

# SUBDIVISION REGULATIONS WEARE, NEW HAMPSHIRE

## **Section 1.00 General Provisions**

### **1.1 Authority**

Pursuant to the authority vested in the Weare Planning Board by the voters of the Town of Weare and conferred by NH-RSA 674:35-42. The Weare Planning Board adopts the following regulations governing the subdivision of land within the Town of Weare, New Hampshire.

### **1.2 Title**

These regulations shall hereafter be known, cited, and referred to as the “Subdivision Regulations of the Town of Weare, New Hampshire”.

### **1.3 Purpose**

The purpose of these regulations shall be:

1. To promote the development of an economically sound and stable community by preventing such scattered or premature subdivision of land as would involve danger or injury to health, safety, or prosperity;
2. To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, through proper arrangement and coordination of streets and ways within a subdivision in relation to other planned streets or with features of an official map of the Town, if adopted;
3. To promote the amenities of the Town through provisions for parks, playgrounds, and other recreation areas;
4. Preservation of trees and natural or historic features; and
5. To secure equitable handling of all subdivision plans by providing uniform procedures and standards for observance, both of the applicant and the Planning Board.

### **1.4 Jurisdiction**

These regulations shall apply to all subdivisions of land as defined herein, located within the corporate limits of the Town of Weare.

No land shall be subdivided or lots transferred within the corporate limits of the municipality until:

1. The subdivider or his agent shall obtain approval by the Planning Board of the final plat, and
2. The approved final plat is filed with the County Registrar of Deeds.

### **1.5 Interpretation**

In their interpretation and application, the provisions of these regulations shall be held to the minimum requirements for the promotion of the public health, safety, and general welfare.

In matters of judgment or interpretation of the requirements set forth in these regulations, the opinion of the Planning Board shall prevail.

## **Section 2.00 Administration and Enforcement**

### **2.1 Conflict: Conflict with Public and/or Private Provisions**

1. Public Provisions

These regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule, or regulations, statute, or other provision of law. Where any provision of these regulations impose restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule, or regulations or other provision of law, whichever provisions are more restrictive or impose higher standards shall prevail.

2. Private Provisions

These regulations are not intended to abrogate any easement, covenant, or any other private agreement or restriction.

**2.2 Separability**

If any part or provision of these regulations or applications thereof to any person or circumstances is judged invalid by any court of competent jurisdiction, such judgment shall be confined in its operations to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these regulations on the application thereof to other persons or circumstances.

**2.3 Amendments**

These regulations may be amended from time to time whenever this action is deemed necessary or advisable by the Planning Board, after public notice and public hearing pursuant to the provisions of RSA 675:6 and RSA 675:7. After adoption of any proposed amendments, a certificate shall be signed by the members of the Planning Board certifying that the amendments have been filed with the Town Clerk and the Board of Selectmen of the Town of Weare.

**2.4 Validity**

1. No subdivision regulations or amendment or exception thereto shall be legal and have any force and effect until copies of such, certified by a majority of the Planning Board members, are filed with the Town Clerk and Board of Selectmen.
2. No purported authority granted by the Planning Board, pursuant to these subdivision regulations, shall be legal or have any force and effect, unless such regulations have been certified and filed pursuant to Section 2.4, 1.

**2.5 Exemptions**

Every plat approved by the Planning Board and properly recorded in the Registry of Deeds, shall be exempt from all subsequent changes in these Subdivision Regulations, except those regulations and ordinances which expressly protect public health standards, such as water quality and sewerage treatment requirements, for a period of four years after the date of recording; provided, however, that once substantial completion of the improvements shown on the plat have occurred in compliance with the approved plat, or the terms of said Board, the rights of the owner or his successor in interest shall vest, and no subsequent changes in Subdivision Regulations or Zoning Ordinances shall operate to affect such improvements; and further provided that:

1. Active and substantial development or building has begun on the site by the owner or his successor in interest in accordance with the approved plat within twelve (12) months after the date of approval, or in accordance with the terms of said approval, and, if a bond or other security to cover the costs of roads, drains or sewers are required in connection with said

approval, such bond or other security is posted with the Town at commencement of such development.

2. Development remains in full compliance with the Public Health Regulations and Ordinances specified in this section and,
3. At the time of approval and recording, the plat conforms to the Subdivision Regulations and Zoning Ordinances then in effect at the site of such plat.

## **2.6 Enforcement**

1. These regulations shall be enforced by the Board of Selectmen or its duly authorized representative.
2. Transfer of Lots in Unapproved Subdivisions:  
The sale of or transfer of any land, before a final plat of said subdivision in question has been approved by the Planning Board and recorded with the County Registrar of Deeds, shall be prohibited and subject to the provisions and penalties as provided in RSA 676:16 of New Hampshire State Law.
3. Building Permits:
  - a. No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of these regulations.
  - b. No building permit shall be granted in a new subdivision until the plat has received final approval from the Planning Board. Once a developer has provided a proper form of security to guarantee installation of any required public improvements, building permits shall not be denied.
4. Occupancy Permits  
Pursuant to NH RSA 676:12-IV, no building shall be used or occupied and no occupancy permit shall be issued for any building until all streets and utilities are determined to be complete as herein defined by the Planning Board.
5. Pre-approval Construction Prohibited  
No person, corporation, or other entity shall do any of the following acts on any land proposed or intended for use as a subdivision in the Town of Weare until a final plat of that land has been submitted to and approved by the Planning Board.
  - a. level or otherwise change the grade of any land proposed or intended for use as a subdivision;
  - b. construct any street to service a proposed or intended subdivision; and
  - c. install any utilities to service a proposed or intended subdivision.

If any of these stated actions take place, the subdivider may be required to restore the land prior to receiving final approval.

Nothing in this paragraph shall be construed to prevent the taking of test borings, the digging of test pits, or any other preliminary testing and inspection necessary to obtain local or state permits.

## 6. Civil Enforcement

Appropriate actions and proceedings may be taken by law or in equity to prevent unlawful construction, to recover damages, to restrain, correct or abate a violation, prevent illegal occupancy of a building, structure or premises, and these remedies shall be in addition to the penalties set forth below.

### 2.7 Violations and Penalties

Violations of Regulations: Any person, corporation, or other entity who violates any of the provisions of these regulations, or any provision or specification of any application, plat, or plan approved by the Weare Planning Board, or any requirement or condition or a permit or decision issued by the Weare Planning Board, shall be guilty of a misdemeanor if a natural person, guilty of a felony if any other person. They shall be subject to a civil penalty not to exceed \$275.00 for each day that such violation is found to continue after the conviction date or after the date in which the violator receives written notice from the Town that he is in violation, whichever is earlier.

### 2.8 Administrative Provisions

Modifications and Additional Improvements: Where the subdivider can show to the Planning Board's satisfaction that strict adherence to these regulations would cause unnecessary hardship and where, because of topography or other conditions peculiar to the site, in the opinion of the Planning Board, a departure from these regulations may be made without impairing the intent of these provisions, the Board may authorize a modification to these regulations. Variance of these regulations may only be made after receipt of a written completed "Application for Waiver of Subdivision Requirement."

### 2.9 Appeals

Any person aggrieved by an official action of the Board may appeal to the Superior Court as provided by NH RSA 677:15.

### 2.10 Off-Site Improvements/Impact Studies and Fees

The applicant is advised that he will be responsible for the apportioned cost of off-site improvements. Regardless of the size and location of a proposed subdivision, a subdivider may be required to provide a road impact study and to pay his fair share of impact fees/off-site improvements as determined by the Board. Road impact studies will include, but are not limited to, determination of the existing and proposed traffic levels, of the nature and cost of improvements required to bring the road up to adequate standards and of the pro-rata shares of expense for all interested parties, including future subdividers with property fronting on the road in question. Such studies may be reviewed by a qualified engineer designated by the Planning Board.

## Section 3.00 Definitions

### 3.1 Usage

For the purpose of these regulations, certain numbers, abbreviations, terms and words used therein shall be used, interpreted, and defined as set forth in this section.

- a. Unless the context clearly indicates to the contrary, words used in the present tense shall include the future tense; words used in the plural number shall include the singular; words used in singular shall include the plural; the word "herein" shall mean in "these regulations"; the word "regulations" shall mean "these regulations".

- b. A “person” shall include a corporation, a partnership, and/or an incorporated association of persons such as a club; “shall” is always mandatory; a “building” includes a “structure”; a “building” or “structure” shall mean any part thereof; “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged, or designed to be used or occupied”.
- c. The terms “plat”, “subdivision plat”, and “subdivision” shall mean a subdivision plat and the terms shall be used interchangeably.
- d. Words not specifically defined herein shall have their common meaning.

### **3.2 Words and Terms Defined**

1. Abutter: Any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term “abutter” shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XX,III. RSA 676:4 (b) further includes as an abutter the applicant and any holders of conservation, preservation or agricultural preservation restrictions.
2. Applicant: The owner of record, or his agent duly authorized in writing at the time of the application, if a person other than the owner.
3. Board: The Planning Board of the Town of Weare.
4. Bond/Performance Guarantee: A surety bond issued by a surety company authorized to do business in the State of New Hampshire, cash deposited with the Town, or other security deemed acceptable to the Planning Board in an amount and form satisfactory to the Planning Board and Town Counsel for the Town. This amount shall be determined by the Town Engineer and approved by the Planning Board.
5. Bridge: Shall mean a structure having a clear span of ten (10) feet or more measured along the centerline of roadway, spanning a watercourse or other opening or obstruction.
6. Building: Any and all structures built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind.
7. Building Setback: The distance between a building and the nearest street line or property line.
8. Complete: Any subdivision containing a new road or street shall be documented complete when all improvements and erosion control measures to the land being dedicated to the Town have been completed by the owner and approved by the Town Engineer. The only exception may be the wearing coarse of bituminous pavement which shall remain bonded until completed. No wearing coarse will be done between October 1 and May 15. No binder

coarse will be done between October 15 and May 15. In all cases, the temperature of the day must be forty (40) degrees or more and rising.

9. Completed Application: Shall include the final plat application and the specification for documents to be submitted as detailed in Section 6.00.
10. Construction Plan: The maps or drawings accompanying a subdivision plat and showing specific location and design of proposed improvements to be installed in accordance with the requirements of the Planning Board as a condition of the approval of the plat.
11. Developer: The individual, partnership, company, or corporation which will be responsible for the construction of all improvements and subsequent sale of lots, buildings, and/or dwelling units.
12. Engineer: The duly designated Engineer of the Town of Weare, or if there is no such official, the Planning Consultant or official assigned by the Weare Planning Board.
13. Final Subdivision Plat: The final map or drawing on which the subdivider's plan or subdivision is presented to the Planning Board for approval.
14. Flood Hazard Area: See Section 4.2.
15. Frontage: Shall mean that portion of a lot bordering on a Town road or street, as herein defined. Where a proposed lot fronts on a dead-end road, the width of the roadway at the end shall not be calculated as legal frontage. Where a proposed lot fronts in part on a turnaround, only the width of the turnaround right-of-way (50 feet) shall be calculated as frontage. (See appendix for diagrams of frontage requirements.)
16. Lot: Shall mean a parcel of land at least sufficient in size to meet the minimum requirements of the Zoning Ordinance for use, coverage, and area, and to provide required yard, setbacks, and open space.
17. Major Subdivision: Any subdivision other than a Minor Subdivision.
18. Master Plan: A comprehensive plan for development of the local community, prepared and adopted by the local Planning Board, pursuant to State law, and including any part of such plan separately adopted and any amendment to such plan, or parts thereof.
19. Minor Subdivision: The subdivision of a parcel of land into three (3) or fewer lots, in no case requiring new roads, utilities, or municipal improvements.
20. Owner: Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided under these regulations.
21. Right-of-Way: A strip of land occupied or intended to be occupied by a street, walkway, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or for other similar special uses. Such rights-of-way, involving maintenance by a public agency, shall be dedicated to public use by the developer.

22. Right-of-Way Width: The distance between property lines measured perpendicular to the center line of right-of-way.
23. Sketch Plan: A rough drawing, indicating the proposed manner or layout of the proposed subdivision. A sketch plan shall not be construed as any type of plat warranting Board approval.
24. Subdivider: Any person who:
- a. having an interest in land, causes it, directly or indirectly, to be divided into a subdivision, or who
  - b. directly or indirectly sells, leases, develops, offers to sell, lease, develops or advertises for sale, lease or development, any interest, lot, parcel, site, unit, or plat in a proposed subdivision, or who
  - c. engages directly or through an agent in the business of selling, leasing, developing, or offering for sale, lease, or development a subdivision, or any interest, lot parcel, site, unit, or plat in a proposed subdivision, and who
  - d. is directly or indirectly controlled by, or under direct or indirect common control with any of the foregoing,
25. Subdivision:
- a. Subdivision means the division of the lot, tract or parcel of land into 2 or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.
  - b. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision under this title.
  - c. The grant of an easement in gross to a public utility for the purpose of placing and maintaining overhead and underground facilities necessary for its transmission or distribution network such as poles, wires, cable, conduit, manholes, repeaters and supporting apparatus, including any unmanned structure which is less than 200 square feet, shall not be construed as a subdivision under this title, and shall not be deemed to create any new division of land for any other purpose.
26. Wetland: Shall mean all wetlands as defined in the Town of Weare Zoning Ordinance and shall include all hydric A soils and hydric B soils as defined by the State of New Hampshire Department of Environmental Services.

## **Section 4.00 General Plan Requirements**

**4.1 Subdivision Approval Required:** The subdivider shall observe the following general requirements and principles of land subdivision:

- A. No subdivision shall be made, and no land in any subdivision shall be sold or leased, and no street or utility construction shall be started until a subdivision plat, prepared in accordance with these regulations, has been approved by the Board and the plat endorsed by the Chairman of the Planning Board. No lots in a subdivision may be offered for sale before final approval.

