveyance to the Town and all covenants to be incorporated in lots to be sold shall be submitted to the Planning Board for approval.
- F. A List of All Federal, State and Local Permits that are required.

404.3 Lot Line Adjustment Subdivisions

No other submittals beyond those of 404.2, above, are required for lot line adjustment subdivisions.

404.4 Minor Subdivisions

In addition to the submittals required in 405.2, above, three (3) copies of the following shall be submitted with applications for minor subdivisions:

A. Topographical Plan: Three (3) copies of a final Topographic and Soils Plan which shall include all information required by 403.2B.

B. NHWSPCD Approval: Documentation of subdivision approval from the NHWSPCD.

404.5 Major Subdivisions

A. Final Street and Utilities Plans: The final street and utilities plan shall show all existing and proposed streets, sidewalks and other improvements, including utilities. The plans should indicate the percent grade of streets; the width and cross-sections at fifty (50) foot intervals; and the profile with elevations at fifty (50) foot intervals. The location, sizes and materials of all water and sewer pipes; electric and telephone lines; and storm water pipes, drains and culverts shall be shown on all plans, including profile and cross-section drawings.

B. Final Surface Water Drainage Management Plan (SWDMP): The final SWDMP shall include all information required by 403.2 C. Additionally the final SWDMP shall include an estimate of the future flows, after development, into present watercourses and into existing and proposed storm drainage structures. These estimates shall be for both the 10 year/24 hour storm and for the 50 year/24 hour storm and shall be calculated in accordance with standard hydrological techniques for small watersheds such as those of the Soil Conservation Services handbook: "Urban Hydrology for Small Watersheds, Technical Release No. 55," as amended.

C. Hydrological Analysis: A written hydrological analysis documenting that the SWDMP complies with all the substantive requirements of 604.

D. Erosion and Sediment Control Plan (ESCP): The ESCP shall contain proper provisions to adequately control erosion and sedimentation in accordance with the standards of 605. The ESCP submittal shall include:

1. A Site Plan Map at a sufficient scale to clearly show:

- a. Location of the proposed development and adjacent properties;
- b. Existing and proposed final topography including soil types, wetlands, water courses and water bodies;
- c. Existing structures on the project site, if any;
- d. Proposed area alterations including cleared, excavated, filled or graded areas and proposed utilities, roads and, if applicable, new property lines, and the general location of proposed structures and driveways.
- e. Location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities;

- f. Sequence of grading and construction activities;
 - g. Sequence for installation and/or application of soil erosion and sediment control measures;
 - h. Sequence for final stabilization of the development site.
2. Narrative information including:
- a. The schedule for grading and construction activities including:
 - 1. Start and completion dates;
 - 2. Sequence of grading and construction activities;
 - 3. Sequence for installation and/or application of soil erosion and sediment control measures;
 - 4. Sequence for final stabilization of the project site.
 - b. The design criteria for proposed soil erosion and sediment control measures and storm water management facilities.
 - c. The construction details for proposed soil erosion and sediment control measures and storm water management facilities.
3. The Plan shall indicate any areas proposed for on-site disposal of stumps and other construction debris or excess excavation. Such areas shall be subject to Planning Board approval.

E. Site Impact Analysis: The Site Impact Analysis shall be a written report that describes the impact of the proposed subdivision on the site and abutting properties. It shall be prepared by an individual qualified by the Board. It shall describe, in precise technical detail, the features of the site and of all abutting properties and it shall analyze, in particular, the impact of the proposal on the following:

- 1. Soils and natural contours.
- 2. Vegetation.
- 3. Wetlands.
- 4. Surface water quality.
- 5. Groundwater quality, including impact on nearby wells.
- 6. Spatial relationships with abutting developments or potential development.

7. Rural character, including the visual impact of the proposal as seen from surrounding properties and arterial streets.
 8. Roads, streets and highways and on pedestrian and vehicular traffic.
 9. Sufficiency of utility systems for the provisions of water service, fire protection, sewer service, and storm drainage.
 10. Drainage and effect on abutters.
 11. The public school system.
 12. Municipal solid waste disposal.
 13. Municipal, school and county revenues and expenditures.
 14. Police and fire protection and public safety.
- F. Engineer's Estimate: A detailed estimate prepared by a professional engineer registered in New Hampshire of the estimated construction cost of each improvement required by Article VII.
- G. Approved Preliminary Plan: A copy of the approved preliminary subdivision plan, if applicable.

405 FINAL SITE DEVELOPMENT APPLICATIONS

405.1 General

The requirements of this section are set forth in a cumulative manner. For example, an applicant for formal approval of a major site development must meet all of the requirements of 405.3 for major site developments and all of the prior stated requirements of 405.2.

405.2 Minor Site Developments

- A. Application Forms: A completed application form including the correct names and mailing addresses of the owner(s) of record, applicant(s) (if different) and the location of the subdivision.
- B. Abutter's List: A separate list showing the correct names and mailing addresses of the owner(s) of record, applicant(s) (if different) and all abutters, keyed to the plan. The abutter's list shall be current as of no more than five (5) days before the filing.
- C. Inspection Permission: Written permission for the members or agents of the Planning Board to inspect the site, as necessary.

- D. Final Site Plan: Two (2) mylars and two (2) prints of the final site plan shall be submitted. The site plan shall include all information required by 403.3A.
- E. Easements, Deeds, Covenants: Prior to final approval, all easements or deeds proposed for conveyance to the Town and all covenants to be incorporated in lots to be sold shall be submitted to the Planning Board for approval.
- F. A list of all federal, state and local permits that are required.
- G. Other Information: An applicant for approval of a minor site development shall be required to submit only the information required above with the application. However, the Planning Board reserves the right to require additional submittals if, after the public hearing, it determines that additional information is required in order to make the determinations required by Article VI.
- H. Certification: A signed statement will be required on the final site plan, as follows: "I certify that my assigns or successors will seek approval by the Planning Board prior to making any changes to this site plan."

405.3 Major Site Developments and Condominium Conversions

In addition to the submittals required by 405.2, above, three (3) copies of the following shall be submitted with applications for major site developments and condominium conversions.

