

TOWN OF RICHMOND

NEW HAMPSHIRE



OFFICE OF THE PLANNING BOARD

SUBDIVISION REGULATIONS

ADOPTED AUGUST 6, 1971

WITH REVISIONS TO MARCH 4, 1998

REVISED SEPTEMBER 15, 2009

REVISED JULY 2, 2013

TOWN OF RICHMOND, NEW HAMPSHIRE

**SUBDIVISION REGULATIONS
(INCLUDING BOUNDARY LINE ADJUSTMENT & LOT MERGERS)**

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ARTICLE 1 – AUTHORITY

101 The Richmond Planning Board prescribes the following rules and regulations to control the subdivision of land pursuant to Chapter 36, Revised Statutes Annotated 1955, as amended, and as authorized by vote of the Town, March 10, 1970. As provided in said laws, no subdivision, either public or private, shall be authorized in the Town or construction of such be begun until its character and extent have been submitted to and approved by the Richmond Planning Board and recorded with the Register of Deeds of Cheshire County.

ARTICLE 2 – PURPOSES

201 The purpose of these regulations is to provide against such scattered or premature subdivision of land in the town of Richmond as would involve danger or injury to health, safety or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire department or other public services, or necessitate an excessive expenditure of public funds for the supply of such services. It is the further purpose of these regulations to provide for the orderly and harmonious development of the Town of Richmond and its environs; for the proper arrangement and coordination of streets within subdivisions in relation to existing or planned streets or with other features of the Town of Richmond's Comprehensive Plan; for the open spaces of adequate proportions and suitably located streets of sufficient width and grade to accommodate existing and prospective traffic, to afford adequate light, air and access of fire fighting apparatus and equipment to buildings and be coordinated so as to compose a convenient system

ARTICLE 3 – DEFINITIONS

301 When any term or word is not defined therein or by the State Statutes, the appropriate meaning as defined in a current dictionary of the American language shall apply.

302 **Board** – the Planning Board of the Town of Richmond.

303 **Subdivision** – the division of a lot or tract of record wherever located within the town into two or more lots, tracts, sites, or other divisions of land, whether or not the title to any such lot or lots changes hands, or whether any such lots are sold or offered for sale, or rent, or given, and whether or not any such group of lots shall be called a subdivision, development, condominium, cooperative, commune, recreation area, or by any other designation, and for whatever use any or all such lots are intended, and shall include the last lot whenever said lot is transferred, and shall include re-subdivision.

304 **Lot** – including tract, site, or other division of land capable of being occupied by one single principal structure or use and its accessory structures or uses and identifiable as such on a plan whether or not such a parcel of land shall have precise boundaries.

305 **Lot or Tract of Record** – a lot or tract which has its own separate chain of title and which was identified as a separate lot or tract in the Registry of Deeds of Cheshire County according to the most recent recording.

306 **Town** – the Town of Richmond, county of Cheshire, New Hampshire.

307 **Plan** – the final maps drawings, plats or charts on which the subdivider's plan of subdivision is presented to the Board for approval and which shall include the record plat, construction plans, grading plans, soil maps, tracings and any other documents necessary to clearly show the applicant's proposal and which, whether or not approved, shall become a part of the records of the Board.

- 308 **Street** – including street, road, avenue, boulevard, alley, highway, any other public or private Right-of-Way existing or proposed, but shall not mean or include a discontinued highway.
- 309 **Discontinued Highway** – a road which as been discontinued by the Town so that its land area has reverted to the abutting properties.
- 310 **Roads on Gates and bars or class VI Highway** – a public Right-of-Way in which title remains in the Town, but which is not maintained by the Town and over which people may pass, but only at their own risk.
- 311 **Arterial Street** – a street which is part of the connecting road system of the Town.
- 312 **Collector Street** – a street so situated as to receive driveways of several lots and which in itself, or by connection with an interior street, provides a common exit or limited number of exits to an arterial street.
- 313 **Interior Street** – a street designed with a permanent cul-de-sac to give access to the lots within a subdivision and enters onto a collector street or arterial street.
- 314 **Sub divider** – the registered owner, or the authorized agent of the registered owner, of any lot or tract which is proposed for subdivision defined under Subdivision above.
- 315 **Engineer** – the duly designated and licensed in the State of NH engineer of the sub divider or of the Board as may be pertinent to the services to be performed.
- 316 **Surveyor** – the duly designated and legally licensed in the state of NH land surveyor of the subdivision plan, its lot, streets, natural and man-made features, and its relation to the Town Map with all dimensions, bearings, identification points, and grade appurtenant thereto.
- 317 **Conservation Commission** – The Conservation Commission of the Town of Richmond.
- 318 **Selectmen** – the Selectmen of the Town of Richmond.
- 319 **Dwelling** – any single housekeeping structure or unit designed or used for sleeping or living, whether set on a permanent or temporary foundation, or in any manner placed on a lot.
- 320 **Abutter** – any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the Planning Board. For purposes of receiving testimony only, and not 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. The Board may require that the owner of land adjoining the land under consideration but across the Massachusetts State Line be notified as an abutter.
- 321 **Town Engineer** – where used in these regulations shall mean:
- A) An engineer licensed in the State of NH engaged by the Board to review any plans submitted or work proposed or completed, or
 - B) If the Board has not engaged such an engineer, any person engaged by or designated by the Selectmen to advise the town on engineering matters, or
 - C) If no person has been engaged or designated as above, the Selectmen of the Town of Richmond.

