

Town of Springfield, NH

# **SUBDIVISION REGULATIONS**

March 18, 2010



Table of Contents

- I. Authority and Purpose ..... 1
- II. Definitions..... 1
- III. General Provisions ..... 5
  - Subdivision Approval Required..... 5
  - Lot and Density Standards ..... 5
  - Sewage Disposal ..... 5
  - Fire Protection..... 6
  - National Flood Insurance Requirements..... 6
  - Premature Subdivisions ..... 7
  - Roads, Drainage Facilities, and Sidewalks ..... 7
  - Driveway and Access Permits ..... 8
  - Monumentation ..... 8
  - Conditional Approval..... 8
  - Failure to Supply Required Information ..... 8
  - Testifying at Hearings..... 9
  - Minor Lot Line Adjustments and Boundary Agreements..... 9
  - Waivers ..... 9
- IV. Application Procedure ..... 9
  - A. Conceptual Consultation Request (optional) ..... 9
  - B. Design Review Application (optional) ..... 9
  - C. Final Plat or Annexation Application (required) ..... 10
  - Public Notices for Submission of Applications and Public Hearings..... 10
  - Fees ..... 11
  - Board Action on Submitted Application..... 11
  - Plat Approval ..... 11
  - Recording of Plat ..... 11
  - Failure of Board to Approve or Disapprove Plat ..... 12
- V. Plat Requirements ..... 12
  - Design Review ..... 12
  - Final Plat ..... 13
  - Minor Subdivision ..... 17
  - Previously Approved Subdivisions..... 18
  - Annexation (Lot Line Adjustment)..... 18
- VI. Performance Guarantees ..... 19
- VII. Administration and Enforcement..... 19
  - Penalties for Transferring Lot in Unapproved Subdivision..... 19
  - Appeals ..... 20
  - Enforcement..... 20
  - Interpretation..... 20
  - Separability ..... 20
  - Conflicting Provisions ..... 20
  - Time Limits Following Approval ..... 20
  - Four-Year Exemption ..... 20

Development of Regional Impact .....	21
Amendments .....	21
Certification by Planning Board .....	22

Appendix A - Design Criteria Construction Specifications Construction Details for Road and  
Drainage Construction

SUBDIVISION REGULATIONS  
TOWN OF SPRINGFIELD, NEW HAMPSHIRE

**I. Authority and Purpose**

Pursuant to the authority vested in the Town of Springfield Planning Board by the voters of the Town of Springfield Planning Board by the voters of the Town of Springfield on March 9, 1971 and in accordance with the provisions of RSA 674:35, 1983 *NH Revised Statutes Annotated*, as amended, the Town of Springfield Planning Board adopts the following regulations governing the subdivision of land in the Town of Springfield, New Hampshire.

As a means of retaining the scenic beauty of our Town, and for the purpose of protecting the health, safety, convenience, prosperity and welfare of our inhabitants, the following land subdivision regulations are hereby enacted. The authority granted to the Planning Board shall be exercised with due regard for adequate access to all lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in adjacent public ways; for reducing danger to life and limb in the operation of motor vehicle; for securing safety in case of fire, flood, panic, and other emergencies; for insuring compliance with applicable ordinances or by-laws and State laws; for consistency and harmony with the Town Plan; for making sure that provisions for water, sewerage, drainage, and other requirements where necessary in a subdivision are proper and safe; and for coordinating the ways in a subdivision with each other and with the public ways in the Town and with the ways in neighboring subdivisions, in a manner that will require a minimum expenditure of Town funds. The Town Plan as adopted December 20, 1979, and as has been amended, should be used as a source of reference, clarification and policy guidance in administering the following subdivision regulations. Achieving the general and specific goals and objectives of the Town Plan and Zoning Ordinance is a major purpose of the following provisions.

**II. Definitions**

Abutter: Shall mean any person whose property adjoins or is directly across the road or stream or within 200' from land under consideration. 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. 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. 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 (RSA 672:3).

Annexation: Shall mean the sale, transfer, or other conveyance which involves merely an exchange of land among two or more adjacent owners and which does not increase the number of lots or owners. Also known as a Lot Line Adjustment.

Applicant: Shall mean the owner of record of the land to be subdivided, including any subsequent owner of record making any subdivision of such land or any part thereof, or the duly authorized agent of any such owner.