- B. In examining and passing upon a proposed subdivision the Board may make recommendations to the subdivider relating to earth movement and retention of natural cover in order to preserve the natural beauty of Weare and its environment.
- C. Minimum areas of lots may be prescribed so as to assure conformance with local zoning ordinances and to assure such additional area as may be needed for each lot for on-site sanitary facilities and generally may include provisions which will tend to create conditions favorable to health, safety, convenience and prosperity. (RSA 674:36)
- D. Land of such character that its use would involve danger and injury to health, safety or prosperity by reason of lack of water supply, drainage, transportation, or other public services or the use of which would necessitate an excessive expenditure of public funds for the supply of such services or the development of which would interfere with the harmonious development of the municipality and its environment shall not be platted for residential occupancy nor for other such uses as may increase the above dangers until appropriate measures have been taken to eliminate such hazards. No natural drainage way shall be obstructed unless adequate means are taken to provide for the runoff.
- E. Fire Fighting Water Supply Systems (i.e. cisterns):
  - 1. An acceptable fire fighting water supply system (i.e. cistern) shall be installed on land subdivided into three (3) or more new lots, in addition to the original lot. Said cistern shall:
    - a.) be within 2,200 feet, truck travel distance to the nearest lot line of the furthest lot being proposed;
    - b.) have a minimum usable capacity of 15,000 gallons of water;
    - c.) be available year round;
    - d.) have an acceptable dry hydrant accessible from a Town maintained road; and
    - e.) comply with the requirements set forth in Section 8.8 below.
  - 2. Land shall be deemed to be subdivided into three (3) or more lots pursuant to section E, 1 above if:
    - a.) the pending application seeks to subdivide three (3) or more lots; or,
    - b.) the pending application seeks to subdivide fewer than three (3) lots and the originating parcel (as the parcel existed in 1975 when the tax maps were first developed) has been previously subdivided into a number of lots which when added to the number of lots sought to be subdivided in the pending application total three (3) lots or more.
  - 3. Notwithstanding the provisions of sub-sections E, 1 and 2, above, the Board may require the installation of a fire fighting water supply system (i.e. cistern) for any subdivision determined to involve unusual danger or injury to health, safety or prosperity by reason of a lack of an acceptable fire fighting water supply system (i.e. cistern).
- F. The Planning Board of the Town of Weare hereby adopts Site Specific Soil Mapping Standards for New Hampshire and Vermont as part of its subdivision regulations in accordance with RSA 674:35-36 and RSA 674:43-44, to assure that the land indicated on plans submitted to the Planning Board shall be of such character that it can be used for the building purposes without danger to public health, and to protect ground water quality for purposes of public health and safety.



- G. The board requires written comments from the Board of Firewards, Conservation Commission and Public Works Director on all plans regardless of the size and type.

#### **4.2 Flood Hazard Areas**

The Planning Board will:

1. Review subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood prone area, any such proposal shall be reviewed to assure that:
  - a. all such proposals are consistent with the need to minimize flood damage within the flood prone area,
  - b. all public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage, and
  - c. adequate drainage is provided to reduce the exposure to flood hazards
2. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, which ever is the lesser, include within such proposals as flood elevation data.

### **Section 5.00 Application Procedure, Expenses and Fees**

#### **5.1 Hearing Procedures**

A. Preliminary Conceptual Consultation Phase:

Any applicant may appear before the board for a Preliminary Conceptual Hearing as provided by RSA 676:4 II (a). Conceptual Hearings will be conducted during work session meetings of the Planning Board, generally on the fourth (4<sup>th</sup>) Thursday of the month. Conceptual Hearings will consist of a brief review of the basic concepts of a proposal. Topics of discussion may include suitability of the proposal according to the master plan or desirability of the type of development. All discussions will be in general terms. No abutter notification will be required for a Conceptual Hearing.

B. Design Review Phase:

Any applicant may appear before the board for a Design Review as provided by RSA 676:4 II (b). Design Reviews will be conducted during regular meetings of the Planning Board, generally on the second (2<sup>nd</sup>) Thursday of the month. Design Reviews will require a higher level of information than a Conceptual Hearing and will require abutter notification. A Design Review is not a requirement for Formal Consideration, however, every application that does not meet the minimum requirements of a completed application as defined by the Town of Weare Subdivision Checklist (see Appendix 2) shall be placed on the agenda as a Design Review. All discussions during Design Review shall be non-binding.

Any application that has been placed on the agenda as a Design Review may be accepted as a completed application if all the requirements of the Subdivision Checklist sections 1 through 21

are met by the time of the hearing. Only an application that satisfies the minimum requirements of a completed application may be continued to a future meeting through a vote of the Planning Board. Design Reviews will not be continued and the application may only be placed on a future meeting agenda when it has met all of the Subdivision Checklist requirements for a completed application.

C. Final Plat:

Applications will be formally considered once they are accepted as complete by a vote of the board. All applications that meet the minimum requirements of the Subdivision Checklist for a completed application will appear on the meeting agenda as a Final Plat. All of the requirements for abutter notification will apply to Final Plats. The Planning Board may require additional information from the applicant as outlined in the Subdivision Checklist items 22 to 34 before accepting the application as complete. Applications for Final Plat may be continued by a vote of the Planning Board. Once an application has been accepted as complete by a vote of the board, the board shall begin formal consideration and shall act to approve, conditionally approve as provided in RSA 676:4 I, i. (2 & 3) or disapprove within 65 days, subject to extensions or waivers as provided in RSA 676:4 I (f).

D. Withdrawals and Re-submissions:

All application fees are to be paid in full prior to being placed on the agenda. Any applicant may withdraw his/her application at any time prior to a final decision of the board. Applicants may request a waiver of new application fees when an application has been denied or withdrawn and then re-submitted with modifications within a timely period, however, no portion of any application fee shall be refunded to the applicant except at the sole discretion of the Planning Board.

E. Official Submission Dates:

The Planning Board shall designate, the Land Use Coordinator, who is to act as its agent. The Land Use Coordinator shall be the recipient of all applications for consideration under these regulations. Completed applications must be filed with the Land Use Coordinator no less than twenty-one (21) days prior to the next regular meeting of the Planning Board.

F. Public Notices of Subdivision Requests:

The Planning Board shall notify all abutters by certified mail, pursuant to RSA 676:4 (d), mailed not less than ten (10) days prior to the date of the hearing in which the plan will be discussed. RSA 676:4 (b) further included as an abutter, the applicant, any holders of conservation, preservation or agricultural preservation restrictions as defined in RSA 477:45, surveyors, engineers, architects, wetland scientists or soil scientists whose professional stamp appears on any plan(s) or material(s) submitted for review. Such notice shall contain a brief description (furnished by the applicant) of the proposal and shall identify the applicant and the location of the proposal. The Board shall also post such notice in two (2) public places in the Town of Weare and may include a notice of public hearing in a local newspaper.

G. Public Hearing:

The applicant, any abutter, or persons with a direct interest in the matter, may testify in person at the hearing or in writing at or prior to said hearing. Other persons, such as Town officials, residents, and others will be permitted to testify at the hearing at the discretion of the Chairman or Acting Chairman. The Board Chairman shall close the public hearing and proceed to continue Board action on the final plat submitted or steps and phases requested of the Board.

H. Subdivision Checklist - Procedure:

- a. The applicant shall file a subdivision checklist (Appendix 2) with the Land Use Coordinator at least twenty-one (21) days prior to the regular scheduled meeting of the Board.
- b. All expenses, if any, incurred by the Town of Weare in processing the subdivision checklist, shall be borne by the applicant.

I. Approvals:

- a. **Conditional Approvals:** The board may vote to conditionally approve an application as provided in RSA 676:4 I (i.) (2 & 3). Under no circumstances shall any conditional approval remain in effect for more than six (6) months.
- b. **Final Plat Approvals:** Final approvals shall be when any and all conditions have been satisfied and the mylar has been signed. Upon final plat approval and within six (6) months the Planning Board Chairman and the Planning Board Secretary shall sign the master copy as approved and shall file the master document, showing all covenants, deed restrictions, public rights of way, etc., with the County Registrar of Deeds.
- c. **Denials:** The Planning Board may disapprove an application based on one or more of the following findings, but not limited to:
  1. The land is undesirable for platting purposes because of topography or flooding potential or adverse man-made development features.
  2. The subdivision as proposed would be premature insofar as it would involve danger or injury to health, public safety, or prosperity by reason of lack of water supply, drainage, transportation, schools, fire and emergency services, or necessitates an excessive expenditure of public funds for the supply of such services.
  3. The applicant has not secured all applicable approval and/or permits from the Town or State.
  4. The proposed streets within the subdivision are not coordinated with other existing or planned streets or with the official map of the Town of Weare. The proposed streets are not suitably located and of sufficient design to accommodate access of emergency vehicles.
  5. The proposed subdivision is not in conformance with the Zoning Ordinance and other ordinances that may apply.
  6. In any proposed subdivision dealing with cluster or planned unit development the method of ownership and maintenance of proposed open spaces is not adequate to protect the public interest.
  7. The proposed subdivision would have a significant impact on the environment of the site or surrounding area in terms of water quality, storm drainage and air quality or other adverse physical impact (such as erosion, sedimentation and similar impacts).

8. The application is incomplete or requested materials necessary for review have not been submitted or the means of avoiding potential adverse effect has not been identified in a timely manner.
9. The proposal is inconsistent with the policies and objectives of these regulations or the criteria outlined in NH RSA 675:36 or is otherwise inconsistent with the spirit and intent of these regulations.

J. Expenses and Fees:

- a. All expenses incurred by the Town of Weare in processing an application for final plat approval shall be borne by the applicant. Costs of any required publications, costs of posting notices and the cost of mailing notices of hearings, shall be paid by the applicant at the time of filing.
- b. Engineering fees, as paid for the review of the application and any other pertinent services as required by the Planning Board shall be the responsibility of the applicant. Failure to pay these costs, as specified, will be valid grounds for termination of consideration of the application.
- c. The authorized representative to the Planning Board who will perform these review or study services shall provide an estimate of the total amount of these costs. This amount shall be paid by the applicant to the Planning Board and held in an escrow account to be paid to the Boards authorized representative for such services. The applicant shall be refunded any unused portion from the escrow account amount, as approved by the Planning Board.
- d. Whenever the actual amount required to complete the necessary review or studies exceeds the amount deposited, such amount in excess of the deposited amount shall be paid to the Planning Board prior to continuation of construction.
- e. Fees for all applications should use the “Town of Weare Fee Schedule” located in Appendix 4.
- f. Construction Inspection Expense:  
Whenever a proposed subdivision will involve street construction, the installation of drainage structures or other required improvements, the cost incurred by the Town in having the required improvements inspected shall be borne by the applicant. Prior to receiving approval of a subdivision involving required improvements, the applicant shall submit to the Planning Board of the Town of Weare a sum estimated by the Board or their designated agent to perform the necessary construction inspection in accordance with the check list in Appendix 5 of these regulations. The amount deposited under this section, shall be held in a special escrow account by the Treasurer for the purpose of paying the Planning Board or their designated agent, to make the necessary inspections.

Any amount deposited under this section and not used for the purposes stated herein shall be returned to the applicant upon final acceptance of the required improvements.

Whenever the actual amount required to make necessary inspections exceeds the amount deposited under this section, such amount in excess of the deposited amount shall be paid to the Planning Board prior to continuation of construction.

## 6.0 Subdivision/Lot Line Adjustment Application Requirements

### 6.1 Final Plat Requirement:

- a. The final plat shall be prepared by a land surveyor licensed in the State of New Hampshire at a scale of not more than one (1) inch equal to one hundred (100) feet in ink, on mylar, and the sheets shall be numbered in sequence if more than one (1) sheet is used and shall be of such size as is acceptable for filing in Office of the County Registry of Deeds, but shall be no larger than twenty-two by thirty-four (22 x 34) inches.
- b. A professional engineer licensed in the State of New Hampshire shall prepare all plans and supporting documents presented to the Planning Board. These may include, but shall not be limited to traffic studies or drainage calculations for the construction of roads, streets, driveways and utilities.
- c. All wetlands must be shown and delineated by either a certified wetlands scientist (CWS) or permitted designer. The seal and signature of the CWS or designer must appear on the final plat. The following note must appear on the final plat “Wetlands were delineated in accordance with the “Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1, January, 1987”. If delineated by a permitted designer the note will also include “by (name of person holding septic permit) on (date) under the exemption stipulated in RSA 310-A:79.”

### 6.2 Minimum Requirements for a Complete Application:

- a. The following items must be included with the application before the Planning Board can accept the application as complete. These are the minimum requirements and the Planning Board reserves the right to require additional information before accepting the application as complete.
  1. Name, address and signature of applicant and owner(s) of record.
  2. Name, address and seal of plan’s preparer (registered professional engineer or licensed surveyor).
  3. Purpose of plan (complete description of the proposed project and it’s intent).
  4. Current zoning classification of subject property and district boundaries.
  5. Surveyed boundary lines with distances and bearings.
  6. Magnetic north arrow (labeled as such), drawing scale and date.
  7. Correct names and addresses of all current abutters.
  8. Location of all setbacks (distances labeled).
  9. The lot area (before and after), street frontage and the zoning requirements noted for each.
  10. Label all street classifications (private, Class VI, or Class V) and road surface (paved or gravel).
  11. Location of property (locus map).
  12. Show all existing buildings, parking areas and driveways (if any), show traffic flow if applicable.
  13. Show all existing services such as sewer, water supply, leach fields, wells, aerial and underground utilities (if any).
  14. Show all proposed wells with radii.
  15. Topographic map using 5-foot intervals (or a completed waiver request for *lot* line adjustments).
  16. Flood hazard and aquifer protection information.
  17. Location of all existing and proposed survey monuments.
  18. All maps and lots correctly numbered.

