



**TOWN OF BELMONT**

**NEW HAMPSHIRE**

**SUBDIVISION REGULATIONS**

ENACTED: JULY 2, 1970  
EDITION: SEPTEMBER 11, 2006

TABLE OF CONTENTS

	Page
<b>SECTION 1. AUTHORITY AND PURPOSE</b>	
A. Authority	1-1
B. Title	1-1
C. Purpose	1-1
D. Procedure	1-2
E. Subdivision Approval Required	1-2
F. Exemptions from Subdivision Regulations	1-2
<b>SECTION 2. ADMINISTRATION AND ENFORCEMENT</b>	
A. Familiarization	2-1
B. Compliance with These Rules and Regulations	2-1
C. Waiver	2-1
D. Conflict with other Regulations	2-1
E. Appeals	2-1
F. Separability	2-1
G. Interpretation	2-2
H. Amendment	2-2
I. Adoption	2-2
J. Compliance with Zoning Ordinance and Site Plan Review Regulations	2-2
K. Concurrent Public Hearings	2-2
L. Enforcement, Fines & Penalties and Injunctive Relief	2-2
M. Numbering	2-3
<b>SECTION 3. PREAPPLICATION OPTIONS</b>	
A. Land Use Staff	3-1
B. Preliminary Conceptual Consultation Phase	3-1
C. Design Review Phase	3-1
<b>SECTION 4. APPLICATION REVIEW PROCESS</b>	
A. Procedure	4-1
B. Professional Review of Data and Information	4-2
C. Application Review Site Inspection	4-3

**TABLE OF CONTENTS**  
(Continued)

	Page
<b>SECTION 5. APPLICATION SUBMISSION REQUIREMENTS</b>	
A. Application Form	5-1
B. Fees	5-1
C. Notification List & Mailing Documents	5-1
D. Plan and Report Requirements	5-2
1. Site Survey	5-2
2. Topographic Plan	5-4
3. Soils Map and Report	5-4
4. Aquifer Plan	5-6
5. Utilities and Fire Protection Plan	5-6
6. Stormwater Management and Erosion Control Plan and Report	5-7
7. Road Profiles, Cross Sections and Details Plan	5-8
E. Additional Reports and Information	5-8
1. Narrative Overview	5-8
2. Special Flood Hazard Areas	5-9
3. Public Utilities Availability	5-9
4. Photographic Information	5-10
5. Legal Documents & Permits	5-10
6. Quality Assurance Program	5-12
7. Additional	5-12
F. Minor Subdivisions	5-13
<b>SECTION 6. FINAL PLAT</b>	6-1
<b>SECTION 7. APPROVAL, DISAPPROVAL, ABANDONMENT, REVOCATION</b>	
A. Conditional Final Approval	7-1
1. Term of Conditional Approval	7-1
2. Extension of Conditional Approval	7-1
3. Term of Recorded Approval	7-1
B. Final Approval	7-2
1. Certification	7-2
2. Acceptance of Improvements	7-2
C. Disapproval	7-2

**TABLE OF CONTENTS**  
(Continued)

	Page
D. Abandonment	7-2
1. Incomplete Application	7-2
2. Completed Application	7-2
E. Revocation of Approval	7-3
1. Revocation Basis	7-3
2. Revocation Hearing	7-3
3. Declaration of Revocation	7-3
4. Revocation Appeal	7-3
<b>SECTION 8. POST APPROVAL PROCEDURES</b>	
A. Signing of Plat	8-1
1. Construction of Required Improvements Prior to the Recording of the Plat	8-1
2. Recording of the Plat prior to Construction of Required Improvements	8-1
B. Security	8-2
C. Adherence of Subdivision to Approved Plans	8-3
1. Minor Changes	8-3
2. Major Changes	8-3
D. Improvement Inspections	8-4
E. As-Built Drawings	8-5
F. Certificate of Performance of Improvements	8-5
<b>SECTION 9. DESIGN STANDARDS</b>	
A. General Guidelines	9-1
1. Best Use of Land	9-1
2. Special Features	9-1
3. Easements and Reserve Strips	9-1
4. Off-Site Improvements	9-2
5. Screening	9-2
B. Character of Land for Subdivision	9-2
1. All Lots	9-3
2. Municipally Sewered Lots	9-3
3. Non-Municipally Sewered Lots	9-4
C. Utilities	9-4

**TABLE OF CONTENTS**  
(Continued)

	Page
1. Fire Protection Devices and Facilities	9-4
2. Sewage Disposal	9-5
3. Water Systems	9-5
D. Stormwater Management and Erosion Control	9-5
E. Road and Street Design Standards	9-6
1. Arrangement of Streets	9-7
2. Rights of Way	9-7
3. Circulation	9-8
4. Cul-de-sacs	9-8
5. Loop Roads	9-8
6. Intersections	9-8
7. Street Names	9-9
8. Existing Street Conditions	9-9
9. Minimum Design Requirements	9-9
10. Driveways	9-9
11. Curbing	9-9
12. Sidewalks	9-10
13. Steep Grades	9-10
14. Temporary Turnaround	9-10
F. Cluster	9-10

**SECTION 10. CONSTRUCTION STANDARDS FOR STREETS  
AND ROADS**

A. Supervision	10-1
B. Pre-Construction Meeting	10-1
C. Survey Stakes	10-1
D. Earthwork	10-1
1. Clearing and Grubbing	10-1
2. Excavation and Embankment	10-2
E. Drainage	10-4
1. Culverts	10-4
2. Under-Drains	10-5
3. Ditch Grades	10-5
4. Headwalls and Catch Basins	10-5
5. Backfilling	10-5
6. Intersections	10-5
7. Easements	10-5

**TABLE OF CONTENTS**  
(Continued)

		Page
	8. Inspections	10-6
F.	Fine Grading of the Subgrade	10-6
G.	Base Courses	10-6
	1. Gravel	10-6
	2. Crushed Gravel	10-6
	3. Placement of Gravel and Crushed Gravel	10-7
H.	Pavement Surface	10-8
	1. Bituminous Concrete	10-8
	2. Approvals	10-8
	3. Placing Hot Bituminous Pavement	10-8
	4. Compaction of Hot Bituminous Pavement	10-9
I.	Miscellaneous	10-9
	1. Utilities	10-9
	2. Guardrails	10-9
	3. Survey and Monument Standards	10-9
	4. Traffic Control Signs	10-10
	5. Vegetation	10-10
<b>SECTION 11.</b>	<b>CAMPGROUNDS AND RV RESORT CAMPGROUNDS</b>	11-1
<b>SECTION 12.</b>	<b>DEFINITIONS</b>	12-1
<b>EXHIBITS.</b>		
Exhibit 1	Non Refundable Fee Schedule	E 1
Exhibit 2	Cul-de-sacs	E 2
Exhibit 3	Minimum Road Design Standards	E 3
Exhibit 4	Typical Section, Paved Roads	E

**SUBDIVISION REGULATIONS  
Town of Belmont, New Hampshire**

Adopted:	July 2, 1970	Amended:	March 8, 1974	May 20, 1986
			February 19, 1976	January 5, 1998
			December 6, 1976	March 8, 1999
			September 15, 1981	July 26, 1999
			September 29, 1981	January 08, 2001
			November 23, 1982	June 9, 2003
			November, 1983	November 24, 2003
			June 18, 1985	September 11, 2006

**SECTION 1. AUTHORITY AND PURPOSE**

**A. Authority**

Pursuant to the authority vested in the Belmont Planning Board by voters of the Town of Belmont by vote of the Town Meeting, March 11, 1969, and in accordance with the provisions of New Hampshire Revised Statutes Annotated, "NH RSA", Chapter 36, Sections 19 to 29, inclusive, now Chapter 674, Sections 35 to 42, inclusive, 1983, as amended, the Belmont Planning Board adopts the following regulations governing the subdivision of real property in the Town of Belmont, New Hampshire.

**B. Title**

These regulations shall be known as the Subdivision Regulations for Belmont, New Hampshire, and hereinafter referred to as "regulations" or "subdivision regulations".

**C. Purpose**

The purpose of these regulations is to provide for all of the purposes set forth in NH RSA 674:36, as amended, to provide for an orderly growth of the Town in conformance with the Belmont Zoning Ordinance, and in consideration of the Belmont Master Plan; to foster the development of an economically and environmentally sound and stable community; to provide for the preservation of open space and wildlife habitat; to protect the health, safety, convenience, economic, environmental, and general welfare of the general public and the taxpayers from the consequences of improper subdivision and unmanaged growth.

**D. Procedure**

Whenever any subdivision of land is proposed, no land within that subdivision shall be sold, transferred, leased, altered, or cleared; no road construction or building development shall be started, no permit for the erection of buildings shall be issued, and no subdivision plat shall be filed with the Belknap County Registry of Deeds until all required Land Use permits and approvals shall have been issued and a final plat, prepared in accordance with the requirements of these regulations, has been approved and duly recorded by the Board or appropriately secured by the subdivider.

**E. Subdivision Approval Required**

Subdivision approval by the Board is required for the following development:

1. The division of a lot, tract, or parcel of land into two or more lots which may be conveyed as separate lots to be owned individually.
2. The division of a lot, tract, or parcel of land into two or more sites for dwellings or for buildings for sale, lease or for condominiums.
3. Resubdivisions and Boundary Line Adjustments.

The construction of a public road (or creation of a utility easement) across a parcel of land shall not, in and of itself, be deemed to subdivide the land in the absence of subdivision approval by the Board.

**F. Exemptions from Subdivision Regulations**

1. **Recording of Exempted Plats.** Where the written approval of the Board is necessary for the recording of any plat exempted from these regulations with the Belknap County Registry of Deeds, the Chairman of the Board is hereby empowered to make such approval and to sign such plat for the Board.
2. **Boundary Line Agreements.** An agreement reached by two abutting land owners which identifies a boundary that was previously unknown and undefined. A Boundary Line Agreement may not be used in place of a Boundary Line Adjustment where appropriate, or for the sale or transfer of abutting property, and may not be used to divide a lot, tract, or parcel of land into two or more lots.

**SECTION 2. ADMINISTRATION AND ENFORCEMENT**

**A. Familiarization**

The subdivider shall become familiar with all State and Town regulations and ordinances relative to zoning, health, building, roads and other pertinent data, and aware of the obligations and standards with which the proposed subdivision must comply.

**B. Compliance with These Rules and Regulations**

All plans and all procedures relating thereto shall in all respects comply with the provisions of all rules, regulations and ordinances unless a waiver or variance has been granted in specified instances by the authority having jurisdiction.

**C. Waiver**

Upon written request of the subdivider, the Planning Board may waive or modify the requirements of these regulations when, in the opinion of the Board, specific circumstances surrounding the subdivision, or the condition of the land in such subdivision, indicate that such modifications will properly carry out the purpose and intent of the master plan and these regulations. Request for waivers shall only be considered during the formal review of an application for which abutters have been notified.

**D. Conflict With Other Regulations**

Where these regulations are in conflict with State Law or with other local regulations or ordinances, the more stringent shall apply.

**E. Appeals**

As provided for in NH RSA 677:15, as amended, any persons aggrieved by any decision of the Board concerning a plat or subdivision may appeal such decision to the Superior Court as specified in NH RSA 677:15, as amended.

As provided for in NH RSA 676:5, as amended, any persons aggrieved by any decision of the Board, as defined in NH RSA 676:5,III, may appeal such decision to the Belmont Zoning Board of Adjustment.

**F. Separability**

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

regulations.

**G. Interpretation**

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

**H. Amendment**

These regulations may be amended or rescinded by the Board in accordance with NH RSA 675:6, as amended.

**I. Adoption**

These Regulations shall become effective after a public hearing, adoption and certification by the Board, and filing of certified copies with the Town Clerk (NH RSA:675:6,III), Belknap County Registry of Deeds and Office of State Planning (NH RSA 675:9,I).

**J. Compliance with Zoning Ordinance and Site Plan Review Regulations**

The Board will not accept, approve, or modify and approve, any plan of a subdivision of land unless all uses, buildings, structures and lots shown on said plan comply with the zoning ordinance of the Town or unless the nonconformity predates the enactment of Zoning or unless the necessary variance or special exception from the terms thereof has been properly granted. The subdivider is advised to consult the Site Plan Review Regulations which may be applicable to the development project.

**K. Concurrent Public Hearings**

Concurrent public hearings for subdivision and site plan review may be permitted at the Planning Board's discretion.