Approval: Shall mean recognition by the Planning Board, certified by written endorsement on the plat, that the plat meets the requirements of these Regulations and in the judgment of the Board, satisfies all criteria of good planning and design.

Board: Shall mean the Planning Board of the Town of Springfield.

Boundary Agreement: An agreement between two or more owners to clarify a title dispute or unclear boundary or boundaries between lots. This is not a subdivision.

Building: Shall mean any structure, whether portable, movable or fixed, built to form a shelter for persons, animals, or property of any kind. See zoning ordinance for definition of “structure.”

Building Development: Shall mean the process of changing the character of the land from its existing condition to a more usable condition by the construction or placement of a building thereon.

Building Site: Shall mean that portion of a lot upon which a single building is placed.

Cluster Development: A form of residential subdivision that permits building units to be grouped on lots with reduced dimensions and frontages provided that the density of the lot as a whole shall not be greater than the density allowed under existing regulations and that the remaining land area is devoted to privately or commonly owned or dedicated open space.

Completed Application: Shall mean the completed application for approval of a subdivision plat. The following requirements shall constitute a completed application sufficient to invoke Board jurisdiction and to obtain Board approval or disapproval of a subdivision plat: (a) an application for approval of a subdivision plat properly filled out; (b) payment to cover all costs as provided herein; and (c) four paper copies of the plat accompanying items as described in Section V.

Condominium: Shall mean a building or group of buildings in which units are owned individually, and the common areas and facilities area owned proportionally and undivided by all the owners. Condominiums shall be considered a subdivision under the requirements of RSA 356-B and reviewed accordingly.

Driveway: Shall mean an area located on a lot, and built for access to a garage or off-road parking space, serving not more than two (2) lots or sites. The driveway entrance is that area running from the property line abutting the road to a distance of 25’ into the property and the width of the driveway.

Dwelling Unit: Shall mean one or more rooms arranged for the use of one or more individuals living as a single housekeeping unit, with cooking, living, sanitary, and sleeping facilities.

Easement: Shall mean the right created through written and recorded authorization by a property owner for the use by another landowner and for a specified purpose of any designated portion of this property.

Frontage, Lot: Shall mean the width of a lot measured along its common boundary with the road line. Lots will be provided access from a common boundary with the road line where this common boundary meets the minimum length required by the Zoning Ordinance.

Interest Holders: Shall mean the applicant; abutters within 200' of any portion of the subject property; and holders of conservation, preservation, or agricultural restrictions on the subject property(ies).

Lot: Shall mean a parcel of land occupied or to be occupied by only one principle building and the accessory buildings or uses customarily incidental 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.

Lot Line: Shall mean the property line dividing a lot from a road right-of-way, a body of water, or an adjacent property.

Lot Line Adjustment: See “Annexation.”

Merger, Voluntary: Any owner of two or more contiguous pre-existing approved or subdivided lots who wishes to merge them for municipal regulation and taxation purposes may do so by applying to the planning board or its designee. Except where such merger would create a violation of then-current ordinances or regulations, all such requests shall be approved, and no public hearing or notice shall be required. No new survey plat need be recorded, but a notice of the merger, sufficient to identify the relevant parcels and endorsed in writing by the planning board or its designee, shall be filed for recording in the registry of deeds, and a copy mailed to the municipality's assessing officials. No such merged parcel shall thereafter be separately transferred without subdivision approval. (RSA 674:39-a) The Town may require a merger if lots cannot legally be transferred separately under the provisions of the subdivision laws per RSA 75:9.

Overlay District: Shall mean an area which is subject to special, additional regulations to protect a natural resource. An Overlay District is superimposed over the underlying use district(s). The special regulations of an Overlay District are in addition to the regulations of the underlying use district(s). Uses permitted in the underlying use district may be prohibited or require a Special Exception subject to the conditions of the Overlay District. In case of conflict between the Overlay District and the underlying use district, the more restrictive shall apply.

Plat: Shall mean the plan on which the applicant's plan of subdivision is presented to the Springfield Planning Board for approval and which, if approved, shall be submitted to the Registry of Deeds of Sullivan County for recording.

RSA: Shall mean Revised Statutes Annotated, State of New Hampshire.

Right-of-way: Shall include all town, state, and federal highways and the land on either side of same, as covered by the statutes, to determine the width of the right-of-way. It shall also include any private access documented by deed or approved plan.