- A. Final Topographic and Soils Plans: The plan shall show all information required by 403.2 B.
- B. Final Surface Water Drainage Management Plan: The plan shall show all information required by 403.2 C.
- C. Erosion and Sediment Control Plan: The Erosion and Sediment Control Plan shall include all of the requirements of 404.5 D.
- D. On Site Waste Disposal Plans: The application shall include the design plans for and evidence of NHWSPCD design approval for all new land developments and whenever a land development involves modifications, additions to or replacement of an existing non-residential or multi-family building that results in a substantial increase in sewage load or whenever a building serving the public is replaced (see NH Admin. Rules Ws 1002.07).
- E. Building Elevation: Final elevation drawings from all applicable directions of all new buildings or additions to buildings.
- F. Use Intensity Statement: A final written statement describing the use proposed for the site in sufficient detail for the Planning Board to evaluate the intensity of use proposed for the site. For example, for commercial developments information about the number of employees; floor space allocations; vehicular traffic generation; growth potential; etc.

would all be required in order for the Planning Board to properly evaluate the intensity of use proposed for a site.

In addition, the use intensity statement for a major site development or condominium conversion shall address all of the impacts listed in 404.5 D.

- G. Condominium Documents: For condominium conversions only, all condominium instruments required for recordation by RSA 356-B:7, including declarations, bylaws and the site plans and floor plans required by RSA 356-B:20, I and II.
- H. Unnecessary Submittals: These regulations recognize that there will be variety in the types of major site developments that may be subject to these regulations. If an applicant feels that submittals of some of the information required herein constitutes an unnecessary hardship and that such submittals are not needed for the Board to reach the decisions required by Article VI, he may request a waiver of the applicable submittal requirement.
- I. Certification: A signed statement will be required on the final site plan, as follows: “I certify that my assigns or successors will seek approval by the Planning Board prior to making any changes to this site plan.”

ARTICLE V
PUBLIC HEARINGS

500 GENERAL

All public hearings required by these regulations shall comply with the provisions stated herein.

501 NOTIFICATION

501.1 To Applicant and Abutters

The Planning Board shall notify the applicant and the abutters by certified mail of the date upon which the application will be formally submitted to the Planning Board and of the public hearing to be concurrently held thereon. Said notice shall be mailed at least ten (10) days prior to the hearing.

501.2 Public Notice

Notice to the general public of the hearing shall be given at least ten (10) days prior to hearing by posting in at least two public places and by publication in a newspaper of general circulation in Chesterfield.

501.3 Content of Notice

Notices shall include a general description of the proposal which is the subject of the application and shall identify the applicant and the location of the proposal.

502 TESTIMONY AT HEARINGS

502.1 Persons with Direct Interest

At the hearing, any applicant, abutter or any person with a direct interest in the matter may testify in person or in writing, or both.

502.2 Other Persons

Other persons may testify at the discretion of the Board.

502.3 Order of Testimony

Rules governing the conduct of public hearings shall be as set forth in the Rules of Procedure (i.e. bylaws), which the Planning Board adopted pursuant to NH RSA 676:1.

502.4 Quorum

No testimony shall be taken if a quorum of the Planning Board is not present. If a quorum does not arrive after a reasonable time, the hearing shall be continued to a later date.

503 ADJOURNED HEARINGS

The Planning Board may adjourn a public hearing and reconvene it without additional notice, provided that proper notice of the date, time and place of the reconvened hearing is made known at the prior hearing, before it adjourns.

504 HEARINGS ON REVISED PROPOSALS

The Planning Board shall not approve an application for a development proposal that has been revised to substantially change a material element covered by these regulations without a public hearing on the revised proposal.

ARTICLE VI

LAND DEVELOPMENT STANDARDS

600 GENERAL

All land developments subject to these regulations shall comply with the standards set forth herein. The Planning Board will disapprove a land development application which does not comply with these standards. The Planning Board reserves the right to attach such conditions of approval to any approved application as are necessary to assure compliance with these standards, including conditional stipulations to be placed on recorded plans and/or documents.

601 ZONING AND OTHER REGULATIONS

601.1 Zoning

Land developments shall comply with the provisions of the Chesterfield Zoning Ordinance. The Chesterfield Planning Board is not legally authorized to waive or vary provisions of the Chesterfield Zoning Ordinance. The Chesterfield Zoning Board of Adjustment is the only authority which may grant variances to the provisions of the Chesterfield Zoning Ordinance; and, an applicant with land development proposals which do not comply with the Chesterfield 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.

601.2 Other Regulations

Land development applications shall also comply with all other applicable federal, state and local laws, statutes, ordinances and regulations. Applicants have the responsibility for familiarizing themselves with federal, state and local laws and regulations that establish obligations related to land development. Where regulations or permits conflict, the most strict requirement shall govern.

602 SUBDIVISION DESIGN STANDARDS

602.1 Lots

Lot configurations, the layout of lot lines and the arrangement of lots in a subdivision shall be orderly and harmonious and shall not be contrary to established principles of subdivision design.

- A. Lot Configuration: Except on cul-de-sacs, rectangularly shaped lots having side lot lines perpendicular to straight streets or radial to curved streets are preferred for buildable lots less than three (3) acres in size. Additionally, the following standards are preferred:

1. Intersecting property lines at street intersections should be joined by a curve of at least twenty (20) foot radius.
 2. Lot shapes should not be grossly irregular.
 3. Lot lines should not be unreasonable gerrymandered to obtain required frontage, yard space or lot area.
 4. All lots should contain a minimum square contiguous area measuring 180 feet by 180 feet.
- B. Lot Arrangement: Lots shall have a harmonious relationship to other lots in the proposed subdivision and to lots in abutting subdivisions.
1. In order to achieve an orderly relationship among developed lots the Planning Board may prohibit erection of structures on certain portions of lots.
 2. Reserve strips of land which, in the opinion of the Planning Board, show an intent on the part of the subdivider to control access to land dedicated or to be dedicated to public use shall not be permitted.

602.2 Streets

A. Arrangement of Streets

1. Master Plan: The arrangement of new streets shall conform to the Chesterfield Master Plan and the Official Map.
2. Through Traffic: Street arrangements should discourage through traffic on interior local streets. Where through traffic must be accommodated, sidewalks and other safety provisions may be required.
3. Coordination: Street arrangements shall be coordinated with the surrounding existing street network and other planned streets. Arrangements shall provide for well planned future connections to large, potentially developable abutting parcels in a manner acceptable to the Planning Board. The Planning Board may require the dedication of rights of way for properly connecting the subdivision to the streets of existing or potential future adjacent subdivisions.

Where the subdivision plan submitted covers only a part of the subdivider's entire holding, a sketch of the prospective future street system of the unsubmitted part shall be furnished and the street system of the submitted part will be considered in the light of adjustments and connections with the street system of the part not submitted.

4. Curvilinear Designs: Curvilinear designs of streets are preferred. Continuously straight sections of street shall not exceed 400 feet in length.