**L. Enforcement, Fines & Penalties, and Injunctive Relief**

**1. Written Notice of Violation.** A written notice of violation shall be issued to the property owner by registered mail from the Board's Agent if said Agent determines that conditions at the site are in violation of any of the requirements of this regulation or plans approved under this regulation and that the violation is not an immediate threat to public health and safety. The notice of violation shall:

- a. Specify the actions or conditions which violate the requirements of this regulation or plans approved under this regulation;
- b. Identify what needs to be done to correct the violation(s);



**SECTION 3. PREAPPLICATION OPTIONS****A. Land Use Staff**

The Subdivider is encouraged to meet with the Land Use Staff, Building Official, and Fire Chief for assistance during formulation of the plan. The Staff is authorized to assist individuals through the review of potential plans and by providing additional available information and guidance under existing Town Ordinances and Regulations. Such discussions and review are not binding. Staff is not authorized to render decisions or make commitments on behalf of the Board, but may offer comments and suggestions.

**B. Preliminary Conceptual Consultation Phase**

Before the formal submission of a proposal, a subdivider, by appointment, may be placed on the agenda to discuss any proposal as per NH RSA 676:4,II(a). The Board and the subdivider may discuss proposals in conceptual form only and in general terms such as desirability of types of development and proposals under the master plan. Such discussion may occur without the necessity of giving formal notice as specified in these regulations, but such discussions may occur only at meetings of the Board.

There shall be no decision or action of the Board with regard to any conceptual consultation. Said consultation shall not bind either the subdivider or the Board. There is no application fee or time limit for this review other than as noted above. This phase is optional for the subdivider and is made available by the Board in order to save the subdivider unnecessary expense and changes later in the process.

**C. Design Review Phase**

If a subdivider desires the Planning Board to review a subdivision proposal beyond discussion in only conceptual form as provided above, application may be made to the Board for the review of a Design Review Phase plan as per NH RSA 676:4,II(b). The Board shall give formal public notice, at the subdivider's expense of such a review in accordance with the notice requirements contained in these regulations for formal applications.

A Design Review Phase plan shall be noticed for, and reviewed, only at a meeting of the Board. Notification list, mailing documents and notification fee shall also be submitted.

The Board may review the proposal in detail and receive testimony in person or in writing from the subdivider, any abutter or any other person as permitted by the Board. Such review shall bind neither the subdivider or the Board. There is no time limit on a Design Review Phase review.

This phase in the subdivision review process is also optional for the subdivider and is made

available by the Board in order to save the subdivider unnecessary expense and changes later in the process.

**SECTION 4. APPLICATION REVIEW PROCESS****A. Procedure**

Whenever a subdivision, resubdivision, cluster plan, boundary line adjustment, campground, manufactured home park, or condominium conversion is proposed, the owner or subdivider (so designated in writing by the owner), shall first submit the application, with all supporting data, plans, written request for waiver(s), and fees, to the Town Planner for review to determine if the application complies with the minimum application submission requirements of these regulations.

When an application is submitted to the Planner for review, the Land Use staff shall contact each of the following officials or agencies, as appropriate, for review and comment:

1. Town Administrator
2. Fire Department
3. Police Department
4. Town Highway Department
5. Conservation Commission
6. Building Department
7. Water Department
8. Sewer Department
9. Land Use Technician
10. Such other officials or agencies as the Planner or the Board shall determine appropriate

Applicants will be notified in writing by the Land Use staff of any deficiencies, which must be corrected in order for the application to be placed on the Board's agenda for formal consideration. Applicants will also receive written confirmation of applications that do meet the minimum application submission requirements.

Applications which have been determined by the Planner to comply with the minimum application submission requirements will be placed on the next available Planning Board meeting agenda based on the posted meeting closing date. Only applications which have been determined to comply with the minimum application submission requirements of these regulations shall be placed on the agenda for consideration as a Completed Application.

When a layout is placed on the Board's agenda for consideration, and prior to acceptance as a Completed Application, Notice of Submission shall be made in accordance with NH RSA 676:4-I(d)&(e) and these regulations. In addition to the Notice of Submission, and prior to the Board taking action to approve or deny any application, a Public Hearing shall be held in accordance with RSA 676:4,I(e) and notice shall be given in accordance with RSA 676:4,I(d) and these regulations to provide an opportunity for public testimony relative to the

consequences of the proposal. Notice of Submission and Notice of Public Hearing may be given in one notice.

During the Board's consideration on the completeness of an application, the applicant may provide verbal testimony limited to that issue as well as any request(s) for waiver. The Board may, but is not required to, accept comments from abutters and/or the general public regarding the completeness of the application and/or the request(s) for waiver.

The Board shall then act on any request(s) for waiver previously submitted as part of the application and pertaining to the completeness of the application. A completed application sufficient to invoke jurisdiction of the Board shall consist of data required by Section 5 of these regulations sufficient to allow the Board to proceed with consideration and to make an informed decision. All required items must be accepted as complete or waived by the Board prior to voting to accept an application as complete. The Board shall then act to accept the application as complete for the purpose of invoking jurisdiction, or as not complete.

If the Board determines the application is not complete, they shall forward their decision and reasons in writing to the applicant. Resubmission requires review and certification of the Land Use staff as outlined above and renotification by the applicant including updated Notification list, mailing documents and payment of the fees.

If the Board finds the application complete, and when required notice has been given, the applicant may present the merits of the proposal. The date of the Board's acceptance of an application as complete begins the 65-day review period. During the Board's formal consideration of the completed application, they will ask questions and discuss the proposal and then open the floor to questions and comments from abutters and the general public.

The Board may require changes, additional information, or modifications to the proposal, and shall communicate to the applicant the changes required, the revisions to be made, and shall specify such changes in its official records. The Board shall also specify the type and amount of construction or improvements required as a condition for approval of the plat. The Board shall also consider and act on request for waiver(s) that were submitted as part of the formal application, but relate to the merits rather than the completeness of the application.

Consideration shall be given to the short and long-term impact the proposal may impose upon the community as well as the Purpose for these regulations as defined herein.

A meeting or hearing of the Board may be adjourned and reconvened without further notice if the Board gives due notice of the time and place of the reconvened session at the prior session. If renotification is required, the applicant shall submit an updated Notification list, mailing documents and payment of the Notification fee.

The Board will act to approve, conditionally approve, or disapprove the application within the time limits set forth in NH RSA 676:4. The Board may disapprove of the layout in its entirety, but shall adequately, upon the records of the Board, and in writing to the applicant, state its grounds for such disapproval.

**B. Professional Review of Data and Information**

The Board may require the review of various parts or of the whole of the proposed subdivision at the cost of the applicant and upon such terms and conditions as the Board deems to be appropriate as provided in NH RSA 676:4,I(g). The Board shall select the professional(s) to be employed to perform the work of the professional review hereunder. The applicant shall be required to place on deposit with the Board the sum necessary to accomplish the review before the Board will authorize the professional firm engaged to begin the required work. The applicant shall deposit such additional sums as the Board shall determine during the course of the professional review.

**C. Application Review Site Inspection**

The Board, its staff, or its Agent may conduct site inspections of the proposal as part of the review to ascertain the natural conditions of the site and to inspect the layout of proposed improvements. Site inspections scheduled by the Board as part of the formal review and public hearing process are subject to the noticing requirements of RSA 674:4,I(d).

The applicant, by submission of an application for approval, is deemed to have consented to inspections by the Board, its staff, or its Agent, to the extent reasonable and necessary, to properly review the application and monitor compliance with approval conditions. Failure to consent to such inspections shall be grounds to terminate any further consideration of the proposal.

The location of proposed improvements (roads, driveways, bridges, etc.) shall be identified by the applicant with marked stakes prior to this inspection phase.

**SECTION 5. APPLICATION SUBMISSION REQUIREMENTS****A. Application Form**

Application shall include completed application form using the most current form provided by the Land Use office. Subdivider shall be owner or other individual or entity holding interest in the property. If the subdivider is other than the owner, written authorization from the owner must accompany the application form.

**B. Fees**

An initial fee in the form of a check made payable to the Town of Belmont shall be submitted with the application for acceptance of a Completed Application. That fee shall include the filing fee, the per lot or unit fee and notification fee as shown on the Non Refundable Fee Schedule (Exhibit 1), as amended.

Any and all costs in excess of the above-mentioned fees incurred by the Town in the review of a subdivision proposal shall be paid by the subdivider prior to any action by the Board to approve or disapprove the final plat in accordance with NH RSA 676:4,I(g).

**C. Notification List and Mailing Documents**

Submission of a list of the names and mailing addresses of:

1. owners of record of all abutting properties as indicated in the Town Records not more than 5 days before the date of filing, identified by the map and lot numbers as shown on the Belmont Tax Map. Ownerships should be confirmed before filing by the Subdivider through a final records check at the appropriate County Registry of Deeds;
2. all individuals or entities holding a mortgage or lien on the subject property as of the date the application is submitted, or attach a statement by the owner that there are none;
3. all individuals whose professional seal appears on the plan;
4. all holders of conservation, preservation, or agricultural preservation restrictions as defined under NH RSA 477:45, or attach a statement by the owner that there are none.
5. In the case of land affected by municipal boundaries as regulated under NH RSA 674:53, or when the Board determines that the proposal is a development of regional impact, as regulated under NH RSA 36:54-58, additional notifications and reviews as required by the Board or State Statute will be required. Such notifications may also require an earlier filing date.

Submission of one 4" x 9½" envelope for each name included on the above list. Submit 2

additional envelopes for the owner and 3 envelopes each for all applicants and agents listed on the application form. Envelopes shall have a return address to the Belmont Planning Board and shall **not** have postage attached. Certified slips are not required to be submitted, but will be provided by the Town.

#### **D. Plan and Report Requirements**

Plans shall be submitted in five (5) copies on durable black or blue-line paper. All prints shall be at a scale of not greater than 100 feet to the inch on sheets not larger than 24" x 36". The subdivider shall also file with the Board one reduced copy of each plan; sheet size not to exceed 11" x 17".

As required by NH RSA 674:37, all survey work shall be performed by a NH Licensed land surveyor. All engineering work shall be performed by a NH Registered professional engineer as required by NH RSA 310-A:11. All required Professional Certifications of the plans submitted shall be by original seal and signature only. A copied seal or signature shall not be accepted.

Changes requiring any alteration to prints previously submitted shall be identified on amended prints by a revision number, date of such revision and subject revised when submitted. Revision numbers shall be sequential and shown as "REV 1, Nov. 13, 1997, (subject revised)".

##### **1. Site Survey (Plan to be recorded if approved):**

- a.** Title, Town name, preparer's full name and mailing address; proposed subdivision name; name and mailing address of owner(s) of record; title reference for subject property; name of subdivider; name and address of surveyor, engineer, soil scientist or other consultant; date of original preparation; north meridian arrow & origin; scale in feet per inch and bar scale; and sheet number. Sheet numbers shall be sequential and shown as "SHT 1 of 1", etc; symbol legend.
- b.** Names of owners of record of abutting properties as indicated in the Town records not more than 5 days before the date of filing, identified by the map and lot numbers as shown on the Town tax map, and by book and page number as assigned by the Belknap County Registry of Deeds. Abutting subdivision names, streets, easements, public areas, and other pertinent facts regarding abutting properties.
- c.** The plat shall be based upon a survey to the standards listed in these regulations. The equipment and survey method used and the error of closure shall be stated on the plan. Street right-of-way lines; lot lines, angles and dimensions. Irregular boundaries without curves, such as streams and rivers, or with curves which have no definable geometry, are to show sufficient

information to mathematically close the plat, such as tie lines. Tie lines are to be noted that they are not property lines. Reference to all documents, plats and data relevant to the survey.

- d.** Existing and proposed lot sizes in square feet and acres; approved Town tax map sheet and parcel number for the remaining lot; each new lot to be numbered as approved by the Land Use Office, identifying Tax Map number and Development Lot numbers separately; existing and proposed easements and areas to be dedicated to public use or open space; areas the title to which is to be reserved by the subdivider; the location, description and approximate size of existing and proposed permanent monuments and boundary markers. Show or note building setback lines as required by the Zoning Ordinance for the subject and abutting parcels. All on-site or abutting Zoning district boundary lines and subject property Zoning classification(s).
- e.** Location of existing utilities, paved areas, exposed rock ledges, stone walls, woods roads, trails, discontinued road beds or public transportation ways, ROW's, easements and other significant natural and man made features. Identification of all encroachments.
- f.** Location, name and width of existing and proposed streets. The plat shall indicate the center line of all proposed streets in 50 foot increments for its entire length to facilitate E911 numbering. Existing streets shall include the width of the ROW, the width and location of the travelled or constructed way, and the street classification.
- g.** Location of buildings, septic systems, wells, cemeteries and burial grounds, and intersecting roads and driveways, on site as well as within 100 feet of the entire parcel to be subdivided.
- h.** Proposed driveway accesses shall be identified in conformance with these regulations and the Belmont Driveway Regulations.
- i.** A locus map at a scale of 1" = 2,000' showing the entire property boundaries.
- j.** A block in which to record approval by the Board. Block shall contain the following:  
 Approved by the Belmont Planning Board  
 Approval Date: \_\_\_\_\_  
 Chairperson: \_\_\_\_\_
- k.** The following statement will be placed on the plat and certified by the surveyor and/or engineer:  
 "This plat meets all Zoning and Subdivision Regulations of the Town of Belmont in effect as of the date of filing unless waivers have been requested in writing."
- l.** The following statement will be placed on the plat:  
 "The approval of this plat is subject to revocation in compliance with the Belmont Subdivision Regulations and NH RSA 676:4-a."
- m.** For a Boundary Line Adjustment exempt from State Subdivision approval,

the plan shall include the following:

- (1) Certification by Surveyor that the proposal is exempt under NH RSA 485-A:33,II;
  - (2) Certification by Surveyor or septic designer that remaining parcel can support an expansion or replacement septic system of at least a four-bedroom design;
  - (3) A list of restrictions upon which the exemption is based.
- n. For a subject parcel that abuts a Town line, is directly across the street or stream from a Town line or where the owner owns an abutting parcel across a Town line, the plan shall include one of the following:
- (1) a statement that the subject parcel is entirely within the Town of Belmont and does not cross into another municipality; or
  - (2) the approval signatures of the appropriate Land Use Officials from any other municipality having jurisdiction over any part of the subject parcel.