Road or Public Way: Shall mean a public right-of-way which the Town or State has the duty to maintain regularly or a right-of-way shown on a subdivision plat which provides the principal means of access to abutting property approved by the Planning Board and recorded in the County Registry of Deeds. The word “road” shall include the entire right-of-way. A discontinued road shall not constitute an existing approved road.

Selectmen: Shall mean the Select Board of the Town of Springfield.

Special Exception: Shall mean a use of a building or lot which may be permitted under the Zoning Ordinance only upon application to the Board of Adjustment and subject to the approval of the Board when such use would be in harmony with the Town Plan and would not be detrimental to the public health, safety, order, comfort, convenience, appearance, prosperity, or general welfare and only in cases where the words “Special Exception” in the Ordinance pertain.

Steep Slopes: Shall mean land area where the inclination of the land’s surface from the horizontal is 15 percent or greater. Slope is measured and expressed as a percentage that represents the relationship between elevation and horizontal distance; for example, if the land rises 10 feet in elevation over a horizontal distance of 100 feet, the slope of the land is 10/100 or 10 percent.

Subdivision: Shall mean the division of the lot, or tract, of land into two (2) or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future of sale, rent, lease, condominium conveyance or building development. It includes re-subdivision and, when appropriate to the context relates to the process of subdividing or to the land or territory subdivided. RSA 672:14

Subdivision, Minor: Shall mean the division of a lot, into not more than three lots, all of which abut an existing approved road and requiring no new road, utilities, or other municipal improvements.

Surveyor, Licensed: Shall mean a person who engages in the practice of land surveying and is licensed by the State of New Hampshire under RSA 310-A:53.

Town Plan: Shall mean the master plan as defined in RSA 674:2-4, to be implemented by the appropriate administration of the Springfield Subdivision Regulations and Zoning Ordinance.

Tract: Shall mean a relatively large land area to which density standards can be applied in considering potential subdivision into lots or possible use for multiple units without subdivision.

Traveled Way: Shall mean the portion of a right-of-way that is improved for use by vehicles, including paved or gravel areas and any other area intended for vehicle movement.

Waterfront Development: Shall be any development of land with access to the lakes, ponds, and streams in Springfield and is subject to Article VII of the zoning ordinance.

### **III. General Provisions**

#### Subdivision Approval Required

Any person wishing to subdivide any land within the Town, before selling any property, or constructing any roads or installing any services shall obtain approval of the Board of the plat following the procedures required in RSA 676:4. The foregoing includes any preliminary efforts investigative or otherwise except test pits or borings. Until final acceptance of the plat has been voted on by the Board, no portion of any consultation or hearing is to be taken as implied endorsement by the Board. Except as provided herein, no application may be approved or denied without a public hearing.

#### Lot and Density Standards

Land of such character that it cannot be safely used for building purposes because of danger to health, or peril from fire, flood, slope, and foundation failure or other menace shall not be platted for residential occupancy nor for such other uses as may increase the danger to health, life, or property or aggravate any such hazard until appropriate measures have been taken by the owner or his agent to correct such hazards.

No subdivision proposal or plan, including those for cluster developments, lot size averaged subdivisions or condominium units, shall be approved which would result in a density of more than the one dwelling unit or the equivalent per lot, the minimum lot size as provided in the Zoning Ordinance exclusive of any easements or rights-of-way and which would result in lots of unusual configuration or with less than 200 feet of frontage on a private or public way unless said lot is located on a cul-de-sac or hammerhead or is affected by other such factors that sound planning justifies less frontage. To this maximum density, the lot size requirements in the Zoning Ordinance shall be applied by the Planning Board in determining appropriate subdivision density for approval to insure that subdivisions are related to land capability. For more specified soil data concerning a lot or tract, an applicant may present to the Board a soil survey prepared by a soils scientist, certified in New Hampshire, of the actual soils on the lots in question. These actual soil types shall then be the basis to use with the factors in calculating density. The most recent publication of the Soil Survey of the Town of Springfield, Sullivan County, New Hampshire, shall be used as the resource for the soils data and test pit information.

#### Sewage Disposal

In areas that will not be served by public sewer systems, it shall be the responsibility of the applicant to provide adequate information to prove that the land platted is physically suitable for the proper installation and operation of an individual or multi-unit sewage disposal system as

required for subdivision approval from the NH Department of Environmental Services. The Planning Board may waive this requirement for larger lots.