5. Intersections: Street intersections shall align with each other, and all intersections, including offset “T” intersections, shall be separated by at least 300 feet.
6. Lots on Major Roads: The creation of new lots having driveway access onto state highways and local arterial-level roads shall be avoided if alternate access to such lots is reasonable possible. On corner lots, driveways shall be on the lesser traveled street.
7. Dead End Streets: Dead end streets shall not exceed 1200 feet in length and shall terminate in a cul-de-sac, teardrop or loop. “T’s” are not permitted. No dead-end street shall have more than 12 buildable lots.
 - a. Measurement: The 1200 feet shall be measured to the beginning point of the cul-de-sac, teardrop or loop.
 - b. Cul-De-Sacs: Cul-de-sacs shall have a minimum right-of-way diameter of 110 feet and a minimum paved diameter of 90 feet with 1% grade.
 - c. Teardrops and Loops: The layout of a teardrop or loop is subject to the approval of the Planning Board.
 - d. Temporary Dead-End Streets: Where a future extension to another outlet is approved by the Planning Board, a dead-end street may exceed 1200 feet in length. In such cases, the full width of the right-of-way to the subdivision property line shall be dedicated to the Town. Land required only for temporary turnarounds on such streets shall be provided by easements over the abutting lots.

B. Design of Individual Streets

1. Cross Section

- a. Rights-of-way shall be a minimum of 50 feet in width. The Planning Board may require a greater width when necessary.
 - b. Pavement, shoulders, ditches, and slopes shall be in accordance with Table 1 and Figure 1.
 - c. Symmetry: Streets, shoulders and ditches shall be located symmetrically within the right-of-way, with the street centerline coinciding with the centerline of the right of way.
2. Grades: Street grades shall not exceed eight percent (8%) and shall not be less than one percent (1%). Grades shall not be greater than four percent (4%) nor less than one percent (1%) within fifty (50) feet of the shoulder of an intersection. The Planning Board may allow grades up to ten percent (10%) provided the Board determines through consultation with the Town Engineer and Public Works Director that the steeper grade is necessary to minimize the environmental impact

of street construction and provided the Town Engineer certifies that the steeper grade will not adversely affect maintenance and/or public safety.

3. Horizontal Curvature: Horizontal curves shall not have a curvature of less than a 230 foot radius, exception on cul-de-sacs and teardrops.
4. Driveways: Driveways shall not be located within 100 feet of a street intersection.
5. Intersections: Horizontal alignments of all new streets shall be straight within 100 feet of an intersection. Curve radii shall be at least twenty-five (25) feet.
6. Intersection Sight Distance: For new street intersections, minimum sight distances, measured according to standards of the American Association of State Highway and Transportation Officials (AASHTO), shall be as follows:

<u>Posted Speed (mph)</u>	<u>Minimum Intersection Sight Distance (Feet)</u>	
	<u>To Left</u>	<u>To Right</u>
20	300	300
25	350	350
30	425	450
35	500	575
40	550	650
45	600	950

7. Stopping Sight Distance: For new street intersections minimum stopping sight distances, measured according to AASHTO standards, shall be as follows for all traffic on the existing street/highway:

<u>Posted Speed (mph)</u>	<u>At Grade Minimum Stopping Sight Distance (Feet)</u>
20	125
25	150
30	200
35	240
40	300
45	340
50	440

<u>Speed (mph)</u>	<u>Grade</u>	<u>Adjustment for Grade (Feet)</u>	
		<u>Down Grade</u>	<u>Upgrade</u>
30	3%	+10	-----
	6%	+20	-10
	9%	+30	-20
40	3%	+20	-10
	6%	+40	-20

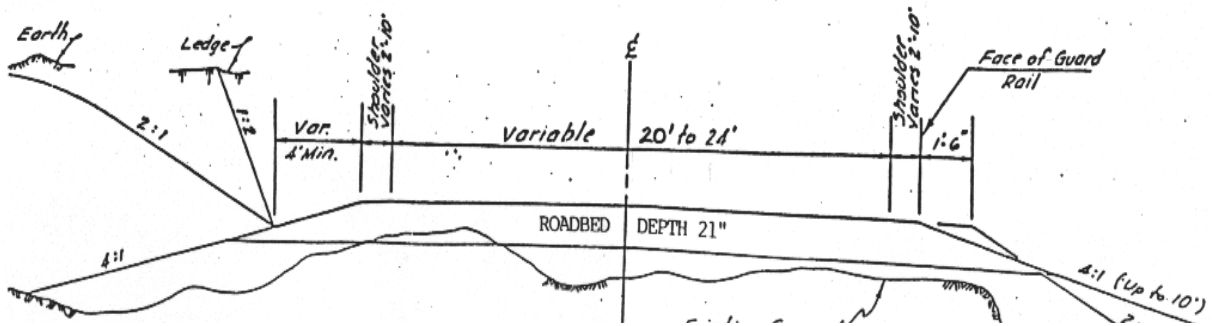
	9%	+70	-30
50	3%	+30	-20
	6%	+70	-30
60	3%	+50	-30
	6%	+110	-50

8. Traffic Safety: No street shall be approved which will create (or worsen) an unsafe, hazardous condition for the traveling public.

TABLE 1
TOWN OF CHESTERFIELD
MINIMUM GEOMETRIC STANDARDS FOR NEW STREETS

Average Daily Traffic (Veh/Day)	0-200	Over 200
Pavement Width (Feet)	20	24
Shoulder Width (Feet)	2	2
Center of Street to Ditch Flowline (Feet)	16	18
Slope of Roadway	0.25"/Ft.	0.25"/Ft.

FIGURE 1
TYPICAL CROSS SECTION



603 SEPTIC SYSTEM STANDARDS

All land developments having on-site septic systems shall comply with all applicable standards set by the New Hampshire Water Supply and Pollution Control Division (NHWSPCD) in NH Admin Rules Ws Chapter 1000.

- Subdivisions: As required by 404.4 B, a subdivision application must be accompanied by a permit evidencing NHWSPCD subdivision approval.
- Site Developments: NHWSPCD design approval must be received before final approval of a site development plan by the Planning Board.

604 SURFACE WATER MANAGEMENT STANDARDS

604.1 Adjacent Properties

Surface water resulting from land development shall not cause increased flooding or unreasonable deposits of storm water runoff or sediment onto adjacent properties or properties further downstream in the drainage basin unless easements for the same are obtained and granted to the Town. The Planning Board has the right to review and approve or disapprove the layout, rights granted or language of any such easements.