19. Note regarding current land use status.
20. Eight (8) full size copies of plans plus one set reduced to 11" x 17".
21. All application fees paid in full.

### 6.3 Additional Requirements:

The following items may be requested by the Planning Board in addition to those listed in section 6.2 before the application can be accepted as complete.

22. Traffic impact study
23. Fiscal impact study
24. Environmental impact study
25. Noise impact study
26. Sediment and erosion control plans
27. Storm water drainage plans
28. Roadway design plans
29. Phasing plan
30. Other plans and or studies as deemed necessary by the Planning Board
31. Bonds
  - a. Performance Bond
  - b. Road Construction/Maintenance Bond
  - c. Erosion/Sediment Control Bond
  - d. Fire Cistern/Suppression Bond
  - e. Any other security as deemed necessary by the Planning Board
32. Site specific soils map
33. Off site improvements
34. Impact fees
35. Complete review of the plans by the Town Engineer (estimated fee shall be calculated and applicant will submit the amount to the Town of Weare to be held in escrow).

### 6.4 Final Approval Requirements:

The following items must be included with the application before the Planning Board can give final approval for the application.

36. Copy of existing property deed.
37. Written comments from the Board of Firewards.
38. Written comments from the Director of Public Works.
39. Written comments from the Conservation Commission.
40. State driveway entrance permit, if applicable.
41. State subdivision approval if applicable.
42. State dredge and fill permit, if applicable.
43. Copies of any other pertinent State permits or approvals.
44. Letter of intent of easement from public utilities, if applicable.
45. Letter from surveyor certifying that all proposed boundary monuments will be set promptly if approved.
46. Copies of any existing or proposed deed restrictions, covenants or rights of way including book & page numbers (if none, include a note so stating).
47. Written comments from the Piscataquog River Local Advisory Committee (PRLAC) if the site is within ¼ mile of the Piscataquog River or any of its branches. If site is not within the PRLAC jurisdiction, a note must be included stating so.

## Section 7.00 Performance Bond and Maintenance Requirements

### 7.1 Public Improvements and Performance Bond

1. All applicants shall be required to complete, in accordance with the Planning Board's decision, all the street, and other improvements of the subdivision as required in these regulations, and as approved by the Planning Board, and to dedicate same to the Town of Weare, free and clear of all liens and encumbrances on the property and public improvements thus dedicated.
2. Performance Bond
  - a. Prior to final plat approval the Planning Board shall require that the applicant post a bond or satisfactory surety at the time of application for final plat approval in an amount deemed by the Planning Board as sufficient to secure to the Town of Weare the satisfactory construction and installation, of the required improvements delineated in the construction plans of these regulations. The applicant shall use the form and format which is included in the Appendix of these regulations in preparing the bond amount. **NO BUILDING PERMIT SHALL BE GRANTED IN A SUBDIVISION OR DEVELOPMENT ON A NON-BONDED ROAD.**
  - b. The Planning Board will accept various forms of bonding on the condition that the bond adequately guarantees the installation of all required public improvements in a satisfactory manner within a specified period of time. Types of bond that are acceptable include, but are not limited to, direct cash bonds, escrow accounts, or bonds issued by insurance companies. Direct cash bonds will be deposited in an interest bearing savings account by the Town Treasurer.
  - c. The Planning Board of Weare requires that the form of security posted be made "self-calling" to insure that if no certificate of completion of public improvements is received within one (1) year, the security is automatically paid over to the municipality.
3. Temporary Improvement

The applicant shall build and pay for all temporary improvements required by the Planning Board and shall maintain same for a period specified by the Planning Board. Prior to construction of any temporary facility or improvement, the developer shall file with the local Board of Selectmen a separate suitable bond for temporary facilities, which bond shall insure that the temporary facilities will be properly constructed, maintained, and removed.
4. Costs of Improvements

All required improvements shall be made by the applicant at his expense without reimbursement by the municipality.
5. Failure to Complete Improvement

When a performance bond has been posted and required improvements have not been installed within the terms of such performance bond, the Board of Selectmen may thereupon declare the bond to be in default and require that all public improvements be installed,

regardless of the extent of the building development at the time the bond is declared to be in default.

## **7.2 Inspection of Public Improvements**

### **1. General Procedure and Fees**

The Planning Board or their designated agents, shall provide the inspection of required improvements during the construction and certify their completion.

During the construction phase the developer or agent shall notify the Planning Board at least two (2) business days in advance before starting the phases of construction as specified.

If, upon inspection, any of the required public improvements have not been constructed in accordance with the Planning Board's construction standards and specifications, the applicant shall be responsible for completing the improvements. Wherever the cost of improvements is covered by a performance bond, the applicant and the bonding company shall be severally and jointly liable for completing the improvements according to specifications. Any costs incurred by the Town as a result of the inspection procedures shall be borne by the developer and failure to pay such costs may result in the calling of the bond by the Town.

Occupancy Permits: Pursuant to NH RSA 676:12, no occupancy permits will be issued until such time as all necessary public improvements have been deemed complete by the Planning Board or their designated agent.

### **2. Release or Reduction of Performance Bond**

#### **a. Certificate of Satisfactory Completion**

The Planning Board will not release, nor reduce a performance bond, until the Planning Board or their designated agent, has submitted a certificate, stating that all required improvements have been completed and until the applicant's engineer or surveyor has certified to the Planning Board, or their designated agent, through submission of detailed "as built" survey plan of the subdivision, indicating locations, dimensions, materials, and other information required by the Planning Board, that the layout of the line and grade of all public improvements and lot monuments is in accordance with the final plat and construction plans for the subdivision and that a title insurance policy has been furnished to and approved by the Planning Board, as completed.

#### **b. Reduction of Performance Bond**

A performance bond may be reduced upon actual completion of public improvements and then only to the ratio that the public improvement dedicated bears to the total public improvements for the subdivision. In no event shall a performance bond be reduced below twenty-five (25%) percent of the principal amount.

#### **c. Release of Performance Bond**

Bonds may be released, in whole or in part, following notice from relevant agents that required improvements have been installed and completed in a satisfactory manner. Partial bond release will be considered following receipt and approval of a revised estimate of the cost of the remaining improvements. The applicant shall submit to the Board "as-built" construction drawings prior to release of the bond.



d. Warranty Bonds:

In no instance shall a performance bond be reduced below twenty-five (25)% of the principal amount. Upon completion of public improvements by the subdivider or owner, and approval by the Planning Board, the surety covering maintenance of the streets for a period of two years from completion and acceptance shall be required in an amount equal to twenty-five (25%) percent of the total cost of such improvements, or \$10,000.00, whichever is greater. The maintenance of streets shall be defined as work required to correct defects in the construction if it becomes apparent to the Town within the two year time period.

**8.0 General Requirements and Design Standards for Major Subdivision Only**

Construction plans shall be prepared for all required improvements. Map sheets shall be of the same size as the final plat. Maps shall be separate from final plat maps, exclusively, to the purpose of road construction and the following shall be shown:

a. Plans

Plans of all areas to be disturbed for construction of streets, drainage ways, and structures, sewer, water and electric lines, erosion and sediment control structures, and other areas to be disturbed for the construction of improvements, shall be made showing existing topography shown in dashed lines and proposed contours shown in solid lines at a contour interval no greater than five (5) feet, plus spot elevations, soil types and boundaries shown in dotted lines, existing tree lines and proposed trees and all other plantings, edge of all paved areas, location and size of all structures, piping and other materials, center line stationing of all proposed roads at fifty (50) foot intervals and the location of all adjacent lot lines with the lot numbers of each lot taken from the appropriate preliminary or final plat. Plans shall be drawn at a scale of no more than one (1) inch equals fifty (50) feet.

b. Profiles

Profiles of all proposed roadways, showing existing and proposed elevations along the center lines of all proposed roads, and all structures, piping, and other materials. Profiles shall be drawn at a scale of one (1) inch equals fifty (50) feet horizontal scale and one (1) inch equals five (5) feet vertical scale.

c. Cross Sections

Cross sections of all proposed roadways at one hundred (100) foot stations and at all catch basins or culverts, and any other significant features, showing the roadway and all areas to be disturbed for the construction of all proposed roadways, existing grades, proposed subgrades, proposed final grades, and all utilities and other structures.

Cross sections shall be drawn to a convenient scale of not more than one (1) inch equals five (5) feet, both the horizontal and vertical scales shall be the same.

d. Details

Construction details of all roadways, curbing, sidewalks, drainage structures, sediment, and erosion control structures and any other required improvements shall be shown at a convenient scale.

e. Drainage, Erosion and Sediment Control

A storm water management plan and an erosion and sediment control plan prepared in accordance with the requirements of sections 8.4.1 and 8.4.2, respectively, of these Regulations.

f. State or Municipal Approvals

The applicant shall also submit all information and certification of approval required by any State or municipal agency.

### **8.1 Public Roadways General**

The subdivision shall observe the following general requirements and principles of land subdivision:

1. The plan shall conform with the Town of Weare's Subdivision Regulations and any other pertinent State or local laws or regulations.
2. No street shall be recommended for acceptance to the Board of Selectmen until it has had at least a base coat of pavement for one year and has been approved by the Planning Board and their engineer in accordance with this Ordinance.
3. The arrangement of streets in the subdivision shall provide for the continuation of the principal streets in adjoining subdivisions or for their proper projection of a width at least as great as that of such existing connecting streets. No subdivision approval shall be granted for a subdivision whose proposed roads enter or exit upon a road designated as a Class VI or Private Road.
4. No street or highway right of way shall be less than fifty (50) feet in width for local and collector roads and sixty (60) feet in width for arterial roads and may be required to be more if a greater street width is warranted in the opinion of the Board. The apportioning of the street width among roadway, and possible grass strips shall be subject to the approval of the Board.
5. All dead end streets shall be equipped with a cul-de-sac at the closed end, as defined in the diagram of these regulations.
6. 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.
7. The width of blocks shall not be less than four hundred (400) feet, nor shall the length exceed twelve hundred (1200) feet. All lots of new subdivision roads shall have a minimum of 200 foot frontage. All lots in a subdivision shall have frontage to a Class V or better roadway.
8. Intersecting property lines at street intersections shall be joined by a curve of at least a twenty-five (25) foot radius.
9. Grades of all streets shall conform in general to the terrain and shall, so far as practicable, not exceed 8% for arterial roads and 9% for local and collector roads. No street shall have a grade of less than 0.5%.
10. Streets which join or are in alignment with streets abutting on neighboring properties shall bear the same name. Names of new streets shall not duplicate nor bear phonetic semblance

to the names of existing streets within the Town of Weare and shall be subject to the final approval of the Board of Selectmen.

11. Pavement and drainage facilities, curbs and sidewalks, when required, shall be installed and constructed in accordance with the standard specifications of the Town of Weare and in all cases must be constructed under the supervision of the Town's designated representative.
12. Lots shall be laid out and graded to eliminate flood or stagnant water pools. No water shall be permitted to run across the street on the surface but shall be directed into catch basins, if available, or otherwise into ditches, and shall be piped underground in a pipe of not less than fifteen (15) inches in diameter.
13. Streets shall be laid out to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than 60 degrees. The center lines of no more than two streets shall intersect at any one point. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum off set of one hundred and twenty five (125) feet between their center lines.
14. The Planning Board may require that a proposed subdivision plan preserve such natural features as trees, streams, water courses, and scenic views. The street and lot layout shall be adapted to the topography. Extensive grading and filling shall be avoided as far as possible.
15. Land of such character that its use would involve danger and injury to health, safety or prosperity by reason of lack of water supply, drainage, transportation, or other public services or the use of which would necessitate an excessive expenditure of public funds for the supply of such services or the development of which would interfere with the harmonious development of the municipality and its environment shall not be platted for residential occupancy nor for other such uses as may increase the above dangers until appropriate measures have been taken to eliminate such hazards. No natural drainage way shall be obstructed unless adequate means are taken to provide for the runoff. Subdivider to pay for off-site improvements in order to provide adequate water supply, drainage, transportation, schools, fire protection, other public services in order to avoid an excessive expenditure of public funds for the supply of such services.
16. Where a subdivision is traversed by a natural water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right of way conforming substantially with the lines of such water course and such further width or construction, or both, as will assure that no flooding occurs and all storm water can be disposed of properly. Parallel streets or parkways may be required in connection therewith.
17. Requirements for Site Inspections: All applicants who propose to do construction within a Town right of way should consult the Roadway Construction inspection schedule to determine the inspection required during construction; the cost of which shall be borne by applicant/developer. A subdivision inspection schedule is attached to these subdivision regulations in Appendix 3. This inspection schedule shall be abided by during the construction of roadways. An inspection shall be performed for each of the items and documented by the Towns' designated representative, as part of an inspection checklist.