- 322 **Construction Plans** – all plan and profile drawings, cross sections, and details showing proposed subdivision improvements.
- 323 **Grading Plans** – a contour map of the subdivision showing existing contours, topographic features, and proposed changes thereto.
- 324 **As-built plats** – construction plans revised to show improvements as actually completed (Article 605).
- 325 **Record plat** – the final map, which when approved and endorsed by the Board, will be recorded by the Board in the Registry of Deeds of Cheshire County and on which shall be noted the reference to restrictions or conditions imposed by the Board, if any, which conditions or restrictions are to be recorded concomitantly with the plat.

ARTICLE 4 – PROCEDURE

- 401 **General procedure:** whenever any subdivision is proposed to be made and before any subdivision thereof is made or any contract for the sale of, or offer to sell, rent, lease, or give such subdivision or any part thereof shall have been negotiated, and before any application for a permit as required under the Richmond Zoning Ordinances for the erection or placing of a dwelling for occupancy, or of any structure thereon shall be made, and prior to clearing or grading lots or streets for development, the subdivider shall apply to the Board for approval of such subdivision. The application shall conform to the specifications contained in the Subdivision Regulations. Such Application shall be made only by the owner, but may be presented by the duly constituted agent or attorney of the owner on the owner's behalf. Boundary line adjustments shall be subject to the same restrictions as subdivisions. Merger of two or more lots, to form a single lot, shall not be subject to the same restrictions but will be processed as in paragraph 402.
- 402 **Lot Mergers:** the merger of two contiguous lots owned by the applicant requires that evidence of notification of the Planning Board be presented to the Registry of Deeds to record the merger. Forms are available from the Planning Board to provide this evidence. The forms may be completed and signed by appropriate members of the Planning Board at a regularly scheduled meeting of the Planning Board. This form requires identification of the lots to be merged, map number and lot number from the Richmond tax map, and book number and page number from the Registry of Deeds. According to RSA 674:39-a Voluntary Merger.
- 403 **Boundary Line Adjustments:**
- 403.1 Processing of a Boundary Line Adjustment requires six (6) steps: (1) submission of a completed application at a regularly scheduled meeting of the Planning Board, (2) notification by the Planning Board of abutters, surveyors, and the public of the proposed adjustment (3) acceptance of the application by the Planning Board (4) a public hearing to permit comments from interested parties (5) scheduled walk (6) approval or disapproval of the application by the Planning Board.
- 403.2 If expedited review is requested by the applicant and approved by the Planning Board, steps (3), (4), and (6) may be completed at a scheduled meeting of the Planning Board, and (5) may be waived, at the discretion of the Planning Board.
- 403.3 All the provisions stated in this regulation for subdivision shall apply, where applicable, to Boundary Line Adjustments.
- 403.4 Preliminary Conceptual Consultation (optional to the applicant): Prior to the formal submission of a proposed Boundary Line Adjustment, the applicant may appear at a regularly scheduled meeting of the Planning Board to discuss the proposal in conceptual form and in general terms. No discussion shall be binding on either party (Article 406).

404 **Minor Subdivision (two or three lots):**

- 404.1 Processing of a Minor Subdivision requires six (6) steps: (1) submission of a completed application at a regularly scheduled meeting of the Planning Board, (2) notification by the Planning Board of abutters, surveyors, and the public of the proposed subdivision (3) acceptance of the completed application by the Planning Board (4) a public hearing to permit comments from interested parties (5) scheduled walk (6) approval or disapproval of the proposed subdivision by the Planning Board within 90-days of the acceptance of the completed application.
- 404.2 If expedited review is requested by the applicant and approved by the Planning Board steps (3), (4), and (6) of 404.1 may be completed at a scheduled meeting of the Planning Board, and (5) may be waived by the Planning Board.
- 404.3 Preliminary Conceptual Consultation (optional to the applicant): Prior to the formal submission of a proposed Minor Subdivision, the applicant may appear at a regularly scheduled meeting of the Planning Board to discuss the proposal in conceptual form and in general terms. No discussion shall be binding to the applicant or the Planning Board (article 406).
- 404.4 Design Review (optional to applicant): prior to submission of the completed application, but after notice to the abutters and the general public, the applicant may request a meeting with the Board at a regularly scheduled meeting of the Planning Board for a non-binding discussion beyond the conceptual stage, involving more specific design and engineering details. Submission of such a request must be made no less than thirty (30) days prior to the date of the proposed meeting. Statements made by the Board members shall not be the basis for disqualifying said members or invalidating action eventually taken on the application.
- 404.5 Since notice to the abutters and the general public is required prior to Design Review, the applicant must provide to the Board a list of abutters and compensation for mailing and advertising costs at the time of the request for a Design Review meeting.

405 **Major Subdivision (four or more lots):** Processing of a major subdivision requires the same steps and will include the same optional steps as a minor subdivision except that expedited review shall not be approved by the Board.

406 **Preliminary Consultation and Review:**

- 406.1 Prior to the formal subdivision of a subdivision application, the proposed applicant, and/or his agent, may appear at a regularly scheduled meeting of the Board to discuss a proposal in conceptual form and in general terms. Such preliminary consultation shall be informal and directed toward:
- a) Reviewing the basic concepts of the proposal.
 - b) Reviewing the proposal with regard to the Town Master Plan and Zoning Ordinance.
 - c) Reviewing the Town's Subdivision Regulations as they may apply to this proposal.
 - d) Guiding the Applicant relative to necessary state and local requirements.
- 406.2 Preliminary consultation shall not bind the applicant or the Board. Such discussion may occur without formal public notice as provided in Section 412. However, no discussions beyond the conceptual and general review shall take place without identification of and notice to abutters and the general public as described in section 412.
- 406.3 Preliminary consultation shall be separate and apart from formal consideration under Section 409 and the time limits for acting under Section 409 shall not apply until a formal Completed Application is submitted.