604.2 Surface Water Drainage System

An adequate surface storm water drainage system for the entire subdivision or site development must be provided, including an adequate number of catch basins and/or drop inlets. The system shall be designed and certified by a registered NH Professional Civil Engineer, and shall be reviewed and approved by the Town Engineer.

- A. Storm drainage shall be carried to existing water courses or connect to existing storm drains.
- B. No significant increase in surface runoff shall be permitted if such increased runoff passes beyond the property lines of the parcel being developed unless it is carried to the Town storm drain system or to an existing watercourse.
- C. Increased storm runoff shall not cause flows in downstream bridges, culverts or drainage facilities to exceed capacity.
- D. New drainageways shall generally be created within easements. The Planning Board has the right to review and approve or disapprove the layout, rights granted or language of any such easements and to require that such easements be incorporated in deeds to the burdened lot.
- E. Surface water runoff carried into existing watercourses or drainageways, whether or not there are intervening storm drainage systems, shall not unreasonably degrade surface water quality.

- F. Storm sewers and drainage facilities shall be based upon a design flow of a 10-year/24 hour storm. Potential hazard structures, such as holding ponds, sedimentation ponds, etc., shall be designed 50-year/24 hour storm standards in accordance with the Soil Conservation Service's handbook entitled "Urban Hydrology for Small Watersheds, Technical Release #55," as amended. The Planning Board may require higher design standards where necessary.

605 EROSION AND SEDIMENT CONTROL STANDARDS

605.1 General

All land developments shall include provisions to adequately control erosion and sediment both during and after development. Such provisions shall result in a land development that minimizes erosion and sediment during construction; is stabilized and protected from erosion when completed; and does not cause off-site erosion and/or sedimentation.

605.2 Erosion and Sediment Control Handbook

All land developments shall adhere to the principles, methods, practices, design standards and specifications set forth in the Soil Conservation Service's "Erosion and Sediment Control Design Handbook for Developing Areas of New Hampshire," (1981), as amended. Such measures include, but are not limited to:

- A. Diversion dikes to intercept surface runoff at the top of a slope, before erosion can begin.
- B. Vegetative buffer strips to reduce water velocity and to filter sediment.
- C. Seeding and mulching to slow runoff and trap sediment.
- D. Hay bales to effectively trap sediment for short periods of time.
- E. Snow fencing to minimize the area of disturbance and prevent construction equipment from pushing debris onto other areas.
- F. Sod strips to provide instant vegetative cover
- G. Sediment traps (temporary holding basins) to intercept sediment laden runoff and retain the sediment.

605.3 Erosion Control

The intent of this regulation is not to prevent development; it is intended to regulate land disturbances and protect properties down gradient. Because earth disturbances on steeper slopes are more susceptible to erosion and sediment leaving the site, additional care should

be taken in protecting properties down-gradient. It is the property owner's responsibility to control water velocities and sediment during all phases of any type of earth moving activity.

Prior to any type of land disturbance which include, but are not limited to, construction activities, agricultural operations, and logging operations, the land owner is responsible for installing appropriate erosion control measures as necessary to protect abutting property owners and environmentally sensitive areas. Field conditions shall dictate the erosion control measures that are utilized. Appropriate erosion control measures may include silt fencing, diversion swales, sandbags, vegetated earth berms, hay bales, energy dissipaters such as rip-rap swales, aprons, level spreaders and other suitable means that control erosion and sedimentation. All erosion control measures shall be installed in accordance with the "Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire" as prepared for the New Hampshire Department of Environmental Services (NHDES). Copies of the handbook are available from NHDES.

Earth moving activities shall not be permitted in flowing water. All erosion control measures should be inspected and, if necessary replaced, weekly. In the event of rain, all erosion control measures should be inspected and replaced, if necessary, prior to and after, any rainfall events. These measures shall remain in place until permanent vegetation is established.

Earth moving activities shall comply with all applicable State and Federal regulations. All construction sites disturbing one acre or more may require a United States Environmental Protection Agency (EPA) Stormwater Pollution Prevention Plan. For more information regarding the EPA Stormwater Permit contact the EPA, Notice of Intent Processing Center. A NHDES Site Specific/ Alteration of Terrain Permit is required for projects that disturb more than 100,000 square feet of terrain for residential developments or 50,000 square feet or non-residential or any area within the protected shoreland. For more information regarding the NHDES Site Specific/ Alteration of Terrain Permit contact the NHDES.

606 STANDARDS FOR THE PRESERVATION OF NATURAL FEATURES AND THE ENVIRONMENT

606.1 General

The land developer shall identify and take suitable steps as required by the Planning Board and/or the Public Works Director to preserve and protect significant existing features such as trees, scenic points, brooks, streams, rock outcroppings, water bodies, wetlands, other natural features and historic landmarks.

606.2 Character of Land for Development

Land judged by the Planning Board to be unsafe for building development because of exceptional danger to health or peril from fire, flood, poor drainage, impermeable soil, excessive slope or other hazardous conditions shall not be approved for development until appropriate measures have been taken to eliminate the hazards.

606.3 Woodlands and Trees

Land developments shall preserve as much of the existing woodlands on the site as possible within street rights-of-way. Existing woodlands shall not be disturbed more than three (3) feet beyond the edge of the slope line. Trees within Town rights-of-way shall not be disturbed without the specific approval of the Planning Board and/or the Public Works Director, which may require a suitable replacement.

606.4 Historic Resources

Where land developments are adjacent to historic places, buildings or family cemeteries and burial plots, the Planning Board shall require whatever setbacks or other land development limitations it deems necessary to preserve the historical resource from unwarranted, inappropriate intrusion.

606.5 Open Spaces

The Planning Board may require that a land developer show one or more sites of suitable character, size, shape and location to be used as community open space, park or neighborhood playground.

606.6 Groundwater Protection

Land developments shall not adversely affect the groundwater resources of the Town as determined by the Water Resources Plan; of surrounding towns; or of individually owned wells.

606.7 Landscaping

Where appropriate to mitigate the impact of land development on natural features and the environment, the Planning Board shall require suitable landscaping.

606.8 Preservation of Views

Land developments affecting shorelines and scenic vistas shall give consideration to preserving the views from surrounding properties or public areas. In evaluating such developments the Planning Board shall balance the rights of the applicant against those of abutters and the general public and shall place reasonable restrictions on the locations of structures on lots when necessary to preserve views.

606.9 Common Lands and Cluster Developments

Developing and implementing a long range Land Management Plan for all common lands in a Cluster Subdivision. Such a plan will be designed to protect the natural state of existing vegetation while providing for sound land management practices as defined by the Cheshire County Co-op Extension Service.

