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**SUBDIVISION REGULATIONS  
PITTSFIELD, NEW HAMPSHIRE**

**SECTION 1 GENERAL PROVISIONS**

**A. Authority**

Under the authority vested in the Pittsfield Planning Board by the voters of the Town of Pittsfield under Article 12 on March 4, 1975, in accordance with Chapter 36, Sections 19 to 29, inclusive, now Chapter 674, Sections 35 to 42, inclusive, of the New Hampshire Revised Statutes Annotated, 1983, as amended, and every other authority thereto enabling, the Pittsfield Planning Board adopts the following regulations governing the subdivision of real property in the Town of Pittsfield, New Hampshire.

**B. Title**

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

**C. Purpose**

The purpose of these regulations shall be 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 and 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 or planned streets or with features of an official map of the Town, if adopted; to promote the amenities of the Town through provisions for parks, playgrounds and other recreation areas, preservation of trees and natural or historic features; and to secure equitable handling of all subdivision plans by providing uniform procedures and standards for observance, both of the applicant and the Planning Board.

**D. Jurisdiction**

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

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 Register of Deeds.

## **E. Interpretation**

In their interpretation and application, the provisions of these regulations shall be held to be 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. In the absence of specific direction given by these subdivision regulations, the design and construction should adhere to the NH DOT Standard Specification for Road and Bridge Construction, Nil DPW Manual on Drainage Design, and the Soil Conservation Service Stormwater Management and Erosion Control Handbook for Urban and Developing Areas in New Hampshire.

## **SECTION 2 ADMINISTRATION & ENFORCEMENT**

### **A. 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 provisions 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.

### **B. 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 operation 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.

### **C. 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 Pittsfield. The Planning Board shall have the authority to adopt, amend or change any and all administrative forms, including any fees schedules, for the implementation of these regulations.

### **D. 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.D.1.

### **E. Four-Year 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 approval, or unless otherwise stipulated by the Planning Board, the rights of the owner or his successor in interest shall vest, and no subsequent changes in the Subdivision Regulations or Zoning Ordinance 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 developments.
- 2) Development remains in full compliance with the Public Health Regulations and Ordinances specified in this section.
- 3) At the time of approval and recording, the plat conforms to the Subdivision Regulations and Zoning Ordinance then in effect at the site of such plat.

## **F. 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 Register 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

No building permit shall be issued for the construction of any building or structure located on a lot or subdivided or sold in violation of the provisions of these regulations.

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 substantially complete as here-in 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 Pittsfield until a final plat of that land has been submitted to and approved by the Planning Board.

- (a) cut any trees or vegetation on any land proposed or intended for use as a subdivision;
- (b) remove any stumps, topsoil, or other materials from any land proposed or intended for use as a subdivision;
- (c) bury any stumps, topsoil, or other yielding material on any land proposed or intended for use as a subdivision;
- (d) level or otherwise change the grade of any land proposed or intended for use as a subdivision;
- (e) construct any street to service a proposed or intended subdivision; and
- (f) 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 as set forth below.

**G. Violations and Penalties**

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 Pittsfield Planning Board, or any requirement or condition or a permit or decision issued by the Pittsfield Planning Board, shall be guilty of a misdemeanor if a natural person; or guilty of a felony if any other person. They shall be subject to a civil penalty on 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 the earlier in accordance with RSA 676:17.

**H. 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 of these regulations. The owner may only make variance of these regulations after receipt of a written request.

**I. Appeals**

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

**J. Off-Site Improvements**

The applicant is advised that he will be responsible for the apportioned cost of off-site improvements if the need for same is deemed by the Planning Board to be attributable to the demands imposed by his project.

## **K. Waiver of Requirements**

Upon request of the subdivider, the Planning Board may waive compliance with any part of these regulations if it determines that:

- 1) The request for the waiver arises out of unique physical conditions, which exist in the proposed subdivision;
- 2) literal compliance and strict conformity to these regulations would cause undue hardship or injustice to the owner of the land. Undue hardship or injustice is one where there is no public benefit, which offsets the private detriment;
- 3) granting the waiver shall not be contrary to the spirit, purpose and objective of these regulations; and
- 4) the public good, convenience or welfare shall not be adversely affected.

The applicant shall submit a petition for any such waiver in writing at the time when the application is filed for the consideration of the Planning Board. The petition shall state fully the grounds for the waiver and the section(s) of the regulations for which waivers are requested.

## **SECTION 3 DEFINITIONS**

### **A. Usage**

- 1) 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.
- 2) 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 the singular shall include the plural; the word "herein" shall mean "in these regulations"; the word "regulations" shall mean "these regulations."
- 3) 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".
- 4) The terms "plat", "subdivision plat", and "subdivision" shall mean a subdivision plat and the terms shall be used interchangeably.
- 5) Words not specifically defined herein shall have their common meaning.

## **B. Worth and Terms Defined**

**Abutter:** Any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B: 3, XXIII.

**Applicant:** The owner of record, or his agent duly authorized in writing at the time of application, if a person other than the owner.

**Board:** The Planning Board of the Town of Pittsfield.

**Bond:** A surety bond issued by a surety company authorized to do business in the State of New Hampshire, a letter of credit issued by a New Hampshire banking institution, 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.

**Bridge:** Shall mean a structure having a clear span often (10) feet or more measured along the centerline of roadway, spanning a watercourse or other opening or obstruction.

**Building:** Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or movable property of any kind and this includes any and all structures.

**Building Setback:** The distance between a building and the nearest street line or property line.

**Certified Soil Scientist:** A person qualified in soil classification and mapping who is certified by the State of New Hampshire Board of Natural Scientists.

**Completed Application:** Shall include the final plan application and the specification for documents to be submitted as detailed in Section 5.

**Condominium:** The division of a building lot, tract, or parcel of land into two or more lots or building sites for the purpose, whether immediate or future, of condominium conveyance under RSA 356-B. More than one building site on land submitted to the condominium form of ownership shall constitute a subdivision. A condominium consisting of one building on a lot shall not be subject to subdivision review, but shall be subject to Site Plan review.

**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.

**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.

**Engineer:** The duly designated Engineer of the Town of Pittsfield, or if there is no such official, the Planning Consultant or official assigned by the Pittsfield Planning Board.

**Final Subdivision Plat:** The final map or drawing on which the subdivider's plan or subdivision is presented to the Planning Board for approval.

**Flood Prone Area:** The area of land lower in elevation than the land-water boundary of a body of water or along a watercourse flowing at its highest 100 year frequency or those soils classified by the National Cooperative Soil Survey as "Soils subject to flooding".

**Frontage:** Shall mean a portion of a lot bordering on a Town road or street as herein defined and ordinarily regarded as the front of the lot.

**Lot Line Adjustment or Boundary Line Adjustment:** A relocation of the lines of two or more lots included in a plat which is filed or recorded, for the purpose of making necessary adjustments to building sites.

**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.

**Lot Merger:** The merger of separate contiguous parcels into a single tract of land.

**Major Subdivision:** Any subdivision other than a Minor Subdivision.

**Master Plan:** A comprehensive plan for development of the local community, prepared and adopted by the Planning Board, pursuant to State law, and including any part of such plan separately adopted and any amendment to such plan, or parts thereof.

**Minor Subdivision:** The subdivision of a parcel or land into three (3) or fewer lots, in no case requiring new roads, utilities, or municipal improvements.

**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.

**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.

**Right-of-Way Width:** The distance between property lines measured perpendicular to the centerline of right-of-way.

**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.

**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 or develops or offers to sell, lease or develop or advertises for sale, lease of 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.

**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 these 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 purposes.

**Substantially Complete:** Any subdivision containing a new road or street shall be documented Substantially Complete when all improvements to the land being dedicated to the Town have been completed by the owner. The only exception may be the wearing course of bituminous pavement, which shall remain bonded until completed.

**Wetland:** Shall include all hydric A soils and hydric B soils as defined by the State of New Hampshire Department of Environmental Services, Subsurface Systems Bureau.

## **SECTION 4 GENERAL PLAN REQUIREMENTS**

### **A. Subdivision Approval Required**

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 the requirements of 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. Special Hood Hazard Areas**

The Planning Board shall review subdivision proposals and other proposed new development, including manufactured home parks or subdivision, to assure that all necessary required State and/or federal permits have been received, if a subdivision proposal or other proposed new development is in a flood prone area, sufficient evidence shall be submitted so as to allow determination that (i) all such proposals are consistent with the need to minimize flood damage within the flood prone area, (ii) all public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage and (iii) adequate drainage is provided to reduce the exposure to flood hazards.

All new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, shall include such properties base flood elevation data.

## **SECTION 5 APPLICATION PROCEDURES**

### **A. Preliminary Consultation and Review**

An applicant may request a preliminary consultation and review during a regular meeting of the Planning Board to discuss a proposed subdivision in conceptual form and to ask specific questions regarding application procedures and the information criteria. Sketches or drawings may be utilized when necessary to clarify geographical or topographical relationships or to help in the determination of applicable subdivision regulations and relationships or to help in the determination of applicable subdivision regulations and zoning ordinances. The Board shall review the relationship of the proposal to the Master Plan. The applicant shall be informed of the status of his proposal as a minor or major subdivision and of the necessity to obtain other local or State permits. Such an informal consultation shall not require public notice nor shall it result in any decision, agreement, or action binding upon the applicant or the Planning Board.