407 **Application Review of a Major, Minor Subdivision or Boundary Line Adjustment:**

- 407.1 The Applicant shall bring two (2) sets of the Application and a check payable to the Town of Richmond for the appropriate review fees (see Section 412), to the Town Hall for a preliminary review for completeness. There will be a drop off spot, in the Selectmen's office at the Town Hall, for this purpose.
- 407.2 The Reviewer (assigned by the Planning Board) shall review the Application, inform the Applicant of any additional information needed, and return one set of the Application to the Applicant.
- 407.3 If corrections are required, the modified Application will be presented to the Reviewer before it is brought to the Planning Board.
- 407.4 The Reviewer will provide both the Applicant and the Planning Board with a copy of the Application and a note stating that the Application is ready for the Planning Board's review.
- 407.5 Five (5) corrected copies of the plat and a complete application shall be required before acceptance as a complete application.

408 **Completed Application of a Major, Minor Subdivision or Boundary Line Adjustment:**

- 408.1 A Completed Application sufficient to invoke jurisdiction of the Board must include sufficient information to allow the Board to proceed with consideration.
- 408.2 The following shall be required for a Completed Application:
 - a) A written statement, from the Planning Board Reviewer, stating that the Application has been reviewed for completeness.
 - b) An Application for Subdivision Approval Form, properly filled out and executed by the Applicant and filed with the Board in accordance with Section 409 with:
 - (1) Names and addresses of all current abutting owners not more than five (5) days before the date of filing, and Surveyors, Engineers, the names and addresses of the applicant, the applicant's Surveyor, and other professionals involved in preparing the application (see 408.2 (1).
 - (2) the names and addresses of all abutters as indicated in town records [not more than five days before the day of filing] (reference RSA 676:41b), and
 - (3) Three sets of mailing labels for all people to be notified.
 - c) A check payable to the Town of Richmond to cover filing fees, advertising, and other costs as provided in Section 412. Also a check payable to the US Postal Service to cover postage fees.
 - d) All other information described in Article 5 of these regulations (see Major, Minor Subdivision or Boundary Line Adjustment Checklist).

409 **Filing and Submission of Completed Application:**

- 409.1 After Application Review the Completed Application shall be filed with the Board at a regularly scheduled meeting of the Board.

AN INCOMPLETE APPLICATION FILED BY THE APPLICANT WILL NOT BE FORMERLY ACCEPTED BY THE BOARD.

409.2 After due notification to the Applicant, abutters, and the general public of the date of the public hearing, the completed application will be submitted to and received by the Board. Only at a regularly scheduled public hearing the Board will vote whether or not to accept the application complete.

410 Board Action on Completed Application:

410.1 The Board shall consider the Completed Application within thirty (30) days of its submission in accordance with RSA 676:4 I (c) (1). The Board shall act to approve or disapprove the Completed Application within sixty-five (65) days after acceptance of the Completed Application, subject to extension or waiver as provided in accordance with RSA 676:4 I (c) (1).

410.2 Approval of the Final Plan/Plat shall be certified by written endorsements on the Final Plan/Plat and signed by the Chairman and Secretary of the Board. The Chairman or designee of the Board shall transmit a copy of the Final Plan/Plat with such approval endorsed in writing thereon to the Register of Deeds of Cheshire County. The sub divider shall be responsible for payment of all recording fees. The Board may conditionally approve an application if it is determined that there are additional requirements beyond those submitted with the application. The conditionally approved plan/plat will not be registered with the Registry of Deeds until the additional requirements are met. The Board will set a time limit for the completion of any conditions. Failure to complete the conditions of approval within the time period granted will result in withdrawal of the approval of the Planning Board. In case of disapproval of any plan/plat submitted, the grounds for such disapproval shall be stated in the records of the Planning Board and written notice given to the applicant.

410.3 If the Planning Board has not obtained an extension as provided in Section 410.1 and has not taken action to approve or disapprove the Completed Application within sixty-five (65) days of its submission, the Applicant may obtain from the Selectmen an order directing the Board to act within thirty (30) days. Upon failure of the Board to approve, conditionally approve, or disapprove the application, the Selectmen shall, upon request of the applicant, immediately issue an order directing the Board to act on the application within thirty (30) days. If the Planning Board does not act on the application within that 30-day time period, then within 40-days of the issuance of the order, the Selectmen shall certify on the applicant's application that the plat is approved pursuant to this paragraph, unless within those 40-days the Selectmen has identified in writing some specific subdivision regulation or zoning or other ordinance provision with which the application does not comply. Such a certification, citing this paragraph, shall constitute final approval for all purposes including filing and recording under RSA 674:37 and 676:18, and court review under RSA 677:15.

411 **Waiver of Requirements:** The information to be submitted (Article 5) is required in an application acceptable to the Board. However, the applicant may request waiver(s) of individual items when they are not relevant to the application. The applicant must submit a written request for the waiver, justifying the action. Approval of each waiver requires a majority vote of the Board.