## **8.2 Roadway Design Standards**

The roadway shall be constructed in accordance with the typical roadway cross sections for local and collector roads and arterial roads included with these specifications and in accordance with the following:

- a. Center lines of roadways shall coincide with center lines of street rights of ways and shall be designed using the following minimum standards:

	<u>Local and Collector Roads</u>	<u>Arterial Roads</u>
Minimum Right of Way Width	50 feet	60 feet
Minimum Width of 3" pavement	24 feet	24 feet
Minimum Shoulder Width	4 feet	4 feet
Minimum grade	0.5%	0.5%
Maximum grade	9.0%	8.0%
Maximum grade within 100 ft of intersection	2.0%	2.0%
Minimum angle of intersection	60 degrees	60 degrees
Minimum center line radii on curves	200 feet	325 feet
Minimum tangent length between reverse curves	100 feet	100 feet
Maximum rate of super elevation per foot	.04 feet	.04 feet
Roadway crown (minimum)	¼" per foot	¼" per foot
Intersection sight distance	Per most recent ASHTO standards	
Minimum pavement radii at intersection	25 feet	25 feet
Roadway Subbase	12 inches	18 inches
Roadway Base	6 inches	6 inches
Pavement Base Course	2 inches	2.5 inches
Pavement Wearing Course	1 inch	1.5 inches
	<u>Local and Collector Roads</u>	<u>Arterial Roads</u>
Curb radii at intersections 90 degree intersection	25 feet	25 feet
less than 90 degree intersection	30 feet	30 feet
No. of housing units served	-50	50+
Average daily traffic (ADT)	-500	500+
Design Speed MPH	35 mph	35+mph
Crest V.C. "K" Factor (1)	40	55
Sag V.C. Factor (1)	45	55
Minimum V.C. Length	125 feet	150 feet
Dead end on Cul-de-sac street		
Right of Way width	50 feet	n/a

1. Multiply the appropriate vertical curve (V.C) “K” factor by the algebraic difference in grade, in percent to obtain the required V.C. length for the road’s profile.
  - a.) All bridges shall be as wide as the required pavement for the class road plus four (4) feet and shall conform to Standard Specifications for Road and Bridge Construction, State of New Hampshire, Department of Transportation.
  - b.) Before any clearing has started on the ROW the center line of the new road shall be staked and sides staked at fifty (50) foot intervals. Side stakes to be set back off the ROW at right angles from the center line so as to be out of the construction area and with stationing and distances to the center line of the road.
2. Limits of clearing shall be marked by stakes or flagging. Distances from the center line to be obtained from the cross sections.
3. After clearing and grubbing is done, road construction stakes shall be placed at 50 foot station, a minimum of 15 feet and a maximum of 20 feet off of center line, and grades shall be marked on the tops of side stakes. Cuts and fill shall be computed to finish grade of roadway and said cuts or fills shall be marked on side stakes.

### **8.3 Roadway Construction**

1. All top soil, stumps, brush, roots, boulders and like materials shall be stripped and removed between the slope lines of the proposed street. Whenever practical, natural vegetation outside of the slope lines shall be protected and supplemented. All debris, stumps and foreign material shall be removed from the road-bed area prior to the placing of fill or gravel. All construction debris and left over materials shall be removed completely from the project site.
2. Subbase shall consist of 12 inches of bank run gravel for collector roads or 18 inches bank run gravel for arterial roads as defined by the State of New Hampshire Highway and Bridge Specifications; installed in two or three 6 inch lifts respectively, compacted to a minimum of 95% of the soils standard proctor dry density.
3. All streets shall receive a 6 inch upper base coarse of crushed gravel as defined by the most recent addition of the State of New Hampshire Standard Specifications for Highways and Bridges. Said course shall be compacted to 95% of its standard proctor maximum dry density.
4. Local and Collector street surfaces shall consist of a 2 inch binder course of bituminous concrete pavement and a 1 inch wearing course of bituminous concrete pavement. Arterial road surfaces shall consist of a 2.5 inch binder course of bituminous concrete pavement and a 1.5 inch wearing course of bituminous concrete pavement. Both binder and wearing courses shall conform to the State of New Hampshire Highway and Bridge Specifications.
5. The street shall have a cross slope from center line to edge of pavement of ¼ inch per foot and from edge of street to edge of shoulder of 5/8 inch per foot F. Ledge and boulders shall be removed to at least 18 inches below subgrade and replaced with sand or bank run gravel.

6. Fill, Gravel and Paving: All unsuitable material, as defined in the NHDOT's current Standard Specifications For Road and Bridge Construction, shall be removed to the depth of 4 feet below finished grade unless alternative construction methods have been approved in advance by the Board. Solid fill, laid in compressed local layers no greater than 12 inches in depth, free from organic matter may be used within 20 inches for roads and 27 inches for arterial roads of finished grade. All courses to be measured after compaction and all courses shall meet the appropriate State of New Hampshire Standard Specifications for Road and Bridge Construction standards.
7. Roads in Cut and Fill: Side slopes in fills must have finished grades no steeper than four (4) feet horizontal and one (1) foot vertical (1 on 4), unless guardrails are provided with a minimum of two (2) feet horizontal and one (1) foot vertical (1 on 2). Slopes must be stabilized by loaming and seeding or through the use of "mulch and seed" in acceptable soil types. Roads in cuts may require the addition of perforated under drains, laid in stone and protected by the appropriate geo-tech matting.
8. The pavements shall be applied by a paving contractor in accordance with the State of New Hampshire Standard Specifications for Road and Bridge construction. A tack may be required at the discretion of the review engineer.
9. Approved street signs and culvert posts shall be installed as directed by the Weare Planning Board and paid for by the developer. All such signs shall be consistent in design and dimension with those used throughout the Town. Further, they shall be installed in conformance with the current New Hampshire Traffic Control Standards Statutes and Policies booklet.
10. Bituminous pavement wearing coarse shall be installed by the developer after the subbase and binder coarse has been approved by the Town engineer and prior to the issuance of occupancy permits. No wearing course will be done between October 1<sup>st</sup> and May 15<sup>th</sup>. No binder course will be done between October 15<sup>th</sup> and May 15<sup>th</sup>. In all cases the temperature of the day must be forty (40) degrees or more.
11. Topsoil Protection: Topsoil shall be distributed to provide at least four (4) inches of cover to all areas disturbed between the right of way limits and the shoulders and shall be established by seeding and mulching or planting in accordance with the erosion and sedimentation requirements of Section 8.4.2. No topsoil shall be removed from the site unless approved by the Town's designated agent.

#### **8.4 Storm Water Management**

All run off, erosion and sediment control measures and the design of all drainage structures and systems shall meet the design standards and specifications set forth on these regulations or in the current "Manual on Drainage Design for Highways" published by the New Hampshire Department of Transportation.

##### **8.4.1 Storm Drainage Layout and Improvements**

1. Layout
  - a) General storm drainage systems shall be designated to permit unimpeded flow of all natural watercourses and to insure adequate drainage of storm water away from and off of streets and lots.

b) Design drainage shall be designated by the use of the Soil Conservation Service Method or other approved method. The rainfall frequency to be used with formula shall be as follows:

10 year frequency for residential areas;

25 year frequency for commercial or industrial areas;

100 year frequency for flood protection areas;

c) All cross culverts, closed drainage system, storm water detention and retention facilities shall be designed for a 25 year frequency storm and checked for impacts for a 50 year frequency storm.

d) Box culverts and bridges shall be designed for a 50 year frequency storm and checked for impacts for a 100 year frequency storm.

## 2. Structures and Materials

a) Storm drains, culverts, and related installations, including catch basins, and drop inlets, shall be installed within and throughout the subdivision as necessary. All storm drainage structures and materials shall meet the standards set forth in Standard Specifications for Road and Bridge Construction, State of New Hampshire, Department of Transportation. All pipes, except under drains, shall have a minimum diameter of fifteen (15) inches and shall have a minimum of three (3) feet of cover below the finished grade of the road over all pipes, including under drains.

b) Drainage ditches at least 18 inches in depth at its midpoint below center line grade shall be constructed at approximately the street right of way on both sides of the roadway and so designed as to provide for the proper flow of storm run off.

c) Where a subdivision is traversed by or requires the construction of a water course or drainage way, a written easement of adequate width shall be provided for such purpose. The written easement shall be provided to the Planning Board prior to receiving final approval.

d) Pipe culverts with a span of 10 feet or more will be considered as bridges.

e) It is required that culverts be located to fit natural channels in lines and grade.

f) The minimum grade of culverts shall be 0.4% or able to maintain a velocity of 2 feet per second while flowing one third full.

g) Collars will be designed for culverts whose grades exceed 20%.

h) When the computed outlet velocity is in the range beyond normal design of 10 fps, additional outlet protection shall be considered.

i) The maximum headwater depth of flow immediately upstream from a pipe culvert shall be controlled by the following:

- Damage to adjacent property;

- Damage to culvert and the roadway;

- Traffic interruption;
- Hazard to human life; and
- Damage to stream and flood plain environment.

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

<u>Pipe Size</u>	<u>Maximum Allowable Headwater</u>
15 inch - 30 inch	2 times pipe diameter
36 inch - 48 inch	1 ½ times pipe diameter
54 inch - up	1 times pipe diameter

- j) Acceptable pipe materials for roadway and drive pipe culverts include: reinforced concrete, corrugated, galvanized steel and corrugated aluminum.
  - k) All culverts shall be constructed with end sections, headers, or stone slope paving as specified below. End sections shall be permitted on all pipes less than 48 inch diameter, except where there is an active stream.
3. Ditches:
- a) A maximum length of 400 feet for a ditch to a catch basin or drop inlet is required. Local conditions may require variations. Any variations must be approved by the Board or the Board’s Agent.
  - b) In order to keep the ditch self cleaning, a minimum grade of 0.5% shall be required, except for “Site Specific Swales” as required by RSA 45:17.
  - c) All ditches shall be checked for possible erosion and subsequent situation of streams. Acceptable methods of treatment include matting for erosion control, stone for erosion control, stone fill and riprap.
  - d) All ditches steeper than 5% shall be adequately protected against soil erosion. Matting for erosion control or stone linings shall be provided, as determined by an engineering evaluation.
  - e) Ditches shall be used at the top of back slopes only when excessive off site run off damage slopes and/or over tax on site systems.
4. Subsurface Drainage (Under drains):
- Subsurface drainage systems (under drain pipe) shall be provided where the seasonal high ground water table is within five (5) feet of the finished roadway grade, or where the character and composition of the soil in the road bed and other areas of the subdivision render such installation necessary in the opinion of the Board or their designated representative. Test pits or borings in roadway cut sections shall be taken, as required or order by the Town’s representative, to locate the Season High Water (SHW) Table and determine the need for under drain pipe. This pipe shall be perforated PVC or metal with a minimum diameter of 6” and laid in the bottom of a trench at such depth and width as may be necessary. The trench shall be filled with clean bank run gravel, or equivalent material approved by the Town’s designated representative.

#### 8.4.2 Erosion and Sediment Control Regulations



## 5. General

The purpose of this Regulation is to control run off and soil erosion and sedimentation resulting from site construction and development. Subdivision and site plans shall include plans for controlling erosion and sedimentation as provided herein.

## 6. Definitions

The following definitions apply to this erosion and sediment control Regulation:

- a. Best Management Practice (BMP): A proven or accepted structural, non-structural, or vegetative measure, the application of which reduces erosion, sediment, or peak storm discharge, or improves the quality of storm water run off.
- b. Critical Areas: Disturbed areas of any size located within 50 feet of a stream, bog, water body, or poorly or very poorly drained soils; disturbed areas exceeding 2,000 square feet in highly erodible soils; or disturbed areas containing slope lengths exceeding 25 feet on slopes greater than 15 percent.
- c. Development: Any construction or land alteration or grading activities other than for agricultural or silvicultural practices.
- d. Disturbed Area: An area where the natural vegetation has been removed exposing the underlying soil.
- e. Erosion: The detachment and movement of soil or rock fragments by water, wind, ice or gravity.
- f. Highly Erodible Soils: Any soil with an erodibility class (K factor) greater than or equal to 0.43 in any layer as found in Table 3-1 of the "Storm water Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire".
- g. Project Area: The area within the subdivision or site plan boundaries.
- h. Sediment: Soil material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.
- i. Stabilized: When the soil erosion rate approaches that of undisturbed soils. Soils which are disturbed will be considered protected when covered with a healthy, mature growth of grass or a good covering of hay or straw mulch (2 tons/acre). Mulch is only a temporary measure, ultimately, the site needs vegetation.
- j. Storm Water Runoff: The water from precipitation that is not absorbed, evaporated, or otherwise stored within the contributing drainage area.
- k. Stream: Areas of flowing water occurring for sufficient time to develop and maintain defined channels, but may not flow during dry portions of the year. Includes, but is not limited to all perennial and intermittent streams located on U.S. Geological Survey maps.

## 3. Applicability

The applicant shall submit an erosion and sediment control plan to the Planning Board for any tract of land being developed or subdivided, where one or more of the following conditions is proposed:

- a. A cumulative disturbed area exceeding 20,000 square feet.
- b. Construction or reconstruction of a street or road.
- c. A subdivision of more than three building lots.
- d. Disturbed critical areas.

#### 4. Minimum Requirements

- a. The Planning Board may waive the requirement for all or part of an erosion and sediment control plan if it determines that a plan is unnecessary because of the size, character, or natural conditions of a site.
- b. All requests for waivers and action thereon shall be made in writing by the applicant, and shall be accompanied with supporting technical documentation to demonstrate minimal environmental impact.
- c. The following minimum requirements apply to all projects, regardless of size:
  1. Site drawing of existing and proposed conditions:
    - a) Locus map at the scale of 1"=2,000' showing property boundaries
    - b) North arrow, scale not more than 1"=1,00', date
    - c) Property lines
    - d) Easements
    - e) Structures, utilities, roads and other paved areas
    - f) Topography at 2-foot intervals
    - g) Critical areas
    - h) Surface water, wetlands, drainage patterns, and watershed boundaries
    - i) Vegetation
    - j) Soils information for design purposes or for determining highly erodible soils shall be determined from a National Cooperative Soil Survey (NCSS) soil series map.
    - k) Temporary and permanent storm water management and erosion a sediment control BMPs (Best Management Practice).
    - l) Areas and timing of soil disturbance.
    - m) A schedule for the inspection and maintenance of all BMPs.
  2. A narrative section including discussion of each measure, its purpose, construction sequence, and installation timing as they apply to date.

#### 5. Design Standards

The following standards shall be applied in planning for erosion and sediment control.