### Test Pit Data

The number and location of test pits shall be determined in consultation with the Planning Board. All test pits shall be sited on the plat. The data shall be logged, recorded, and dated on an accompanying sheet. These pits shall be dug to a depth of 10 feet or refusal if ledge. Depth to ledge, clay, hardpan layers, existing and expected maximum seasonal water tables shall be recorded. Test pits shall be required on all lots where soils indicate their necessity in the opinion of the Board.

### Fire Protection

Applications for new subdivisions shall be required to address water supply needs for fire protection. The Planning Board shall review all proposals to determine whether or not water supply should be addressed for that particular proposal:

1. The Planning Board shall determine the type, location and spacing of any water supply (such as fire ponds, cisterns, etc.).
2. All proposed developments, whether including the provision of hydrants or other water supply facilities, shall be accessible to firefighting and other emergency equipment.

### National Flood Insurance Requirements

For subdivisions and site plans that involve land designated as "Special Flood Hazard Areas" (SFHA) by the National Flood Insurance Program (NFIP):

- A. The Planning Board shall review the proposed development to assure that all 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.
- B. The Planning Board shall require that all proposals for development greater than 50 lots or 5 acres, whichever is the lesser, include Base Flood Elevation (BFE) data within such proposals (i.e. floodplain boundary and 100-year flood elevation).
- C. The Planning Board shall require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a 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.

### Premature Subdivisions

Plats will receive approval as covered in Section IV only if:

- A. A subdivision is considered scattered or premature by reason of involving danger or injury to health, safety, or property by reason of the lack of water supply, drainage, transportation, schools, fire protection, or other public services including adequate public roads, or necessitating the excessive expenditure of public funds for the supply of such services (RSA 674:36 II (a));
- B. All lots enter or exit onto approved roads.
  - 1. An approved road shall mean: A State road, a Class V Town road currently maintained year-round, or a Planning Board approved private road built and maintained to Town standards.
  - 2. Requests for subdivision on existing private roads will have to be examined by the Board to determine if the roadways are acceptable or to what extent they need to be upgraded.
  - 3. The Planning Board cannot give approval to lots that enter or exit onto Class VI roads.
  - 4. A subdivision can be considered premature if the roadway (s) abutting or leading to the subdivision is determined by the Selectmen and/or the Planning Board to be physically inadequate for the potential increased traffic or unsafe for any reason.

### Roads, Drainage Facilities, and Sidewalks

Construction of roads, driveway entrances, drainage facilities, sidewalks, and curbs must be done under supervision and with the approval of the Planning Board, Select Board, and the Road Agent of the Town of Springfield, or the appropriate State agency.

The Planning Board and/or its agent shall inspect and/or monitor the construction of the road. This will be done at the applicant's expense.

In all subdivisions that involve the construction of new road or require the upgrading of present road, those road shall be improved or built to the standards specified in *Town of Springfield, New Hampshire, Design Criteria and Construction Details and Specifications for Road and Drainage Construction 1987*, as it shall be amended. Also see the *Design Criteria Construction Specifications Construction Details for Road and Drainage Construction* in Appendix A.

Sidewalks of not less than four (4) feet in width and conforming to the grades of the road may be required on one or both sides of the road when, in the opinion of the Board, such sidewalks are necessary.

### Driveway and Access Permits

All driveway permits will be issued by the Select Board or their agent. All driveways shall be designed and constructed so that no drainage will enter the road right-of-way beyond the ditch line. Driveways from the traveled way to a point 25 feet beyond the property line shall have a maximum grade of 4%. Fees for driveway permits are payable to the Selectmen upon application for such permit.

### Monumentation

Permanent bound markers shall be set as required by the Board consisting of 1-1/2” pipe or 3/4 inch reinforcing rod, four (4) feet long or equivalent, driven into the ground three (3) feet, or such other permanent monumentation as the Board may require; drill holes must be set with pins permanently mounted in the drill hole, or if the Board approves a rod, may be driven beside the drill hole if that rod can be bent up over the drill hole.

