

## **SECTION V**

### **Procedure For Application – Other Than Minor Subdivision**

#### **PRE-APPLICATION**

- 5.01** Prior to the formal submission of a preliminary plan the subdivider may appear informally to discuss the proposed subdivision at a regular meeting of the board.
- 5.02** Binding commitments should not be made between the subdivider and a municipality at this stage. A clear understanding of what is proposed, what is possible and what is acceptable is the aim of the pre-application meeting.

#### **PRELIMINARY PLAN REQUIREMENTS**

- 5.03** A request for approval of a subdivision shall be made to the Board in writing and shall be accompanied by three (3) copies of a preliminary plan. The Plan shall be drawn at no smaller scale than 100 feet to the inch. There shall be included a location map showing the relationship of the proposed subdivision to adjacent properties and public access and drawn at no smaller scale than 500 feet to the inch.
- 5.04** When practical, a standard size sheet, 24”X36”, shall be used for all plans and shall contain the following information:
- (a) Name of subdivision, owner(s), and engineer(s) or surveyor.
  - (b) Graphic scale, date and North point.
  - (c) Boundaries of tract.
  - (d) Existing Zoning.
  - (e) Ownership and location of abutting properties.
  - (f) Name, location, width, radius of curves, angles or change in direction and center line length of all existing and/or proposed streets, other public ways, building lines and easements in the subdivision. All street names shown for proposed streets located in a subdivision shall be checked against local records to assure that none are duplicates of existing names or so similar as to cause confusion.
  - (g) Type and location of all existing and/or proposed surface drainage.
  - (h) Location of all existing and/or proposed utilities-water, gas, electricity or other.
  - (i) Location of all existing and/or proposed sanitary sewers showing size, profile and cross-section; or description, plan, location of other means of sewage disposal with evidence of successful percolation tests. In areas outside of those presently with sewer, where disposal is proposed by use of septic tanks the Board shall require a written statement from the Water Supply and Pollution Control Board or

other authorized agency that suitable percolation tests have been made and that the land is considered suitable for disposal systems using septic tanks.

- (j) Topography at ten foot contour intervals, unless otherwise prescribed by the Board. In addition, the location of existing natural or man-made features and soil conditions influencing the layout of the proposed subdivision shall be shown.
- (k) Lot lines and approximate dimensions.
- (l) Proposed uses of property.
- (m) Proposed public areas, if any.
- (n) Acreage of land subdivided.

**5.05** In addition to the Preliminary Plan, the Board may require the sub-divider or others to undertake studies where deemed necessary or desirable to protect the public convenience, safety, health and welfare.

**PRELIMINARY PLAN REVIEW** In reviewing a Preliminary Plan, the Board shall consider the following general requirements and design standards:

**5.06** Any proposed subdivision shall be in conformity with the provisions of all pertinent State and local codes and ordinances.

**5.07** Land designated for public use may not be subdivided for any purpose.

**5.08** The Board with respect to its effect upon existing community services and facilities including schools and recreational areas shall review any proposed subdivision. The Board shall advise the municipality and the developer regarding the designation of space for future community facilities and may withhold approval of Final Plan pending such designation.

**5.09** Any proposed subdivision shall be so designed that every lot has access to a public or dedicated street.

**5.10** Land susceptible to flooding and land not suitable for development because of soils characteristics, which may also be hazardous to life, health or property shall not be accepted as part of a proposed subdivision but may be used, subject to approval by the Board and other pertinent authorities, for open space purposes public or otherwise. Special Flood Hazard Areas – All subdivision proposals and proposals for other developments governed by these regulations having lands identified as “Special Flood Hazard Areas” (SFHA) by the National Flood Insurance Program (NFIP), shall meet the following requirements. (1995)

**5.10.01** The Planning Board shall review the proposed developments to assure that all the necessary permits have been received 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. (1995)

**5.10.02** The Responsible person shall require that all subdivision proposals and other proposed new development greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation (BFE) data. (1995)

**5.10.03** Sufficient evidence (construction drawings, grading and land treatment plans) shall be submitted so as to allow determination that:

- (i) all such proposals are consistent with the need to minimize flood damage;
- (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and
- (iii) adequate drainage is provided so as to reduce exposure to flood hazards (1995)

**5.10.04** In reverine situations, prior to the alteration or relocation of a watercourse, the applicant for such authorization shall notify the New Hampshire Civil Defense Agency, Wetlands Board, and submit copies of such notification to the Planning Board and the Federal Emergency Management Agency. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Planning Board. Within the altered or relocated portion of any watercourse, the applicant shall submit to the Planning Board certification provided by a registered professional engineer assuring that the flood carrying capacity of the watercourse has been maintained. (1986)

**5.11** Any natural drainage ways and their easements shall be so incorporated that no flooding will occur and all storm water can be disposed or properly.