- a. All measures in the plan shall meet, as a minimum, the Best Management Practices set forth in the "Storm Water Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire", Hillsborough County Conservation District, NH Department of Environmental Services, Soil Conservation Service (now the Natural Resources Conservation Service), August 1992, as amended, a copy of which is available in the Planning Board office.

- b. Whenever practical, natural vegetation shall be retained, protected or supplemented. The stripping of vegetation shall be done in a manner that minimizes soil erosion.
- c. Appropriate erosion and sediment control measures shall be installed prior to soil disturbance.
- d. The area of disturbance shall be kept to a minimum. Disturbed areas remaining idle for more than 30 days shall be stabilized.
- e. All seeded areas shall be mulched within 24 hours of seeding with a good quality hay or straw mulch which shall be applied at the rate of 2 tons per acre.
- f. Measures shall be taken to control erosion within the project area. Sediment in run off water shall be trapped and retained within the project area using approved measures. Wetland areas and surface waters shall be protected from sediment.
- g. Off-site surface water and run off from undisturbed areas shall be diverted away from disturbed areas where feasible or carried non-erosively through the project area. The integrity of downstream drainage systems shall be maintained.
- h. Measures shall be taken to control the post-development peak rate of run off so that it does not exceed pre-development run off for the 2-year 24-hour storm event and for additional storm event frequencies as specified in the design criteria of the “Storm Water Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire”.
- i. Priority should be given to preserving natural drainage systems including perennial and intermittent streams, wetlands, swales, and drainage ditches for conveyance of runoff leaving the project area.
- j. All temporary erosion and sediment control measures shall be removed after final site stabilization. Trapped sediment and other disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized within 30 days unless conditions dictate otherwise.

6. Completed Application Requirements

The Planning Board shall require each of the following in the final plan unless the project is deemed of sufficiently minimal impact to qualify for the minimum requirements specified in part 4 of this Regulation.

- a. Construction Drawings:
  - 1. Locus map at the scale of 1 inch = 2,000 feet, showing property boundaries.
  - 2. North arrow, scale of 1 inch = 50 feet, date.
  - 3. Property lines
  - 4. Structures, roads, utilities, earth stockpiles, equipment storage, and stump disposal.
  - 5. Topography at 2-foot intervals
  - 6. Critical areas
  - 7. Within the project area, and within 400 feet of the project boundary, surface waters, wetlands, drainage patterns, and watershed boundaries.

8. Vegetation
  9. Extent of the 100-year flood plain boundaries, if published or determined.
  10. Soils information for design purposes from a National Cooperative Soil Survey (NCSS) soil series map. Highly erodible soils shall be determined by soil series.
  11. Easements
  12. Areas soil disturbance
  13. Areas of cut and fill
  14. Areas of poorly or very poorly drained soils, including any portion to be disturbed or filled
  15. Locations of all structural, non-structural, and vegetative storm water management and erosion and sediment control BMPs
  16. Identification of all permanent control BMPs
  17. Tabulated sequence of construction
- b. Other Plan Requirements:
    1. Construction schedule
    2. Earth movement schedule
    3. A proposed schedule for the inspection and maintenance of all BMPs.
    4. Description of all structural and non-structural BMPs with detailed drawings of each, as appropriate.
  - c. Report section, including:
    1. Design calculations for all temporary and permanent structural control BMPs.
    2. A proposed schedule for the inspection and maintenance of all BMPs.
    3. Identification of all permanent control measures and responsibility for continued maintenance.
    4. A drainage report with calculations showing the volume, peak discharge, and velocity of present and future run off.
    5. When detention structures are planned to reduce future condition peak discharge, the soil cover complex method shall be used to compute the run off volume and peak discharge for designing the structure. The design will conform to the criteria outlined for those types of structures given in the “Storm water Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire”.
7. Responsibility for Installation/Construction.
    - a. The applicant shall bear financial responsibility for the installation, construction, inspection and disposition of all storm water management and erosion and sedimentation control measures required by the provisions of this Regulation.
    - b. The Planning Board shall require a bond or other security in an amount and with surety conditions satisfactory to the Board, providing for the actual construction and installation of such measures within a period specified by the Planning Board and expressed in the bond or the surety.
    - c. Site development shall not begin before the storm water management and erosion and sediment control plans receive approval. Best Management Practices shall be installed as designed and scheduled as a condition of final plan approval.
  8. Plan Review and Approval

- a. Technical review of any storm water management and erosion and sediment control plans prepared under this Regulation and under part 8.4.1 of these Subdivision Regulations shall be conducted by the Hillsborough County Conservation District or other qualified consultant, as determined to be appropriate by the Planning Board, at the expense of the applicant.
- b. The Planning Board shall indicate approval of the storm water management and erosion and sediment control plans, as filed, if they comply with the requirements and objectives of the Regulations governing such plans. Such approvals shall be component of subdivision and site plan approval. If disapproved, a list of plan deficiencies and the procedure for filing a revised plan will be given to the applicant.

#### 9. Maintenance and Inspection

- a. A narrative description of on-going maintenance requirements for water quality protection measures required by the storm water management and erosion and sediment control plans shall be recorded on the deed to the property on which such measures are located. The description so prepared shall comply with the requirements of RSA 478:4-a.
- b. The Planning Board may require routine inspections to verify on-going maintenance of water quality protection measures. Such inspections shall be performed by the designated agent at reasonable times to the landowner.
- c. If permission to inspect is denied by the land owner, the designated agent shall secure an administrative inspection warrant from the district or superior court under RSA 595-B.
- d. The Board of Selectmen may require a fee for routine inspections of water quality protection measures. The fee shall be paid by the owner of the property. A fee schedule shall be established by the Board of Selectmen which represents the cost of performing an inspection of various types of water quality protection measures. The procedure for the adoption of the fee schedule shall be as provided in RSA 41:9-a.

#### 10. Enforcement

- a. The purpose of this part is to enact locally, the administrative and enforcement procedures set forth in RSA 676 of the existing planning and land use statutes.
- b. Any violation of the requirements of this Regulation shall be subject to the enforcement procedures detailed in RSA 676. RSA 676 authorizes the following penalties and remedies for enforcement of the provisions of this Regulation:
  1. Injunctive relief in accordance with RSA 676:15;
  2. Fine and penalties in accordance with RSA 676:17;
  3. Issuance of a cease and desist order in accordance with RSA 676:17-a; and
  4. Pleas by mail for local land use citations in accordance with RSA 676:17-b.
- c. The designed agent shall be responsible for the enforcement of the provisions of this Regulation.
- d. **Written Notice of Violation.** A written notice of violation shall be issued to the property owner by registered mail from the designated agent if the agent determines that conditions at the site are in violation of any of the requirements of this Regulation or

plans approved under this Regulation and that the violation is not an immediate threat to public health or safety. The notice of violation shall:

1. Specify the actions or conditions which violate the requirements of this Regulation or plans approved under this Regulation;
  2. Identify what needs to be done to correct the violation(s);
  3. Specify a reasonable time frame within which the violation(s) will be corrected; and
  4. Be provided to the property owner with a copy to be kept in the official records of the Planning Board.
- e. Cease and Desist Order. A cease and desist order may be issued to the property owner by the designated agent if the agent determines that conditions at the site are in violation of any of the requirements of this Regulation and the violation is either:
1. An immediate threat to public health or safety; or
  2. The property owner has failed to take corrective actions(s) identified in a written notice of violation issued under part 10.d of this Regulation within the time frame specified therein.

Soil Erodibility Factor (K)

Erosion factor K indicates the susceptibility of a soil to sheet and rill erosion by water. Factor K is one of six factors used in the Universal Soil Loss Equation (USLE) to predict the average annual rate of soil loss by sheet or rill erosion in tons per acre per year. The estimates are based primarily on percentage of silt, sand and organic matter (up to 4 percent) and on soil structure and permeability. Values of K range from 0.05 to 0.69. The higher the value, the more susceptible the soil is to sheet and rill erosion by water. {"Soil Survey, Hillsborough County, New Hampshire Western Part", (October 1985) page 64}

Any soil with an erodibility class (K factor) greater than or equal to 0.43 in any layer is considered highly erodible on construction sites. Table 3-1 contains a list of soils which may contain highly erodible material within 60 inches of the surface. Special consideration should be given to these soils during construction. {"Storm Water Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire", (August 1992) page 3-5}

Table 3-1  
Soils Containing Highly Erodible Material

Abenaki	Lime	Saco
Belgrade	Limerick	Saco Variant
Biddeford	Limerick Variant	Salmon
Binghamville	Lovewell	Salmon Variant
Boxford	Maybid	Scantic
Buxton	Medomak	Scio
Charles	Medomak Variant	Scitico
Cochas	Nicholville	Squamscott
Dartmouth	Nicholville Variant	Suffield
Eldridge	**Ossipee	Swanton
Elmwood	Pemi	Unadilla
Fryeburg	Poocham	Unadilla Variant
Glebe	Raynham	Westbrook
Grange	Raynham Variant	Windsor Variant

Hadley  
Hitchcock

Ricker  
Roundabout

Winooski

\*\*Of the soils listed, only this one has been identified in the “Soil Survey, Hillsborough County, New Hampshire, Western Part” (October 1985)

Weare Soils - Highly Erodible

<u>Soil Series</u>	<u>Map Unit</u>	<u>Depth</u>	<u>K Factor</u>
Ossipee	495	- - -	not estimated

Source: “Soil Survey of Hillsborough County, New Hampshire, Western Part” (October 1985) Table 15, Physical and Chemical Properties of the Soils, page 135.

The Ossipee soil is very poorly drained wetland soil which would not be considered developable under the Weare Zoning Ordinance.

**8.5 Landscaping and Planting**

1. Installation and preservation of landscaping and preservation of natural and scenic features shall be undertaken by the subdivider wherever possible to enhance the environment of the subdivision and the Town of Weare.
2. All esplanade or planting strip areas at side of streets shall receive a minimum of six (6) inches of compacted, good loam, free of sods, clay and stones over one inch in diameter, and all organic material over 1/8 inch in diameter shall be raked out and removed.
3. After placement of loam, planting strips shall be seeded with first quality lawn seed, free of dirt, and weed seeds containing at least 30% Kentucky Blue Grass, 45% Creeping Red Fescue, 10% Red Top and 15% Rye Grass or of the type and at the rate specified in the Erosion and Sediment Control plan section.
4. Shade trees shall be required along all proposed streets outside the right of way in new subdivisions and shall be of a size and species approved by the Planning Board.

**8.6 Monuments**

1. Location
  - a) Bound Locations: The front lot corners, all changes in direction o the right of way lines shall be monumented with stone or concrete bounds. There shall be no more than 700 feet between bounds along the right of way line.
  - b) Iron Pipe Locations: Those iron pipes located along rivers and streams shall be located along the meander line. All real lot corners and angle points and side lot lines shall be monumented with iron pipes. In the event of natural features, offsets or drill holes will be allowed.
2. Monuments
  - a) Stone or Concrete Bounds shall be of concrete or stone, not less than thirty six (36) inches in length, not less than four (4) inches square or five (5) inches in diameter, and marked on top with a cross, brass plug, iron rod, or other durable material securely imbedded.

- b) Iron Pipes: Iron Pipes shall be at least thirty six (36) inches long and seven eighths (7/8) inch in diameter or square.
- c) Monument Placement
  - i) Monuments shall be set flush with finished grade. No permanent monuments shall be set until all construction which would disturb or destroy the monuments is completed.
  - ii) All monuments shall be set under the direction of a registered land surveyor.
  - iii) Monuments to be set prior to final inspection.

## **8.7 Driveways**

1. All driveways connecting to the Town roads must be built and maintained in accordance with the following specifications.
  - a) In essence, driveways cannot interrupt the natural or ditch line flow of drainage water. In some cases where shallow ditch lines or natural drainage courses exist, driveways may be swaled at a point beyond the road shoulder to accommodate the flow of storm water. In all other cases, driveways must have sufficiently sized culverts installed and maintained by the homeowner or developer.
  - b) In no case shall the culvert pipe under a driveway be less than 15 inch diameter pipe when at the discretion of the Highway Department a pipe is required.
  - c) An all season safe sight distance of 200 feet in each direction.
  - d) Driveways shall intersect the roadway at a preferred angle of 90 degrees but in no case shall the intersecting angle be less than 50 degrees.
  - e) Return radii for driveways shall not exceed 25 feet.
  - f) No driveway will be permitted to be constructed within 50 feet of an intersection street and 100 feet is desirable.
  - g) Maximum allowable driveway width shall be 30 feet. The minimum width shall be 10 feet.
  - h) A permit shall be obtained from the Town Road Agent for the construction of a driveway connecting to any designated Class V or proposed public roadway. Final driveway acceptance shall rest with the Town Road Agent

## **8.8 Fire Protection Systems**

All required fire fighting water supply systems (i.e. cisterns) shall be completed and approved prior to the sale of any lot. The following procedures shall apply:

1. Design plans in accordance with the Fire Protection Cistern Specifications stipulated in Section 8.13 below shall be submitted for review and approval by the Town's consulting engineer.
2. The cost of the review shall be borne by the applicant; and an estimated charge of \$500 for the said review shall be submitted to the Land Use Department with the design plans.



3. A location for the proposed cistern shall be sited on the subdivision plan that accommodates the required travel distance to lots as specified in Section 4.1, E,1. The Planning Board will verify with the Board of Fire Wards that the proposed location is appropriate for the intended use.
4. Upon approval of the design plans and location, construction of the cistern shall be a condition to subdivision approval, and shall require that:
  - a.) construction inspections are called for by the applicant, and performed by the Town's consulting engineer, in accordance with the Job Inspection Sheet of the said Cistern Specifications;
  - b.) prior to construction, the applicant submits the sum of thirty-five Hundred Dollars (\$3,500.00) to the Land Use Department to cover the cost of the above-noted inspections;
  - c.) a building permit for the utility be issued by the Town's Building Inspector;
  - d.) construction of the utility is in accordance with the approved design plans.