412 Fees:

412.1 A completed application shall be accompanied by the application fee.

412.2 All costs of notices, whether mailed, posted or published, shall be paid in advance by the Applicant. Failure to pay costs shall constitute valid grounds for the Board to terminate further consideration and to disapprove the plan without a Public Hearing.

- 412.3 The Board may require special investigative studies, environmental assessments, a legal review of documents, administrative expenses, engineering studies, and other matters it requires, in its judgment, to make an informed decision. The cost of such studies and investigations shall be paid by the applicant prior to the approval or disapproval of the final plan. Failure to pay such costs shall be sufficient cause for disapproval of the application.
- 412.4 Fees may be adjusted by the Planning Board from time to time.
- 413 **Notices:**
- 413.1 Notice of the submission of a Completed Application shall be given by the Board to the abutters and the Applicant by certified mail, return receipt requested, mailed at least ten (10) days prior to the submission, and to the public at the same time by posting in at least two public places in the Town and may be published in a newspaper of general circulation. The notice shall give the date, time and place of the Board meeting at which the Application or other item(s) will be formally submitted to the Board, and shall include a general description of the proposal which is the subject of the Application or of the item to be considered and shall identify the Applicant and location of the proposed subdivision.
- 413.2 For any public hearing on the Completed Application, the same notices as required for notice of submission of the Completed Application shall be given. If the notice of public hearing has been included in the notice of submission or any prior notice, additional notice of the public hearing is not required, nor shall additional notice be required of an adjourned session of a hearing with proper notice if the date, time and place of the adjourned session was made known at the prior hearing.
- 414 **Public Hearing:** Prior to approval of any subdivision, a public hearing shall be held as required by RSA 675:7 and notice to Applicant and abutters and the public shall be given in accordance with Section 413.
- 415 **Obligations of applicant:** In said application, the sub divider shall agree:
- 415.1 To comply with all requirements for the recording of the plat in the Registry of Deeds within 90-days from the date of approval by the Board, or within such extended time period as the Board may approve in writing.
- 415.2 To carry out the improvements required by the Board, and improvements shown and intended by the plan of subdivision, including any work made necessary by unforeseen conditions which may become apparent during construction, all to be completed within one year from the date of approval by the Board unless an extension of such period is granted in the discretion of the Board. The sub divider shall enter into an agreement with the Board, acting through its Chairman, to complete the improvements within the specified time limit. Said agreement shall be in the form set forth in Appendix I, (which form is incorporated herein by reference and made a part hereof). Said agreement shall be executed prior to the endorsement of the Board's approval on such plan.
- 415.3 To post all streets as "UNACCEPTED STREET" until accepted by the Town.
- 415.4 To execute and deliver to the Town, on demand, proper deeds and documents for land, easements, and rights of way reserved by said plans for streets drainage, utilities, or any other purpose.
- 415.5 To offer for acceptance to the Town within one year from approval as aforesaid, such streets as are within said subdivision and such other spaces as the applicant proposes for public use. The approval or filing for record of any plan of subdivision shall not be deemed to constitute or be evidence of an acceptance by the Town of any street or other open public spaces shown on said plan or map. Such street acceptance shall be of formal resolution or layout by the Selectmen,

which resolution shall set forth the width and approximate length of the streets accepted, together with the designation of the names by which streets shall thereafter be known. Other public spaces shall be accepted by formal resolution of the Selectmen after the adoption of an enabling resolution by the Town's legislative body.

- 415.6 To plow and maintain all roads within the subdivision until they are accepted by the Town, or for one year from the date of completion, whichever is later.
- 416 **Revocation of Planning Board Approval:**
- An approved and recorded subdivision plat may be revoked by the Board in whole or in part, under the following circumstances: (1) when any requirement or condition of approval has been violated: (2) when the applicant has failed to perform any condition of the approval within the time specified or within four years: (3) when four years have elapsed without any vesting of rights and the plan no longer conforms to applicable regulations: or (4) when the applicant has failed to provide for the continuation of adequate security
- 417 **Security Requirements:** A security bond or irrevocable letter of credit (Appendix II and III), in sufficient amount to insure completion of all subdivision improvements, including all roads, fire ponds, drainage facilities, hydrants, setting of monuments, as built plans and all other required work, and to insure the subdivides compliance with the requirements of the agreement referred to in Section 415 are submitted to the Town prior to final approval and recording of the final plat.

ARTICLE 5 INFORMATION TO BE SUBMITTED WITH THE APPLICATION

- 501 **The following information is to be submitted unless waived by the Board:**
- 501.1 Name and address of property owner.
- 501.2 Names and addresses of all current abutting owners not more than five (5) days before the date of filing, the names and addresses of the applicant, the applicant's Surveyor, and other professionals involved in preparing the application (see 408.2 (1)).
- 501.3 The most recent recording of the Volume and page number ~~in~~ from the Cheshire County Registry of Deeds and plan references.
- 501.4 Plans of the proposed subdivision, including a record plat conforming to Section 504.1 and 5 copies thereof, 5 copies of construction plans, if required by the Board, for all improvements and conforming to 504.2, 5 copies of a grading plan, if required by the Board, conforming to section 504.3.
- 501.5 The subdivision plat shall provide maps and information in accordance with site specific soil maps from NH and VT (SSS NNE) Special Publication No 3, June 1997. Maps prepared by field examination shall be prepared by and stamped by a soils scientist who is certified by the State of New Hampshire Joint Board of Licensure. A detailed soils analysis may be required.
- 501.6 Approval from the New Hampshire Department of Environmental Services as required in Section 603 for lots less than five (5) acres.
- 501.7 Approval for driveway or street entrances from the New Hampshire Department of Public Works & Highways for state roads and from the Selectmen for Town roads.
- 501.8 A clear statement, in writing, for the purposes of the proposed subdivision.
- 501.9 All fees required by Section 412.