2. **Topographic Plan.** The topographic information shall be certified by the surveyor, or engineer and shall show existing topography and proposed changes in topography. Contours of existing grade shall be shown at intervals of not more than five (5) feet. Intervals less than five (5) feet may be required depending on the character of the topography and the type of project being developed. All low points, high points and other areas needing spot elevations shall be shown. Contour lines shall extend a minimum of one hundred (100) feet beyond the subdivision boundary. All areas with slopes in excess of 15% shall be graphically identified by cross hatch or shading.

Contour lines are to be actual and not interpolations of USGS maps. Existing contours shall be shown as dashed lines and proposed contours shall be shown as solid lines.

3. **Soils Map and Report.** All proposals must include the site specific delineation of on-site wetlands and surface waters. Identification and delineation of wetlands shall be certified by a Certified Wetland Scientist in accordance with Corps of Engineers Wetlands Delineation Manual and Field Indicators for Identifying Hydric Soils in New England In addition, Level 2 or Level 3 information as required below shall be submitted.

- a. Level 2 Information shall be submitted, certified by a Certified Soil Scientist unless the requirements for Level 3 are enacted. Level 2 Information includes:
1. A map based on the NRCS County Survey for the parcel(s) proposed for subdivision or development. All mapped soil units and the soil series of each unit shall be shown on the map. The location(s) of the soil description(s) used to corroborate the NRCS soil series shall be

shown on the map, with a reference to the detailed soil description in the narrative report for the project.

2. Soil descriptions for each mapped unit, based on NRCS standards, with reference to the location(s) on the map.
3. A detailed comparison between the soil profile description and the NRCS Official Series Description Sheets and/or NRCS published map unit descriptions for each mapped unit on the parcel(s) proposed for subdivision or development, with references to map locations.
4. A narrative which summarizes the information compiled in items 1 through 3 above. This shall include a determination of whether limiting physical features are present on the parcel and indicate the specific mapped soil units where these occur. If any limiting physical features (rock outcrops, steep slopes greater than 35 percent, very poorly drained soil, bedrock within 18" of the soil surface) are identified, the following information is also necessary:
  - a. the map shall delineate the limiting physical features noted above;
  - b. a detailed description of each limiting physical feature, based on NRCS standards, with reference to its location on the map;
  - c. the above required narrative shall include a summary of the limiting physical features. The narrative shall include a determination that limiting physical features are present on the parcel(s) and that either (1) an SSSMS map (Level 3) is required or (2) not required, with supporting documentation for this position. The ultimate decision as to whether or not Level 3 information is required shall be made by the Board.

Level 2 information shall be developed in accordance with the standards found in the Field Book for Describing and Sampling Soils: Version 1.1 and the NRCS Official Series Description Sheets and/or published map unit descriptions. A minimum of one soil profile description shall be done per soil delineation within the subdivision area, as depicted on the NRCS County Soil Survey. The soil will be described in sufficient detail, so as to support or refute that identified properties are within, or similar to those of the soil series used to name the map unit delineation. Soils descriptions should be carried out in areas suspected of having the greatest likelihood of contrasting soil features. Some delineations will require more than one soil description to document soil variability. The map purity standards from Site Specific Soil Mapping Standards for New Hampshire and Vermont, Society of Soil Scientists of Northern New England Publication No. 3, 1997, as amended, will apply.

- c. Level 3 Information is required, certified by a Certified Soil Scientist, in place of Level 2, if (1) any of the following development intensity criteria applies to the proposal, or (2) if the verification of the NRCS information

carried out above reveals that the county soil map does not adequately reflect conditions on the site for planning board review purposes, or (3) if the limiting conditions discovered above are such as to require more intensive site information:

Development Intensity Criteria:

- Any lot is less than two (2) acres in area (exclusive of very poorly drained soils) and is not served by either municipal water or sewer;
- Any lot has a non-limiting, upland (exclusive of very poorly drained soils, rock outcrops, bedrock within 18 inches of the soil surface and soils with steep slopes greater than 35 percent), contiguous area of less than 20,000 square feet; or
- Any lot is less than one (1) acre in area (exclusive of very poorly drained soils) and is served by municipal water, but not sewer.

Level 3 Information:

1. Completion and submission of site-specific mapping and report in accordance with Site Specific Soil Mapping Standards for New Hampshire and Vermont.
4. **Aquifer Plan.** This plan shall map all known aquifers including those identified on the USGS or other applicable documents. If property is not over or adjacent to a known aquifer a statement to such shall be included on the plan.
  5. **Utilities and Fire Protection Plan.** This plan shall show the location and details of all existing and proposed utilities, above and below ground, including lines and associated facilities for water, sewer, telephone, electric, gas, and cable as well as the location of existing or proposed wells and on-site sewage disposal systems, including the area required by the State for on-site waste disposal. This map shall show the fire protection measures to be provided to include fire hydrants (active or dry), fire ponds or on-site water supply tanks.

One copy of the plan must be submitted to the appropriate electricity provider, either PSNH, P.O. Box 330, Manchester, NH 03105, or NH Electric Cooperative, Tenney Mountain Highway, Plymouth, NH 03264.

6. **Stormwater Management and Erosion Control Plan and Report.** The applicant shall submit to the Board a stormwater management and erosion control proposal meeting the requirements of these regulations for any tract of land being developed or subdivided, where one or more of the following conditions are proposed:
  - A cumulative disturbed area exceeding 20,000 square feet;
  - Construction or reconstruction of a street or road;
  - A subdivision of more than three building lots; or
  - Disturbed critical areas.

The plan shall be certified by an engineer (also a Wetlands Scientist for Wetlands) and shall identify all surface water and wetlands, drainage patterns, and watershed boundaries. Plan shall also include:

- a. vegetation;
- b. temporary and permanent stormwater management and erosion and sediment control BMPs shall be shown as well as areas and timing of soil disturbance;
- c. structures, roads, utilities, earth stockpiles, equipment storage, and stump disposal;
- d. critical areas, stockpile and staging areas;
- e. within the project area and within 400 feet of project boundary surface waters, wetlands, and drainage patterns and watershed boundaries;
- f. areas of soil disturbance, cut and fill;
- g. location and description of all temporary and permanent, vegetative, structural, non-structural, and vegetative stormwater management and erosion control BMPs including detailed drawings and seeding specifications;
- h. identification of all permanent control BMPs;
- i. construction and earth movement schedule;

In addition to the Stormwater Management Plan, the subdivider shall submit a Stormwater Management Report prepared by an engineer which includes a discussion of each measure, its purpose, construction sequence, and installation timing as they apply to the site. The report shall include:

- j. Design calculations for all temporary and permanent structural control BMP measures.
- k. A proposed schedule for the inspection and maintenance of all BMP's.
- l. Identification of all permanent control measures and responsibility for continued maintenance.
- m. Drainage report with calculations showing volume, peak discharge, and velocity of present and future runoff.
- n. When detention structures are planned to reduce future condition peak discharge the soil cover complex method shall be used to compute the runoff volume and peak discharge for designing the structure. The design will conform to the criteria outlined for those types of structures given in the "Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire".

## **7. Road Profiles, Cross Sections and Details Plan**

- a. Profiles shall be provided of all proposed streets showing existing and proposed elevations along the center lines, proposed grades and all vertical curve data including maximum elevation, minimum elevation and associated

roadway station. Profiles shall be drawn at a scale of one (1) inch equals fifty (50) feet horizontal scale and one (1) inch equals five (5) feet vertical scale.

- b. Cross-sections shall be provided of all proposed streets at fifty (50) foot stations and at all catch basins, bridges, or culverts. Cross-sections shall be drawn to a convenient scale of not more than one (1) inch equals ten (10) feet with both horizontal and vertical scales being the same.
- c. Construction details of all roadway curbing and sidewalk improvements shall also be shown.
- d. All plans shall be based on 2' topography.

## E. Additional Reports and Information

### 1. Narrative Overview

This document shall address issues such as:

- a. **Scale:**
  - (1) Number of acres;
  - (2) Number of dwelling units;
  - (3) Number of bedrooms;
  - (4) Projected increase in number of auto trips per day;
  - (5) Water and sewer considerations.
- b. **Timing:**
  - (1) Estimated length of time to construct, including description of Active and Substantial Development to occur within 12 months as required by NH RSA 674:39;
  - (2) Description of phasing;
  - (3) Description of further subdivision availability. The Board may consider impacts cumulative;
- c. **Type:**
  - (1) Single family, Two family, Multi-family;
  - (2) Seasonal, Year round.
- d. **Significant Features:**
  - (1) List of significant environmental features (wetlands, water bodies, rock outcroppings, vegetative, wildlife habitat, etc.);
  - (2) List of manmade features (stone walls, structures, trails, historic features, burial grounds, etc.);
  - (3) List efforts to maintain significant features.

- 2. **Special Flood Hazard Areas.** The subdivider of any proposed subdivision which includes land which has been designated as a "Special Flood Hazard Area" by the National Flood Insurance Program shall provide the following:

- a. Base Flood Elevation data shall be indicated on the plan by identifying the boundary of the floodplain and the base flood elevations.
- b. All necessary permits from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- c. The subdivider shall submit sufficient evidence such as construction drawings, grading and land treatment plans in order for the Board to determine that:
  - (1) All such proposals are consistent with the need to minimize flood damage;
  - (2) All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and
  - (3) Adequate drainage is provided so as to reduce exposure to flood hazards.

- 3. Public Utilities Availability.** If a project is to be served by public water supply or by public sewers, a statement from the municipal department or company involved, stating the availability of such service shall be provided. A letter of intent to provide electrical service from the servicing utility shall also accompany the application. A letter of intent by the subdivider, acknowledged by the company, to provide cable service shall accompany the application, if such service is available.

Any increase in sanitary wastewater flow of 5,000 gallons per day or 50 population equivalents or more requires NH DES approval for entry into the Municipal Sewer System. NH DES permission is also required for any increase in industrial wastewater flow, pollutant characteristics or pollutant concentration, before it may be accepted by the Municipal Sewer System.

- 4. Photographic Information.** Subdivider shall submit photographic information to assist the Board during the public presentation by the subdivider and in the Board's review of the proposal. At a minimum photos shall include:

- a. frontage of property;
- b. sight distance from proposed driveway cuts;
- c. significant features of the property such as wetlands or water body boundaries, steep slope areas to be impacted, proposed roads, areas of significant cuts and fills;
- d. any available aerial photos of the property;
- e. additional pertinent photos.

All photos shall be marked with an identification number, description of the photo, date taken and name of the subdivider.

## 5. Legal Documents & Permits.

Submission of a copy of the most current deed(s), including recording information, for the entire property under consideration. Also a copy of any previous deeds or other recorded documents including the specific language for any easements, liens, right-of-ways, restrictions, covenants, etc. that relate to the property under consideration. A copy of the most current plan of the property as recorded in the Registry of Deeds (if any).

Where required by the Board, the following shall be submitted, in minimum in draft form, with the application. Submission of final, consummated form shall be prior to the signing of the plat where applicable.