### **B. Minor Subdivision**

- 1) Minor Subdivisions are defined as those proposals involving:
  - (a) Three lots or less with no potential for resubdivision and fronting on an existing street; or
  - (b) The creation of lots for non-building development purposes, or
  - (c) Minor lot line adjustments or boundary agreements which do not create buildable lots.
- 2) The applicant may first meet with the Board for preliminary consultation and review of his proposal to determine if it is a minor subdivision. If it is determined by the Board to be a minor subdivision, the applicant shall submit:
  - (a) A completed application, as required in E. 1 below excluding the preliminary layout;
  - (b) The final plat shall be submitted in ink on Mylar along with five blue or black line paper prints. Sheet size shall be in accordance with requirements of the Register of Deeds but no larger than 22" x 34". The plat shall contain the following information:
    - (1) Proposed subdivision name or identifying title, the name and address of owner of record and subdivider, and the name, license number and seal of the surveyor, date, scale, and north point;
    - (2) Boundary survey including bearings, distances and location of permanent markers (See Section 10,F. Monuments).
  - (3) Tax map and lot number, lot lines, dimensions, acreage and numbering;
  - (4) Building setback line and zoning district classification;
  - (5) Topography from field data at five-foot contour intervals, and at two foot contour intervals when conditions warrant this information.
  - (6) Existing and final proposed lines of streets, ways, lots, easements for utilities and/or drainage and public areas within the subdivision. All dimensions shall be shown to hundredths of a foot and bearings to at least minutes and seconds. The error of closure shall exceed 1 to 10,000 for both raw traverse and plat closure.
  - (7) Existing and proposed streets with names and right-of-way;
  - (8) Final road cross sections and profiles certified by a licensed Professional Engineer (if applicable);

- (9) Final drainage system certified by a licensed Professional Engineer (if applicable);
  - (10) Location of soils, groundwater and percolation test pits;
  - (11) Buildings and other man-made features remain;
  - (12) Open space and flood prone areas;
  - (13) A time schedule indicating the anticipated starting and completion dates of the subdivision;
  - (14) Potential house numbering system for lots as prescribed by the Town of Pittsfield; and
  - (15) Deed restrictions, including drainage easements for each parcel (when applicable).
- 3) Notice of Submission shall be given as provided in Subsection G. and may be combined with the Notice of Public Hearing;
- 4) The completed application under this subsection may be submitted and approved at one or more Board meetings, but no application shall be approved without the full notice of abutters and public. A public hearing, duly noticed, shall be held only if requested by the applicant or abutters or if the Board determines to hold a hearing; and
- 5) Minor lot line adjustments or boundary agreements, which do not create buildable lots, shall generally be exempt from the final plat requirement in Section 6B. Instead, the submission requirements shall be as described in 6C.

In addition, the minimum requirements include:

- (a) An application form and five prints to be submitted as described in Section 5.E.2;
- (b) Notices to be sent to abutters and public;
- (c) An opportunity to hold a public hearing, if requested by an abutter, the applicant or the Board; and
- (d) A check payable to the Board to cover a filing fee plus notices, recording and other costs.

At any time during the 10-day notification period, the applicant or abutters may petition the Board for a public hearing regarding the proposed boundary changes. The Board, upon the receipt of said petition, shall suspend action until a public hearing has been convened and all interested parties have given testimony. Such extraordinary proceedings shall be conducted in accordance with the subdivision regulations contained herein and all costs shall be borne by the applicants.

### **C. Lot Merger**

Pursuant to RSA 674:39a voluntary lot mergers do not require a public hearing provided that they meet the following conditions:

- 1) The applicant(s) meet the definition of lot merger;
- 2) The applicant(s) complete the voluntary lot merger form contained in the Appendix and meets all conditions therein.
- 3) The applicant(s) has provided a list of abutters to the Town and all abutters have been notified at the applicant's expense.

### **D. Major Subdivision**

A major Subdivision shall follow the requirements for a completed application as described in the following provisions.

### **E. Completed Application**

- 1) A completed application sufficient to invoke jurisdiction of the Board must include sufficient information to allow the Board to proceed with consideration and to make an informed decision. The following shall be required for and constitute a completed application:

An application for subdivision approval properly filled out and executed by the applicant and filed with the Board in accordance with Subsection E.2 together with the following:

- (a) The names and addresses of the applicant and all abutters as indicated in town records not more than five (5) days before the day of filing;
- (b) A check payable to the Town of Pittsfield to cover filing fees, mailing, advertising, recording and other costs; and
- (c) Three paper print copies of the preliminary layout in accordance with and accompanied by the information required in Section B-2.

#### **2) Filing and Submission of Completed Application**

The completed application shall be filed with the Secretary or the Chairman of the Board at least fifteen (15) days prior to a scheduled public meeting of the Board.

The completed application shall be formally submitted to and accepted by the Board only at a regularly scheduled public meeting after due notification to applicant, abutters, and the general public of the date the completed application will be submitted and received by the Board.

### **3) Board Action on Completed Application**

The Board shall consider the completed application and hold a public hearing within thirty (30) days of its acceptance.

The Board will study the preliminary layout and shall take into consideration the general requirements of the community, the best use of the land to be subdivided and that of adjoining areas and the general requirements for land subdivision in Section 9.

After such review and the public hearing, the Board shall communicate, in writing, to the subdivider the specific changes, if any which it will require in the preliminary layout and request that the subdivider prepare a final plat as required in Section 6 with the changes incorporated. The Board may disapprove of the preliminary layout in its entirety, but shall state its reasons for such disapproval.

The Board shall act to approve or disapprove the final plat or completed application, subject to extension or waiver as provided by RSA 676:4. Any bond or performance guarantee shall have been developed and approved as described in Section 7A2.

Approval of the final plat shall be certified by written endorsement on the plat and signed by the Chairman and Secretary of the Planning Board. Said endorsement shall include any restrictions to which subdivision approval is held subject by the Board. The Chairman or Secretary shall transmit a copy to the Register of Deeds of Merrimack County for recording. The subdivider shall be responsible for payment of all recording fees. In case of disapproval of any plat submitted, the grounds for such disapproval shall be adequately stated in the records of the Planning Board and written notice given to the applicant.

If the Board has not taken action to approve or disapprove the completed application within sixty-five (65) days of its acceptance by the Planning Board and has not obtained an extension or waiver, the subdivider may obtain from the Selectmen an order directing the Planning Board to act within thirty (30) days. If the Board does not act on the application within that 30-day time period, then within 40 days of the issuance of the order, the Selectmen shall certify on the applicant's application that the plat is approved unless within those 40 days the Selectmen has identified in writing some specific subdivision regulation or zoning or other ordinance provision with which the application does not comply. Such certification shall constitute final approval for all purposes including filing and recording under RSA 674:37 and 676:18 and court review under RSA 677:15.

## **F. Public Hearing**

Prior to approval of subdivision, a public hearing shall be held as required by RSA 676:4(I) e. and notice to applicant and abutters and the public shall be given in accordance with Subsection U. The public hearing shall be held within thirty (30) days after submission of the completed application. A public hearing may not be required for minor subdivisions as provided in Subsection B.

## **G. Notices**

- 1) Notices of the submission of a preliminary layout for a completed application shall be given by the Board to the abutters and the applicant by certified mail, mailed at least ten (10) days prior to the submission and to the public at the same time by posting in at least two public places in the Town or publication in a newspaper of general circulation. The notice shall give the date, time and place of the Board meeting at which the application or other item(s) will be formally submitted to the Board and shall include a general description of the proposal which is subject of the application or of the item to be considered and shall identify the applicant and location of the proposed subdivision.
- 2) For any public hearing on the completed application, the same notice as required for notice of submission of the completed application shall be given, If the notice of public hearing has been included in the notice of submission or any prior notice, additional notice of the public hearing is not required, nor shall additional notice be required of an adjourned session of a hearing with proper notice if the date, time and place of the adjourned session was made known at the prior hearing.

## **H. Fees**

- 1) The filing fee of a completed application shall be in accordance with the schedule of fees established by the Planning Board.
- 2) Failure to pay a fee shall constitute valid grounds for the Board to terminate further consideration and to disapprove the plat without a public hearing.
- 3) The Board may require special investigative studies, environmental assessment, a legal review of documents, administrative expenses and other matters necessary to make an informed decision. The applicant prior to the approval or disapproval of the final plat shall pay the cost of such studies and investigations.

## **I. Cluster Subdivisions**

An applicant may propose or the Planning Board may suggest to an applicant, based on the size, configuration or character of the land to be subdivided, the consideration of a cluster development as an optional form of subdivision as provided in Article 2 and Article 8 of the Pittsfield Zoning Ordinance.