### **8.9 Street Signs and Intersection Lighting**

- a. Intersection street lighting shall be installed where it is deemed appropriate by the Planning Board, subject to approval by the Board of Selectmen.
- b. Street signs, sign posts and intersection lighting shall be provided at all intersections of new or extended streets by the developer and shall be of size and type as approved by the Board of Selectmen.

### **8.10 Utilities**

Prior to any new road construction, subdivision approval or the approval of new homes greater than three hundred (300) feet from the public roads, written preliminary approval must be included from utility services (telephone, electricity and cable TV). Any plot plan, subdivision plan or Town road construction plans must include underground or aerial service systems. Utility poles should be kept close to the right of way line, in no case in the ditch line and always well back of a curb. Water and sewer mains should be constructed outside the surface area and preferably outside the ditch line.

### **8.11 Debris and Waste**

No cut trees, timber, debris, earth, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land, or left or deposited on a lot or street. Nor shall any be left or deposited in any area of the subdivision at any time or expiration of the performance bond or dedication of public improvements, whichever is sooner.

Stumps: Stumps resulting from the road construction must be disposed of out of the road easement on land owned by the principals of the construction project which is to have a State of New Hampshire, Department of Environmental Services stump disposal permit or letter from the DES stating such a permit is not required. The Town of Weare will not accept stumps from such projects at their Solid Waste disposal area.

### 8.12 Conditions during Construction

The developer shall be responsible for minimizing and avoiding, to the extent possible, conditions which result in hardship, inconvenience or annoyance to early occupants of the development or abutters from construction activities, including but not limited to such conditions as unreasonable hours of operation, erosion, dust, odor, smoke, temporary changes of surface water run off, or other similar conditions during construction activity. The developer shall also be responsible for exercising reasonable care to avoid and prevent hazardous conditions on the site through excavation, clearing, storage of equipment, materials or debris, or other activity during construction.

### 8.13 Fire Protection Cistern Specifications

The Town of Weare is the ultimate **OWNER** and the Weare Fire Department is the only user of any cistern constructed for subdivisions. As a result, the TOWN and the Fire Department have a clear interest in assuring the work is satisfactory. To that end, inspections will be performed by the TOWN's consulting engineer in accordance to the "Construction Inspection Sheet" and as necessary.

1. Cisterns are to be located no more than 2,200 feet truck travel distance from the nearest lot line of the furthest lot. The final location of any cistern must be recommended by the Board of Fire Wards and approved by the Planning Board.
2. The Town of Weare expects the design of a cistern to be reasonable, practical, trouble-free and last a lifetime (50 years). All designs and construction information must be shown on plans.
3. The cistern must have a minimum usable capacity of 15,000 gallons available through the suction piping system.
4. The suction piping system is to be capable of delivering 1,000 gallons per minute of three-quarters of the cistern capacity.
5. The design of the cistern is to be submitted to the Planning Board, for approval by the Town's consulting engineer prior to construction. All plans must be stamped and signed by a professional engineer licensed by the State of New Hampshire.
6. Each fire cistern must be sited to the particular location by the same registered professional engineer as noted in Item #5.
7. The entire fire cistern is to be structurally rated for HS-20 loading, unless specifically exempted in writing by the Fire Wards.
8. All drawings herein are for general diagrammatic purposes only and are not to be used as the final design. Alternative designs and materials can be proposed, as previously noted; all design must be submitted to the Planning Board for review and approval by the appropriate agent/agency.
9. All cast-in-place concrete utilized as part of the construction of a fire cistern must meet or exceed the specification requirements listed below:

#### CONCRETE

- a. All concrete work shall conform to the requirements of the specifications, the latest edition of the ACI Building Code (ACI 318 and ACI 301, Specifications for Structural Concrete for Buildings, and to the International Building Code. In case of conflict, the more stringent requirements shall govern.
  - b. All concrete shall be ready-mixed in accordance with ASTM C94.
  - c. Vertical construction joints and stops in the concrete work shall be made at mid span. Provide dowels at construction joints of area equal to .5% of the vertical concrete area. See specifications. Provide beveled keyways at all construction joints.
  - d. At least 48 hours shall elapse before depositing of new concrete against previously placed concrete.
  - e. All concrete shall attain minimum compressive strengths at 28 days age of 4,000 psi. Refer to specifications and ACI 301 for design strengths required for selecting mix proportions.
  - f. The use of calcium chloride is prohibited.
10. All cast-in-place concrete furnished as part of construction of the fire cistern and placed and cured must be in accordance with the most recent applicable ACI publication. Said ACI codes shall include but not be limited to the following:
- ACI 301 Specifications for Structural Concrete for Building
  - ACI 304 Recommended Practices for Measuring, Mixing, Transporting, and Placing Concrete
  - ACI 305 Hot Weather Concreting
  - ACI 306 Cold Weather Concreting
  - ACI 308 Standard Practice of Curing Concrete
  - ACI 309 Standard Practice for Consolidation of Concrete
  - ACI 318 Building Code Requirements for Reinforced Concrete
  - ACI 347 Recommended Practice for Concrete Formwork
11. The tolerances for concrete work is as follows:
- a.) Walls - All walls shall be even in appearance. Horizontal and vertical surfaces shall be plumb and/or level to within 1/4" in ten (10) feet.
  - b.) Slabs - All slabs shall be even and level with a uniform appearance and have a smooth profile of surface. The surface shall be level to within 1/4" in ten (10) feet.
12. All reinforcing steel used must meet or exceed the following specification requirements:
- REINFORCING
- a. All reinforcing bar details shall conform to the latest ACI Code and detailing manual, except as otherwise specified.
  - b. All reinforcing bars shall conform to ASTM A615 Grade 60 except ties and stirrups Grade 40. All welded wire fabric shall conform to ASTM A185 and shall be provided in flat sheets. Laps shall be staggered and shall be 1 - 1/2 full mesh minimum.

- c. Schedule with the shop drawings all necessary accessories to hold reinforcing securely in position. Minimum requirements shall be: high chairs - 4 feet on centers; slab bolsters - 3' 6" on centers; support bars for high chairs - #5.
  - d. All bars, except as otherwise noted, shall be continuous and shall be run continuously around corners, lapped at necessary splices, and hooked at discontinuous ends. Laps shall be 30-bar diameter minimum, unless otherwise noted.
  - e. The concrete protective covering for main reinforcement shall be, unless shown otherwise:
    - i. Footing bottoms - 3 inches
    - ii. Columns, beams and formed surfaces in direct contact with soil or exposed to the weather (except slabs) - 2 inches
    - iii. Interior slabs - ¾ inch
  - f. All concrete, unless specifically noted to be plain concrete, shall be reinforced.
  - g. All reinforcing shall be inspected and approved before concrete is placed.
13. All suction and vent piping above the cistern roof slab is to be ASTM Schedule 40 Steel. All above-grade Schedule 40 Steel piping and supports must be painted in accordance with the following paint system: SHERWIN-WILLIAMS or EQUAL:
- |                       |  |
|-----------------------|--|
| EXTERIOR PIPING:      | Including vent fill and suction piping |
| 1 <sup>st</sup> Coat: | High solids catalyzed epoxy-6 mil DFT* |
| 2 <sup>nd</sup> Coat: | High solids Aliphatic - 4 mil DFT*     |
- \*Dry Fill Thickness  
Surface preparation and application of the paint must be in accordance with the manufacturer's requirements.
- Below grade Schedule 40 Steel pipe is to be coated with CIM1000 or Elastoshield coating. Suction piping within the cistern tank is to be Schedule 10 Type 304 Stainless Steel.
- 14. The 8 x 5 inch eccentric reducer is available from Boston Pipe and Fittings of Cambridge, MA, or equal.
  - 15. The final suction connection is to be a 4 ½ inch National Hose Male Thread. A cap must be provided and both the cap and the adapter must be brass.
  - 16. The filler pipe Siamese fitting (located on the Vent Pipe) is to have a 2 ½ inch National Standard Female Threads, with either plastic or breakable iron caps. The filler Siamese shall be located a minimum of 36 inches, and a maximum of 48 inches, above final grade level.
  - 17. The entire concrete structure of the cistern must be completed, filled with water, and inspected prior to backfilling.

18. During the construction of the fire cistern, the excavation must be kept stable and dry. The excavated area must be dewatered to 2 feet below bottom of footing grade for the entire construction and testing period.

19. The bedding material for the cistern shall be a 12 inch layer of 1 ½ inch crushed, washed stone. The bedding material must be compacted by mechanical means, and shall meet the following gradation requirements:

<u>Sieve Designation</u>	<u>Percent Passing</u>
2"	100%
1 ½"	95%-100%
1"	35%-85%
3/8"	20%-52%
No. 8	0-5%

20. Prior to placement of the bedding material, a layer of geotextile separation fabric must be placed on subgrade that is stable and dry. The fabric is to be MIRAFI 140.N or equal.

21. All backfill material is to be screened gravel and must be compacted to 95% of the material modified proctor value. The material must meet the following gradations requirements:

<u>Sieve Designation</u>	<u>Percent Passing</u>
3"	100%
2"	95%-100%
1"	55%-85%
No. 4	27%-52%
No. 200	0-12%

22. Filler pipe Siamese is to be a minimum of 36 inches, and a maximum of 48 inches, above final backfill grade.

23. The relationship of the height of the final cistern suction connection to the suction connection on the fire engine is absolutely critical. The intention is to have the final suction connection of the suction pipe 20-24 inches above the level of the pad where a fire vehicle's wheels are located, which is about ten feet from the cistern suction connection. The cistern design must include design elevations, i.e. top of base slab, top of roof slab and centerline of suction piping, and any other necessary elevations for construction of the cistern. The design engineer must set a minimum of two (2) benchmarks on the proposed cistern site for use by the Contractor. The benchmarks must be protected and maintained throughout the duration of construction. SEE DETAIL.

24. Suction pipe is to be supported to the top of the tank.

25. Cistern must be designed so that it will not float when empty. This must be stated on the plans.

26. Perimeter of tank at floor/wall joint to be sealed with continuous 6 inch PVC waterstop. All butt-ends are to be heat welded. Also, all vertical wall joints and horizontal slab joints must have a continuous 6 inch PVC waterstop.

27. The Developer/Contractor must, for approval, submit to the Town's Consulting Engineer two (2) copies of the following shop drawings two weeks prior to use in construction.

- Rebar
- Form work and accessories
- Concrete design mix
- PVC waterstop
- Waterproofing coating
- Form tie patching
- Suction, fill, and vent piping including supports
- Backfill materials including structural fill, crushed stone and fabric
- Access manhole structure and casting

28. After backfilling, the tank area is to be enclosed with 2 ft. x 2 ft. x 3 ft. stones placed 6 ft +/- on center. SEE DETAIL.

29. Backfill over the tank shall be:

- a. 4 feet of fill; or
- b. if less than 4 feet, the top and highest 2 feet of sides of cistern insulated with vermin-resistant foam insulation, and minimum 2 feet of fill.
- c. All backfill shall extend 10 feet beyond the edge of the cistern, then maximum 3:1 slope, loamed and seeded. All fill and loam shall remain 4" below the rim of the manhole.

30. All areas disturbed as a result of construction of the fire cistern must be graded, loamed, seeded, fertilized and mulched. The loam must be screened and the minimum thickness placed is to be 4 inches. It shall be kept 4 inches below the top of the manhole ring. Seed mixtures and mulch shall be applied in accordance to the standards as found in the Erosion and Sediment Control Design Handbook for Developing Areas of NH, as amended.

31. The roadway shoulder and vehicle pad at the fire cistern, from edge of the roadway pavement to the pumper suction connection, must have a pitch of 3/8" per foot downgrade. There must be a defined swale (ditchline) where both grades meet, to take runoff away from the site. The vehicle pad at the fire cistern must be sized to accommodate a pump truck (minimum of 22'-24' from the edge of the existing pavement) and must have a minimum of 12 inches of crushed gravel meeting the following gradation:

<u>Sieve Designation</u>	<u>Percent Passing</u>
3"	100%
2"	95%-100%
1"	55%-85%
No. 4	27%-52%
No. 200	0-12%

The vehicle pad gravel material must be compacted to 95% of the modified proctor of the crushed gravel. The shoulder and pad shall be constructed, and paved with 2 1/2" of bituminous pavement, in accordance with Section 8.2.

32. Shoulder and vehicle pad must be of sufficient length to permit convenient access to suction connection when pumper is set at 45 degrees to the road.