- 501.10 Five (5) copies of the plat, plus one (1) mylar along with the application forms (available from the Planning Board or from the Selectmen shall be filed with the Planning Board at a regularly scheduled meeting of the Planning Board. A mylar for recording will be required at final approval.
- 501.11 Conditions on adjacent land: approximate direction and gradient of ground slope, and character and location of buildings within fifty (50) feet.
- 501.12 A notarized statement, signed by the landowner, stating an agent or attorney is duly constituted to act on the owner's behalf, if applicable.
- 502 **Any fraudulent statement, significant error or omission** in the application or in later information furnished to the Planning Board, shall be cause for disapproval of the application.
- 503 **Changes in any application following acceptance** by the Planning Board may cause the application to be null and void. The applicant may file a new application with the Planning Board at a regularly scheduled meeting of the Planning Board.
- 504 **All maps and plans shall be clear** and easily readable and shall conform to the following minimum requirements:
- 504.1 Record plat - The plat shall be drawn on a polyester film such as mylar. The outside dimensions of the sheets shall be 8 ½ x 11, or 11 x 17, or 11 x 22, or 22 x 34 inches except as may otherwise be specified by the Cheshire County Registry of Deeds. The scale may vary with the size of the subdivision or part thereof shown, but shall not be more than fifty (50) feet to the inch for up to ten (10) acres, not more than one hundred (100) feet to the inch for up to one hundred (100) acres. Larger properties will require multiple sheets including a key sheet and match lines. The plat shall conform to RSA 478:1-a Recording of Plats. The plat shall be drawn by a NH licensed land surveyor and shall include the following information:
- A. North arrow, scale and date.
 - B. Both a written and graphic scale shall be shown.
 - C. The title of the subdivision in lower right corner.
 - D. A certification signed and sealed by the NH licensed land surveyor making such survey and plat: "This plat is made from an actual land survey and conforms to the technical standards of the New Hampshire Code of Administrative Rules of the Board of Licensure for Land Surveyors."
 - E. Owner's certification to the effect that he/she/they are the owners and approves of the subdivision and the dedication of all roads shown thereon, and other proposed public areas shown thereon, for public use, and the owner(s) signature.
 - F. Courses and distances on all lot lines, streets, right-of-way lines, subdivision boundaries and easements.
 - G. Central angles, radius and arc length for all street line curves and lot line curves relative to each lot.
 - H. The area in acres to the nearest hundredth of an acre and square feet of each lot or parcel.
 - I. Error of closure shall not exceed 1:5000 for the unadjusted survey traverse. A minimum error of closure shall not exceed 1:5000 for the unadjusted survey traverse for any lot or parcel.
 - J. The lines of all easements to which any lots are subject, shall be denoted by dashed or broken. The limits of the easements shall be definitely stated and clearly labeled and identified. State, Town and Subdivision roads shall be shown as continuous or solid lines. Easements shall be mathematically tied to the boundary of the lot or parcel.
 - K. Town lines crossing or adjoining the subdivision shall be accurately shown and mathematically tied in to the boundary of the subject parcel.

- L. The location of all monuments, iron pins, or other survey markers, existing or proposed.
- M. Both street lines of all existing or proposed streets within or adjoining the subdivision, and the right-of-way width clearly shown. Surface type and width of all roadways shall also be shown.
- N. Names of existing streets. Proposed names of proposed streets which shall be reviewed by the Board of Selectmen.
- O. Names, addresses and deed references, if known, of adjoining property owners, with current tax map numbers, and related boundaries.
- P. All lines shown on the map which do not constitute a part of the subdivision itself shall be shown by broken lines or otherwise clearly distinguished from the lines constituting a part of the subdivision.
- Q. The location of all existing buildings, culverts, storm drains, sewers, walls, fences, surface and subsurface utility lines, driveways, and other existing features in or within fifty (50) feet of the subdivision limits.
- R. The approximate boundaries of all swamps, marshes, and wetlands; and the location, width and direction of all water courses, flowing or dry, and the location and dimensions of existing walling, piping, or bridging thereof, within, or within fifty (50) feet of, the subdivision limits.
- S. The zone or zones in which the subdivision lies according to the current Zoning Ordinance, and any zone boundaries, including wetland conservation district, within the subdivision limits.
- T. The entire contiguous tract owned by the owner(s) of record.
- U. If required, 4,000 square foot sewage receiving area, proposed well, driveway, building site, test pit and percolation test.