- 1) The Planning Board shall make a written report to the Zoning Board of Adjustment as to the appropriateness of an application for cluster development as permitted in Article S of the Zoning Ordinance and on recommendations for waivers of dimensional requirements contained in Article 2, Table 2 of the Zoning Ordinance.
- 2) If approved by the ZBA, such cluster subdivision shall conform to all of the standards for a major subdivision as set forth in these regulations. In addition, the following special standards will apply:
  - (a) All requirements of the Zoning Ordinance for Cluster Subdivision shall be met and indicated on final plat.
  - (b) Access to all lots shall be from interior roads. Each lot shall have reasonable access to the common land but need not front directly on such land.
  - (c) The subdivision plan shall provide for the convenience and safety of vehicular and pedestrian movement within the development and for the proper location of driveways in relation to street traffic.
- 3) The submission requirements and procedures for review of a Cluster Subdivision application shall be as set forth in these regulations.
- 4) Ownership and maintenance of the required common open space areas in a cluster development must be determined and legally established prior to Planning Board approval of the proposed subdivision to ensure permanent protection of the open space from development.

## **SECTION 6 SUBDIVISION FINAL FLAT**

### **A. General Requirements**

- 1) The that 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 the Office of the County Register of Deeds, but shall be no longer than twenty-two by thirty-four (22 x 34) inches.
- 2) All plans and supporting documents i.e.; drainage calculations for the construction of roads, streets and utilities shall be prepared by a professional engineer licensed in the State of New Hampshire having a high degree of competence in the design of these facilities.

## **B. Specific Requirements**

The final plat shall contain the following features:

- 1) The location of property with respect to surrounding property and streets, the names of all abutters and the names of adjoining streets.
- 2) The location, bearings to the nearest minute, and dimensions of all boundary lines, easements, rights-of-way of the property to be expressed in feet and hundredths of a foot, stations, radii and curve data.
- 3) The location of existing streets, easements, water bodies, streams and other pertinent features, such as wetlands, railroads, buildings, parks, cemeteries, drainage ditches and bridges within one hundred (100) feet of the parcel to be subdivided.
- 4) The location and width of all existing and proposed streets and other public ways and easements and, rights-of-way and building setback lines.
- 5) The locations, dimensions and areas of all proposed lots.
- 6) The location, dimensions and area of all property proposed to be set aside for park or playground use, open space or other public or private reservation, with designation of the purpose thereof and conditions, if any, of the dedication or reservation.
- 7) The name, address and signature of the owner of land to be subdivided; the name, address and seal of the land surveyor or engineer is also required.
- 8) The date of the map, true north point and magnetic north point, scale and title of the subdivision.
- 9) The location and type of all proposed and existing monuments.
- 10) Names of the subdivision and the name of all new proposed streets as approved by the Board of Selectmen.
- 11) Indication of the use of any lot and all uses other than residential proposed by the subdivider and where permitted by the Zoning Ordinance.
- 12) All lots shall be numbered in accordance with the Tax Map numbering system.
- 13) A vicinity map, showing the location of the subdivision in relation to surrounding streets and development a scale of 1" = 2000' is recommended.
- 14) Results of such soil and other tests as may be required by the New Hampshire Water Supply and Pollution Control Division and/or other public agencies having jurisdiction and at locations recommended by such agencies or by the Board.

- 15) Certification of subdivision approval from New Hampshire Water Supply and Pollution Control Division.
- 16) Topographic contours to be five (5) foot interval maximum, also all low points, high points and other areas needing spot elevations should be shown. Two foot contours shall be shown in all areas of proposed construction and land surface modifications or when conditions warrant.
- 17) In certain instances the subdivision or site plan shall provide soil maps and information in accordance with Site Specific Soil Maps for New Hampshire and Vermont SSSNNE Special Publication No. 3, June 1997. Maps prepared by field examination shall be prepared and stamped by a Certified Soil Scientist. All costs of preparing soil data shall be borne by the applicant.
- 18) Proposed storm drainage and culverts.
- 19) Full legal description of the drainage easements, site easements, right-of-way, covenants, reservations or other restrictions, shall accompany the final plat with notations of each on the final plat.
- 20) Any other data, evidence, or test results required by the Board, including but not limited to that resulting from full or partial environmental and/or economic impact statement.
- 21) Intent of the Subdivision.

**C. Minor Lot Line Adjustment or Boundary Line Agreement**

- 1) The final plat shall be prepared in accordance with Section 64.1) and shall identify itself as a “minor lot line adjustment” or “boundary line agreement” and shall contain the following statement:

“The subdivision regulations of the Town of Pittsfield, New Hampshire are part of this plat, and approval of this plat is contingent on completion of all requirements of said subdivision regulations, excepting only any variances or modifications made in writing by the Board and attached hereto.”

- 2) The final plat shall be based on an "on the ground" boundary survey with a minimum error of closure of 1 in 10,000 certified by a registered licensed land surveyor in the State of New Hampshire. The subdivision's boundary and survey shall be reference to the nearest USGS survey elevation benchmark and tied into the state plane coordinate system (when applicable).
- 3) The plat shall contain the following information:
  - (a) Names of all owners of lands involved and corresponding map and lot number

- (b) Names and addresses of all abutters (as indicated in Town records not more than 5 days before the day of filing);
- (c) Existing buildings, streets, right-of-ways, streams and easements;
- (d) Lot areas and dimensions;
- (e) Building setback lines;
- (f) Natural features in the vicinity of the affected land;
- (g) Name, address and seal of surveyor; and
- (h) A small location map indicating parcels in relation to major streets and intersections, the tax sheet, parcel numbers and the zoning district.

**SECTION 7 PERFORMANCE BOND AND MAINTENANCE REQUIREMENTS FOR SUBDIVISION APPROVAL**

**A. 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 Pittsfield, 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 a Developer Improvement Agreement Form be signed and a bond or satisfactory surety at the time of application for final plat approval in an amount approved by the Planning Board and the Board of Selectmen as sufficient to secure to the Town of Pittsfield the satisfactory construction, installation and dedication for the required improvements delineated in the construction plans of these regulations. The applicant shall use the form and format provided by the Planning Board in preparing the bond amount. No building permit shall be granted in a subdivision on a non- bonded road.
  - (b) Such performance bond shall comply with all statutory requirements and shall be satisfactory to the Planning Board and Town Counsel, as to form, sufficiency and manner of execution, as set forth in these regulations. The period within which required improvements must be completed shall be specified by the Planning Board in the resolution approving the final subdivision plat and shall be incorporated in the bond and shall not exceed two (2) years from the date of final plat approval.

The Board of Selectmen may accept such bond. The Planning Board may, upon proof of difficulty, recommend to the Board of Selectmen extension of the completion date set forth in such bond for a minimum period of one (1) additional year.

**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 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**

The applicant at his expense without reimbursement by the municipality shall make all required improvements.

**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 Planning Board may thereupon declare the bond to be in default and require that all improvements be installed, regardless of the extent of the building development at the time the bond is declared to be in default.

Nothing herein shall obligate the Town to build or complete improvements when in the opinion of the Planning Board after consultation with the Selectmen and a public hearing the Board determines that such improvements are not in the public interest.

**6) Acceptance of Dedicated Ways**

Formal acceptance of dedicated streets, public areas, easements and parks shall be by ordinance of the Town. The approval by the Planning Board of a subdivision plat shall not be deemed to constitute or imply the acceptance by the Board of Selectmen or the Town of any street, right-of-way, easement or park shown on said plat.

**B. Inspection of Improvements**

**1) General Procedures and Fees**

The Planning Board or their designated agents shall provide the inspection of required improvements during the construction and certify their satisfactory 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 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 a performance bond covers the cost of improvements, the applicant and the bonding company shall be individually and jointly liable for completing the improvements according to specification. 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.

## 2) Release or Reduction of Performance Bond

### (a) Certificate of Satisfactory Completion

The Planning Board will not accept dedication of required improvements, nor release, nor reduce a performance bond, unless or until the following has been satisfied: 1) the Planning Board or their designated agent has received a certificate stating that all required improvements have been satisfactorily completed and 2) the applicant's engineer or surveyor has certified to the Planning Board or their designated agent through submission of a detailed "as built" survey plan of the subdivision that a) the layout of the line and grade of all public improvements and lot monuments are in accordance with the final plat and construction drawings for the subdivision, and b) a title insurance policy has been furnished to and approved by the Planning Board and the improvements are ready for dedication to the Town of Pittsfield and are free and clear of any and all liens and encumbrances. The as built plan shall indicate locations, dimensions, materials and other information required by the Planning Board. Upon such approval and recommendation by the Planning Board, the Town may thereafter accept the improvements for dedication in accordance with the established procedures.

### (b) Reduction of Performance Bond

A performance bond may be reduced upon actual dedication 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

Upon completion of improvements by the subdivider or owner and approval by the Planning Board, surety covering maintenance of the streets for a period of two years from completion shall be required in an amount equal to 25% of the total cost of such improvements or \$2,000.00, whichever is greater. The maintenance of streets shall be

defined, as work required to correct defects in the construction if they become apparent to the Town within the two-year time period.