### Conditional Approval

The Planning Board may grant conditional approval of a plat or application, which approval shall become final without further public hearing, upon certification to the Board by its designee or based upon evidence submitted by the applicant of satisfactory compliance with the conditions imposed. Final approval of a plat or application may occur in the foregoing manner only when the conditions are:

- A. Minor plan changes whether or not imposed by the Board as a result of a public hearing, compliance with which is administrative and which does not involve discretionary judgment; or
- B. Conditions which are in themselves administrative and which involve no discretionary judgment on the part of the Board; or
- C. Conditions with regard to the applicant’s possession of permits and approvals granted by other Boards or agencies if the plans do not substantially change during the approval process.

The plat will not be signed or recorded until all conditions have been met.

### Failure to Supply Required Information

No public hearing is required when the Board acts to disapprove an application based upon failure of the applicant to supply information required by these regulations, including interest holder identification; failure to meet reasonable deadlines established by the Board; or failure to pay costs of notice or other fees established by the Board.

### Testifying at Hearings

At all hearings, any applicant, abutter, or person with a direct interest in the matter may testify in person or in writing. Other persons may testify at the discretion of the Board.

### Minor Lot Line Adjustments and Boundary Agreements

Minor lot line adjustments or boundary agreements which do not create buildable lots, require that notice to interest holders (see definition) be given prior to approval of the application.

### Waivers

The requirements of these regulations may be modified or waived by vote of the Board when specific circumstances surrounding a subdivision or condition of the land in such subdivision indicate that such modification or waiver can be made without violating the purpose and intent of the Town Plan, Zoning Ordinance, and these regulations.

## **IV. Application Procedure**

Subdivision of property involves presenting maps and information to the Planning Board with enough information that the Board can make a sound judgment in a timely fashion. To help explain this process the following outline of three steps to be taken in the process is given. Applicants *must* reference other appropriate sections of these regulations for detailed application requirements.

### A. Conceptual Consultation Request (optional)

Prior to formal submission of a subdivision layout, an applicant may make an appointment to appear at a regular meeting of the Board to discuss his proposal. The Board and the applicant may discuss proposals in conceptual form only and in general terms such as desirability of types of development and proposals under the Town Plan. No site specific sketches are allowed during a consultation. Such consultation shall not bind either the applicant or the Board and statements made by Planning Board members shall not be the basis for disqualifying said members or invalidating any action taken. Such discussion may occur without the necessity of giving formal public notice, but may occur only at formal meetings of the Board if scheduled with the Board Administrative Assistant.

### B. Design Review Application (optional)

The Board or its designee may engage in nonbinding discussions with the applicant beyond conceptual and general discussions which involve more specific design and engineering details. This is an important phase for complicated applications which could save the applicant substantial time and money. Notice to interest holders and public is required as

described below. The applicant must submit a Design Review Application at least 17 days prior to the meeting when the Planning Board will review the application for completeness. If the application is deemed complete, the Planning Board will move on to the noticed public hearing. For the Design Review Application, all working information (including soils and slope data) that would be necessary for the Board to advise the applicant of the feasibility of his proposal shall be presented to the Board. (RSA 676:4 II (b)) The Board strongly recommends that the applicant make use of this phase especially for major subdivisions. Clearly incomplete applications will not be submitted to the Board and public notices will not be issued.

### C. Final Plat or Annexation Application (required)

A Final Plat or Annexation application may be submitted to the Board by the applicant not less than 17 days, not including the day of the meeting, prior to a regular meeting of the Board. Incomplete applications will not be submitted to the Board; public notices will not be issued.

The completed application for final plat shall be formally submitted to and accepted by the Board only at such scheduled meeting after due notification to interest holders of the date the completed application will be formally submitted to and reviewed by the Board. Notice to interest holders and the public is required as described below. Upon formal acceptance of the application, the Board shall issue a “Receipt of Complete Application.”

### Public Notices for Submission of Applications and Public Hearings

Notice to the interest holders (see definition), and the public for submission and/or public hearing of a Design Review, Subdivision Plat, or Annexation application shall be given as follows: The Planning Board shall notify the interest holders and the applicant by certified, mail of the date upon which the application will be formally submitted to the Board. Notice shall be mailed at least 10 days prior to submission.

Notice to the general public shall be posted in Town in two places. The notice shall include a general description of the proposal and the location of the proposal. For any public hearing on the application, the same notice as required for notice of submission of the application shall be given. If notice of public hearing has been included in the notice of submission or any prior notice, additional notice of that hearing is not required nor shall additional notice be required of an adjourned session of a hearing if the date, time, and place of the adjourned session is made known at the prior hearing.