**5.12** The Board may require that a proposed subdivision design show respect for such features as trees, streams, topography, and other natural assets.

**5.13** Due regard shall be given to preservation of existing features, trees, scenic points and other natural and historic resources within the subdivision. The Board may require additional tree planting and other landscaping appropriate to the area being developed. Removal of stripped topsoil or surplus materials from the subdivision area shall not be permitted unless in accord with the zoning regulations. Existing trees on lots and open space land shall be preserved wherever feasible or unless otherwise directed by the Board.

- 5.14** The following are required improvements: boundary markers, street signs, streets, sidewalks, water supply, sewage disposal and storm drainage, except where the Board may waive or vary such improvements in accordance with the provision of this ordinance.
- 5.15** The size, type and location of public utilities, such as street lights, electricity, telephones, gas lines, fire hydrants, etc., shall be approved by the Board and installed in accordance with local practice.
- 5.16** Utilities shall be installed underground except as otherwise approved by the Board.

**Boundary Markers**

- 5.17** Boundary markers shall be set at all corners and angle points of the subdivision boundaries; and at all street intersections and points of curves.
- 5.18** Boundary markers shall be stone or concrete with a one inch diameter metal pipe or rod at least two feet long set in the center, located in the ground at final grade level, and indicated on the Final Plat.

**Street Signs**

- 5.19** Streets which join or are in alignment with streets of abutting or neighboring properties shall bear the same name. Names of new streets shall not duplicate, nor bear phonetic resemblance to the names of existing streets within the municipality.
- 5.20** Street signs shall be furnished and installed by the sub-divider. The type, size and location shall be to the approval of the Board.

**Streets**

- 5.21** The design of streets shall provide for proper continuation of streets from adjacent subdivisions and built up areas and proper projection of streets into adjacent unsubdivided and open land.
- 5.22** No street shall have a right-of-way width less than 50 feet regardless of other provisions in this or other ordinances.
- 5.23** The following shall serve as a guide in determining the need for widths of streets in excess of 50 feet:
 

Local residential street	50'	0"	R.O.W.
Collector streets		60'	0"
R.O.W.			
Arterial streets	80'	0"	(plus)
R.O.W.			

- 5.24** Grades of all streets shall be a reasonable minimum but shall not be less than 1% or more than 8% unless specifically approved by the Board.
- 5.25** Streets shall intersect at right angles where possible but under no circumstances at an angle of less than 60 degrees.
- 5.26** "T" intersections formed on opposite sides of the same collector street shall not be closer than 200 feet center line to center line.
- 5.27** Street lines at intersections shall be cut back to provide for curb radii of not less than 25 feet.
- 5.28** Street intersections and curves shall be so designed as to permit adequate visibility for both pedestrian and vehicular traffic. Curves in general shall have a minimum center line radius of 100 feet.
- 5.29** A dead-end street or cul-de-sac shall not exceed 600 feet in length and shall be provided with a suitable turn around at the closed end. When a turning circle is used it shall be a minimum outside curb radius of 65 feet.
- 5.30** All roadways shall be constructed in accordance with the standard specifications for road and bridge construction, geometric design standard for rural roads as published by the State of New Hampshire Highway Department.

### **Sidewalks**

- 5.31** Sidewalks shall be installed at the expense of the sub-divider where the subdivision abuts or fronts onto a major street, and at such locations as the Board may deem necessary.

### **Water Supply**

- 5.32** The sub-divider shall file a bond in an amount sufficient to cover the cost of the preparation and extension of public water if available. This bond shall be approved as to the form and sureties by the legal counsel of the Town of Lisbon and condition on the completion of such improvement within five (5) years of the date of bond.
- 5.33** The water supply system shall be designed and installed in accordance with the standards of the New Hampshire Water Supply and Pollution Control Commission and Lisbon Water Department Regulations, both of which are on file with the Board.