## **SECTION 8 ABANDONMENT, AMENDMENT, AND REVOCATION**

### **A. Abandonment**

#### **1) Incomplete Application**

An application submitted to the Board which is found to be incomplete shall be deemed to have been abandoned by the applicant if a Completed Application is not submitted within twelve (12) months of the date at which the Board acted to find the application incomplete.

#### **2) Completed Application**

An application submitted to the Board which is found to be a Completed Application layout, and for which appropriate extensions of time have been granted by the Board in which to take final action, shall be deemed to have been abandoned by the applicant if a final plat has not been submitted within twelve (12) months of the date at which the Board acted to find the application complete.

#### **3) Abandoned Application**

An abandoned application cannot be revived nor is it transferable except as a complete new submission to the Board, unless an extension is granted. An extension may be granted if requested in writing by the applicant at least 30 days prior to the end of the twelve (12) month period.

### **B. Amendments To Approved Plans**

After the Board's approval of a plat, it will be the applicant's responsibility to see that construction does not deviate from the approved plat. Any changes to utilities, roads, or structures or other improvements as approved shall be presented to the Board or its designee who will determine if the change is minor or major.

Minor changes, by way of illustration, may include, but are not limited to, small changes to the location of roads, utilities and building foundations due to subsurface conditions encountered during construction or improvement in design such as a lower street grade. Minor changes may be approved by the Board or its designee and do not require formal notification to the abutters, lien holders, any individual whose professional seal appears on the plan, or the general public.

Major changes, by way of illustration, may include, but are not limited to, large changes in the location of roads, utilities and building foundations, down sizing utility lines, increasing road grades and decreasing curve radii. Major changes shall require the resubmission of the

final plans, and approval by the Planning Board, before construction can proceed on the basis of the major changes. Any deviation from a plan approved by the Planning Board requires an approved Change Order. Such change order shall be submitted to the Town Administrator for approval by the Planning Board.

Failure of the applicant to obtain the Board's review of changes in the approved plat shall cause the Code Enforcement Officer to issue a "cease and desist" order on his own motion or at the request of the Planning Board detailing the reasons therefore and such other enforcement measures deemed appropriate and necessary to ensure compliance with these regulations, including, but not limited to, revocation of the approval by the Board.

### **C. Revocation of Approval**

#### **1) Revocation Basis**

A subdivision plat, street plat or other approval which has been filed with the appropriate recording official under RSA 674:37 shall be revoked by the Board under any of the following circumstances as set forth in RSA 676:4-a.

- (a) At the request of; or by agreement with, the subdivider or the subdivider's successor in interest.
- (b) When the subdivider or successor in interest to the subdivision has performed work, erected a structure or structures, or established a use of land which fails to conform to the statements, plans or specifications upon which the approval was based, or has materially violated any requirement or condition of such approval.
- (c) When the subdivider or successor in interest to the subdivider has failed to perform any condition of the approval within a reasonable time specified in the approval or, if no such time is specified, within the time periods specified in RSA 674:39.
- (d) When the time periods specified in these regulations and/or RSA 674:39 have elapsed without any vesting of rights as set forth therein, and the plat, plan or other approval no longer conforms to applicable ordinances or regulations.
- (e) When the subdivider or successor in interest to the subdivider has failed to provide for the continuation of adequate security as provided in RSA 674:36,111 (b) and RSA 674:44, ffl (d) until such time as the work secured thereby has been completed.

#### **2) Revocation Hearing**

Prior to recording any revocation under this section in the Merrimack County Registry of Deeds, the Board shall give notice, as provided in RSA 676:4,1 (d) to the public, the subdivider or the subdivider's successor in interest, all recorded mortgage or lien holders, any individual whose professional seal appears on the plan, and all abutters. The notice shall include the Board's reasons for revocation. A hearing with notice as

provided in RSA 676:4,1 (d) shall be held at the request of any party receiving such notice, submitted within 30 days of receiving such notice, or if the Board determines to hold a hearing.

### 3) Declaration of Revocation

A declaration of revocation, dated and endorsed in writing by the Board, and containing reference to the recording information for the plat, plan or other approval being revoked, shall be filed for recording with the Registry of Deeds, no sooner than 30 days after written notification of the revocation is served on the subdivider or the subdivider's successor in interest, in person or by certified mail, or 30 days after any public hearing, whichever is later. If only part of an approval is revoked, that portion of the land subject to revocation shall be clearly identified in the declaration. The declaration shall be recorded under the same name or names as was the original approval, as well as the names of subsequent owners, if any, of the land or part thereof subject to revocation, as identified by the municipality.

### 4) Revocation Appeal

A revocation under this section may be appealed pursuant to RSA 677:15. Nothing in this section shall affect the Town's liability, either before or after such revocation, to pursue other remedies or penalties as set forth in RSA 676:15-17.

## **SECTION 9 GENERAL REQUIREMENTS FOR MAJOR SUBDIVISION**

### **A. Best Use of Land**

The Board in considering any proposal will be concerned with the requirements of the community and the best use of the land.

The Board will give particular attention to the following items within the proposed subdivision as well as how they may affect existing and potential adjoining land use: width, arrangement and location of streets, sanitation, drainage systems, sizes and arrangement of lots, open space, parks and retention of major site features. Adequate street connections will be required whenever feasible to ensure access to adjoining subdivisions and lands.

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

A plat shall conform to the Master Plan, Zoning Ordinance and any other pertinent State or local laws, regulations and ordinances.

## **B. Special Features**

The Board may require that the plat show a park or parks suitably located for playground or recreation areas. Due regard shall be shown for all natural features, such as large trees, water courses, scenic points, historic spots, and other community assets, which if preserved will enhance the value of the subdivision and enrich the neighborhood.

The subdivider may be required to provide an easement or deed to the Town for public park use or to the Conservation Commission or Land Trust for public conservation or open space land or provide privately maintained recreational facilities and/or open space land within the subdivision at a standard of one (1) acre for each 50 persons.

## **C. Lots**

Whenever possible, the lot length shall not exceed four (4) times the average width of the lot.

## **D. Construction Plans**

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, for the purpose of road construction and the following shall be shown:

### **1) Plans**

Plans shall be prepared showing all areas to be disturbed for construction of streets, drainage ways and structures, sewer, water, gas and electric lines, telephone and cable lines, erosion and sediment control structures, fire protection methods, such as hydrants, fire ponds or on-site supply tanks, and other areas to be disturbed for the construction of improvements. All plans shall be made with existing topography shown in dashed lines and proposed contours shown in solid lines at a contour interval no greater than two (2) 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.

### **2) Profiles**

Profiles shall be prepared of all proposed roadways, showing existing and proposed elevations along the centerlines 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 ten (10) feet vertical scale.

### 3) Cross Sections

Cross Sections shall be prepared of all proposed roadways at fifty (50) 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 subgrade, 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 ten (10) feet, both the horizontal and vertical scales shall be the same.

### 4) 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.

### 5) Drainage, Erosion and Sediment Control

Plans and other information, indicating how increased runoff sedimentation and erosion shall be controlled during and after construction of required improvements.

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

## **SECTION 10 STANDARDS FOR SUBDIVISION**

### **A. General Road Design**

The purpose of these standards is to ensure safe vehicular travel on streets, private and public. Proper design requires the blending of safe roadway layout and grade with minimization of impacts on the existing terrain and environment. These standards are further intended to be flexible in construction of different traffic volumes and terrain conditions.

All Design and Construction Standards not otherwise specified below shall be in conformance with NH DOT specifications.

#### **1) Arrangement of Streets**

The streets in a subdivision shall be properly arranged and coordinated with other existing or planned streets.

In the case of proposed residential or commercial subdivisions along Town or State roadways having frontages that exceed six hundred (600) feet, the construction of an internal street system or service road outside of the roadway right-of-way may be required to provide greater safety for the development occupants, as well as the highway users.

## 2) Rights-of-Way

No street or highway right-of-way shall be less than 50 feet in width and may be required to be more if a greater width is warranted in the opinion of the Board. The apportioning of the street widths among roadway, sidewalks and possible grass strips shall be subject to the approval of the Board.

Subdivisions on existing public streets with Right-of-Ways less than 50 feet shall dedicate land of width equal to one-half the difference between the existing right-of-way and 50 feet, the full length of the frontage.

## 3) Circulation

The Board shall ensure that there is adequate through circulation when needed as determined by the Board for secondary emergency vehicle access and overall traffic circulation. Traffic circulation patterns for service and local streets shall be designed to discourage through traffic from short-cutting through residential neighborhoods. The size of street needed within a subdivision is based on traffic to be generated by the development plus through traffic anticipated to use the street from outside the development. Whenever provision is made for extending a street through to an adjoining property, the extent of outside or through traffic needs to be accounted for in determining the appropriate size street to develop within the subdivision.

Dead-end streets shall be equipped with a turn-around roadway at the closed end as shown in these regulations. The maximum grade through a cul-de-sac shall be 5%.

## 4) Cul-De-Sacs

Cul-de-sacs may be permitted and shall be constructed in conformance with the attached illustration. The length of a cul-de-sac shall not exceed a total of 1000 feet measured from the nearest edge of the right-of-way of any Class V or better intersecting road to the end of the turn-around.