Note: It is important that the applicant submit correct and current interest holder names and addresses obtained from the Town Office. Failure to do so can delay or void an application. For notice purposes, the application shall provide the names and addresses of the applicant and interest holders not more than five (5) days before the day of filing. The application shall also include the name and business address of every engineer, architect, land surveyor, or soil scientist whose professional seal appears on any plat submitted to the Board.

## Fees

A filing fee plus a fee as established by the Planning Board for each lot or lot involved is required of each subdivision or annexation application. An additional deposit for fees covering costs for professional advice may be required for all subdivisions creating five (5) or more lots.

Costs of any and all additional professional advice required by the Board shall be paid by the applicant upon presentation by the Board. Payment is to be received in a timely fashion for the Board to continue considering the application. Payment must be received in full prior to any action by the Board to approve or disapprove the Plat.

The cost of any required publication and the cost of mailing notices shall be paid by the applicant prior to submission of an application to the Board.

The applicant shall pay to the Board the cost of registering the plat with the Registrar of Deeds before the plat is registered. If given in check form, it is to be addressed to the Registrar of Deeds.

## Board Action on Submitted Application

The Board shall place the proposed subdivision on its regular Board meeting agenda within 30 days of its receipt of the application. The Board will review the application to determine if it is complete according to the Regulations.

Within 65 days of Planning Board determination that the application is complete, the Board shall act to approve, conditionally approve, or disapprove the plat, unless the time for action has been extended or waived in accordance with the provisions of RSA 676:4.

Upon determination by the Board that a submitted application is incomplete according to the Board's regulations, the Board shall notify the applicant within six days of the determination in accordance with RSA 676:3, which shall describe the information, procedure, or other requirement necessary for the application to be complete.

## Plat Approval

Approval of the plat shall be attested on the original drawing by a stamp of approval provided by the Board and signed by the majority of the members of the Board and showing such date of approval.

## Recording of Plat

Within 30 days after date of final approval, the Planning Board shall transmit to the Registry of Deeds of Sullivan County a copy of the plat for recording. Plat must contain a stamp of approval and signatures of the Board.

### Failure of Board to Approve or Disapprove Plat

In the event that the Board shall fail to approve or disapprove the plat within 65 days after submission to the Board, the applicant may apply to the Selectmen to immediately issue an order directing the Board to act on the application within 30 days. If the Planning Board does not act on the application within that 30-day time period, then within 40 days of the issuance of the order, the Selectmen shall certify on the applicant's application that the plat is approved pursuant to RSA 676:4 I.(c)(1), unless within those 40 days the Selectmen have identified in writing some specific regulation or zoning or other ordinance provision with which the application does not comply. Failure of the Selectmen to issue an order to the Planning Board, or to certify approval of the plat upon the Planning Board's failure to comply with the order shall constitute grounds for the Superior Court, upon petition of the applicant, to issue an order approving the application, if the court determines that the proposal complies with existing subdivision regulations and other ordinances.

## **V. Plat Requirements**

### Design Review

Paper copies should show the following:

- A. Location and dimensions of property lines;
- B. A general location map at a scale of one inch equals one thousand feet showing the proposed subdivision in relation to surrounding property;
- C. Zoning district;
- D. Appropriate soils and slope information required for determining proper subdivision density, etc. under Article III. NRCS map symbols as amended, soil groupings are to be used in all Design Reviews;
- E. Existing topography at not greater than 20 foot intervals, although 10 foot intervals may be required, if, in the opinion of the Board, greater accuracy is necessary;
- F. Location, name, and width of all existing roads, buildings, easements, water courses, standing water, rock ledge, and other essential site features;
- G. Location, name, and width of all proposed roads, including a description of grades, profiles, and drainage. (Where the Design Review plan submitted covers only a part of the proposed subdivision, a plan of future lots and road system will be indicated.);
- H. Proposed systems of water supply and sewage disposal and the location of each in relation to approximate sites of proposed buildings and to lot boundaries generally in accordance with NH Environmental Services regulations if requested by the Board;

- I. Driveway entrances, single or common, shall be delineated on all lots;
- J. Proposed subdivision name;
- K. Names and addresses of applicant and any professional who will place a seal on the plat;
- L. Names of all abutters, subdivision, buildings, roads, driveways within 200 feet of the lot to be subdivided;
- M. Names of all holders of conservation, preservation, or agricultural restrictions on subject property(ies).
- N. Date, north arrow, and bar scale;
- O. All utility lines and utility poles by number.