### **Sewage Disposal**

- 5.34** The sub-divider shall file a bond in an amount sufficient to cover the cost of the preparation and extension of sewage line if

available. This bond shall be approved as to form and sureties by the legal counsel of the Town of Lisbon and condition on the completion of such improvement within five (5) years of the date of bond.

**5.35** In areas not currently served by public sewer systems, it shall be the responsibility of the sub-divider to provide adequate information to prove that the area of each lot is adequate to permit the installation and operation of an individual sewage disposal system (septic tank and drainage field). Such information shall consist of a report showing the results of a series of percolation tests taken one to an acre in the subdivision in accordance with the New Hampshire Department of Health Regulations titled "The Septic Tank System of Sewage Disposal" (copy of which is on file with the Secretary of the Board). Based on these tests the engineer shall locate the best position of each private sewerage system and shall submit a typical design for each system also done in accordance with the above State regulations.

**5.36** Where a subdivision is traversed by a watercourse, drainage way or future sewer line, or where the Board feels that surface water drainage to be created by the subdivision should be controlled for the protection of the subdivision and owners of property abutting it, there shall be provided an easement of drainage right-of-way and culverts, catch basins or other means of channeling surface water within such subdivision and over the property of owners abutting upon it of such nature, width and locations the Board deems adequate.

#### **Lot Shape**

**5.37** Long, narrow lots or lots with irregular shapes shall not generally be accepted by the Board, especially if, in the opinion of the Board, these lots will create unusable, inaccessible areas of land. Lots with a width to depth ratio greater than 1 to 4 shall not be approved unless it can be shown that no alternative is feasible. Alternatives include but are not limited to fewer lots, construction of streets or the use of conservation easements. (February 1993)

#### **FINAL PLAN APPROVAL**

**5.38** A request for Final Approval of a subdivision shall be made to the Board in writing and shall be accompanied by a Final Plan of such subdivision legibly drawn in black ink on permanent transparency material together with three (3) dark line copies. The Plan shall be drawn at such scale as may be prescribed by the Board as being adequate to show all details clearly.

- 5.39** The Final Plan shall be accompanied by certification from authorized local public officials and/or agencies that the design of sewer and drainage facilities, streets and design of sewer and drainage facilities, streets and utilities in the proposed subdivision conform to the regulations of all the pertinent state and local codes and ordinances. The cost of certification and/or inspection shall be borne by the sub-divider.
- 5.40** Where applicable to a specific subdivision, the following are required, in form as approved by the Town Attorney, prior to approval of a subdivision plat:
- Agreement to convey to the Town land to be used for streets and other public purposes, with transfer of title to such interests to be effective on such date as the Town accepts such land;
  - Easements and rights-of-way over property to remain in private ownership;
  - Rights to drain onto or across other property, whether public or private, including a street.
- 5.41** The approval of a Final Plan by the Board shall not be deemed an acceptance by the public of the dedication of any street or other public way or grounds.
- 5.42** The approval of a final plan shall be attested on the original and three copies by the signatures of a legal majority of the members of the Board.
- 5.43** One signed copy of the Final Plan as approved shall be retained by the Planning Board. The sub-divider shall be required to record and file the signed original transparency of the Final Plan with the County Registry of Deeds within thirty days of its approval by the Board.

**FINAL PLAN REQUIREMENTS:**

- 5.44** The plan may be presented on one or more sheets of standard 24"X36" size and shall contain the following information:
- (a) All the information required for the Preliminary Plan and amendments thereto suggested by the Planning Board.
  - (b) Existing and final proposed lines of streets, ways, lots, easements for utilities and/or drainage and public areas within the subdivision.
  - (c) Sufficient data to determine the exact location, direction, and length of every street line, easement, lot line and boundary line and to reproduce these lines upon the ground.
  - (d) Location of all permanent boundary markers existing and/or proposed.
  - (e) Lot numbers and letters in accordance with the prevailing policy on existing tax maps.

- (f) Designation of the location, size, planting, and landscaping of such parks, esplanades or other open spaces as may be proposed or prescribed.
- (g) The seal(s) of the registered architect, engineer, planner, or other professional person responsible for preparation of the subdivision proposals.