607 STREET LIGHTING

Where required for public safety, the Planning Board may require the installation of street lighting in a land development.

608 UNDERGROUND CABLES

In cluster and multi-family developments electrical, telephone, cablevision and other types of wires traditionally strung overhead shall be buried.

609 SPECIAL PROVISIONS FOR FLOOD HAZARD AREAS

609.1 General

All land developments having lands identified as Special Flood Hazard Areas in the “Flood Insurance Study for the County of Cheshire, NH” dated May 23, 2006 or as amended, together with the associated Flood Insurance Rate Maps of the County of Cheshire, dated May 23, 2006 or later revisions, shall meet the following requirements.

609.2 Flood Elevation Data

All plans shall include the 100 year flood elevation data.

609.3 Flood Hazard Development Permit

All proposed development in any special flood hazard area shall require a permit. For the purposes of this permit, the term “development” is defined to mean “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.” The permit shall be issued by the Planning Board after review of the development plan. The permit shall be entitled “Flood Hazard Development Permit.”

609.4 Location

Developments shall be located and designed to assure that: they are consistent with the need to minimize flood damage; that all public utilities and facilities, such as sewer, gas electrical and water systems are located and constructed to minimize or eliminate flood damage; and that adequate drainage is provided to reduce exposure to flood hazards.

609.5 Water and Sewer Systems

Where new and replacement water and sewer systems (including on-site systems) are proposed in special flood hazard areas, the applicant shall provide the Planning Board with assurance that new and replacement sanitary sewage systems will be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and on-site waste disposal systems be located to avoid impairment to them or contamination from them during flooding.

609.6 Federal and State Permits

The Planning Board shall review proposed developments to assure that all necessary permits have been applied for and/or received from those governmental agencies for 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. It shall be the responsibility of the applicant to certify these assurances to the Planning Board.

609.7 Water Courses

In riverine situations, prior to the alteration or relocation of a watercourse, the applicant for such authorization shall notify the Wetlands Bureau of the New Hampshire Department of Environmental Services and submit copies of such notification to the Planning Board, in addition to copies required by RSA 482-A:3. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Planning Board, including notice of all scheduled hearings before the Wetlands Bureau..

Within the altered or relocated portion of any watercourse, the applicant shall submit to the Planning Board, certification provided by a registered professional engineer assuring that the flood carrying capacity of the watercourse can and will be maintained.

609.8 Placement of Structures

In Zone A, as defined on the community's Flood Insurance Rate Map, the Planning Board shall obtain, review and reasonably utilize any 100-year flood elevation data available from any Federal, State or other source- as criteria for requiring (I) all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to at least one (1) foot above the 100-year flood level, and (II) that all new construction and substantial improvements of non-residential structures have the lowest floor (including basement) elevated or flood-proofed to or above the 100-year flood level. The Planning Board may require the applicant seeking a Flood Hazard Development Permit to provide the 100-year flood elevation data.

610 SITE PLANNING STANDARDS

610.1 General

In addition to complying with the standards of 601 and 603 through 609, site developments shall comply with the standards listed herein.

610.2 Natural Features

The design of site developments shall fit the existing natural and man-made environments with the least possible stress.

A. Site Preparation: Site preparation is to be conducted with minimal disturbance to existing vegetation. Stripped topsoil is to be piled and reused on the site where needed. A

minimum of 4 inches of topsoil is to be placed on the disturbed area. The site shall be adequately landscaped.

B. Grading and Filling: Grading and filling shall be minimized.

C. Landscaping: Landscaping must be provided with proper regard to adjacent properties, public streets and highways and the aesthetics of the site itself and its intended use. Landscape treatment shall consist of natural, undisturbed vegetation or features, and/or ground cover, shrubs or trees as appropriate.

610.3 Buffers and Screening

A. Buffers: Where appropriate, buffer strips shall be provided in order to assure privacy and noise reduction for residential areas abutting site-developments. Buffer strips shall contain vegetation which will screen non-residential uses from residential areas during winter months. Where appropriate, existing vegetation shall be incorporated into buffer strips.

B. Screening: Screening shall be provided to reduce visual pollution from storage areas, parking and loading areas and solid waste collection/storage areas. Fencing, hedges and plantings may be incorporated into screening systems.

610.4 Exterior Storage Areas

All areas used for exterior storage including areas used for storage of solid waste shall be appropriately screened from view from the street and adjacent properties. Areas used for the display of goods for immediate sale, such as new auto sales, are exempt from this requirement.

610.5 Parking, Circulation, Loading and Pedestrian Safety

A. Parking:

1. Sufficient off-street parking, as required by the Chesterfield Zoning Ordinance, shall be provided.
2. Parking area designs shall provide a minimum edge-to-edge width of 65 feet for double aisle parking and 45 feet for single aisle parking.
3. Areas between a parking lot and a roadway shall be appropriately landscaped.
4. Parking area designs shall adequately consider pedestrian circulation to and from parking spaces and shall minimize the opportunities for vehicle-pedestrian conflict. All parking spaces shall be safely separated from walkways, sidewalks, and streets by curbing, landscaping, berms, islands or other appropriate measures.
5. Parking areas shall be landscaped.

6. An adequate number of the parking spaces closest to buildings shall be provided for the handicapped.
 7. Adequate space for snow storage shall be provided.
 8. All parking spaces shall be clearly marked.
- B. Circulation: The vehicular circulation system for the site shall be designed to maximize public safety.
1. Conflicts with pedestrians or other users of exterior spaces (such as children playing) shall be minimized.
 2. In general, only one driveway access will be allowed unless a frontage is greater than 300 Feet or unless a safe circulation system necessitates additional driveways. It is suggested that applicants who require a driveway permit from the NH Department of Public Works and Highways not apply for said permit until after presentation of a site plan to the Planning Board, in order to coordinate state and local reviews of driveway access.
 3. Frequent truck traffic shall be separated from other traffic.
 4. Intersecting drives within the site development shall have radii of at least fifteen (15) feet.
 5. Drop-off access for handicapped persons shall be provided.
 6. Driveways shall be of sufficient width to accommodate projected traffic volumes.
 7. Adequate snow storage area shall be provided.
 8. If necessary, directional arrows, directional signage and regulatory signage may be required by the Planning Board.
- C. Loading Areas: Sufficient off street loading/ unloading and delivery areas shall be provided. Such areas shall be separated from non-employee parking areas, pedestrian walkways and general use circulation drives. The design of such areas shall be sufficient to allow the safe maneuvering of all anticipated sizes of delivery vehicles.
- D. Sidewalks: Sidewalks at least four (4) feet wide shall be provided where necessary to accommodate pedestrian traffic flow.
- E. Paving: All parking, drives and loading areas shall be paved. The Planning Board may allow the installation of gravel pavement surfaces if it determines that such pavement on a particular site will be more environmentally sound and will not lead to dust or erosion having an adverse impact on adjacent properties or users of the site.