- a. A copy of such private deed restrictions, covenants or conservation easements including condominium documents as are intended to cover part or all of the tract.
- b. Certification of Subdivision approval by the State of New Hampshire accompanied by a duplicate copy of all data submitted to them and any stipulations related to approval. State certification is also required for Boundary Line Adjustments unless the surveyor certifies on the plan that the proposal is exempt under NH RSA 485-A:33,II.
- c. Certification of approval by the Belmont Zoning Board of Adjustment, the NH DES Wetlands Bureau, and/or the US Army Corp of Engineers relative to dredge and fill activity accompanied by a duplicate copy of all data submitted to them and any stipulations related to approval.
- d. Certification of approval by the NH DES relative to Site Specific.
- e. Certification of approval by the NH Department of Transportation for initial or upgraded access to a State highway. Town driveway permits are **not** required as part of this submission unless specifically required by the Board.
- f. Drainage easement to drain onto or across other property, whether public or private, including a street. If the storm water drainage system may create additional flow or change the flow over any adjacent property, which in the Planning Board's opinion would substantially interfere with the reasonable use of that property, then the subdivider shall obtain a written agreement to provide an easement therefor from the adjacent and/or nearby owner. The subdivider shall submit a written undertaking to hold the town harmless from any claims for damage resulting therefrom.
- g. A narrative description of on-going maintenance requirements for water quality measures required by stormwater management and erosion and sediment control plans which shall be recorded on the deed to the property on which such measures are located. The description so prepared shall comply with the requirements of RSA 478:4-a as amended.
- h. All necessary permits from the Board of Selectmen, Belmont Water

Commission, Belmont Sewer Commission, or other local permitting authorities for all work within their jurisdiction. Approval of the Fire Department that any new proposed road name is acceptable under the Town's E911 Road Name/Numbering System.

- i. All deeds or easements to the Town of Belmont necessitated under the proposal. Such deeds or easements require necessary mortgage releases.
- j. Proof of acceptance by the Town of any property or property rights to be transferred to the Town as an offer or condition of the proposal.
- k. A copy of all required plans under EPA's New England NPDES Storm Water Permit Program prior to plan signing and also a copy of all subsequent required notifications.
- l. Submission of a statement, supported by independent study when required by the Board, regarding the estimated costs of off site improvements necessitated, in part or entirely, by the proposed development. The statement shall also demonstrate to the Board that the proposal is not scattered and premature. Payment for that part of the cost determined by the Board to be a direct result of the proposal.

6. **Quality Assurance Program.** A Quality Assurance Program (QAP) shall be submitted. The program will be developed by the subdivider to assure that adequate quality control and quality assurance measures are planned and instituted. The specific intent of such a Program is to assure that all improvements are constructed, inspected, certified, and maintained as approved and in a manner that will provide quality in the end product. The method for future maintenance of improvements shall be specified.

The variable scope of projects and site conditions dictate the need for adequate inspection to assure high quality construction, and quality construction is dependent on adequate quality control.

Such control will be furnished by the subdivider in concert with the Town. The subdivider shall formulate a written Program to describe the quality assurance efforts to be undertaken during the project. The Board may require amendments or additions to the proposed Program. Once approved by the Board, the subdivider shall be responsible for all necessary implementation and costs for the Program. The Program may also be adjusted after its initial approval and during the project in response to quality concerns or site characteristics that become apparent.

Effective implementation of this Program should result in sufficient quality control at minimum overall cost.

The Quality Assurance Program will be tailor-made for the specific development or site, but may include such items as:

- a. Major items of work to be inspected during construction of improvements;
  - b. Developer/Contractor Responsibilities for Quality Control System;
  - c. Schedule for inspections and maintenance;
  - d. Skills and Training Needed to Perform Quality Control Inspections;
  - e. Testing Equipment and Facilities Needed;
  - f. Quality Assurance Program Official;
  - g. Documentation.
7. **Additional.** 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 services and schools, and other factors that could impact the short and long term well being of the public in the Town of Belmont. The statement shall include the estimated costs of off site improvements necessitated, in part or entirely, by the proposed development. That part of the cost determined by the Board to be a direct result of the proposal shall be paid by the subdivider. The statement shall demonstrate to the Board that the proposal is not scattered and premature.
  - c. Certification of on-site septic disposal approval by the State of New Hampshire accompanied by a duplicate copy of all data submitted to them and any stipulations related to approval.
  - d. Other plans, approvals, or pertinent information as may be required.

## **F. Minor Subdivisions**

The requirements for filing for approval of a minor subdivision (a subdivision of three or fewer lots, as defined by these Regulations, including the remaining lot) shall be as stated in these Regulations except as provided below.

Applicants for a minor subdivision or boundary line adjustment shall be exempt from the following requirements of these Regulations, except in cases where the Board shall determine otherwise during the course of their review of the application.

1. Aquifer Plan.
2. Utilities and Fire Protection Plan.
3. Stormwater Management and Erosion Control Plan and Report.

**SECTION 6. FINAL PLAT**

Upon approval, and in addition to any information required as a condition of said approval or under the previous sections, the following shall be submitted:

- A.** Two reproducible mylars of the final Site Survey plat to be recorded. One mylar must meet the requirements of the Belknap County Registry of Deeds.

The plat shall include the location, description and certification as to the installation of all required permanent monuments and boundary markers as to date set, size and construction.

- B.** The following statement will be placed on the plat and certified by the surveyor:

"This plat meets all Zoning and Subdivision Regulations of the Town of Belmont in effect as of the date of submission unless waivers have been previously granted."

- C.** Five paper copies of the entire final plat. Upon signing, the Board shall forward a copy of the signed plat to:

- 1.** The Belmont Tax Assessor.
- 2.** The Belmont Tax Map Update.
- 3.** The NH Department of Environmental Services, WS&PCCD, as required.
- 4.** The subdivider.

- D.** A check made payable to the Belknap County Registry of Deeds for recording of the final plat. The Board shall file the Site Survey plat with the Registry upon compliance with all conditions.

- E.** Submission of signed inspection schedule.

**SECTION 7. APPROVAL, DISAPPROVAL, ABANDONMENT, REVOCATION****A. Conditional Final Approval**

The Board may grant approval of a Plat, with conditions, after acceptance of a Completed Application. When the conditions imposed by the Board constitute minor plan changes, administrative in nature, and involve no discretionary judgment of the Board, or concern the submission of permits and approvals granted by other boards or agencies, such approval shall become final without further public hearing or notice upon satisfactory compliance with the conditions imposed as certified by the Board or its Agent.

Approvals based on all other conditions require that the Board hold a Compliance Hearing prior to ascertaining whether the conditions of approval have been complied with. Notice for said hearing shall be in compliance with NH RSA 676:4,I(d) and these regulations and at the expense of the applicant.

- 1. Term of Conditional Approval.** Submission of the final plat, and active and substantial development of the improvements and/or compliance with the conditions imposed must be made within 12 months of the granting of conditional approval, or said approval shall be considered abandoned.
- 2. Extension of Conditional Approval.** If active and substantial development can not be begun on the site and/or compliance with the conditions imposed can not occur within 12 months, at his option, the subdivider may bring forward his plan as a new application, or may apply to the Board for an approval extension. The subdivider shall file his request for an approval extension prior to the end of the 12 month period. Formal notification for the hearing shall be given in accordance with these Regulations at the subdivider's expense.

The Board shall hold a public hearing and shall review the plat for compliance with current regulations. If all regulations are met by the existing plat, and circumstances involving the subject lot and surrounding area have not significantly changed, the Board may, at its discretion, extend the approval for an additional 12 months. A denial of the extension request would result in the need to submit a new application.

- 3. Term of Recorded Approval.** Every plat approved and signed by the Board and properly recorded in the Belknap County Registry of Deeds shall be exempt from all subsequent changes in subdivision regulations and zoning ordinances adopted by the Town except those regulations and ordinances which expressly protect public health standards such as water quality and sewage treatment requirements for a time period, and in accordance with the terms of NH RSA 674:39 as amended.

**B. Final Approval**

- 1. Certification.** Upon compliance with all conditions, or submission of appropriate

security, approval shall be certified by written endorsement on the plat and signed by the Chairman of the Board.

2. **Acceptance of Improvements.** Approval of the plat by the Board shall not constitute an acceptance by the Town of the dedication of any street, highway, park, public open space or other facility or utility. Subdividers wishing to have completed improvements accepted by the Town of Belmont or the Belmont Water or Sewer Commissions, are to make application to and follow the procedures outlined by those entities.

### C. **Disapproval**

Reasons for disapproval shall be stated in the official records of the Board. Disapproval may be based on:

1. failure of the final plat and application to reflect all modifications and changes previously required by the Board within reasonable time frames set by the Board;
2. failure of the subdivider to pay costs incurred by the Town in review of the application exceeding the amount received with the application;
3. failure of an independent professional review of engineering work and data to concur with presentations made by the subdivider;
4. consideration of additional relevant information that was not previously appraised, which may be in conflict with the provisions and purposes of these Regulations.
5. a failure of the proposal to conform to the purpose of these Regulations.

### D. **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 subdivider 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 to the Board in which to take final action, shall be deemed to have been abandoned by the subdivider 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.

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 subdivider prior to the end of the twelve month period.

### E. **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 circumstances as set forth in RSA 676:4-a.

2. **Revocation Hearing.** Prior to recording any revocation under this section in the Belknap County Registry of Deeds, the Board shall give notice as required by NH RSA 676:4,I(d) and these Regulations. The notice shall include the Board's reasons for the revocation. A hearing with notice as provided in NH RSA 676:4 I(d) shall be held at the request of any party receiving such notice, submitted within 30 days of receiving such notice, or if the Board determines to hold a hearing.
3. **Declaration of Revocation.** A declaration of revocation, full or partial, 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 Belknap County Registry of Deeds.
4. **Revocation Appeal.** A revocation under this section may be appealed pursuant to NH RSA 677:15. Nothing in this section shall affect the Town's ability, either before or after such revocation, to pursue other remedies or penalties as set forth in NH RSA 676:15-17.

**SECTION 8. POST APPROVAL PROCEDURES****A. Signing of the Plat**

Plans which include Boundary Line Adjustments for lots not held in the same ownership shall not be signed or recorded until the appropriate deed(s) have been consummated and are also ready for recording. The deed(s) shall be recorded immediately following the recording of the plan and shall also be at the cost of the subdivider.

The applicant shall bear final responsibility for the installation, construction, and disposition of all required improvements.

Conditions precedent must be complied with and/or secured prior to the Board indicating their final approval by their signature on and recording of the plat. Conditions subsequent are to appear on the plat. Unless a compliance hearing is required, the Chairman is authorized to sign the plat once conditions precedent have been complied with.

In the instance where improvements are required, two methods, or a combination thereof, are available to the subdivider. In both instances the subdivider shall first submit the required final plans and other required documents to the Board.

- 1. Construction of Required Improvements prior to the Recording of the Plat.** The subdivider shall begin active and substantial development or building on the site in accordance with the approved plat within 12 months after the date of approval. The subdivider shall also substantially complete the improvements as shown on the plat within 48 months after the date of approval. Once all conditions of approval are complied with and all required construction completed and accepted by the Board, the plat will be signed by the Board and recorded in the Belknap County Registry of Deeds and the subdivider may then sell and convey lots in the subdivision and obtain building permits.
- 2. Recording of the Plat prior to Construction of Required Improvements.** The subdivider may request to post security in an amount and form acceptable to the Board for improvements such as streets or roads, water or sewer service facilities, drainage structures or other utilities. The purpose of this security will be to provide the funds necessary to install the improvements in the subdivision required by the Board in the event the subdivider fails to do so for any reason, including but not limited to insolvency, and/or bankruptcy. Once all other conditions precedent of the approval are complied with and all required security posted, the plat will be signed by the Board and recorded in the Belknap County Registry of Deeds and the subdivider may then sell and convey lots in the subdivision even though the improvements have not yet been constructed.

Building permits may also be available for issuance; **however, structures may not be utilized or occupied and certificates of occupancy or use will not be issued until the improvements are complete and accepted by the Board.**

Where security is furnished, the subdivider must construct and install the improvements within 48 months from the date of the approval. The subdivider may apply for revocation of the approval providing for release of the security for the improvements. If the improvements have not been completed within 48 months and no time extension has been approved by the Planning Board, then the security may be taken by the Planning Board and used to complete the improvements in such manner as the Board shall determine is just and equitable or the approval may be revoked.

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.

## **B. Security**

Once posted and accepted, the surety shall remain posted for a period, as determined by the Board, exceeding the actual completion date to allow for confirmation of the viability of the improvements, inspection and approval procedures. The surety shall be partially released as the improvements are completed in accordance with schedules and inspections as established by the Board, and in accordance with NH RSA 674:36,III(b).

To establish the amount of the surety, the subdivider must file with the Board an engineer's detailed estimate of the costs of the improvements together with maps, plans and supporting data. The Board may require a review of such estimate. The cost of such a review shall be borne by the subdivider.

Once established, the amount of the security may be required to be increased if construction costs increase during the time of construction. Improvements requiring more than 12 months to commence or 48 months to complete subject approvals to expiration and revocation under these Regulations and NH RSA 676:4-a. and 674:39.