504.2 Construction Plans – The construction plans shall be on a plan/profile sheet 22 inches high by 34 inches wide with a trim border of 1 ½ inches on the left side for binding, and ½ inch on the remaining three sides. They shall be drawn to scale of 1" = 40 feet horizontal and 1" = 4 feet vertical, and shall include the following information on the plan view:

- A. Title block in lower right hand corner
- B. Legend as necessary
- C. North arrow
- D. Centerline with 50 foot stations
- E. Right-of-way lines
- F. Intersecting lot and property lines with lot numbers and/or owner's names
- G. All other significant features within the Right-of-way limits, including road surfaces, drives, drainage components, utilities, fences, walls, ledge outcroppings, streams, swamps and other features.
- H. Courses and distances along centerline and horizontal curve data for centerline, stations for changes of direction in centerline of right-of-way.
- I. Location of all existing and proposed monuments, iron pins, and other survey markers.
- J. All proposed drainage components of the drainage design including catch basins, manholes, culverts, headwalls, ditches, swales including stations and clear notations showing exactly what is proposed.
- K. Dimensions of all easements
- L. Minimum of two (2) benchmark locations on each construction plan.
- M. Typical cross section of proposed roadway
- N. All structure locations and descriptions on adjacent properties where such structures affects design of any component on this plan
- O. Storm drainage design in the area; will include drainage calculations for the site sealed by a NH Licensed Professional Engineer.
- P. Stationing along the bottom of the profile grid.
- Q. Existing ground profile of centerline and each Right-of-way line. Profile to extend 150 feet beyond the limits of construction.

- R. Notations to clearly indicate limits of work.
 - S. Proposed centerline grades with elevations on 50 foot stations for straight grades, and elevations on 25 foot stations for vertical curves.
 - T. Vertical curve data including VPI elevations and stations, grade of both tangents, length of vertical curve, stopping sight distance or headlight sight distance as appropriate.
 - U. Existing and proposed storm drains, culverts, headwalls, sewers and subsurface utilities, with notations of the length, size, type, and grade of all pipes, and invert elevations at all structures.
 - V. Existing and proposed profile of all features within the easements, including a profile of all ditches to their vertical intersection with existing surface grades, but not less than 100 feet past the outfall of any pipe.
- 504.3 Site Plan – the site plan shall be on the same size sheets as the record plat and shall be drawn to the same scale and include the following information:
- A. Location of all test pits and percolation pits, with the date of the tests, results, and the name of the person conducting the tests.
 - B. Lot lines, lot numbers, and tract boundary lines.
 - C. Location of existing and proposed storm drainage components.
 - D. Contours at two (2) foot intervals, both existing and proposed, said contours to extend at least fifty (50) feet beyond the site limits.
 - E. All pertinent topographic data such as structures, wells, streams, ditches, culverts, drives, trails, ledge outcroppings, utilities, septic systems, roads, and any other pertinent features within, and within fifty (50) feet of the site limits.
 - F. Soil types plotted on the plan according to the latest soil survey available from the Soil Conservation Service.

ARTICLE 6 GENERAL REQUIREMENTS

601 This section relates to the **minimum design standards acceptable to the Board**. The Board recommends increases above these minimum standards. In the matters of judgment or of interpretation, the opinion of the Board shall prevail.

The plan shall conform to the Comprehensive Town Plan, the Official Town Map, the requirements of the Richmond Conservation Commission, the Town of Richmond's Zoning Ordinances, and to any other pertinent national, state or local laws, ordinances or regulations.

602 **Land requirements:** land shall be suited to the purposes for which it is to be subdivided. Land of such character that it cannot be safely used for building purposes because reasonable expectations of danger to health, prosperity, or peril from flood, fire, pollution, or other menace, shall not be platted for residential occupancy, nor for such other use as may increase danger to health, life, or property, or aggravate the flood hazard, or be unsuited for the installation of on site sewage disposal systems, or otherwise be a source of pollution, or which may, currently or in the future, be the cause of unacceptable expense to the Town. No floodway shall be obstructed. Areas characterized by excessively steep slopes, rock formations, or other such features, shall not be subdivided for development.

Scenic Landmarks: No land judged by the Conservation Commission as having floral, faunal, geological, archeological, historical, or other features proper to preserve, shall be subdivided or developed except in such a manner as shall be approved by the Conservation Commission and the Planning Board.

603 **All subdivision lots less than five (5) acres in area shall require approval from the NH Water Supply and Pollution Control Commission which shall require test pits.**

604 No land area within a public or private right-of-way shall be used for septic approval.

605 **Construction Supervision:** To insure the proper installation of the street improvements proposed, including all storm drainage facilities, to the specifications required by the town of Richmond, and in conformance with the detailed plans approved by the Board as part of the planned subdivision, the sub divider shall employ a Civil Engineer or a Land Surveyor, licensed by the State of New Hampshire to establish the lines and grades of the street(s) required. To insure the proper installation of the construction thereof, a Civil Engineer, licensed by the State of New Hampshire and mutually agreed upon by the sub divider and the Planning Board shall be employed and paid by the sub divider. Said Engineer shall submit signed statements at completion of work certifying that the roads and all drainage structures and pipes have been constructed in conformance with the approved plans and profiles, and the road construction regulations.

606 **As Built Plans:** Before offering any road or drainage facilities to the Town for acceptance, the sub divider shall submit an as built plan of said road and drainage facilities showing the improvements as actually constructed. In addition to all information shown on the original construction plans, said as built plan shall show the as built profiles of the centerline of the road, along with the actual grades, sizes and elevations of all pipes installed. Elevations of shoulders and ditches shall be written on the profile portion of the plan. As built plans shall be sealed by a professional Engineer or Land Surveyor, licensed by the state of New Hampshire, and shall be submitted on clear film, along with one (1) paper print thereof.

ARTICLE 7 GENERAL SPECIFICATIONS

701 **New Streets:**

701.1 All new rights-of-way, other than interior streets, shall be sixty-six (66) feet in width. Any existing road right-of-way shall be sixty-six (66) feet wide unless otherwise noted on a road layout or supported by other physical evidence.