610.6 Lighting

Outdoor lighting shall be used only as necessary for conducting business, including advertising, security and pedestrian safety. Lighting shall not glare on abutting properties or on public streets. Moving, fluttering, blinking or flashing lights are prohibited. All outside light fixtures shall be shielded so as not to reflect or shine upward.

610.7 Fire Safety

The appropriate Fire Chief or his designee shall review and approve the site plan and certify that it adequately provides for fire safety. All site developments shall:

- A. Provide circulation systems that allow for adequate access to a building by fire apparatus.
- B. Adequately provide for safe egress from buildings and the site in case fire.
- C. Have adequate water supply for fire suppression requirements.

610.8 Signage

All signs shall comply with the requirements of the Chesterfield Zoning Ordinance. Signs shall be located in a manner that is not obtrusive to views from abutting properties and that is compatible with the aesthetic development of the site.

610.9 Visual Impact

Site developments shall be of a scale compatible with surrounding development and/or the rural character of the Town of Chesterfield. The Planning Board may require additional setbacks or other structural and/or locational limitations on building construction which it determines are necessary to meet this standard.

611 PREMATURE LAND DEVELOPMENT

611.1 General

The Planning Board may not approve any premature subdivision of land as would involve danger or injury to health, safety or prosperity by reason of the lack of adequate water supply, drainage, transportation, schools, fire protection or other public services or necessitates the excessive expenditure of public funds for the supply of such services. In making the determination of whether a proposed subdivision is premature, the Planning Board's considerations may include (but are not limited by) the following:

- A. Distance from nearest elementary school.
- B. Capacity of school system and effect on school bus transportation.
- C. Adequacy of access street(s) and/or sidewalk(s).

- D. Adequacy of water supply for domestic and fire fighting purposes.
- E. Potential health problems due to on-site sewage systems and for water supply.
- F. Potential fire protection problems due to location and/or special conditions relative to type of use.
- G. Potential special policing problems.
- H. Potential drainage problems both on the site and downstream.
- I. Creation of excessive expenditure of public funds.

611.2 Phasing

Where necessary to prevent premature development or to achieve the objectives of: (1) the adopted Capital Improvements Program; or (2) any growth control ordinance enacted by the Town, the Planning Board may require the appropriate phasing of the development of any proposed subdivision.

ARTICLE VII

REQUIRED IMPROVEMENTS, BONDS AND CONSTRUCTION STANDARDS

700 REQUIRED SUBDIVISION IMPROVEMENTS

The applicant shall be responsible for constructing:

700.1 Streets

All streets as shown on the approved street plan.

700.2 Utilities

All utilities, including drainage facilities, lighting, underground cable conduit, sewers and waterlines as shown on the approved street plan and/or the approved utility plan and/or the approved Surface Water Drainage Management Plan. The developer shall be required to provide service laterals to all new lots.

700.3 Landscaping

All landscaping required by the Planning Board on various approved plans, including replacement of unsuccessful plantings.

700.4 Erosion and Sediment Control Measures

All erosion and sediment control measures, as shown on the approved Erosion and Sediment Control Plan.

700.5 Monuments

Permanent survey monuments shall be set in the boundary of rights-of-way at intersecting streets, points of curvature and point of tangency of curves. Monuments shall be placed on one side of the street only and at only one corner of intersecting streets. Adjacent monumented points shall be inter-visible.

The Planning Board may require monuments to be tied in to a public street intersection, U.S.G.S. benchmark or other recognized existing monument. Monument locations shall be shown and properly dimensioned on the final plat.

Monuments shall be of stone, concrete, or other material acceptable to the Town Engineer, not to be less than 4 inches in diameter or square, and not less than 36 inches long. Concrete monuments shall be reinforced with steel rods and a plug, brass plate, or pin shall serve as the point of reference and a magnetic rod or other suitable metal shall be placed adjacent to the monument to allow for recovery.

Iron pipes shall not be considered permanent monuments for the purpose of this regulation

700.6 Curbs and Gutters

Generally, curbs and gutters will not be required. However, proper surface water drainage management for some subdivisions may require construction of curbs and gutters; and, if so, the applicant shall be responsible for constructing them in accordance with the approved plans.

700.7 Sidewalks

Generally, sidewalks will not be required. However, pedestrian concerns in subdivisions in certain locations, such as those near schools may warrant the installations of sidewalks. If so, the applicant shall be responsible for constructing sidewalks in accordance with the approved street plan.

700.8 Street Lighting

All street lighting required by the Planning Board.

700.9 Street Signs

All street name signs for newly created streets and all traffic safety signs as required by the “Uniform Manual on Traffic Safety Control Devices”, or as required by the Planning Board.

700.10 Off-Site Improvements

A. Drainage: Where off-site improvements are necessary to handle increased surface runoff from a subdivision, the applicant shall be responsible for constructing the improvements in accordance with the approved surface water drainage management plan.

B. Streets, Roads and Highways: Where off-site improvements are required to accommodate the increased vehicular traffic generated by a subdivision, the applicant shall be responsible for constructing the required improvements. Where subdivision frontage abuts an existing street/road, the Planning Board may require dedication to the Town of and an acceptable right-of-way width for future improvements.

701 REQUIRED SITE DEVELOPMENT IMPROVEMENTS

The applicant shall be responsible for constructing:

701.1 General

All improvements shown on the approved site plan, in accordance with said plan or with any approved utility, landscaping, drainage, parking and circulation or erosion and sediment control plan that is part of the approved site plan package.

701.2 Off-Site Improvements

Applicants for site developments shall be required to construct any off-site drainage or street, road or highway improvements necessary to accommodate the site development.

702 IMPACT FEES. (Reserved)

703 BONDING REQUIREMENTS

Before approval of a land development by the Planning Board, the applicant must submit a performance bond covering the costs of all required on-site and off-site improvements, including common sanitary waste disposal systems. Said bonds must be reviewed and approved as to form and sureties by the Town Counsel, and plans will not be approved until such bond approval is received. The scope and amounts of said bond must be acceptable to the Planning Board.

703.1 Three Year Period

Said bonds shall be conditioned upon the completion of all required improvements within three (3) years.