If an irrevocable letter of credit is to be the form of security, the language to be included in said letter must be obtained from the Planning Board and shall include a self-call clause. Irrevocable letters of credit with language differing from the suggested form or alternative forms of security must be approved by the Planning Board and may require consultation with their Counsel at the Planning Board's discretion. Any cost for such consultation shall be borne by the subdivider.

No surety shall be released by the Town or allowed to expire by the subdivider until the required improvements have been completed, approved by the Board and any other appropriate agency such as the Board of Selectmen, the Sewer Commission or the Water Commission; and a Certificate of Compliance has been issued by the Board. When required, such improvements shall be inspected by a NH Registered Professional Engineer selected by the Board at the subdivider's expense. Prior to release of the surety, as-built drawings must also be submitted to and approved by the Board.

Should for any reason the subdivider allow required security to lapse, either through his own action or fault, or through action of a court because of bankruptcy, the Board shall move to revoke the approval, shall request that a cease and desist order be issued, and notify the Selectmen to cancel all building permits that have been issued, but upon which work has not started; and notify the Selectmen and Building Inspector that no new building permits may be issued until further notice.

### **C. Adherence of Subdivision to Approved Plans**

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

- 1. Minor Changes.** 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's Agent and do not require formal notification under these Regulations.
- 2. Major Changes.** Major changes, by way of illustration, may include, but are not limited to, large changes in the location of roads, utilities and building foundations, downsizing utility lines, increasing road grades, and decreasing curve radii. Major changes shall require the resubmission of the final subdivision and approval, to the Board before construction can proceed on the basis of the major changes. The Board shall determine if the proposed major changes require a new public hearing before the subdivider may proceed with construction.

Failure of the subdivider to obtain the required review of changes shall cause the issuance of a written notice of violation on their own motion or at the request of the 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.

**D. Improvement Inspections**

The Board or its Agent may conduct site inspections of the proposed improvements for compliance to the Board's approval. Inspections shall be based upon the Quality Assurance Program submitted by the applicant, the Inspection Schedule as determined by the Board, and as found necessary based on conditions found during and resulting from the construction.

The subdivider, by submission of an application for approval, is deemed to have consented to inspections by the Board or its designee, to the extent reasonable and necessary, to properly monitor compliance with approval conditions. Failure to consent to such inspections shall result in the issuance of a cease and desist order for the entire subdivision or approved project, or securing an administrative inspection warrant from the district or superior court under NH RSA 595-B.

The Planning Board shall require inspection services for all subdivisions which include stormwater management, street, or utility construction, or for other subdivisions at the Planning Board's discretion. The cost of the inspection services shall be borne by the subdivider. The Planning Board may require the inspection services to be provided by either Town employees or agents or by an outside consultant of the Planning Board's choice. Inspectors shall complete inspection reports which shall become part of the official file.

If the Planning Board determines the need for outside inspection services and requires such as a condition of final plat approval, then prior to the start of any construction, the subdivider shall fund an account with the Board for the inspection services. The initial amount of the account shall be based upon the estimate of the individual appointed by the Board to undertake the services. However, the subdivider shall maintain a positive balance in the account at all times during construction to cover the expenses for inspection services or be subject to a cease and desist order or such other enforcement measures deemed appropriate. Any remaining balance in the account after issuance of a Final Certificate of Performance pursuant to these regulations shall be refunded to the subdivider.

The Board may also require the subdivider to verify through progress reports or tests that improvements are/have been being installed according to the approved plan and that all protective measures are in place during construction. All testing requested by the Board or its agent will be done by a laboratory or company approved by the Board and shall be paid for by the subdivider.

At a minimum, and as appropriate, inspections by the Board or its Agent are required:

1. Prior to work commencing and with all Erosion and Sediment Control devices in place.
2. Right-of-way and parking areas have been cleared, grubbing is complete, and before

- any material has been laid.
3. When area is prepared for installation of culverts and other drainage improvements; before they are installed.
  4. Culverts and other drainage improvements are installed.
  5. Fine grading of the subgrade, side and back slopes.
  6. During placement of each course of sand and/or gravel.
  7. At the completion of placement and compacting of each course of sand/or gravel.
  8. Finish course of crushed gravel and shoulders have been laid, compacted and fine graded.
  9. While surfacing with each bituminous course is in progress.
  10. Seeding/Landscaping is installed.
  11. Stabilization has occurred and all temporary erosion control facilities have been removed.
  12. Such other operations as may be found necessary by the Board or its agent.

Prior to the beginning of construction the subdivider shall provide to the Board the identity of their construction site manager. That individual's name, mailing address, physical address and 24-hour telephone number shall be provided to the Town. Any updates of this information shall be provided immediately to the Town.

For required inspections during construction, the subdivider's construction site manager shall give at least 24 hours (1 business day) notice to the Board or its Agent in order to coordinate schedules. The Board or its Agent may make such additional inspections as deemed necessary.

#### **E. As-Built Drawings**

Following completion of all improvements, the subdivider shall submit two copies of the As-Built Plan(s) to the Board. This plan shall be a clean, legible and reproducible copy of the approved construction drawings, dated and certified by the engineer, showing in red ink any changes or variances from the original design.

#### **F. Certificate of Performance of Improvements**

Upon completion of all the required improvements associated with the subdivision approval, the subdivider 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 Inspector, the Road Agent, the Fire Department, the Sewer Commission, the Water Commission and the NH DOT. 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 have been met:

1. All of the improvements are without known material defects which need correction as determined by the Board; and
2. The subdivider has submitted security for a period of one year which is acceptable to the Board to cover corrections of defects, omissions, errors or failure of installation of the subdivision 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 subdivision improvements and may include the estimated cost of inflation over the one year period not to exceed 10% per year.

After the one year waiting period has expired, the subdivider 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 applicable outside agencies indicating the acceptability of the completed improvements after completion of the one 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 subdivider has completed all the improvements required for the subdivision as specified in the approved plans and as stipulated in the Planning Board's vote of subdivision approval and has met all other requirements of these regulations including obtaining a Final Certificate of Performance from the Planning Board, the subdivider may file with the Board of Selectmen for acceptance of the completed street(s) as public way(s) under the requirements of the "Guidelines, Procedures, and Requirements of the Belmont Board of Selectmen For Petitions to Lay Out a Public Highway"; or to other entities having jurisdiction over the completed improvements.

**SECTION 9. DESIGN STANDARDS**

Applications reviewed under these regulations shall conform to the following Standards for Subdivision Design unless waived by the Planning Board:

**A. General Guidelines**

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

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

2. **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.
3. **Easements and Reserve Strips**
  - a. All plats or layouts shall show the boundaries of proposed permanent easements for utilities, streets and drainage facilities over or on the property. Such easements shall have satisfactory, maintained access to existing or proposed public or private streets.
  - b. Slope easements shall be provided for maintenance of side slopes and be adjusted to existing or proposed public or private streets.
  - c. Drainage easements shall be provided for maintenance of proposed public or private streets.
  - d. Reserve strips of land which, in the opinion of the Board, show intent on the part of the subdivider to control access to land dedicated, or to be dedicated, to public use shall not be permitted.

- e. No privately owned reserve strip, except an open space area, shall be permitted which controls access to any part of the subdivision or to any parcel of land from any street, or from any land dedicated to public use, or which may be so dedicated.
- 4. **Off-Site Improvements.** The developer shall be required to pay for all or a portion of offsite improvements when the improvements are found by the Board to be necessitated by the proposed development.
- 5. **Screening.** Screening shall be designed to provide a year-round method of absorbing, neutralizing, and/or concealing visual, noise, dust or other impacts. Screening shall occur within a designated buffer and have a minimum height of 6 feet. If vegetation is used it shall be densely planted (or have equivalent natural growth) with shrubs or trees at least 4 feet in height at the time of planting and be of a species that can attain the minimum height of 6 feet within three growing seasons. Opaque fencing and walls shall be of a uniform appearance with a minimum height of 6 feet.

In evaluating screening proposals, the Board shall take into consideration the following:

- a. Screening shall be designed to mitigate the envisioned negative impact with visual, noise, energy conservation and air quality factors considered;
- b. Screening shall be designed as an integral part of the entire development;
- c. The primary focus on screening shall be the use of vegetative materials;
- d. Trees species shall be as recommended in *Selecting Trees for Urban Landscape Ecosystems: Hardy Species for Northern New England Communities* by NH DRED Division of Forests and Lands, 1994, as amended;
- e. Existing natural features and vegetation shall be preserved and incorporated into screening wherever possible;
- f. Screening must be maintained so that the effectiveness is not diminished;
- g. Maintenance of screening shall be contained in all deeds or covenants for the property.

## **B. Character of Land for Subdivision**

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

The subdivider shall give due regard to the preservation and protection of existing features:

trees, scenic points, brooks, streams, rock outcroppings, water bodies, stone walls, wildlife habitats, cemeteries, other natural resources and historic landmarks.

1. **All Lots.** Lot dimensions, frontage and area shall not be less than the requirements of the Zoning Ordinance.

A lot length shall not exceed 4 times the average width of the lot. In addition, the actual lot width shall not be reduced to less than the required frontage for a depth (from the closest edge of the road ROW or from the road access side property line) of 100', or for the entire depth of the lot, whichever is less.

Lots shall be platted with respect to provisions set forth in the Belmont Wetlands Ordinance.

2. **Municipally Sewered Lots.** When lots are tied to a municipal wastewater system, minimum lot sizes within all subdivisions shall also meet the following requirements to insure a reasonably developable area:

- a. Wetlands may be used as a part of the computed lot size according to the following:

- (1) Areas designated as poorly drained soils may be utilized to fulfill the required minimum lot size provided that a contiguous non-wetland area of at least 10,000 square feet with a configuration to allow reasonable development to accommodate all housing, yard, access, and required utilities and to include setbacks is provided. There shall be at least 3 feet of natural soil above bedrock, substantiated by test pit.

- (2) Areas designated as very poorly drained soils, marsh or surface water areas may not be utilized to fulfill minimum lot size.

- b. Slopes greater than 25% may be used as a part of the computed lot size according to the following:

- (1) Areas designated with slopes greater than 25% may be utilized to fulfill the required minimum lot size provided that a contiguous area of at least 10,000 square feet with less than 15% slopes and with a configuration to allow reasonable development to accommodate all housing, yard, access and required utilities and to include setbacks is provided.

Developable areas required above for Sewered lots may be increased proportionately for lots proposed for two-family, multi-family, commercial & industrial development based upon configuration of intended development.

3. **Non-Municipally Sewered Lots:** In the absence of a municipal wastewater system, minimum lot sizes within all subdivisions shall meet the following requirements to insure ground water quality protection.

- a. All lots and on-site sewage disposal systems shall comply with NH RSA 485-A and NH Code of Administrative Rules, Part Env-WS 1000, as amended.
- b. The minimum contiguous area required by Env-Ws 1000 shall be suitable for a receiving layer. It shall be configured to allow reasonable development and to accommodate all housing and required utilities and setbacks.
- c. A minimum contiguous area of 10,000 square feet with 3 feet of natural soil above bedrock and slopes less than 15% shall be provided in a configuration to allow reasonable development to accommodate all housing, yard, access, and required utilities and to include setbacks.

### C. UTILITIES

Utilities will be placed after the project has been brought to subgrade and rough slope work has been completed. The lines will be inspected by their respective companies. All utilities shall be placed underground, where feasible, at the discretion of the Board.

1. **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.

Where 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 construction and maintenance of a roadway of suitable materials to facilitate access of fire fighting equipment and maintenance equipment to the water source.

The Board may require that the subdivider comply with design and specifications

provided by the Fire Department of any improvements under the preceding paragraphs.

2. **Sewage Disposal.** The design, construction and connection for all sewage disposal systems shall comply with the requirements of the Town of Belmont Sewer Commission, the NH DES and all other applicable local and State regulations. All street plans shall include adequate area for the future installation of public utilities should such become available or necessary. If any part of a project is within 500 feet of a municipal line, the subdivider shall connect all building lots to the sewer.

In areas shown on the Belmont Sewer Commission's map as planned for municipal sewer facilities, it shall be the responsibility of the subdivider to install sewage lines in accordance with current sewer regulations.

Sewage disposal shall be provided on site for all multi-family and non-residential uses in compliance with State law (including RSA 147:8) and town regulations. A sewage disposal system is required for all non-residential uses that are open to the public, and in all structures where work of any kind is conducted.

All systems must be sized to adequately meet the needs of the proposed use under the regulations of the NH DES and the Town of Belmont regulations. It shall be the responsibility of the applicant to provide adequate information to prove that the area of the lot is adequate to permit the installation and operation of the system or that existing systems are adequate to serve the needs of the proposed development.

3. **Water Systems.** The design, construction and connection for all water systems shall comply with the requirements of the Town of Belmont Water Commission, the NH DES and all other applicable local and State regulations.

All street plans shall include adequate area for the future installation of public utilities should such become available or necessary.