701.2 All roads shall be all-weather roads constructed to State DOT standards and as further specified by the Selectmen and the Planning Board (see appendix). (The Planning Board may require that they be constructed under supervision of an engineer licensed by the State of New Hampshire per Article 604.) Ditches, culverts, and other drainage facilities shall be adequate for flood water, prevention of erosion, and constructed to the specifications approved by the Planning Board. There shall be no direct drainage into a pond, brook, or stream, but catch basins, approved by the Planning Board, shall be provided and maintained by the sub divider.

701.3 Streets shall be logically related to the topography so as to produce usable lots and reasonable grades and shall be in appropriate relation to the proposed uses of the land to be served by such streets.

701.4 New collector street right-of-ways shall not be less than sixty-six (66) feet in width and conform to article 701.2. New interior street right-of-ways shall not be less than fifty (50) feet in width and conform to article 701.2. The width of the travel way, in each case, shall be specified by the Planning Board. [The "traveled way" may vary depending on the number of houses, etc.] Existing rights-of-way shall be sixty six (66) feet or fifty (50) feet for interior streets unless otherwise noted on a road layout or supported by other physical evidence. They shall conform to State DOT standards and as further specified by the Selectmen and the Planning Board (see appendix IV).

- 701.5 Streets shall be laid out and constructed in such a manner as to preserve the rural aspect of the Town.
- 701.6 Grades of all streets shall conform in general to the terrain and shall, as far as practicable, not exceed 8% for arterial streets and 10% for collector streets and interior streets. No street shall have a grade of less than 1%. Side slopes shall not exceed a two to one ratio of horizontal to vertical measure (50% slopes).
- 701.7 The arrangement of streets in the subdivision shall provide for the continuation of existing streets and of the arterial and collector streets in adjoining subdivisions or for their proper projection when adjoining property is not as yet subdivided.
- 701.8 Streets shall be laid out to intersect, as nearly as possible, at right angles. No collector street shall be intersected at an angle of less than sixty degrees. Approximately parallel streets shall not be nearer to each other than four hundred (400) feet.
- 701.9 Names of new streets shall not duplicate, nor bear phonetic resemblance to the names of existing streets within the Town. All street names shall be subject to approval by the Board, the Selectmen, and Town Meeting per RSA 231:133.
- 701.10 Street signs shall be of a design approved by the Board of Selectmen.
- 701.11 Entrances of streets or driveways into existing streets shall be designed and located so as not to create a traffic hazard and shall be approved by the New Hampshire Department of Public Works and Highways and by the Board as applicable.
- 701.12 No driveway shall obstruct a roadside ditch, but shall either conform to the ditch or shall be built over a culvert of adequate diameter, and in no case shall be less than twelve (12) inches in diameter.
- 701.13 Except where future connections may be possible, dead end streets shall not in general exceed seven hundred fifty (750) feet in length, and shall be equipped with turnaround at the closed end, which may be circular or hammerhead configuration as specified by the Planning Board. Dimensional requirements shall be determined by the Planning Board (see appendix).
- 701.14 No horizontal curve shall have a centerline radius of less than two hundred and fifty (250) feet, except turnarounds on a dead end way.
- 701.15 For changes in grade exceeding one (1) percent a vertical curve shall be provided insuring a minimum sight distance of three hundred (300) feet.
- 701.16 Permanent monuments shall be set on both sides of all roads at all points of curvature and tangency, all angle points, and all other points as necessary to insure that all street lines can be reproduced, and all lot lines can be readily laid out by normal survey methods. Monuments shall be granite and a minimum of 4" x 4" x 30" with a drill hole set in the center of the 4" x 4" end. All monuments shall be set under the supervision of a NH licensed land surveyor.
- 701.17 Shrubbery, trees, or other obstructions at street corners shall be subject to such regulations as the Planning Board shall require.
- 701.18 Reserve strips of land which in the opinion of the Planning Board show intent on the part of the sub divider to control access to an area dedicated to the public use, or to prevent the logical extension of roads onto adjoining properties shall not be permitted.

- 701.19 Where any part of a subdivision shall front on an existing Class V or Class VI town road, the Planning Board may require the sub divider to repair or rebuild such road to the Planning Board's specifications to accommodate the anticipated increase in traffic.
- 701.20 No subdivision shall be allowed unless the roads within or abutting said subdivision meet, or as a condition of approval are improved to standards for 50 to 200 cars per day as specified in Article 701.2. The Planning Board may require that higher standards of construction be met if, in its judgment of the circumstances, such higher standards are needed, or may be needed.
702. **Lots:**
- 702.1 All potential building lots shall have a surveyed closure and permanent markers (i.e. iron pins or monuments) shall be set at all lot corners by a NH licensed land surveyor. A separate bond may be required to assure compliance within ninety (90) days of the approval of the subdivision.
- 702.2 Lots shall be laid out and graded to eliminate flood or pools of stagnant water except in wetland areas. No water shall be permitted to run across a street on the surface, but shall be directed into catch basins and piped underground in a pipe of suitable dimensions and in no instance of less than twelve (12) inches in diameter, and which shall be of material approved by the Board and set according to the specifications of the Board.
- 702.3 Where practical lots shall be graded toward streets.
- 702.4 Side lot lines shall not be less than 60 degrees to the street lines.
- 702.5 Lots having frontage on an existing highway or on a contemplated major highway may be required to have driveways to collector streets on the opposite or lateral side of the lots to minimize traffic hazards.
- 702.6 The Planning Board may prescribe such additional area in excess of the minimum lot requirements as may be necessary for each lot for adequate on site sewage disposal system or other sanitary facilities approved by the appropriate authority to create conditions favorable to health, safety, and the ecology of the area involved.
- 702.7 On each lot, less than five (5) acres, percolation tests demonstrating that an adequate sewage system can be accommodated shall be required. The Planning Board may require test pits on lots over five (5) acres.
- 702.8 The width and depth of each lot shall be in reasonable proportion to each other for the intended use of the lot. Each lot shall be of such shape that it will contain a square of the same dimension as the minimum required frontage for the zone in which it is located according to the Zoning Ordinances. It is recommended, but not required, that where practicable, the length of a lot will not exceed five times its average width.
703. **Ponds or Lakes:** Where a subdivision or a part thereof includes or borders on a pond or lake, the ratio of lots to the number of acres of surface water shall not exceed one lot per acre of water surface.
704. **Public Areas:** The Planning Board may require the setting apart of an area or areas for public use for playgrounds, recreation areas, fire ponds, or otherwise, and may further require that such areas be deeded to the town.
705. **Bridges:** Any bridges on highways shall be constructed to DOT standards as appropriate and as approved by the Planning Board and by the Board of Selectmen.