## 5) Loop Roads

Loop roads may be permitted, provided that the single section shall not exceed a total of 900 feet measured from the nearest edge of the right-of-way of any Class V or better intersecting road to the intersection of the single connecting section and the loop section.

Neither cul-de-sac nor loop roads shall be piggybacked onto other cul-de-sac or loop roads.

6) Intersections

Street intersections shall have a minimum angle of intersection of 75 degrees, with a preferable angle being 90 degrees. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of one hundred feet in the urban compact area, and two hundred feet outside the urban compact area between their centerlines. Property line radius at intersection shall not be less than 20 feet.

7) Street Names

(a) Streets, which extend or are in alignment with streets of abutting or neighboring properties, shall bear the same names of existing streets within the Town of Pittsfield.

(b) The Planning Board shall approve other street names.

(c) Precautions shall be taken to ensure street names are not duplicated or so similar to other street names as to cause confusion.

8) Existing Street Conditions

Where a subdivision requires undue expenditures by the Town to improve existing streets to conform to minimum standards, the Board may disapprove such subdivision until the Selectmen shall certify that the municipality has assured funds for the improvements.

9) Minimum Design Standards

(a) New roads shall be designed to conform to the minimum standards established in the accompanying table and as shown on the attached Typical Roadway Cross-Section Exhibit. The roadway designs are based on average daily traffic volumes (ADT).

(b) ADT should be determined by the manual entitled Institute of Transportation Engineers — Trip Generation. This may be supplemented by actual traffic data compiled for local roadway networks, applicable to the proposed project.

(c) Where streets have the potential for extension through to other lands or other potential street networks, appropriate increases in the traffic volume estimates may be required at the discretion of the Board. The Board shall have the right and authority to increase design standards in such cases and in other cases where it is deemed appropriate.

- (d) For streets serving commercial/industrial areas, the Board may require a more restrictive requirement than shown. These commercial/industrial roads shall at least meet the requirement of a collector road.

#### **10) Curbing**

- (a) The Board may require curbing where it is deemed appropriate and necessary for the purpose of drainage, slope stability and/or pedestrian safety. Curbing allowed in the Town of Pittsfield includes straight granite and sloped granite.
- (b) The construction of curbing shall be in accordance with NH DOT Construction Specifications.

#### **11) Sidewalks**

When, in the opinion of the Board, sidewalks are necessary, they shall be not less than six (6) feet in width and conforming to the grades of the street and shall be constructed on one or both sides of the street. Sidewalks shall be constructed in accordance with instructions from the Board.

#### **12) Steep Grades**

Where roadway profiles exceed 5%, special consideration will be given to drainage, sediment and erosion control and protection. This may require curbing and special measures such as riprap or other erosion control and protection.

### **B. Stormwater 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 in these regulations or in the current "Manual on Drainage Design for Highways" published by the New Hampshire Department of Transportation and "Stormwater Management, Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire" as published by the Rockingham County Conservation District. Henceforth referenced as "The Stormwater Management Handbook".

### **C. 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 this formula shall be as follows:

10-year frequency for residential area;  
25-year frequency for commercial or industrial area;  
100-year frequency for flood protection areas;

- (c) All cross culverts, closed drainage systems, 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 be a minimum diameter of fifteen (15) inches and shall have a minimum of four feet of cover below the finished grade of the road over all pipes, including under drains.
- (b) Drainage ditches at least 18" 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 watercourse or a drainage way, an easement of adequate width shall be provided for such purpose.
- (d) Pipe culverts with a span of 10 feet or more will be considered as bridges.
- (e) It is preferred 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) Velocity at all outlets shall be computed and outlet protection provided as defined in the outlet protection section of the stormwater management handbook (See Stormwater Management Section).

- (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 & floodplain environment.

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

Pipe Size	Maximum Allowable Headwater
15"— 30"	2 Times Pipe Diameter
36"— 48"	1-1/2 Times Pipe Diameter
54"- Up	1 Times Pipe Diameter

- (j) Acceptable pipe materials for roadway and drive pipe culverts shall be rigid smooth bore plastics.
- (k) All culverts shall be constructed with end sections, headers, or stone slope paving as specified below. End sections shall be permitted on all pipes less than 48" diameter, except where there is an active stream.

### 3) Ditches

- (a) A maximum length of 300 feet for a ditch to a catch basin is required. Local conditions may require variations. The Board or the Board's Agent must approve any variations.
- (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. Ditchlines collecting more than one cubic per second of roadway runoff during a ten year frequency storm will require the construction of a grass-lined treatment swale. Such swale will under a two year frequency storm flow at a velocity not more than one foot per second and a depth not greater than one foot for one hundred feet prior to outletting.
- (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 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 backslopes only when excessive off site runoff damage slopes and/or overtax on-site systems.

**4) Subsurface Drainage (Underdrains):**

Subsurface drainage systems (underdrain pipe) shall be provided where the seasonal high groundwater 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 ordered by the Town's representative, to locate the Seasonal High Water (SHW) Table and determine the need for underdrain pipe. This pipe shall be perforated PVC with a minimum diameter of 6" and lay 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.

**D. Erosion and Sediment Control**

- 1) All subdivisions except minor subdivisions involving less than five (5) acres shall prepare and construct adequate erosion and sediment control measures and prepare plans for runoff erosion and sediment control.

**2) Standards**

The design of the subdivision and control measures shall comply with the following standards:

- (a) Stripping of vegetation, regrading, or other developing shall be done in such a way that will minimize soil erosion.
- (b) Whenever practical, natural vegetation shall be retained, protected and supplemented.
- (c) The disturbed area shall be kept to a minimum and the duration of exposure shall be less than a maximum of six months.
- (d) Temporary seeding and/or mulching shall be used to protect critical areas during development.
- (e) Increased runoff water caused by changed soil and surface conditions during development shall be retained in such a way as to not increase the peak discharge of runoff water occurring on the site before any development begins.
- (f) Sediment in runoff water shall be trapped and retained on the project site by the use of sediment basins or other acceptable methods.

- (g) Off site surface water shall either be diverted around or conducted safely through the project area.

### 3) Erosion and Sediment Control Plan

- (a) To be eligible for certification, a soil erosion and sediment control plan shall contain proper provisions to adequately control accelerated erosion and sedimentation and reduce the likelihood of excessive storm water runoff from the proposed site, based on the best available technology. Such principles, methods and practices necessary for certification are found in the Erosion and Sediment Control Design Handbook for Developing Areas of New Hampshire (1987) prepared by the USDA Soil Conservation Service as amended, and the current “Manual on Drainage Design for Highways” published by the New Hampshire Department of Transportation. Alternative principles, methods and practices may be used with prior approval of the Planning Board.

- (b) Said plan shall contain, but not be limited to:

- (1) A narrative describing:

- (a) The development
- (b) The schedule for grading and construction activities including: start and completion dates; sequence of grading and construction activities; sequence for installation and/or application of soil erosion and sediment control measures; sequence for final stabilization of the project site.
- (c) The design criteria for proposed soil erosion and sediment control measures and storm water management facilities.
- (d) The construction details for proposed soil erosion and sediment control measures and storm water management facilities.
- (e) The installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities.
- (f) The operations and maintenance program for proposed soil erosion and sediment control measures and storm water management facilities.
- (g) Diversions, sediment basins and other erosion control measures shall be constructed by the developer prior to any on site grading or disturbance of existing surface material.

- (h) Should there be an alteration of the terrain bordering surface waters of the State or disturbance of over 100,000 square feet of area, a permit from the Water Supply and Pollution Control Commission is required under the RSA's.
  - (i) Seeding: All graded areas shall be seeded with conservation mix (USDA) approved at the rate of 150 lbs. per acre.
  - (j) Fertilizer: All seeded areas shall be fertilized. The fertilizer shall have an analysis of 19-19-19 and be applied at the rate of 4 lbs. per 100 square feet.
  - (k) Mulch: All seeded areas shall be mulched within 24 hours after seeding. A good quality of mulch hay should be used and applied at the rate of 2 tons per acre.
- (2) A site plan map at a sufficient scale to clearly show:
- (a) The location of the proposed development and adjacent properties;
  - (b) The existing and proposed final topography including soil types, wetlands, watercourses and water bodies;
  - (c) The existing structures on the project site, if any;
  - (d) The proposed area alterations, including cleared, excavated, filled or graded areas and proposed utilities, roads and, if applicable, new property lines and the general location of proposed structures and driveways;
  - (e) The location of and design details for all proposed soil erosion and sediment control measures and stormwater management facilities.
  - (f) The sequence of grading and construction activities;
  - (g) The sequence for installation and/or application of soil erosion and sediment control measures;
  - (h) The sequence for final stabilization of the development site.
- (3) Their own driveway shall access all proposed lots.
- (a) Design calculations for predevelopment and post development conditions including a narrative of said conditions. Also required will be detailed hydraulic calculations for open channels, closed pipes and detention basins where applicable.

- (b) Any other information deemed necessary and appropriate by the Planning Board or its designated agent.

## **E. Landscaping and Planting**

Installation 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 Pittsfield.