When required by the Belmont Water Commission, 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 project.

An on site water supply system shall be provided for all multi-family and non-residential uses in compliance with State law and town regulations and is required for all non-residential uses which are open to the public, and in all structures where work of any kind is conducted.

## **D. STORMWATER MANAGEMENT AND EROSION CONTROL**

The purpose of this section is to control runoff and soil erosion and sedimentation resulting

from site construction and development. Subdivision applications shall include plans for managing stormwater and controlling erosion and sedimentation as provided below.

The following design standards shall be applied in planning for stormwater management and erosion control:

1. All measures in the plan shall meet as a minimum the Best Management Practices set forth in the "Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire," Rockingham County Conservation District, NH Department of Environmental Services, Soil Conservation Service (now the Natural Resources Conservation Service), August 1992, as amended.
2. Whenever practical, natural vegetation shall be retained, protected or supplemented. The stripping of vegetation shall be done in a manner that minimizes soil erosion.
3. Appropriate erosion and sediment control measures shall be installed prior to soil disturbance.
4. The area of disturbance shall be kept to a minimum. Disturbed areas remaining idle for more than 30 days shall be stabilized.
5. Measures shall be taken to control erosion within the project area. Sediment in runoff water shall be trapped and retained within the project area using approved measures. Wetland areas and surface waters shall be protected from sediment.
6. Off-site surface water and runoff from undisturbed areas shall be diverted away from disturbed areas where feasible or carried non-erosively through the project area. Integrity of downstream drainage systems shall be maintained.
7. Measures shall be taken to control the post-development peak rate of runoff so that it does not exceed predevelopment runoff for the 2-year, 24-hour storm event.
8. Priority should be given to preserving natural drainage systems including perennial and intermittent streams, wetlands, swales, and drainage ditches for conveyance of runoff leaving the project area. Arrangements will also be made to create adequate access to all drainage collection points for cleaning and maintenance.
9. All temporary erosion and sediment control measures shall be removed after final site stabilization. Trapped sediment and other disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized within 30 days unless conditions dictate otherwise.
10. The minimum design storm frequency for roadway culverts, roadside ditches and other drainage practices shall be a 25-year frequency storm.
11. The minimum design storm frequency for a roadway storm sewer system shall be a 10-year frequency storm event for pipe sizing. Further, the system shall be checked using a 25-year frequency storm event to assure containment below any roadway inlet grates and manhole covers.
12. Where curbing is allowed, stormwater flow over the curbing and onto the paved roadway shall be kept to a minimum. The gutter flow width shall not exceed one-

half of the roadway's travel lane.

- 13.** For treated soils intended to be capped, the material, depth, and method of that cap shall be as determined by the Planning Board and shall comply with the requirements of these Regulations. In addition, the following minimum standards shall apply for treated soils:
- a. Material approved for use as a cap shall be placed a minimum of six inches in depth;
  - b. Caps shall be installed within 72 hours of completion of treated soil placement, but in no case shall treated soils be left uncapped for longer than seven days;
  - c. Treated soils shall be watered during placement and compaction, maintaining a minimum 25% moisture content, to assist in obtaining required density and minimize dust.
  - d. Compaction of treated soils shall be done with an approved vibratory roller until density required by these Regulations is achieved.

## **E. ROAD AND STREET DESIGN STANDARDS**

The purpose of these standards is to ensure safe vehicular travel on streets, public or private. 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 consideration 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.

For proposed residential or commercial development along town or state roadway 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.
- 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 Exhibit 2. 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 furthest point or end of the cul-de-sac.
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-sacs nor loop roads shall be piggybacked onto other cul-de-sacs or loop roads.

6. **Intersections.** Street intersections shall have a minimum angle of intersection of 60 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 twenty-five feet between their center lines. Property line radius at intersection shall be no less than 20 feet. Refer to these regulations for other requirements.
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 Belmont.
  - b. Other street names shall be approved by the Planning Board.
  - c. Precautions shall be taken to ensure street names are not duplicated or so similar to other street names as to cause confusion.

All proposed names must be approved by the Town.

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 funds for the improvements have been assured by the municipality.
9. **Minimum Design Requirements**
  - a. New roads shall be designed to conform to the minimum standards established in Exhibit 3 and as shown on the attached Typical Roadway Cross Section (Exhibit 4). 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 Planning Board. The Planning 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 Planning Board may require more restrictive requirements than shown.
- 10. Driveways.** Driveways shall be designed and constructed in accordance with the Town of Belmont Driveway Regulations. Driveways shall not serve more than two lots. Driveways accessing onto roads that are proposed to be paved shall have paved aprons.
- 11. Curbing.**
- a. Curbing may be required by the Planning Board where it is deemed appropriate and necessary for the purposes of drainage, slope stability and/or pedestrian safety. Curbing allowed in the Town of Belmont includes straight granite, sloped granite, and bituminous cape cod berm.
  - b. The construction of curbing shall be in accordance with NH DOT Construction Specifications.
- 12. Sidewalks.** When, in the opinion of the Planning Board, sidewalks are necessary, they shall be not less than 4 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.
- 13. Steep Grades.** Where roadway profiles exceed 5%, special consideration will be given to drainage, sedimentation and erosion control and protection. This may require curbing and special measures such as rip-rap or other erosion protection.
- 14. Temporary Turn-Arounds.** When approved for use by the Board, they shall be constructed in accordance with the requirements of the Board.

**F. Cluster Design**

- 1. The following design sequence shall be used:
  - a. identify primary and secondary open areas;
  - b. locate house sites a respectful distance from open areas;
  - c. align roads & trails;
  - d. set lot lines.
- 2. Frontage for lots having any part of their frontage on a culdesac may be reduced to a minimum of 20'. However, every such lot must have a width at the front building setback line no less than the total frontage required for a cluster lot in that zone.

3. At the time of submission of a cluster subdivision plan, the applicant shall also submit evidence as to the density that would be allowed under a traditional form of subdivision.
4. The applicant is strongly encouraged to work closely with staff and to apply for a preliminary conceptual consultation with the Planning Board prior to moving forward with formal plans.
5. All cluster lots require a minimum contiguous non-wetland area of at least 10,000 square feet with at least 3 feet of natural soil above bedrock, less than 15% slopes, and with a configuration to allow reasonable development to accommodate all housing, yard, access and required utilities.
6. Covenants or other legal arrangements shall:
  - a. specify ownership of the cluster open space and shared utilities;
  - b. specify method of maintenance;
  - c. specify responsibility for maintenance, maintenance taxes and insurance;
  - d. specify compulsory membership and compulsory assessment provisions;
  - e. include guarantees that any association formed to own and maintain cluster open space and shared utilities will not be dissolved without the consent of the planning board;
  - f. include any specifications deemed necessary by the planning board.

**SECTION 10. CONSTRUCTION STANDARDS FOR STREETS AND ROADS****A. Supervision.**

Construction of streets, drainage facilities, sidewalks, and curbs must be done under the supervision of the Board's Agent and in accordance with the approved QAP.

**B. Pre-Construction Meeting.**

Before any construction begins, the subdivider, his contractor(s), the Board and its agent(s), will conduct a pre-construction 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 utilizing previously submitted inspection schedules and the Quality Assurance Program.

**C. Survey Stakes.**

Before street or improvements construction begins, the subdivider shall cause grade stakes to be placed at 50-foot intervals. Each stake shall be driven firmly beyond the toe or top of the 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 subdivider shall construct 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.

The subdivider 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 subdivider.

**D. Earthwork**

Earthwork consists of clearing, grubbing, excavation and embankment.

**1. 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.

**a. Clearing.** Clearing shall be performed by cutting and disposing of all trees,

- down timber, stumps, brush, bushes and debris.
- b. **Grubbing.** Remove and dispose of all stumps and large roots within the limits of the roadbed to the same width as the subgrade, to a depth of three (3) feet below subgrade. Stumps within the limits of the roadbed below such depth, and stumps under embankments and slopes outside of the roadbed will be removed. Except in areas to be excavated, excavation caused by grubbing shall be filled with suitable material which shall be compacted to conform to the surrounding ground.
  - c. **Roadside Cleanup.** Roadside cleanup of leaning, dead, unsound and unsightly trees, branches, stumps, 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.
2. **Excavation and Embankment.** This work shall consist of excavation, placement and compaction of embankment and the necessary disposal of other material.
- a. **Excavation.** Excavation consists of earth, rock and muck.
    - (1) **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.
    - (2) **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 Board or its agent. Topsoil shall not be removed from the project site without approval of the Board following the issuance of an earth removal permit.
    - (3) **Rock Excavation.** All boulders that can not 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 Board or its agent and only after all required permits have been obtained and are on site.
    - (4) **Muck Excavation.** Muck excavation consisting of deposits of saturated or unsaturated mixtures of soils and organic matter not suitable for roadway foundation material regardless of moisture content shall be removed and suitable portions thereof may be used on the embankment slopes or other appropriate uses approved by the Board or its agent. 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. The left and right limits of the muck excavation shall, in cross section, be 45 degrees outward of the proposed points of shoulder at the bottom

of muck excavation.

- (5) **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 Board or its agent, suitable material may be used in fill areas and unsuitable material may be used to flatten slopes where possible.

**b. 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 Board or its agent.

- (1) **Backfill of Holes.** Holes resulting from 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 No. 40 sieve and not more than 35% will pass the No. 200 sieve. The process shall be as specified above in Muck Excavation. Material shall be placed in one continuous lift of not more than 4 feet and compacted.
- (3) **Waste Material.** Waste materials from clearing, grubbing, and roadside cleanup and from rock, muck, and common excavation classified by the Board or its agent as unsuitable for use in 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 Board or its agent. The pit(s) shall be away from construction areas in a non-buildable buffer area that is acceptable to the Board or its agent. 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 spalls 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 full 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. Density tests may be required by the Board or its agent at the subdivider's expense.

- (6) **Grading.** Embankments shall be graded at all times to insure the run-off of water. Any saturation of nonporous material due to the subdivider's selected method of operation shall occasion suspension of additional work by the Board or its agent 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 material may be brought onto the job, provided prior written permission of the Board or its agent is obtained concerning the quality of the material at the source.

## E. Drainage

Adequate disposal of surface water run-off shall be provided by the subdivider. 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 slopes, subgrade, finished grade and the culvert, with headwall(s) if required. For skew installations, a plan view also shall be drawn to scale. Culvert length shall not be compromised. 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 drop inlets or catch basins located in 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. Outlets shall be checked for erosive velocities and, where required, the Design Criteria under the Outlet Protection BMP be used to design the structure. Culverts shall be either aluminum or plastic as approved by the Board. Locking

bands for field jointing aluminum culvert sections shall be not less than 7 inches and for joining plastic sections shall meet the manufactures specifications. Driveways to the street shall have a minimum culvert size of 12 inches. The pipe shall be placed on a 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 cover over the pipe shall adhere to the manufacturer's recommendations. 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 include reinforced concrete, aluminum pipe and smooth lined corrugated 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.** Road side ditch grades shall not be less that .05% 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 Board or its agent. 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 subdivider 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 Belmont. material shall be inspected by the Board or its agent before placement. 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. All backfilling will be inspected by the Board or its agent.

**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 profile grade for the subgrade and cross slope. High spots shall be honed down and low spots filled with material acceptable to the Board or its agent. The process of rolling or vibration compacting shall continue until no further depressions result. Shoulders, slopes and ditches shall be shaped to reasonably 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 Board or its agent. The entire roadway must present a uniformly finished appearance at the completion of fine grading. The Board or its agent 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.

**G. Base Courses**

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

1. **Gravel.** The base shall consist of gravel to the minimum depth specified in the table, "Minimum Road Design Standards" (Exhibit 3) for the size street 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 3/4 of the compacted depth of the gravel specified.
2. **Crushed Gravel.** The top aggregate base course shall be a minimum of 4 inches of crushed gravel for all the street sizes in the table, "Minimum Road Design Standards", regardless of whether a pavement is to be installed 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.

### 3. Placement of Gravel and Crushed Gravel

- a. 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.
- b. 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 on 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 subdivider's expense.
- c. Each entire layer of gravel shall be thoroughly scarified for the full 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 with the Contractor's method of operation is such that oversized stones are not delivered to the project.
- d. Prior to fine grading, hard spots in the surface of the top layer shall be eliminated by scarifying the top 4 inches.
- e. 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.
- f. 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.
- g. The compaction of sand, gravel and crushed gravel shall be done with an approved vibratory roller until 95% of maximum density is achieved.
- h. The Board or its agent shall be notified so that approval of the placement and compaction of the sand and/or gravel courses may be made before any further work progresses.
- i. **Source Approval.** The source(s) of gravel and crushed gravel shall be as

approved by the Board or its agent prior to bringing the materials to the job site. Sieve analyses may be required.