703.2 Maintenance During Development

Said bonds shall guarantee that the applicant maintains and repairs all streets, water lines and drainage facilities in the land development until such facilities are accepted by the Town.

703.3 Release of Bonds

A. Performance Bonds: shall be released by the Planning Board and replaced by a guarantee and maintenance bond at such time as the Town Engineer certifies that all required improvements have been satisfactorily completed in accordance with the approved plans, these regulations and any standards adopted herein by reference. The guarantee and maintenance bond shall:

1. Be acceptable to the Planning Board.
2. Be in an amount equal to fifteen percent (15%) of the original performance bond.
3. Be acceptable as to form and surety to Town Counsel.
4. Guarantee the maintenance of all street, utility and drainage improvements until accepted by the Town.
5. Guarantee the repair of any street, utility or drainage improvement necessary within a period of one (1) years following the release of the performance bond.

703.4 Letters of Credit

In lieu of a performance bond, the Planning Board may accept an irrevocable bank letter of credit properly endorsed to the Town and retained by the Town. Said letter of credit shall be reviewed and approved by the Selectmen and shall provide the same guarantees set forth herein for bonds.

704 COMMENCEMENT OF CONSTRUCTION

Construction of roadway and other utilities and facilities within a subdivision (including clearing and grubbing) shall not begin until the approved subdivision plat has been recorded in the Cheshire County Registry.

705 STREET CONSTRUCTION

All new streets, public or private, and all Class VI roads upon which land developments are approved shall be constructed or reconstructed to the cross-sectional standards of 602.2B.1. All such construction/reconstruction shall comply with the standards set forth herein.

705.1 Clearing

The entire area of each street shall be cleared of all stumps, brush, roots, boulders and like material; and all trees not intended for preservation and cleared materials shall be removed from the road.

705.2 Subgrade Preparation

All loam and other yielding material shall be removed from the roadway and replaced with suitable fill material. All boulders and ledge shall be removed to a uniform cross sectional depth of not less than 2 feet below the subgrade and replaced with sand or gravel, unless waived by the Town Engineer.

705.3 Survey of Grades and Bounds

All road bounds, grades and contours, as well as all drainage pipes, culverts and facilities, shall be installed by grades set up by a registered surveyor and shall be checked by him, and any necessary corrections made under his supervision before the same may be submitted to the Town for acceptance.

705.4 Drainage

Surface water shall be disposed of by means of culverts and pipes designed in accordance with 604 and the Surface Water Drainage Management Plan. Construction to be in accordance with NH Department of Public Works and Highway Standard 1983 Specification, as amended (hereinafter called "NH Spec"), 603 and 604.

705.5 Utilities

All water mains, sewers, and utilities and utility conduits going underground shall be installed in the grass strip or shoulder area of the road, and services to all lots where road crossings are needed shall be in place before final road surface is placed. It is the intent of this Section that no such utilities shall be installed under street pavement, except for necessary connections which must cross under such pavement.

705.6 Base

All streets shall be constructed with a minimum of twelve (12) inches of gravel per NH Spec 304.

705.7 Intermediate Course

All streets shall have an intermediate course of six (6) inches of crushed gravel per NH Spec. 304.

705.8 Permanent Surface

All streets shall have a hot bituminous paved surface consisting of (3) inches in two courses.

Roads with substantial heavy truck traffic may require additional depths of material and/or construction techniques.

705.9 Gravel Shoulders

Gravel shoulders shall be to the width specified by NH Spec 602.1 and shall be equal to the base course in depth.

705.10 Bridges

On stream crossings of 10 feet or more span, the structure shall be designed to H15-S20 loading (AASHTO Specifications). The minimum roadway width shall be 24 feet.

705.11 Sidewalks

Sidewalks shall be at least two inch thick hot bituminous pavement (NH Spec 403) and shall be constructed on a six (6) inch thick gravel base course (NH Spec 304).

705.12 Curbs

When required curbs shall be concrete or granite and shall be constructed on the base course. Dimensions shall provide a curb height of six (6) inches from finish grade at curb.

705.13 Erosion Control

Erosion shall be controlled by placing mulch or matting on all surfaces disturbed by construction of the roadway and on other surfaces where there is danger of eroded material being carried to the roadway area. All erosion control measures shall be shown on the Erosion and Sediment Control Plan.

705.14 Inspection Procedures

Periodic inspections of the work by the Town Engineer are required during construction or alteration of all roads. Inspection is required:

- A. After clearing and grubbing and the removal of topsoil has been completed, but before grading has been started.
- B. After the addition of required fill and the setting of culverts, but before gravel base has been laid.
- C. After gravel base has been laid and compacted, but before surfacing has been placed.
- D. During surfacing.
- E. At such other times as may be found necessary by the Town Engineer.

It shall be the responsibility of the Land Developer of any major site development or major subdivision to pay the Town the cost of inspection services. If accomplished by Town employees, the cost shall be computed using direct hourly rate plus 50% for labor and at cost for materials testing, travel and other direct expenses. If accomplished by a Consultant, at the Town's sole option, the inspection costs shall include the consultant's fees for labor, materials testing, all travel, and other direct expenses attributable to the project inspection. Inspection fees, estimated at 5% of the site improvement costs and subject to approval by the Selectmen, not including buildings, shall be deposited by the Land Developer prior to commencement of any construction or land clearing. After final inspection by the Town and prior to occupancy of the site or acceptance of the improvement by the Town, the Land Developer shall pay any inspection fees due in excess of the initial deposit. Any surplus fee not expended shall be refunded to the Land Developer. The Land Developer shall notify the Town at least five working days prior to commencement of construction and shall periodically inform the Town of the construction schedule so that inspection services may be arranged.

705.15 Final Inspection

The Town Engineer shall be responsible for inspecting the final street construction work and for notifying the applicant, the Planning Board and the Selectmen of his approval or disapproval of the work, based on conformance with the approved plans, these standards and/or other standards incorporated herein by reference. Approval of the street by the Town Engineer does not constitute acceptance of the street by the Town.

705.16 Acceptance by Town

No street will be accepted by the Town until such time as all improvements have been carried out as shown on the final plat, in accordance with the requirements of these regulations.

705.17 As-Built Plans

As-built plans of all improvements shall be submitted to the Town.

706 WATERLINE CONSTRUCTION

The layout, materials, pipe size, hydrant spacing and installation for all water system improvements in or off-site of a land development shall be approved by the Town Engineer and Fire Chief prior to land development approval by the Planning Board. Criteria on free flow requirements shall be as determined by the NH Board of Underwriters.