All esplanade or planting strip areas at sides 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.

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.

## **F. Monuments**

### **1) Location**

- (a) The front lot corners and all changes in direction of the right of way lines shall be monumented with stone or concrete bounds. There shall be no more than 700 feet between bound along the right of way line.
- (b) Iron pipes located along rivers and streams shall be located along the meander line. All rear lot corners and angle points and side lot lines shall be monumented with iron pipes. Where natural features exist on the site, offsets or drill holes will be allowed.

### **2) Monuments**

- (a) Bounds shall be set on 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 shall be at least thirty-six (36) inches long and seven eighths (7/8) inches in diameter or square.
- (c) Monument Placement
  - (1) Monuments shall be set flush with finished grade. No permanent monuments shall be set until all construction that would disturb or destroy the monuments is completed.

(2) All monuments shall be set under the direction of a registered land surveyor in accordance with the minimum standards adopted by the NH Land Surveyors Association for standard property surveys.

(3) Monuments to be set prior to final inspection.

## **G. Driveways**

All driveways connecting to town roads must be built and maintained in accordance with the following specifications:

- 1) In essence, driveways shall not 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 stormwater. In all other cases, driveways must have sufficiently sized culverts installed and maintained by the homeowner or developer.
- 2) In no case shall the culvert pipe under a driveway be less than 12" diameter pipe when at the discretion of the Highway Department a pipe is required.
- 3) An all season safe sight distance of 200' in each direction must be present for a building permit to be issued, with an additional fifty (50) feet of site distance added for each five (5) miles per hour that the posted speed limit exceeds thirty (30) miles per hour.
- 4) Driveways shall intersect the roadway at a preferred angle of 90 degrees but in no case shall the intersecting angle be less than 75 degrees.
- 5) Return radii for residential driveways shall not exceed 25 feet. Commercial driveway radii shall be designed for an AASHTO SU design vehicle unless deliveries from larger vehicles are anticipated on a regular basis.
- 6) No driveway will be permitted to be constructed within 100 feet of an intersecting street in the urban compact area and within 200 feet outside the urban compact area.
- 7) Maximum allowable residential driveway width shall be 20 feet. The desirable width shall be 12 feet and the minimum width shall be 10 feet. The maximum allowable commercial driveway width shall be 50 feet. The minimum allowable commercial driveway width shall be 30 feet.
- 8) Final driveway acceptance shall rest with the Superintendent of Public Works.

## **H. Sewage Disposal**

Individual and community sewage disposal systems shall comply with the requirements of NH Department of Environmental Services. On site sewage disposal systems must be

constructed seventy-five (75) feet from any surface water or very poorly drained soils as determined by a soil scientist.

If any part of a project is within 500 feet of a municipal line, the subdivider shall connect all building lots to the sewer.

If the sewer system within a subdivision is proposed to be served by the Town of Pittsfield Sewer Department it shall be the responsibility of the subdivider to install and connect to existing public sewage lines in accordance with current Sewer Department and State of NH regulations. If sewage connections are not practical, all street plans will include adequate area for the future installation of public utilities should such become necessary to control pollution. In areas shown on the Sewer Department's map as planned for town sewer facilities, it shall be the responsibility of the subdivider to install sewage lines in accordance with current sewer regulations.

## **I. Water Systems**

If the water system within a subdivision is proposed to be served by a private or municipal water company it shall meet the standards and specifications required by the Company and the State of NH.

When the Company certifies a need, a water main easement shall be established to provide for a future "loop" connection between the adjacent land and a water main if proposed within the subdivision.

## **J. Fire Protection Devices and Facilities**

An adequate water supply for fire protection shall be available within the subdivision or within a reasonable distance from the subdivision as determined by the Board after recommendation from the Fire Chief

When a subdivision is proposed in a location where a water supply for fire fighting purposes is not readily accessible, the Board may require the subdivider to provide, at the subdivider's expense, for the installation of fire protection devices including, but not limited to, fire ponds, dry hydrants or storage tanks and require the subdivider to allow access to such devices by reserving use, water and maintenance easements to the Town, as the Board may deem necessary and appropriate.

In the case of a subdivision which includes water frontage, the subdivider shall provide for an easement or easements, if appropriate, of not less than thirty (30) feet in width to allow the Fire Department unobstructed access from the nearest public right-of-way to the shoreline, for the purpose of installing and/or maintaining a dry hydrant, or other water access device, for year round access to a supply of water for fire protection purposes. Such easement shall provide that no obstructions may exist within the easement area.

The Board may require that the subdivider comply with design and specifications provided by the Fire Department of any improvements under the proceeding paragraphs.

**K. Shade Trees, Street Signs and Intersection Lighting**

Intersection street lighting shall be installed where it is deemed appropriate by the Planning Board, subject to approval by the Board of Selectmen.

Shade trees shall be required along all proposed streets outside the right-of-way in a new subdivision and shall be of a size and species approved by the Planning Board.

Street signs, sign posts and traffic intersection lighting shall be provided at all intersections of new or extended streets by the developer and shall be of a size and type as approved by the Board of Selectmen.

**L. 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 or subdivision plan must include underground or aerial service systems. Lighting 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. In all cases where new roads are proposed, all utilities shall be placed underground.

**M. Debris and Waste**

No cut trees, timber, debris, stones, 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 the time of 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 Pittsfield will not accept stumps from such projects at its Solid Waste disposal facility.

**N. Additional Studies**

1) All major subdivisions will be overseen by an outside engineering firm. The Planning Board shall appoint the engineering firm and additional experts as needed to oversee the major subdivision with final approval by agents appointed by the Planning Board. All engineers or experts shall be designated by the Planning Board and paid for by the Applicant.

2) Additionally, as required by law or determined by the Board, any of the following may be required:

- (a) A master plan, in sketch form, showing potential future expansion of the proposed subdivision and including the prospective future street system on adjacent property owned by the subdivider but not a part of the proposal.
- (b) An environmental and/or economic impact statement prepared by a qualified consultant. Such a statement may require documentation on drainage, erosion, forest productivity, ground and surface water quality, traffic safety, traffic study, public services, economic impacts on public service and schools, and such other factors that could impact the short or long term well being of the public in the Town of Pittsfield.
- (c) Demonstration to the Board that the proposal is not scattered and premature.
- (d) Other plans, approvals, or pertinent information as may be required.

## **SECTION 11 CONSTRUCTION STANDARDS FOR STREETS AND ROADS**

### **A. Supervision**

Construction of streets, drainage facilities, sidewalks, and curbs must be done under the supervision of the Superintendent of Public Works of the Town of Pittsfield, the Board, and/or its agents.

#### 1) Pre-Construction Meeting

Before any construction begins, the subdivider, his contractor(s), the Superintendent of Public Works, the Board and its agent(s), will conduct a preconstruction meeting, the purpose of which is to clarify the design and construction standards contained herein, and to establish a workable inspection schedule for the project.

#### 2) Maintenance of Survey Stakes

The applicant shall preserve the grade stakes until the completion of the streets and if stakes are removed or destroyed so that the Board or its agent cannot readily check the grade at any location, the stakes shall be replaced at the expense of the applicant.

Before street or improvement construction begins the applicant shall cause grade stakes to be placed at 50-foot intervals. Each stake shall be driven firmly beyond the toe or top of slope in a location where it will not be disturbed by construction operations and be clearly marked, by a licensed surveyor, to give the following information:

- Station number
- Offset from center-line

- Cut or fill to finished center-line grade

Also, the applicant shall place grade control stakes at 50' intervals and located near the shoulder break point or 2' outside of the proposed curb line on both sides of the roadway. Each stake shall be marked with the centerline station and a finished grade mark.

## **B. Clearing and Grubbing**

The limits of clearing and grubbing shall be laid out on the ground before any other work commences and shall extend five (5) feet beyond the excavation and embankment slope limits. Trees designated by the Board or its agent will be saved; particular reference is made to fruit, ornamental or shade trees or plants at the edge of roadside slopes.

### **1) Clearing**

Clearing shall be performed by cutting and disposing of all trees, down timber, stubs, brush, bushes and debris.

### **2) Grubbing**

Remove and dispose of all stumps and large roots within the limits of construction to a depth of three (3) feet below subgrade. Excavation caused by grubbing shall be filled with suitable material that shall be compacted to conform to the surrounding ground.

### **3) Roadside Cleanup**

Roadside cleanup of leaning, dead, unsound and unsightly trees, branches, stubs, refuse, and slash, generally to a limit of approximately 15 feet outside the toe and top of slopes shall be performed and the material disposed of appropriately.

### **4) Inspection**

The Superintendent of Public Works and the Board or its agent shall be notified so that approval of the clearing and grubbing can be made before any further work may progress.

## **C. Excavation and Embankment**

This work shall consist of excavation, placement and compaction of embankment and the necessary disposal of other material.

### **1) Excavation**

Excavation consists of the removal of earth, rock and muck.