33. Bottom of the suction pipe to pumper connection must not exceed 14 feet vertical distance.
34. All construction, backfill, and grading material is to be in accordance with proper construction practices.
35. All horizontal suction piping must slope slightly uphill towards pumper connection.
36. Installer is responsible for completely filling cistern with potable water until accepted by the Planning Board.
37. **NO EXCEPTIONS PERMITTED:** All form ties shall be of a type that permit breaking-off at least one inch below the surface of the concrete with a one-inch diameter PVC cone. In addition, waterstop washers shall be placed halfway along the length. All form ties are to be broken at least one inch below the surface and sealed with a non-shrinking hydraulic cement.
38. The method of positive leak prevention must be provided. The inside of the cistern walls, and floor, as well as the below-grade Schedule 40 carbon steel piping, must be waterproofed with a modified urethane industrial membrane system equal to CIM1000 or Elastoshield, that will ensure long-term water tightness of the structure.
39. The Fire Wards or other agent/agency shall perform such tests on the cistern both during and after construction as necessary. These tests shall include a flow test and a leakage test, the latter requires at least two weeks. The leakage test is a zero leakage test.
40. Four (4) sets of stamped and signed final plans must be submitted to the Planning Board. More may be required as needed by the TOWN or its ENGINEER.
41. The only acceptable padlock is a Chicago ACE brand padlock keyed to Weare Fire Department.
42. A building permit is required by the Town.
43. The Developer is responsible to pay for the cost incurred by the Planning Board to have the cistern design plans reviewed by the TOWN's consulting engineer. The cost to review a 15,000 gallon cistern of conventional design is \$500. Larger cisterns and unconventional design review costs will be determined on a case-by-case basis.
44. The Developer shall be responsible for payment of all inspection fees incurred. Inspections shall be performed by the Town's consulting engineering firm. At a minimum, inspections shall occur at construction milestones identified on the "Construction Inspection Sheet".
45. The Developer must schedule all inspections 48 hours in advance with the Town's consulting engineering firm.
46. Before commencement of cistern construction, the Developer shall deposit with the Planning Board a sum of three thousand five hundred dollars (\$3,500) to cover inspection costs identified in paragraph #44. Said sum shall be held in escrow by the TOWN and applied toward payment of inspection costs. Any unused portion of the escrow, plus interest

accrued, if any, shall be returned to the applicant upon final inspection and acceptance of the cistern, and receipt of the final inspection costs' invoice for same. Should additional sums over the three thousand five hundred dollars (\$3,500) escrow be necessary, then final acceptance of the cistern shall be withheld until all outstanding bills are paid.

47. Prior to the start of construction of the cistern, a preconstruction meeting will be held at the Weare Town Office Building. The Weare Land Use Department will organize the meeting. The following parties must attend the meeting:

- Weare Land Use Coordinator
- Weare Board of Firewards representative
- Town's Consulting Engineer representative
- Developer
- Contractor (if applicable)

48. The Developer must bring a written grant-type construction schedule and an erosion control plan to the preconstruction meeting, both to be submitted to the Planning Board for review.

49. The Developer must submit a fully executed "Receipt of Specifications and Agreement to Conform" sheet as an attachment to the design plans submitted for review and approval. The sheet is available at the Land Use Office.

**Construction Inspection Sheet**

Inspections must be conducted and work found acceptable at the following points during construction. The Planning Board's authorized inspection agent must be notified at least 48 hours before the inspection is required.

Inspection	Checked By	Date
1. Inspection after excavation and prior to placement of crushed stone base.	_____	_____
2. Inspection of slab rebar, formwork, and waterstop 24 hours prior to concrete placement.	_____	_____
3. Inspection during placement of concrete for base slab.	_____	_____
4. Inspection of wall rebar and interior formwork.	_____	_____
5. Inspection of wall formwork in place with top slab dowels 24 hours prior to concrete placement.	_____	_____
6. Inspection during placement of concrete for walls.	_____	_____
7. Inspection of top slab formwork, rebar and piping sleeves 24 hours prior to concrete placement.	_____	_____
8. Inspection of top slab concrete placement.	_____	_____



- 9. Inspection of form tie cones removed prior to patching. \_\_\_\_\_
- 10. Inspection of form tie cones patched. \_\_\_\_\_
- 11. Inspection of interior substrate prior to applying waterproofing. \_\_\_\_\_
- 12. Inspection of cistern prior to filling. Tank must be broom clean. \_\_\_\_\_
- 13. Two-week leak test. \_\_\_\_\_
- 14. Inspection of backfilling of cistern and placement of insulation. \_\_\_\_\_
- 15. Inspection of cistern piping. \_\_\_\_\_
- 16. Flow test (approval by Fire Dept.) \_\_\_\_\_
- 17. Inspection of landscaping. \_\_\_\_\_
- 18. Final inspection. \_\_\_\_\_

**Receipt of Specifications and Agreement to Conform**

The undersigned have received the “Town of Weare Fire Protection Cistern Specifications” and understand and agree to the provisions therein. In addition to any plans submitted and approved, the above Specifications shall be part of the job plan set. The Developer also agrees that any matters dealing with the construction shall be his responsibility to pursue and correct.

Any inspections beyond those listed on the “Construction Inspection Sheet” will be billed at a rate not to exceed Sixty Dollars (\$60.00) per hour, plus miscellaneous expenses.

ENGINEER: Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Name and Title: \_\_\_\_\_

DEVELOPER: Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

CONTRACTOR: Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Name and Title: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

FOR THE FIRE WARDS: \_\_\_\_\_

3/16/73      Adopted  
9/22/94      Amended  
10/7/99      Amended  
1/25/01      Amended  
7/24/03      Amended

**APPENDICES**

- APPENDIX 1      SUBDIVISION APPLICATION COVER SHEET
- APPENDIX 2      APPLICATION FOR SUBDIVISION REVIEW
- APPENDIX 3      SUBDIVISION CHECKLIST
- APPENDIX 4      FEE SCHEDULE
- APPENDIX 5      APPLICATION FOR WAIVER
- APPENDIX 6      SUBDIVISION INSPECTION SCHEDULE
- APPENDIX 7      APPLICATION FOR INSPECTIONS
- APPENDIX 8      ROADWAY BOND ESTIMATE FORM  
ROAD FRONTAGE EXAMPLES  
TURNAROUND (10 LOTS OR LESS)  
CUL-DE-SAC (10 LOTS OR MORE)  
LOCAL & COLLECTOR ROADS (TYPICAL SECTION)  
ARTERIAL ROAD (TYPICAL SECTION)  
CISTERN DRAWINGS

**APPENDIX 1**  
**Town of Weare**  
***Subdivision Application Cover Sheet***

I hereby apply for a Subdivision Review and acknowledge that my plan will comply with the Town's Ordinance, Subdivision and Non-Residential Site Plan Regulations.

I have filled out the enclosed application and have thoroughly received and completed the checklist.

I have submitted for review an application; eight (8) copies of plans, one (1) reduced 11" x 17" copy of the plan, and paid all subdivision application fees.

The owners, by filing this application hereby give permission to the Weare Planning Board, Board of Firewards, Conservation Commission, Public Works Department, Police Department, Town Engineer, and such agents or employees of the Town as the Planning Board may authorize to enter upon the property, which is the subject of this application, at all reasonable times for the purpose of conducting examinations, surveys, tests, inspections as may be appropriate; to enable release of any claim or right we may now or hereafter possess against any of the above individuals as a result of any examinations, survey tests, or inspections, conducted on my/our property in connection with this application.

I have read the above and have met all the requirements for submittal in accordance with the Subdivision Regulations:

Owner(s) Name (print): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Owner(s) Signature: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPENDIX 2**  
**Town of Weare**  
*Application for Subdivision Review*

Date: \_\_\_\_\_

Application is submitted for:

Conceptual \_\_\_\_\_ Design Review \_\_\_\_\_ Final Approval \_\_\_\_\_

Is Application a corporation, partnership or trust? Yes \_\_\_\_\_ No \_\_\_\_\_

Location: Tax Map #: \_\_\_\_\_ Lot #: \_\_\_\_\_ Zoning District: \_\_\_\_\_

Address of property: \_\_\_\_\_

Owner(s) Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Developer Name (if different from above): \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Surveyor/Engineer's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Name of Development: \_\_\_\_\_

Present use of the property: \_\_\_\_\_

Proposed use of the property: \_\_\_\_\_

Has a variance or special exception been granted on this site? Yes \_\_\_\_ No \_\_\_\_ (If yes, please attach decision)

Number of lots proposed: \_\_\_\_\_

Attached are the names and mailing addresses of all abutters to this site? Yes \_\_\_\_\_ No \_\_\_\_\_

I certify that I have developed my plan in accordance with the Weare Zoning Ordinance and Subdivision Regulations: Yes \_\_\_\_\_

Agents Name (print): \_\_\_\_\_ Signature: \_\_\_\_\_

Owner(s) Name (print): \_\_\_\_\_ Signature: \_\_\_\_\_

\_\_\_\_\_ Signature: \_\_\_\_\_

**APPENDIX 3**  
**Town of Weare**  
***Subdivision Checklist***

**MINIMUM REQUIREMENTS FOR ALL SUBDIVISIONS AND LOT LINE ADJUSTMENTS**

The following items shall be included with the application before the Planning Board can **accept the application as complete**. These are the minimum requirements and the Planning Board reserves the right to require additional information before **accepting the application as complete**.

- \_\_\_\_\_ 1. Name, address and signature of applicant and owner(s) of record
- \_\_\_\_\_ 2. Name, address and seal of plan's preparer (registered professional engineer or licensed surveyor)
- \_\_\_\_\_ 3. Purpose of plan (complete description of the proposed project and it's intent)
- \_\_\_\_\_ 4. Current zoning classification of the subject property and district boundaries
- \_\_\_\_\_ 5. Surveyed boundary lines with distances and bearings
- \_\_\_\_\_ 6. Magnetic north arrow (labeled as such), drawing scale and date
- \_\_\_\_\_ 7. Correct names and addresses of all current abutters
- \_\_\_\_\_ 8. Location of all setbacks (distances labeled)
- \_\_\_\_\_ 9. The lot area (before and after), street frontage and the zoning requirements noted for each
- \_\_\_\_\_ 10. Label all street classifications (private, Class VI or Class V) and road surface (paved or gravel)
- \_\_\_\_\_ 11. Location of property (locus map)
- \_\_\_\_\_ 12. Show all existing buildings, parking areas and driveways (if any). Show traffic flow if applicable
- \_\_\_\_\_ 13. Show all existing services such as sewer and water or leach fields and wells (if any)
- \_\_\_\_\_ 14. Show all proposed wells with radii
- \_\_\_\_\_ 15. Topographic map using 5-foot intervals (or a completed waiver request for lot line adjustments)
- \_\_\_\_\_ 16. Flood hazard and aquifer protection information
- \_\_\_\_\_ 17. Location of all existing and proposed survey monuments
- \_\_\_\_\_ 18. All maps and lots correctly numbered
- \_\_\_\_\_ 19. Note regarding current land use status
- \_\_\_\_\_ 20. Eight full size copies of plan and one set reduced to 11 x 17

\_\_\_\_\_ 21. All application fees paid in full

The following items ***may be required*** by the Planning Board in addition to those listed above before the application can be ***accepted as complete***.

- \_\_\_\_\_ 22. Traffic impact study
- \_\_\_\_\_ 23. Fiscal impact report
- \_\_\_\_\_ 24. Environmental impact study
- \_\_\_\_\_ 25. Noise impact study
- \_\_\_\_\_ 26. Sediment and erosion control plans
- \_\_\_\_\_ 27. Storm water drainage plans
- \_\_\_\_\_ 28. Roadway design plans
- \_\_\_\_\_ 29. Phasing plan
- \_\_\_\_\_ 30. Other plans as deemed necessary by the board
- \_\_\_\_\_ 31. Bonds:
  - a. Performance Bond
  - b. Road Construction/Maintenance Bond
  - c. Erosion/Sediment Control Bond
  - d. Fire Cistern/Suppression Bond
  - e. Any other security as deemed necessary by the Planning Board
- \_\_\_\_\_ 32. Site Specific Soils Map
- \_\_\_\_\_ 33. Off site improvements
- \_\_\_\_\_ 34. Impact fees
- \_\_\_\_\_ 35. Complete review of plans by Town Engineer (estimated fee will be calculated and applicant will submit that amount to the Town to be held in escrow)

The following items shall be included with the application before the Planning Board can give ***final approval*** for the application.

- \_\_\_\_\_ 36. Copy of existing property deed
- \_\_\_\_\_ 37. Written comments from Board of Firewards
- \_\_\_\_\_ 38. Written comments from Director of Public Works
- \_\_\_\_\_ 39. Written comments from Conservation Commission
- \_\_\_\_\_ 40. State driveway entrance permit, if applicable
- \_\_\_\_\_ 41. State subdivision approval, if applicable
- \_\_\_\_\_ 42. State Dredge and Fill Permit, if applicable
- \_\_\_\_\_ 43. Copies of any other pertinent State permits or approvals
- \_\_\_\_\_ 44. Letter of Intent of Easement from public utility(ies), if applicable
- \_\_\_\_\_ 45. Letter from surveyor certifying that all proposed boundary monuments will be set promptly if approved
- \_\_\_\_\_ 46. Copies of any existing or proposed deed restrictions, covenants or rights of way including book & page numbers (if none, include note so stating)
- \_\_\_\_\_ 47. Written comments from Piscataquog River Local Advisory Committee (PRLAC) if site is within ¼ mile of the Piscataquog River or its branches (if not applicable a note on the plan should indicate such)

**APPENDIX 4  
Town of Weare  
Fee Schedule**

Conceptual Discussion (with plans)	\$ 50.00
Design Review Hearing (optional)	
Base Fee*	\$ 200.00
Add: \$5.00/abutter-notification fee***	_____
Add: \$35.00 recording fee per 22" x 34" plan	_____
Total Due: <b><i>"Town of Weare"</i></b>	_____
Lot Line Adjustment (Final Review)	
Base Fee*	\$ 100.00
Add: \$5.00/abutter-notification fee***	_____
Add: \$35.00 recording fee per 22" x 34" plan	_____
Total Due: <b><i>"Town of Weare"</i></b>	_____
Subdivision (Final Review)	
Base Fee*	\$ 200.00
Add: \$75 per lot including remainder	_____
Administrative Fee**	_____
Add: \$5.00/abutter-notification fee***	_____
Add: \$35.00 recording fee per 22" x 34" plan	_____
Total Due: <b><i>"Town of Weare"</i></b>	_____

\* The Base Fee will be required for the re-submittal of an incomplete application. Should the application be withdrawn, or the number of lots changed, the Base Fee or a portion thereof, is the only refundable portion of the fees.