706. **Easements:**
- 706.1 Easements with a minimum width of twenty (20) feet plus the width of any required pipe, channel, ditch, shall be provided for all storm drainage facilities. Easements shall also be provided for public utilities serving the subdivision as may be required.
 - 706.2 To the fullest extent possible, easements shall be on or adjacent to side or rear lot lines.
 - 706.3 No water course or seasonal or intermittent water course shall be altered, or interfered with so as to affect the natural drainage onto or from adjacent properties.
 - 706.4 All easements for storm water drainage necessitated by construction of any subdivision improvements shall be acquired and deeded to the town.
707. **Sidewalks:** Standards for the provision and installation of sidewalks, curves and grass strips, if any, shall be as deemed appropriate by the Planning Board
708. **Water and Septic Systems:** The location of all wells, the location, dimensions, and design of all septic tanks, leach fields, and any other water supply or sewage disposal systems shall be approved by the New Hampshire Water Supply and Pollution Control Commission and the Board.
709. **Mining:** Except as may be approved by the Board, there shall be no mining or excavation of natural resources on land or underwater.
710. **Fire Protection:** Fire ponds, dry hydrants, and other fire protective facilities shall be furnished by the sub divider at the locations and to the specifications determined by the Fire Department and the Planning Board.
711. **Sewer and Water District:** If at any time a sewer and/or water district shall be created, this shall be to the specifications approved by the Planning Board, and the Board of Selectmen, the Health Officer, and other appropriate agencies; and shall be financed as approved by the Planning Board and the Board of Selectmen, and a bond or equivalent security shall be furnished in an amount determined by the Planning Board and the Board of Selectmen to protect the town from any present or future expense for its construction, maintenance, or operation.

ARTICLE 8 EXPEDITED REVIEW

801. The Planning Board may provide for an expedited review and approval for proposals involving minor subdivisions, which create not more than three (3) lots for building development purposes or for proposals which do not involve creation of lots for building development purposes. Such expedited review may allow submission and approval at one or more board meetings, but no application may be approved without the full notice to the abutters and public required. A hearing, with notice, shall be held if requested by the applicant or abutters any time prior to the approval or disapproval or if the Board determines to hold a hearing.

ARTICLE 9 RECORDING

901. Any plan that has achieved final approval by the Board shall be endorsed and recorded in the Registry of Deeds of Cheshire County within ninety (90) days in accordance with Section 410.2 or, failing this, the approval of the Board shall lapse and a fresh application to and approval by the Board shall be required for such plan.

902. No such plan shall be endorsed by the Board and recorded until all fees have been paid and all costs assessed under Section 412 have been paid, the agreement between the sub divider and the Board has been executed, and a suitable bond or other surety has been posted in accordance with Section 417.

ARTICLE 10 ADDITIONAL POWERS OF THE PLANNING BOARD

1001. The Planning Board may modify, subject to appropriate conditions, such requirements of the foregoing regulations, not required by statute, as in its judgment of the special circumstances and conditions relating to a particular subdivision that are not requisite to the interest of public health, safety, or general welfare.
- 1001.1 When making its determination as to such modification, the Planning Board shall take into consideration the prospective character of the development, and of abutting properties, and of its effect on health, safety, general welfare, property values, and the development of the town.
- 1001.2 When the applicant desires a modification of any provision of the foregoing regulations, the applicant shall include a written request for each modification therefore, and a written statement of reasons for such request, with the application for approval.

ARTICLE 11 AMENDMENTS

1101. These regulations may be amended, changed, altered, added to, or rescinded from time to time whenever this action is deemed necessary by the Planning Board, but only following a public hearing, and shall require the concurring vote of four (4) members of the Planning Board.

ARTICLE 12 VALIDITY

1201. If any section or paragraph of these regulations shall be declared invalid or unconstitutional, it shall not be held to invalidate or to impair the validity, force, or effect of any other section or paragraph of these regulations.
1202. If any part of these regulations should prove to be in apparent or actual contradiction to any other part thereof, or with the zoning or other ordinance of the Town, the ruling of the Planning Board thereon in resolving such contradiction shall be controlling.

ARTICLE 13 PENALTIES

1301. The penalties for violating any section of these regulations shall be the maximum civil and criminal penalties allowable by statutes. Refer to RSA 676.16 and 676.17, as the same may be amended.