- (a) Conservation of Growth: Excavation shall be carefully performed in the proximity of trees and shrubs designated to be saved so as not to cause undue injury to the designated trees or shrubs.
- (b) Topsoil: Topsoil and other desirable humus material shall be removed in excavation areas and also in fill areas to such depths as directed by the Superintendent of Public Works. Topsoil shall not be removed from the project site without approval of the Board following the issuance of an earth removal permit.
- (c) Rock Excavation: All boulders that cannot be removed shall be broken off to a depth of not less than 12 inches below subgrade. Solid rock shall be removed to a depth of not less than 12 inches below subgrade and as required for ditches in cut sections. No rock excavation by blasting shall be performed without prior approval of the Superintendent of Public Works and only after all required permits have been obtained and are on site.
- (d) Muck Excavation: Muck excavation consists of the removal of deposits of saturated or unsaturated mixtures of soils and organic matter not suitable for roadway foundation material regardless of moisture content. Muck shall be removed and suitable portions thereof may be used on the embankment slopes or other appropriate uses approved by the Superintendent of Public Works. The excavation work shall be handled in a manner that will not permit the entrapment of muck within the backfill; the backfilling of the excavated area shall follow immediately behind the excavation of the muck in order that any soft material which is pushed ahead of the backfill can be removed.
- (e) Common Excavation: Common excavation consisting of all excavation not included in the above classifications and unusable for roadway construction shall be removed. With the approval of the Superintendent of Public Works, suitable material may be used in fill areas and unsuitable material may be used to flatten slopes where possible.

#### **D. Embankment**

Embankments shall be formed of suitable and acceptable excavated or borrow material and brought to the required lines and grades. Embankment materials shall be placed and compacted in full uniform layers not exceeding lifts of 12 inches. Continuous leveling and manipulation shall be employed to insure uniform density. Where end dumping is employed, embankment material shall be dumped on the layer of embankment being constructed and bulldozed ahead into place. End dumping over compacted work which allows material to roll into place will not be permitted by the Superintendent of Public Works.

- 1) Backfill of Holes: Holes resulting from the removal of stumps, boulders, and the like, within the zone of anticipated frost action, shall be filled and compacted with material similar to that surrounding the hole.

- 2) **Unstable Areas:** Material used to backfill excavated muck shall consist of rock or granular material, so graded that, of the material passing the No. 4 sieve, not more than 70% will pass the No. 40 sieve and not more than 35% will pass the No. 200 sieve. The process shall be as specified under Muck Excavation above. Material shall be placed compacted in 11th uniform layers not exceeding lifts of 12 inches.
- 3) **Waste Material:** Waste materials from clearing, grubbing, and roadside cleanup and from rock, muck and common excavation classified by the Superintendent of Public Works as unsuitable for use in the construction of roads, streets and landscaping shall not be deposited in any wetland or other property within the Town, including any public disposal facility, if at Town expense, but may be deposited in pit(s) dug on-site and covered with material and in a manner acceptable to the Superintendent of Public Works. The pit(s) shall be away from any construction areas in a non-buildable buffer area that is acceptable to the Superintendent. The applicant shall identify all such burial sites on the completed as-built plans filed at the completion of the project.
- 4) **Rock Embankment:** Rock embankment shall consist of rock fragments placed in layers not to exceed 4 feet. The rock lifts shall be worked in such a manner as to close the voids with smalls and fines when available, otherwise use earth to make a tight surface prior to placing the next lift.
- 5) **Earth Embankment:** Earth shall be placed in layers the fill width of the roadway, generally parallel to the finished grade. The layers shall not exceed 12 inches of loose depth. Each layer shall be spread to a uniform thickness and compacted to at least 95% of maximum density prior to placing the next layer. The Superintendent at the applicant's expense may require density tests.
- 6) **Grading:** Embankments shall be graded at all times to insure the proper run-off of water. Any saturation of nonporous material due to the subdivider's selected method of operation shall occasion suspension of additional work as specified by the Superintendent until the situation has been rectified.
- 7) **Winter Construction:** No embankments shall be constructed on frozen earth materials. Each layer of material shall be compacted to the specified density before it freezes.
- 8) **Borrow:** When suitable and acceptable, and excavated material from the job site has been exhausted, borrow materials may be brought onto the job, provided prior written permission of the Superintendent is obtained concerning the quality of the material at the source.

## **E. Drainage**

The subdivider shall provide adequate disposal of surface water run-off. Location of drainage ways, easements and structures shall have been designed using the topography contour lines on the final plat as specified in these regulations.

- 1) **Culverts:** In addition to the location as determined above, the length of a culvert structure shall be graphically determined by cross-section scale drawing(s) of the proposed street showing existing ground, side ditches, back slope(s), side slope(s), subgrade, finished grade and the culvert, with headwall(s) if required. For skew installations, a plan view also shall be drawn to scale. Culverts without headwalls or drop inlets shall extend to the intersection of the street side slope with the old ground in an earth fill section; or with the back slope in an earth cut section governed by the cover over the culvert specified below. Culverts with headwalls may be shorter as governed by the intersection of the street side slope with the back of the headwall 5 inches below the top of the headwall. Culverts also can be terminated by catch basins located on the normal ditch line of an earth cut section. The minimum inside diameter of any culvert under subdivision streets shall be fifteen (15) inches; a larger size may be required as a result of the rainfall information discussed and designs required in these regulations, as well as the general necessity for adequate disposal of surface water. Culverts shall be plastic as approved by the Board. Locking bands for field jointing plastic sections shall meet the manufacturer specifications. Driveways of the subdivision street(s) shall have a minimum culvert size of 12 inches. The pipe shall be placed on prepared bedding of fine granular material to fit the lower 10% of the pipe height and to ensure that the flow line of the pipe(s) will conform to the required grade line. The minimum culvert slope required to maintain a self-cleaning water velocity is 0.4%. Acceptable material for culvert pipes and closed drainage system pipes shall be smooth lined PVC pipes.
- 2) **Under-Drains:** The Board may require the applicant to provide under-drains to remove water from the roadway subgrade.
- 3) **Ditch Grades:** Roadside ditch grades shall not be less than .5% to prevent ponding. Steep roadside ditch grades may require energy absorbing crushed stone and/or cross culvert relief if anticipated flow is significant.
- 4) **Headwalls and Catch Basins:** A stone or masonry headwall on the inlet end of a culvert, when required, shall be designed to prevent physical damage to the culvert pipe and have a base, below the pipe, to avoid seepage and erosion below the culvert. Headwalls on the outlet end of the culvert may be required, but without a deep base. Catch basins or drop inlets may be required in developments with curb inlets or located in normal ditch lines of an earth cut section. All stone or masonry headwalls shall be constructed in accordance with NH DOT Standard Specifications. All drainage catch basins, drop inlets, and manholes shall be pre-cast reinforced concrete constructed to NH DOT Standard Specifications. All frames and grates shall be cast iron and shall meet or exceed NH DOT specifications.

- 5) **Backfilling:** All backfill material for culvert trenches, headwalls, drop inlets, catch basins and manholes shall be soil approved by the Superintendent of Public Works. Backfill material shall be free of hard lumps or clods larger than 3 inches in diameter, and free of rocks and stumps. Uniformly fine material shall be placed next to any of the culverts, headwalls, and basins liable to denting or breaking.

Backfill shall be in layers not exceeding 6 inches at near optimum moisture content and care shall be exercised to backfill under the haunches of culverts and in firm contact with the sides. Compaction shall not be less than 95% in the vicinity of pipes.

- 6) **Intersections:** Special consideration will be needed where streets or roads intersect established streets or roads to provide proper drainage and avoid conditions leading to accumulation of ice during freezing weather.
- 7) **Easements:** Drainage easements shall be obtained by the applicant over any adjacent land which will be subjected to an increased flow of surface water because of the alterations caused by the subdivision.
- 8) **Inspections:** All material supplied for the drainage work shall be certified by the applicant to the Town of Pittsfield. The Superintendent and the Board or its agent shall inspect all material before placement. The Superintendent and the Board or its agent shall be notified as to when the installation of each item required will occur. No backfilling will be done until the installation has been inspected. No drainage structures shall be placed until the base upon which they will sit has been inspected. The Superintendent will inspect all backfilling.

#### **F. Fine Grading of the Subgrade**

Upon completion of excavation, placement of embankment and installation and backfilling of drainage structures, the subgrade shall be fine graded to conform to the subgrade profile and cross slope. High spots shall be honed down and low spots filled with material acceptable to the Superintendent. The process of vibratory compacting shall continue until no further depressions result. Slopes and ditches shall be shaped to reasonable smooth surfaces in keeping with the character of the adjacent terrain and merge into it without any noticeable break. Culverts and waterways shall be cleared of all obstructions. Rubbish, brush, loose rock, boulders and all other debris from the construction work shall be removed and disposed of as directed by the Superintendent. The entire roadway must present a uniformly finished appearance at the completion of fine grading. The Superintendent and the Board shall be notified so that approval of fine grading of the subgrade, side and back slopes and ditches can be made before any further work can progress.