- j. Fine Grading of Top Course.** The top course of 4 inches of crushed gravel shall be fine graded to conform to the profile grade for 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.
- k. Inspection.** The Board or its agent shall be notified so That all required inspections can be made before any further work progresses.

## **H. Pavement Surface**

All streets shall be surfaced with bituminous materials as approved by the Board or its agent in accordance with the following:

- 1. Bituminous Concrete.** Minimum 3 inches bituminous concrete, plant hot mix (2-inch base and 1-inch wearing surface). The bituminous material shall be asphalt cement of penetration grade 100-200.
- 2. Approvals.** The 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 Board or its 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 Board or its agent determines that it is in the best interest of the Town, he or she may waive the requirements of the immediately preceding paragraph.
  - c.** Any material delivered to the spreader having a temperature lower than 250 degrees F shall not be used.
- 4. 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 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 percent of laboratory specimens, made by the AASHTO T-245 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. The lines will be inspected by their respective companies. It is required that all electric, telephone, cable, and other lines be placed underground.
2. **Guardrails.** Guardrails will be required where slopes extend more than 10 feet from the height of the break in shoulder to the original grade on a 2:1 slope or in other hazardous areas which will be determined by the Board or its agent. Where guardrail is required, it shall be constructed and placed in accordance with NH DOT Construction Specifications.
3. **Survey and Monument Standards.** Permanent survey monuments shall be set in the boundary of all property corners and of 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 of stone or concrete at least 4" x 4" and 42" long 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 according to the minimum standards for instrument surveys adopted by the NH Land Surveyors Association for Standard property Surveys, as follows:

<u>Condition</u>	<u>"1"</u>	<u>"2"</u>	<u>"3"</u>
Unadjusted Linear Closure	1:15,000	1:7,500	1:300
Minimum Scale Graduation of Instrument	0/sec.	30/sec. 1	
Distance Measurement	EDM/ Steel Tape	EDM/ Steel Tape	Steel Tape/ Stadia
Elevation Used to Determine			

Property Lines 0.2' +/- 0.5' +/- ----

- ◆ **Condition "1"** shall be required for any lots 2 acres or less that involves building of any kind - i.e., residential, commercial or industrial.
  - ◆ **Condition "2"** is adequate for lots larger than 2 acres.
  - ◆ **Condition "3"** is acceptable for non-building lots (woodlots, timber lots, or large tracts being dedicated to preservation or conservation). The standards of Condition "3" may be achievable with a tape & compass survey.
4. **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.
  5. **Vegetation.** The Board may require vegetative buffers including tree and other nursery stock as appropriate and may require a plan prepared by a landscape architect.

**SECTION 11. CAMPGROUNDS AND RV RESORT CAMPGROUNDS****A. Campgrounds**

The purpose of these Regulations is to govern and control the orderly growth and development of campgrounds, maximize compatibility with surrounding land uses, avoid health and safety hazards, protect environmental and aesthetic resources, minimize demands on public services and protect the rural qualities of the community.

In addition to the standards found elsewhere in these Regulations, the following minimum standards shall apply to all new campgrounds and expansions to existing campgrounds. In the instance of a conflict between these and other Regulations or Ordinances, the more stringent shall apply.

**1. Definitions:**

**Campground** - A parcel of land with one or more specific sites, with or without water, electricity or sewerage hookups, that has provisions for the pitching of tents or parking of recreational vehicles or travel trailers for use as sleeping quarters on a temporary basis. All recreational vehicles and travel trailers shall remain registered and roadworthy. In campgrounds sites shall not be occupied for more than 3 consecutive weeks. Campgrounds shall comply with all applicable local and State standards.

**Campsite** – A plot of ground within a campground or RV resort intended for the accommodation of a recreational vehicle, tent, or other individual camping unit on a temporary basis.

**Dimensional Requirements** – except as regulated herein shall meet the requirements of Article 5, Table 2 of the Belmont Zoning Ordinance.

**Recreational Vehicle** - Any of the following vehicles:

- a. Motorhome or van, which is a portable, temporary dwelling to be used for travel, recreation and vacation, constructed as an integral part of a self-propelled vehicle.
- b. Pickup camper, which is a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
- c. Recreational trailer, which is a vehicular, portable structure built on a single chassis, 400 square feet or less when measured at the largest exterior horizontal projections, calculated by taking the measurements of the exterior of the recreational trailer including all siding, corner trim, molding, storage

space and area enclosed by windows but not the roof overhang. It shall be designed primarily not for use as a permanent dwelling but as a temporary dwelling for recreational, camping, travel or seasonal use.

- d. Tent trailer, which is a canvas or synthetic fiber folding structure, mounted on wheels and designed for travel, recreation, and vacation purposes.

Recreational vehicles may not be used in conjunction with a commercial or industrial use. When erected on campsites, recreational vehicles in excess of 320 square feet in size shall comply with the manufactured housing setbacks required in the Manufactured Housing section of the Zoning Ordinance.

**RV Resort Campgrounds (RV Resort)** - A parcel of land with one or more specific sites, with water, electricity and sewerage hookups, that has provisions for the pitching of tents or parking of recreational vehicles or travel trailers for use as sleeping quarters on a temporary basis. All recreational vehicles and travel trailers shall remain registered, inspected and roadworthy. In order to accommodate access to the Lakes Region's four recreational seasons, RV resort sites are not limited by the number of consecutive weeks that they may be occupied. However, all occupancy must be on a temporary basis as defined below. RV Resorts shall comply with all applicable local and State standards. RV Resorts may also include segregated sites that may be constructed and operated meeting the campground standards.

**Service Buildings** - A subordinate structure determined by the Planning Board to be commonly associated with, incidental to, and on the same lot as the campground. Service buildings are intended for the use of residents of the campground and are not intended for public use. Uses may include Toilet, Shower, Bathroom, Office, Medical, Recreation, Storage, Equipment, Workshop, Camp store, Waterfront/Pool Bath house. Service buildings are considered structures and must comply with all applicable Codes and Ordinances. For the purpose of internal setbacks Service Buildings shall be considered unrelated structures on the same lot and shall also meet a minimum 15' setback to internal roads.

**Temporary Basis** - means occupancy for recreational dwelling purposes only, not for permanent year-round residency or for the purpose of establishing legal residency for any service provided by the Town.

2. Frontage - Minimum frontage of 50 feet as defined by the Zoning Ordinance is required. Primary access to campground must be obtained over said frontage.
3. Minimum campsite area and dimensions:
  - a. For tent sites shall be 600 square feet.
  - b. For recreational vehicle sites shall be 1,000 square feet.
4. To prevent overuse of land and facilities, encourage the provision of open space,

maximize privacy for individual campsites, and enhance aesthetic qualities:

- a. The maximum number of campsites allowed per acre is:
  1. Commercial and Industrial zone - 14 (fourteen).
  2. All other zones – 10 (ten).
- b. Each campsite shall be considered to average five (5) campers. The total population of the campground, exclusive of staff, shall not exceed the number of occupied campsites times five.
5. Campsites shall be situated a minimum of:
  - a. twenty (20) feet from a property line in the Commercial Zone.
  - b. fifty (50) feet from a property line in all other zones.
  - c. fifty (50) feet from a water body, river or stream.
  - d. one hundred (100) feet to any existing off-site residence.
6. Lot Size - Campgrounds may initially consist of one or more contiguous parent tracts. To reduce conflict of use problems, encourage economically viable operations, and meet the required minimum development standards, tracts must total a minimum of twenty contiguous acres.
7. Campground Roads:
  - a. Roads shall be interior roads designed to promote the purpose and objectives of Belmont Zoning Ordinance and Subdivision and Site Plan Review Regulations and to accommodate recreational vehicles and vehicles towing trailers.
  - b. The road design and construction standards shall accommodate proposed vehicle design and use.
  - c. Two-way roads shall have adequate width to accommodate two-way traffic.
  - d. All roads shall have a traveled way height clearance to accommodate the design vehicle.
  - e. Road surface may be gravel or other suitable material as approved by the Board. For non-paved roads only environmentally safe methods approved by the Planning Board may be used for dust control measures.
  - f. Adequate sight distance for interior intersections shall be provided.
  - g. All roads shall provide emergency vehicle access approved by the Fire Department.
  - h. All roads or loops shall have names approved for E-911 use and shall be so marked.
  - i. All roads shall remain private.
  - j. Pedestrian crossings shall be clearly marked in high traffic areas.
  - k. Speed limit shall be clearly marked and enforced.
  - l. In the event the campground ceases to exist as such, all roads will cease to have approved standing for any other use until the Planning Board gives its approval for such subsequent use.

**B. RV RESORT CAMPGROUNDS**

RV Resort Campground sites are not limited by the number of consecutive weeks that they may be occupied, although occupancy is still limited to a temporary nature. Therefore, it is anticipated that the resulting impacts to surrounding land uses, health and safety factors, environmental and aesthetic resources, public services demands and the rural qualities of the community may be more similar in nature to those resulting from a manufactured housing park than from the more transient and temporary nature of a traditional campground. These regulations are intended to regulate RV Resort Campgrounds similarly to manufactured housing parks. In addition to the minimum standards required in the Campground Regulations above, the following standards shall also apply to RV Resort Campgrounds.

1. When in conflict with other local Regulations or Ordinances, the more stringent shall apply.
  - a. Density and Occupancy:
    1. The maximum number of campsites allowed per acre in all zones is two. The total area shall be reduced by the amount of non-buildable area before determining the number of allowed units. Non-buildable areas, as example, include wetlands, slopes in excess of 15%, well head protection areas, service areas, areas dedicated to roads, utilities, septic, wells, playgrounds and other amenities.
  - b. Resort Roads:
    1. Internal rights of way shall be a minimum width of 30 feet with at least 22 feet of paved surface.

**SECTION 12. DEFINITIONS**

**AASHTO** - American Association of State Highway and Transportation Officials.

**Abutter** - any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park form of ownership as defined in RSA 205-A:1, II, the term "abutter" includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use board.

**Annexation** - Includes Boundary Line Adjustment as regulated under these regulations and Merger of Contiguous Lots as regulated by the Zoning Ordinance.

**Approval** - Recognition by the Planning Board, certified by written endorsement on the Plat, that the final plat submission meets the requirements of these regulations and in the judgment of the Board satisfies all conditions of approval.

**Average Slope** - The steepness of the land surface of a lot. Average slope is calculated as a percentage by dividing the total change in elevation across a lot by the distance across the lot, and multiplying by 100. Change in elevation and distance are measured on a line drawn perpendicular to the contours through the point on the lot where a building would logically be placed.

**Best Management Practice (BMP)** - A proven or accepted structural, non-structural, or vegetative measure the application of which reduces erosion, sediment, or peak storm discharge, or improves the quality of stormwater runoff.

**Board** - The Planning Board of the Town of Belmont, New Hampshire.

**Board's Agent** - The Board or its designated agent.

**Boundary Line Adjustment** - The sale or exchange of parcels of land between owners of adjoining properties, providing that no additional lots are created, the number of owners does not increase and the original parcels are not reduced below the minimum size required by the Zoning Ordinance. Boundary Line Adjustment applications shall meet the requirements of these Regulations.

**Boundary Line Agreements** - An agreement reached by two abutting land owners which identifies a boundary that was previously unknown and undefined. A Boundary Line Agreement may not be used for the sale or transfer of abutting property, and may not be used to divide a lot, tract, or parcel of land into two or more lots.

**Buffer** - Area designed to separate uses. May contain screening, open space or other methods to enhance separation value. Consists of a minimum depth of 10 feet.

**Building** - Any combination of materials, whether portable, movable or fixed, having a roof and enclosed within exterior walls, built to form a structure for the shelter of persons, animals or property.

**Building Development** - The process of changing the character of the land from its existing condition suitable for the construction or placement of a building thereon.

**Building Site** - That portion of a lot, tract or parcel of land upon which a single building is placed.

**Certification** - A signed, written approval by the Board that a plan complies with the applicable requirements of the regulations.

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

**Certified Wetland Scientist** - A person qualified in wetland classification and mapping who is certified by the State of New Hampshire Board of Natural Scientists.

**Class VI Road** - A right-of-way which has been either: (1) discontinued and made subject to gates and bars by a Town Meeting vote, or (2) not maintained by the Town for a period of five years or more.

**Clear Days** - For the purpose of public notice, clear days shall not include the day of publication or posting of the notice and shall not include the day of the public hearing.

**Completed Application** - An application which contains sufficient information to enable the Board to take jurisdiction and to make an informed decision to grant approval. A completed application contains all of the Submission and Information Requirements identified in these Regulations.