\*\* The Administrative Fee is broken down as follows:  
 \$ 75.00       per application of 1-3 lots  
 \$100.00      for 4 to 9 lots plus \$250.00 increments for up to each additional 10 lots

\*\*\* The term "Abutter" is defined in Section 3.2 of the Subdivision Regulations. RSA 676:4 (b) further includes an abutter, the applicant, any holders of conservation, preservation or agricultural preservation restrictions as defined in RSA 477:45, surveyors, engineers, architects, wetland scientists or soil scientists whose professional stamp appears on any plan(s) or material(s) submitted for review.



Digital Plat Filing Requirements: Digital plat data is required on all approved applications. The data shall be presented on CD's in AUTOCAD, .DXG, or .DXG format. Each CD shall be labeled with the applicant's name and the tax map and lot numbers written thereon. The data shall be a line drawing of all parcel boundaries of the outline of all buildings on the property. Although not required, state plane coordinates should be provided on two corners of the property being subdivided. The requested datum is NAD'83. Those applicants without computer assisted drafting capability shall be assessed a fee of \$150.00 per plan sheet to cover the costs of converting hard copy plans to the computer based tax map.

**APPENDIX 5  
APPLICATION FOR WAIVER  
OF  
SUBDIVISION REQUIREMENT**

Town of Weare  
Planning Board  
P.O. Box 190  
Weare, NH 03281

<b>For Town Use Only</b>	
<b>Granted</b>	_____
<b>Denied</b>	_____

Dear Chairman and members of the Planning Board:

On the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, an application was submitted to the Planning Board for Subdivision Approval/Lot Line Adjustment for land located at \_\_\_\_\_, Tax Map and Lot # \_\_\_\_\_. Application was accompanied by a plan entitled \_\_\_\_\_ The plan was prepared by \_\_\_\_\_ and dated \_\_\_\_\_.

Pursuant to the section(s) noted below of the Subdivision Regulations, the following requirement(s) is/are imposed: (Attach sheet(s) if necessary.)

<b>SECTION</b>	<b>REQUIREMENT</b>
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It is respectfully requested that the Board grant a waiver from this requirement for the following reasons (financial reasons are not considered):

1. \_\_\_\_\_
2. \_\_\_\_\_

3. \_\_\_\_\_

Respectfully submitted,

\_\_\_\_\_  
Applicant or Applicants Representative

Dated: \_\_\_\_\_

**APPENDIX 6**  
**Town of Weare**  
***Subdivision Inspection Schedule***

Requirements for Construction of Roads and Streets in the Town of Weare.

The following is an inspection schedule, which will be abided by during the construction of roadways. An inspection shall be performed for each item and documented by the Town's Engineer or designated representative, as part of an inspection checklist.

1. Pre-construction conference with the Town's Engineer, contractor, developer and Town Road Agent.
2. Review of design engineer's layout and wetlands marking.
3. Inspection of clearing and grubbing and erosion control measures.
4. Inspection of fill placement. In place compaction testing of fill is required every 1,000 c.y. or as directed by the inspector.
5. Inspection of drainage piping and buried utilities. Full time inspection is required , including the trench backfilling.
6. Inspection of subgrade and slope work.
7. Inspection of gravel grade. Compaction testing of the gravel course is required every 200 l.f. of roadway.
8. Inspection of crushed gravel grade. Compaction testing of the crushed gravel course is required every 200 l.f. of roadway.
9. Inspection of final ditch work, slope work, landscaping and erosion control measures.
10. Inspection of headwall construction.
11. Inspection of binder course paving. Full time inspection will be performed during the paving. After the binder course pavement and all work required prior to that point has been completed, the developer can request, in writing , a reduction of the roadway bond to the Planning Board. The exact amount of the bond reduction is to be determined by the Planning Board.
12. Remaining work inspection by the Developer and Inspector.

13. Final walk through inspection by the Planning Board, Board of Selectmen, Fire Chief, Building Inspector, Town Engineer and Public Works Director.

14. Follow up inspection.

**APPENDIX 7  
TOWN OF WEARE, NH  
APPLICATION FOR INSPECTION**

\_\_\_\_\_  
Approved Name(s) of Road(s) or Drive(s)

Subdivision Name: \_\_\_\_\_

Location: \_\_\_\_\_

Developer: \_\_\_\_\_

Contracted Road Builder: \_\_\_\_\_

Date of Application: \_\_\_\_\_

Developer's Authorized Agent: \_\_\_\_\_

Planning Board's Authorized Agent: \_\_\_\_\_

INSPECTION CHECKLIST

Inspection No. 1:

Review of design engineer's layout of roadway right of way (R.O.W.) and wetlands marking.

\_\_\_\_\_  
\_\_\_\_\_  
Proceed  
Do Not Proceed

Remarks: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Inspector's Signature

Inspection No. 2:

Inspection of clearing and grubbing and erosion control measures.

\_\_\_\_\_  
\_\_\_\_\_  
Proceed  
Do Not Proceed

Remarks: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Inspector's Signature

Inspection No. 3: Inspection of fill placement. In-place compaction testing of fill is required every 1,000 c.y. or as directed by the inspector.

\_\_\_\_\_  
\_\_\_\_\_  
Proceed  
Do Not Proceed

Remarks: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Inspector's Signature

Inspection No. 4: Inspection of drainage piping and buried utilities. Full-time inspection is required, including the trench back filling.

\_\_\_\_\_  
\_\_\_\_\_  
Proceed  
Do Not Proceed

Remarks: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Inspector's Signature

Inspection No. 5: Inspection of sub grade and slope work.

\_\_\_\_\_  
\_\_\_\_\_  
Proceed  
Do Not Proceed

Remarks: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Inspector's Signature

Inspection No. 6: Inspection of gravel grade. Compaction testing of the gravel course is required every 200 l.f. of roadway.

\_\_\_\_\_  
\_\_\_\_\_  
Proceed  
Do Not Proceed

Remarks: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Inspector's Signature

Inspection No. 7: Inspection of crushed gravel grade. Compaction testing of the crushed gravel course is required every 200 l.f. of roadway.

\_\_\_\_\_  
\_\_\_\_\_  
Proceed

Do Not Proceed

Remarks:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Inspector's Signature

Inspection No. 8:

Inspection of final ditch work, slope work, landscaping and erosion control measures.

\_\_\_\_\_  
Proceed

\_\_\_\_\_  
Do Not Proceed

Remarks:

\_\_\_\_\_  
\_\_\_\_\_

Inspector's Signature

Inspection No. 9:

Inspection of headwall construction.

\_\_\_\_\_  
Proceed

\_\_\_\_\_  
Do Not Proceed

Remarks:

\_\_\_\_\_  
\_\_\_\_\_

Inspector's Signature

Inspection No. 10:

Inspection of binder course paving. Full-time inspection will be performed during the paving.

\_\_\_\_\_  
Proceed

\_\_\_\_\_  
Do Not Proceed

Remarks:

\_\_\_\_\_  
\_\_\_\_\_

Inspector's Signature

Inspection No. 11:

Inspection of the wearing course pavement. Full-time inspection is required.

\_\_\_\_\_  
Proceed

\_\_\_\_\_  
Do Not Proceed

Remarks:

\_\_\_\_\_  
\_\_\_\_\_

Inspector's Signature

Inspection No. 12:

Remaining work inspected by Developer and Inspector.

\_\_\_\_\_  
Proceed

\_\_\_\_\_  
Do Not Proceed

Remarks:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Inspector's Signature

Inspection No. 13:

Final walk through by the Planning Board, Board of  
Selectmen and Town Roadway Agent.

\_\_\_\_\_  
\_\_\_\_\_  
Proceed  
Do Not Proceed

Remarks:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Inspector's Signature

Inspection No. 14:

Follow-up inspection.

\_\_\_\_\_  
\_\_\_\_\_  
Proceed  
Do Not Proceed

Remarks:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Inspector's Signature

Said project has been satisfactorily completed in accordance with the minimum standards for road construction as adopted by the Town of Weare, NH. I recommend that the Board of Selectmen for the Town of Weare accept said road as a Public Way.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**APPENDIX 8**  
**TOWN OF WEARE**  
*Road Bond Estimate Form*

I hereby certify that, in addition to any work already completed, the following itemized statement and estimate unit costs will complete all improvements required by the Town of Weare, New Hampshire Planning Board for the following street:

\_\_\_\_\_  
Signature

Subdivision Name: \_\_\_\_\_  
 Street Name: \_\_\_\_\_  
 Street Length: \_\_\_\_\_  
 Street Construction Length: \_\_\_\_\_

Clearing & Grubbing 50' width (201)*	_____	L.F. @ \$4.25	=	_____
Excavation (203)*	_____	C.Y @ \$3.75	=	_____
Ledge Removal (203)* (estimate: ___% of excavation)	_____	C.Y. @ \$7.50	=	_____
Fill	_____	C.Y. @ \$5.00	=	_____
Bank run Gravel 12" (304)*	_____	C.Y. @ \$5.00	=	_____
Crushed Gravel 6" (304)*	_____	C.Y. @ \$7.50	=	_____
Geotextile	_____	S.Y. @ \$2.00	=	_____
Driveway Entrance w/ Culvert	_____	Each @ \$300.00	=	_____

Storm Drains Size (603)*				
12" RCP	_____	L.F. @ \$24.00	=	_____
15" RCP	_____	L.F. @ \$30.00	=	_____
24" RCP	_____	L.F. @ \$40.00	=	_____
30" RCP	_____	L.F. @ \$45.00	=	_____
36" RCP	_____	L.F. @ \$55.00	=	_____
Flared Concrete End Section	_____	each @ \$100.00	=	_____
Headwalls	_____	each @ \$1400.00	=	_____
Catch Basins (604)*	_____	each @ \$1200.00	=	_____
Drain Manholes (604)*	_____	each @ \$1200.00	=	_____

2 1/2" Bituminous Pavement (403)*				
24' Wide Road	_____	ton @ \$28.00	=	_____
Driveways	_____	each @ \$165.00	=	_____
Saw Cut Asphalt	_____	L.F. @ \$ 1.50	=	_____
Reflective Pavement Markings (632)*	_____	L.F. @ \$0.30	=	_____
Guard Rails (606)*	_____	L.F. @ \$11.00	=	_____
Guard Rails Terminals (606)*	_____	each @ \$75.00	=	_____

Curbing (609)\*

Granite \_\_\_\_\_ L.F. @ \$15.00 = \_\_\_\_\_  
 Cape Cod \_\_\_\_\_ L.F. @ \$2.50 = \_\_\_\_\_

2" Bituminous Sidewalk (608)\* \_\_\_\_\_ L.F. @ \$4.00 = \_\_\_\_\_  
 4' width \_\_\_\_\_ L.F. @ \$4.75 = \_\_\_\_\_  
 5' width \_\_\_\_\_ L.F. @ \$4.75 = \_\_\_\_\_

Rip-Rap (in place) (583)\* \_\_\_\_\_ C.Y. @ \$25.00 = \_\_\_\_\_  
 Rip-Rap Swales (583)\* \_\_\_\_\_ L.F. @ \$13.50 = \_\_\_\_\_  
 Drainage Swales \_\_\_\_\_ L.F. @ \$5.25 = \_\_\_\_\_  
 Hay Bale Dike \_\_\_\_\_ L.F. @ \$0.75 = \_\_\_\_\_  
 Silt Fence \_\_\_\_\_ L.F. @ \$1.00 = \_\_\_\_\_  
 Sedimentation Basin \_\_\_\_\_ each @ \$500.00 = \_\_\_\_\_

Slope Grading \_\_\_\_\_ S.Y. @ \$0.15 = \_\_\_\_\_  
 Loam and Seed (641 & 643)\* \_\_\_\_\_ S.Y. @ \$2.50 = \_\_\_\_\_  
 Sod (648)\* \_\_\_\_\_ S.Y. @ \$4.25 = \_\_\_\_\_  
 Jute Matting (645)\* \_\_\_\_\_ S.Y. @ \$1.25 = \_\_\_\_\_  
 Hay Mulch (645)\* \_\_\_\_\_ S.Y. @ \$0.35 = \_\_\_\_\_

Lot Bound (622)\* \_\_\_\_\_ each @ \$100.00 = \_\_\_\_\_  
 Road Bound (622)\* \_\_\_\_\_ each @ \$150.00 = \_\_\_\_\_

Stop Signs (615)\* \_\_\_\_\_ each @ \$55.00 = \_\_\_\_\_  
 Street Signs \_\_\_\_\_ each @ \$40.00 = \_\_\_\_\_  
 Roadway Delineators (621)\* \_\_\_\_\_ each @ \$14.00 = \_\_\_\_\_  
 Miscellaneous Signs \_\_\_\_\_ each @ \_\_\_\_\_ = \_\_\_\_\_

Miscellaneous  
 \_\_\_\_\_ @ \_\_\_\_\_ = \_\_\_\_\_  
 \_\_\_\_\_ @ \_\_\_\_\_ = \_\_\_\_\_

Construction Sub Total: \$ \_\_\_\_\_  
 Engineer & Contingencies (10% of Construction Sub Total: \$ \_\_\_\_\_  
 Estimated Bond Amount: \$ \_\_\_\_\_

TOTAL BOND AMOUNT: \$ \_\_\_\_\_

The above "ROAD BOND ESTIMATE" and amounts is approved for preparation of the Bond.

Town Engineer:  
 \_\_\_\_\_

Planning Board:  
 \_\_\_\_\_  
 Chairperson

\*Denotes applicable sections of "Standard Specifications for Road and Bridge Construction" State of New Hampshire Department of Transportation, 1990 Edition

**Note:** The developer will be required to provide "As-Built" locations concerning the



location of all utilities in the street and entrances to lots prior to the laying of the base coat of pavement.