Base courses shall be furnished and placed on previously prepared subgrade or base course. The materials shall be free from organic materials and shall conform to the following gradations:

**1) Gravel**

The base shall consist of gravel to the minimum depth specified in the table "Standards of Street Design" for the class of the road to be constructed. Twenty-five to 70% of the gravel shall pass the No. 4 sieve, and of that passing, no more than 12% shall pass the No. 200 sieve. The maximum size of any stone with the gravel shall not exceed  $\frac{3}{4}$  of the compacted depth of the gravel specified.

**2) Crushed Gravel**

The top aggregate base course shall be a minimum of 10 inches of crushed gravel for all the street sizes in the table "Standards for Street Design" regardless of whether a pavement is to be installed later or not. The required grading is:

Sieve Size	Percentage by Weight Passing
3 inch	100
2 inch	95-100
1 inch	55-85
No.4	27-52
No. 200 (based on the fraction passing the No. 4 sieve)	0-12

At least 50 percent by weight of the materials retained in the 1-inch sieve shall have a fractured face. If the crushed gravel is to be paved with bituminous concrete, the crushed gravel shall be "washed" to remove fines.

**G. Placement of Gravel and Crushed Gravel**

- 1) The subgrade shall be to the specified crown and grade and maintained in a smooth condition, free from holes and ruts. If the hauling equipment should cause ruts in the subgrade or previously placed base course, the equipment shall be operated only on the course being placed, behind the spreading equipment.
- 2) Care shall be taken to avoid segregation when placing gravel and crushed gravel. When base course material is dumped in piles, it shall be dumped in the course being placed, and spread at once onto the previously placed layer. If spreading equipment is not available, dumping will not be permitted. Any segregation which occurs shall be remedied or the materials removed and replaced at the applicant's expense.
- 3) Each entire layer of gravel shall be thoroughly scarified for the depth of the layer to bring all oversized stones to the surface for disposal prior to placing the subsequent course. Such scarifying will not be required when the contractor's method of operation is such that oversized stones are not delivered to the project.
- 4) Prior to fine grading, hard spots in the surface of the top layer shall be eliminated by scarifying the top 4 inches.

- 5) Previously tested and accepted materials contaminated by earthen, organic, or other foreign matter, or degraded by hauling equipment, to such an extent that the materials cease to meet the requirements, shall be removed and replaced or otherwise made acceptable at the subdivider's expense.
- 6) To prevent segregation of crushed gravel during spreading and to assist in obtaining the required density of the mixture, water shall be added to the crushed gravel prior to performing the grading operations. The course shall be maintained in a moist condition until it is covered. Water shall be uniformly applied over the other base courses during compaction in the amount necessary for proper consolidation.
- 7) The compaction of gravel and crushed gravel shall be done with an approved vibratory roller until 95% of maximum density is achieved.
- 8) The Superintendent and the Board shall be notified so that approval of the placement and compaction of the gravel courses may be made before any further work progresses.
- 9) Source Approval: The source(s) of gravel and crushed gravel shall be as approved by the Superintendent and the Board prior to bringing the materials to the job site.
- 10) Fine Grading of Top Course: The top course of 4 inches of crushed gravel shall be fine graded to conform to the profile grade of this course and the cross slope. High spots shall be removed and low spots filled with approved material. The process of rolling shall continue until no further depressions result.
- 11) Inspection: The Superintendent and the Board shall be notified so that approval of fine grading of the top course can be made before any further work progresses.

## **H. Pavement Surface**

All streets shall be surfaced with bituminous materials as approved by the Superintendent in accordance with the following:

### **1) Bituminous Concrete**

A minimum of 4½ inches of bituminous concrete, plant hot mixes (3-inch base and 1½-inch wearing surface). The bituminous material shall be asphalt cement grade 100-200.

### **2) Approvals**

The Superintendent and Board or its agent shall approve the paving contractor and materials to be used. No paving shall be done until the top course of the base courses has been approved.

### 3) Placing Hot Bituminous Pavement

- (a) Weather Limitations. Mixtures shall be placed only when the underlying surface is substantially dry, frost free and the surface temperature is at least 40 degrees F and rising. The Superintendent or Board's agent may permit, in the case of sudden rain, the placing of mix then in transit from the plant, if laid on a base free from pools of water, provided all other specifications are met. No load shall be sent out so late in the day that spreading and compaction cannot be completed during daylight. Wearing course shall not be placed after October 1st of any year.
- (b) In special instances, when the Superintendent or Board's agent determines that it is in the best interest of the Town, he or she may waive the requirements of paragraph (a) above.
- (c) Any material delivered to the spreader having a temperature lower than 250 degrees F. shall not be used.
- (d) Compaction of Hot Bituminous Pavement

Immediately after the bituminous mixture has been spread, struck off and surface irregularities adjusted, it shall be thoroughly and uniformly compacted by rolling. The initial rolling shall be done with a static steel-wheeled roller followed by the use of a vibratory roller. The minimum weight of static steel-wheeled rollers shall be 8 tons. A vibratory steel-wheeled roller shall have a minimum applied dynamic force of 27,000 pounds (Manufacturer's Rated Capacity). Vibratory rollers shall have separate controls for energy and propulsion and be specially designed to compact bituminous mixtures. When a vibratory roller is being used, the vibration shall be stopped while the roller is stopped or reversing its direction of travel.

Base courses shall be rolled until all roller marks are eliminated. The wearing course shall be rolled until all roller marks are eliminated, and a minimum density of 95% of laboratory specimens, made by the AASHTO T-24 method in the proportions of the job-mix formula, has been obtained.

## I. Miscellaneous

### 1) Utilities

Utilities will be placed after the project has been brought to subgrade and rough slope work has been completed. Their respective companies will inspect the lines. It is required that all electric, telephone, cable, and other lines be placed underground.

## 2) Guardrails

Guardrails will be required where slopes drop more than 3 feet vertically from the height of the break in shoulder to the original grade on a slope steeper than 4:1 or in other hazardous areas which will be determined by the Board or its agent. Where a guardrail is required, it shall be constructed and placed in accordance with NH DOT Construction Specifications and the AASHTO Roadside Design Guide.

## 3) Survey and Monument Standards for Streets and R.O.W.'s

Permanent survey monuments shall be set in the boundary of all property corners and rights-of-way at intersection of streets, points of curvature and points of tangency of curves; the point of intersection of short curves may be used instead, where such is practical, at the discretion of the Board. Monuments shall be placed on both sides of the street.

All monuments used as property corners and to designate rights-of-way will be granite at least 4" x 4" and 42" long and shall be installed after the subgrade of the street is in place. A plug, brass plate, or pin shall serve as a reference point and a magnetic rod or other suitable metal device shall be located adjacent to the monument to allow for recovery.

All surveys shall be prepared and all monuments shall be set in accordance with the minimum standards adopted by the NH Land Surveyors Association for Standard Property Surveys. All survey bounds will be located in New Hampshire state plane coordinates.

## J. Traffic Control Signs

Traffic control signs and street name signs of a size, type and design approved by the Board shall be erected by the subdivider.

## SECTION 12 POST APPROVAL PROCEDURES

### A. As-Built Drawings

Following completion of all improvements, the applicant shall submit As-Built Plan(s) to the Board. This plan shall be drawn to scale and shall indicate by angles and dimensions, all underground utilities, road profiles and center line elevations and final grading plan showing swales and ditches. The plan shall show easements, dedicated roadways, roadbeds and other improvements.

## **B. Certificate of Performance of Improvements**

Upon completion of all the required improvements associated with the applicant's approval, the applicant shall make application to the Board in writing for a Temporary Certificate of Performance. This application shall include inspection reports from all affected Town departments and/or applicable outside agencies including, but not limited to, the Board's designated inspector, the Superintendent of Public Works, the Fire Department, the Sewer Department, the Police Department, the Pittsfield water company and the New Hampshire Department of Transportation. The Board shall issue the Temporary Certificate of Performance and release the original security filed with the Board if the Board determines that the following has been met:

- 1) All of the improvements are without known material defects which need correction as determined by the Board; and
- 2) The applicant has submitted security for a period of two (2) years which is acceptable to the Board to cover corrections of defects, omissions, errors or failure of installation of the improvements to comply with the approved plans. The amount of security shall be determined by the Board and shall be sufficient to cover the costs of any defects, omissions, errors, as well as failures of installation of the improvements and may include the estimated cost of inflation over the two year period not to exceed 10% per year.

After the two-(2) year waiting period has expired, the applicant shall make application to the Board for a Final Certificate of Performance. This application shall include inspection reports from all affected town Departments and/or outside agencies indicating the acceptability of the completed improvements after completion of the two-year waiting period, If all the improvements are without material defects which need correction as determined by the Board, then the Board shall issue a Final Certificate of Performance and release the remaining security.

When the applicant has completed all improvements required as specified in the approved plans as stipulated in the Planning Board's vote of approval and has met all other requirements of these regulations, including obtaining a Final Certificate of Performance from the Planning Board, the applicant may then file with the Board of Selectmen for acceptance of the completed street(s) as public ways under such requirements as the Selectmen shall determine; or to other entities having jurisdiction over the completed improvements.

These Subdivision Regulations were adopted by a majority vote of the Pittsfield Planning Board on \_\_\_\_\_, 2005.

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