**Composite Average Slope** - To be used in calculating the steepness of the land surface of a lot where peaks, gullies or ridges are present on the lot. Composite average slope is calculated by the finding the distance to the property line (or to the high or low point) on one side of a ridge (or gully) and the numerical change in elevation in that distance. To these are added the distance and elevation change respectively on the other side of the ridge (or gully). If more than one ridge or gully is present on a lot, the same steps are taken for each ridge or gully.

**Conditional Approval** - Board's approval of a plat that is conditioned on some further action of the subdivider. Such approval shall not become valid until all conditions are complied with.

**Condominium** - The division of a lot, tract, or parcel of land into two or more lots or building sites, whether immediate or future, which lots shall be submitted to the condominium form of ownership and for which there shall be condominium conveyances, whether immediate or future, in conformity with RSA 356-B.

**Corps of Engineers Wetlands Delineation Manual** - US Department of the Army, 1987 edition.

**County Conservation District** - The Belknap County Conservation District ("BCCD").

**Critical Areas** - Disturbed areas of any size within 50 feet of a stream, bog, waterbody, or poorly or very poorly drained soils; disturbed areas exceeding 2,000 square feet in highly erodible soils; or, disturbed areas containing slope lengths exceeding 25 feet on slopes greater than 15 percent.

**Cul-de-sac** - Any interior road within a subdivision consisting of a single access to the established Class V or better intersecting road and ending in a circular, tear drop or other configuration turn-around.

**Dead-End Street** - A street configuration where one must exit from the same place where one entered.

**Development** - Any construction, land construction, or grading activities on real estate for other than agricultural and silvacultural (tree care and harvesting) practices.

**Disturbed Area** - An area where the natural vegetation has been removed exposing the underlying soil.

**Driveway** - An area located on a lot, tract or parcel of land, and built for access to a garage or off-street parking space, serving not more than two (2) lots.

**Easement** - An acquired privilege or right of use which one party may have in the land of another.

**Engineer** - Used herein shall mean a person duly registered as such under the laws of the State of New Hampshire.

**Erosion** - The detachment and movement of soil or rock fragments by water, wind, ice or gravity.

**Excavation** - Digging of any type.

**Field Book for Describing and Sampling Soils: Version 1.1** - National Soil Survey Center, NRCS, 1998 as amended.

**Field Indicators for Identifying Hydric Soils in New England** - New England Interstate Water Pollution Control Commission, 1998 edition.

**Flood Limit** - The land-water boundary of a body of water or a watercourse flowing at its highest 100 year frequency as defined by a responsible public agency such as the U.S. Army Corps of Engineers or the U.S. Department of Agriculture, Soil Conservation Service.

**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".

**Floodplain Soils** - Soils classified by the National Cooperative Soil Survey being formed in floodwater or alluvial deposits. These soils are subject to flooding at least once in every 5 to 10 years.

**Grading** - Any excavating, grubbing, filling (including hydraulic fill), or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.

**Highly Erodible Soils** - Any soils with an erodibility class (K factor) greater than or equal to 0.43 in any layer as found in Table 3-1 of the Stormwater Management and Erosion and Sediment Control Handbook For Urban and Developing Areas in New Hampshire.

**Inspection** - The periodic review of the improvements shown on the approved plan.

**Intermittent Stream** - A watercourse which only flows at certain times of the year when it receives water from seepage or some surface source such as melting snow.

**Layout** - Final Plat.

**Loop Road** - Any interior road within a subdivision consisting of a single access to the established Class V or better intersecting road and not ending in a cul-de-sac turn-around.

**Lot** - A lot is a parcel of land occupied or to be occupied by only one main building and the accessory buildings or uses customarily incident to it. A lot shall be of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open spaces as are herein required. Such lot shall have frontage as required by the Zoning Ordinance. However, multiple primary buildings and/or uses, as well as mixed uses, including commercial, industrial and multi-family complexes shall be allowed on a lot when approved under the Site Plan Review Regulations and the Zoning Ordinance.

**Lot Line** - The line identifying a lot boundary.

**Lot Measurements** - Depth of a lot shall be the average distance between front and rear lot lines. Width of a lot shall be the average distance between the lot side lines.

**Lot Size** - The total land area within the boundaries of a lot, exclusive of any land area designated for street purposes.

**NH DES** - New Hampshire Department of Environmental Services.

**NH DOT Construction Specifications** - As required by Standard Specifications for Road and Bridge Construction, State of New Hampshire Department of Transportation, latest Edition.

**NRCS** - Natural Resources Conservation Service.

**NRCS Official Series Description Sheets and/or published map unit descriptions** - USDA/NRCS.

**Perennial Stream** - A watercourse that flows continuously.

**Plat** - The final plan, with all required data, maps and narrative materials on which the subdivider's plan of subdivision is presented to the Board for approval and includes the Site Survey Plat which, if signed by the Board, will be recorded in the Belknap County Registry of Deeds.

**Poorly Drained Soils** - Soils in which water moves so slowly that the water table remains at or near the ground surface for a large part of the year (6 to 9 months) as defined by the National Cooperative Soil Survey.

**Project Area** - The area within the subdivision boundaries.

**Right-of-Way** - The full width of a strip of land deeded to the town for highway purposes, or dedicated to public use as a highway, or laid out or established as a street according to statute.

**Road** - Street.

**SSSMS** - Site Specific Soil Mapping Standards for New Hampshire and Vermont, Society of Soil Scientists of Northern New England Publication No. 3, 1997, as amended.

**SSSNNE** - Soil Science Society of Northern New England.

**Screen(ing)** - Use of evergreen trees, evergreen shrubs, opaque fencing, walls, berms, or a combination thereof to provide a year-round method to absorb, neutralize, minimize, and/or conceal

adverse visual, noise, dust or other impacts.

**Sediment** - Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

**Setback** - Side and rear setbacks are the distance from the extreme limit of a structure to a property line. Front setbacks are the distance from the extreme limit of a structure to the edge of the public road right-of-way, public road easement, or the property line, whichever is closest.

**Slope** - The average steepness of the land surface under consideration. For the purpose of determining lot size categories, slope shall be determined by slope factors used by the National Cooperative Soil Survey Soil Classification.

**Soil** - Any unconsolidated mineral or organic material of any origin.

**Soil Erosion and Sediment Control Plan** - A scheme that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.

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

**Site** - Building site.

**Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire** - Prepared for NH DES by the Rockingham County Conservation District, in cooperation with the Soil Conservation Service (now Natural Resources Conservation Service), August 1992, as amended.

**Stormwater Runoff** - The water from precipitation that is not absorbed, evaporated, or otherwise stored within the contributing drainage area.

**Stream** - Areas of flowing water occurring for sufficient time to develop and maintain defined channels but may not flow during dry portions of the year. Includes, but is not limited to, all perennial and intermittent streams located on U.S. Geological Survey Maps.

**Street** - A public thoroughfare, highway, street, road or avenue, or private road, including the full width of its right-of-way, lawfully existing in the Town of Belmont.

**Subdivider** - The owner of record of land to be subdivided or the agent of the owner. Agents shall present their authority from the owner in writing.

**Subdivision** - The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease,

condominium

conveyance or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing, or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision.

**Surface Waters** - shall be as defined by RSA 485-A:2, XIV as amended.

**Surveyor** - Used herein shall mean a person duly licensed as such under the laws of the State of New Hampshire.

**Through Road** - Any continuous interior road within a subdivision consisting of 2 or more accesses to an established Class V or better intersecting road or roads.

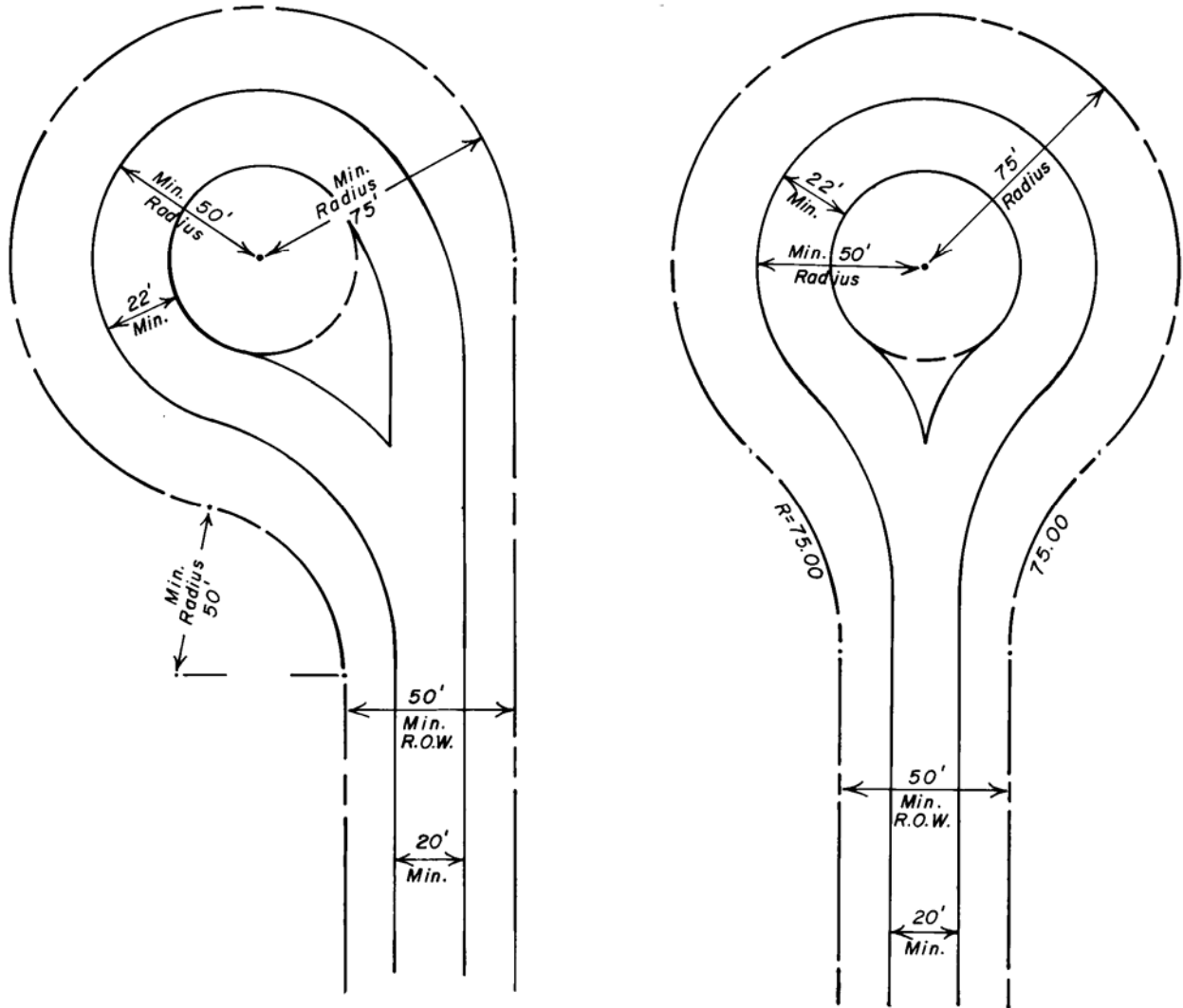
**Town** - The Town of Belmont.

**Travelled Roadway** - Road constructed between the shoulder breaks.

**Very Poorly Drained Soils** - Soils in which water is removed from the soil so slowly that the water table remains at or on the ground surface for the greater part of the year (9-10 months) as defined by the National Cooperative Soil Survey.

**Wetlands** - Those areas that are inundated or saturated by surface or groundwaters at a frequency and duration sufficient to support, and that under normal conditions do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands include, but are not limited to swamps, marshes, bogs and similar areas.

### Exhibit 2 CUL-DE-SACS



**Exhibit 3**  
**MINIMUM ROAD DESIGN STANDARDS**  
**TABLE 1**

<b>TRAFFIC LOAD</b>	<b>ADT 0-50</b>	<b>ADT 50-250</b>	<b>ADT 250-400</b>	<b>ADT 400-750 (or greater)</b>
Design Speed	20	20	30	35
Centerline Curve Radius	120	150	250	425
Roadway Width (a)	20'	22'	22'	24'
Shoulder Width (each side) (b)	2'	3'	4'	8'-10'
Vertical Curve Crest: Sag:K Values (min)	15 24	15 24	30 40	50 50
Sight Distance	REFER TO BELMONT DRIVEWAY REGULATIONS			
Sight Distance @ Road Intersections	REFER TO BELMONT DRIVEWAY REGULATIONS			
Profile Grade Minimum: Maximum:	0.5% 8%	0.5% 8%	0.5% 8%	0.5% 7%
Minimum Platform & Road Intersections	2%-50'	2%-75'	2%-100'	2%-100'
Minimum Pavement Radius @ Road Intersections	30	30'	35'	40'
Bank Run Base Course Depth	12"	12"	12"	16"
Crushed Gravel Course Depth	6"	6"	6"	8"