707 SANITARY SEWER CONSTRUCTION.

The materials, sizes and installation of all new sanitary sewers and appurtenances in or off-site of a land development shall meet all of the standards of the NHWSPCD, currently codified at NH Admin Rules Ws Chapter 700. The Town Engineer shall review and approve all plans and specifications for the construction of new sanitary sewers.

ARTICLE VIII

ADMINISTRATION, ENFORCEMENT AND FINES

800 ADMINISTRATION.

800.1 General

These regulations shall be administered by the Planning Board and by all Town Officials, as necessary.

800.2 Building Permits

The Building Inspector shall not issue a building permit for any new buildings or structures; additions, modifications, alterations of buildings or structures; or replacement of buildings or structures unless all applicable approvals required by these regulations have been granted by the Planning Board and all reimbursements due the Town have been paid. The Building Inspector shall be responsible for inspection of all land developments to ascertain that development is in accordance with approved plans.

800.3 Town Engineer

The Town Engineer shall be specifically responsible for final approval of all new streets, utilities and drainage improvements required by approved plans. The Town Engineer shall also be responsible for inspecting all land developments to ascertain that development is in accordance with approved plans.

800.4 Coordinator

In fulfilling these responsibilities the Town Engineer and Building Inspector may so apportion their inspection responsibilities so as to avoid duplication, provided the Planning Board is made aware of such apportionment and provided the apportionment assures adequate attention to the enforcement of these regulations.

801 ENFORCEMENT.

The Planning Board, acting through its Chairperson, the Building Inspector, Town Counsel, or Police Chief shall take whatever actions are necessary to enforce these regulations. Such actions include injunctive relief as permitted by RSA 676:15; enjoining transfers of property as permitted by RSA 676:16; and punishment by civil fines as permitted by RSA 676:17 and the Chesterfield Zoning Ordinance.

802 FINES AND PENALTIES.

Penalties for violation of these regulations shall be as provided by NH RSA 676:17, as amended. Any person who violates any of these regulations:

- A. Shall be guilty of a misdemeanor if a natural person, or guilty of a felony if any other person.
- B. Shall be subject to a civil penalty not to exceed \$100 for each day that such violation is found to continue after the conviction date or after the date on which the violator receives written notice from the municipality that he is in violation, whichever is earlier.

803 RECOVERY OF LEGAL COSTS.

As permitted by NH RSA 676:17, the Planning Board will seek to recover its costs and reasonable attorney's fees in any legal action necessary to enforce these regulations.

ARTICLE IX

WAIVER, AMENDMENT, SEVERABILITY AND EFFECTIVE DATE

900 GENERAL WAIVER AUTHORITY.

The Planning Board may waive any requirements of these regulations in such cases where, in the opinion of a majority of members present and voting, strict conformity would pose any unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations. In cases where these regulations set forth specific requirements for waiver, those requirements shall pre-empt this general waiver authority. When a waiver is granted, the reasons for it shall be stated in the record.

901 AMENDMENT.

These regulations may be amended from time to time by following the procedures prescribed in NH RSA Chapter 675, as amended.

902 SEVERABILITY.

Should any section or provision of these regulations be held to be invalid or unconstitutional by any court or authority of competent jurisdiction, such holding shall not affect, impair or invalidate any other section or provision of these regulations, and to such end all sections and provisions of this ordinance are declared to be severable.

903 EFFECTIVE DATE.

These regulations shall take effect when adopted and duly certified to the Chesterfield Town Clerk. All prior Subdivision and Site Plan Review Regulations of the Planning Board are hereby repealed.

APPENDIX A

DEFINITIONS

ABUTTER: Any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the Planning Board or who owns land within 200 feet of the boundaries of the land under consideration. For purpose of receiving testimony only, and not for purposes of notification, the term “abutter” shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration.

BUFFER: An area of land located on the periphery of a parcel or site that is open and undeveloped except for vegetative, landscaping and screening improvements that may be required to mitigate the impacts of land development upon abutters.

FOOTPRINT: The footprint of a structure is the square foot area of the horizontal projection of the structure.

LAND DEVELOPMENT: A subdivision or a site development as defined herein.

LAND DEVELOPER: An individual, firm association, syndicate, partnership, corporation, trust, or any other legal entity (or agent therefor) that undertakes the activities governed by these regulations. Inasmuch as land development plans are merely a necessary means to the end of assuring a satisfactory development, the term is intended to include builders, subdividers, developers, contractors or any other person or entity participating in developing land in Chesterfield.

NHWSPCD: The Water Supply and Pollution Control Division of the New Hampshire Department of Environmental Services, or its successor agency.

PLAT: The final plan, map or drawing on which the subdivider’s plan of subdivision is presented to the Chesterfield Planning Board for approval, and which, if approved, shall be submitted to the Register of Deeds of Cheshire County for recording.

SITE DEVELOPMENT: See Section 200.2 on page 2.

STREET: Any roadbed, way or drive serving as access to more than two dwellings or two non-residential uses.

SUBDIVISION: See Section 200.1 on page 2.

TOWN ENGINEER: The duly designated engineer of the Town of Chesterfield, or, if there is no such official, any person so designated by the Selectmen or the Planning Board.

RESOLUTION OF DISPUTES OVER MEANING OF WORDS: Where there is disagreement over the meaning of words used in these regulations, the following rules shall apply:

1. The definitions listed above shall govern.
2. Otherwise, definitions used in the Chesterfield Zoning Ordinance shall govern.
3. If a word is not defined above or in the Chesterfield Zoning Ordinance, it shall be given the meaning ascribed to it by any state statute or administrative regulation applicable to land development.
4. If none of the above apply, the common meaning of the word, as defined in standard dictionaries shall be applied. Where dictionaries offer multiple definitions, the definition most applicable to the land development context shall apply.

APPENDIX B

FEE SCHEDULE

1. Conceptual Consultations - No Fee
2. Subdivisions
 - Boundary Line Adjustment \$75
 - Minor Subdivisions (3 or fewer lots with no proposed road, final or preliminary) \$50 per lot
 - Major Subdivisions – Preliminary Applications \$100 + \$50 per lot or unit
 - Major Subdivisions – Final Applications \$100 + \$25 per lot or unit
 - Condominium Conversions \$100 + \$25 per unit
3. Site Development (Site Plan) \$100 + \$5 per 1,000 sq. ft. of land coverage
4. Technical Review of Plans Applicant to reimburse Town for Consultant's costs for review of applications prior to recording of plat or signing of Site Plan per RSA 676:4 I.
5. Re-hearings, Re-notification and Advertising \$50 + \$6 per abutter
6. Certified Notification \$6 each