In addition, the following information should be submitted:

- P. Proposed subdivision use;
- Q. Statement of compatibility of the proposed subdivision with land use designation from the Town Plan and Zoning Ordinance;
- R. Statement of conditions of land regarding soil suitability for development if requested by the Board;
- S. Statement of work required on existing roads to meet minimum standards;
- T. Existing and future subdivision, if any, in and adjacent to the subject subdivision including intended use of any balance of a lot to be subdivided and future access thereto.
- U. Note that some subdivisions require application to the Attorney General.

#### Final Plat

Four paper copies of the plat shall be submitted with four copies of the application and an electronic copy if possible. The plat shall be clearly and legibly drawn by a licensed NH surveyor. Soil and slope information may be shown on a sheet separate from the mylar if clarity would be gained.

The drawings shall be at a scale of 1"=100' or such scale as the Board may prescribe. Space shall be reserved on the plat for endorsement by the Board and all appropriate agencies. The plat shall be consistent with the Design Review if such review has taken place. In addition, the final

plat shall contain the details outlined below in Section A. The final plat shall be accompanied by maps and information outlined below in Section B.

After Planning Board approval and within 30 days from approval, the applicant must provide two paper copies of the final plat and a mylar according to the standards of the Sullivan County Registry of Deeds for Board signatures, notations, and recording.

A. Final Plat Contents:

1. Name of municipality and subdivision, name and address of the land owner and designer, engineer, and licensed surveyor;
2. Boundaries and area of the entire tract, whether or not all land therein is to be subdivided (in whatever manner is practical, the subdivision boundary shall be referenced to some point, i.e., public road intersection or USGS benchmark); north point, bar scale, date and dates of any revisions; the survey shall show locations of permanent bound markers;
3. Names of abutting property owners, subdivision, and buildings within 200 feet of the lot to be subdivided, and intersecting roads and driveways within 200 feet of the lot to be subdivided;
4. Existing and proposed road right-of-way lines, dimensions of tangents, chords, and radii; accurate location of all monuments set at road intersections; points of curvature and tangency of curved roads and at angles of lots; names of existing and proposed roads;
5. Existing and proposed lot lines, angles and dimension, lot sizes to the hundredth of an acre, consecutive numbering of lots;
6. Location of existing and proposed easements over and under private property (at least 15' wide with good access to existing or proposed public ways), deed restrictions, building setback lines, parks and other open space, watercourses, and significant natural and human-made features; and all land proposed for dedication to public use; a statement regarding such easements is to be included on the plat;
7. A general site location map (at scale of 1"=1000') locating exactly the proposed subdivision boundary in relation to major roads and community facilities of the Town; main roads need to be identified by name;
8. Common driveways serving two (2) or more lots shall be shown as a common access and right-of-way to the approximate building sites for each lot;
9. If the applicant chooses not to avail himself of the Design Review phase, it shall be a condition of such action that any and all data and information listed in the

Design View section, Article V, shall be submitted as an integral part of the final plat;

10. The plat shall contain the following statement: “The Subdivision Regulations of the Town of Springfield are a part of this plat, and approval of this plat is contingent on the completion of all the requirements of said Subdivision Regulations, excepting only any waivers or modifications made in writing by the Board and attached hereto.”

B. Maps and Information Submitted Simultaneously with Final Plat

1. Conditions of all easements and dedication to public use and copies of any and all deed restrictions intended to cover part or all of the tract (page and volume number from tax maps shall be indicated).
2. A written acknowledgement of the land owner’s responsibility for maintenance of easement areas, and the assumption by the applicant of liability for injuries and damages that may occur on any land to be dedicated for public use, until such land has been legally accepted by the Town;
3. If a subdivision is to be served by private water supply and/or sewer system, a statement from the agency or company involved attesting to the availability of such service;
4. Applicants shall present written approval for subdivision from the NH Department of Environmental Services for any lot under five (5) acres;
5. A driveway permit must be obtained from the Planning Board or the NH Department of Transportation, whichever is applicable;
6. Boundary markers are to be checked for placement by the Board, and a written certification as to the accuracy of the boundary markers shall be received by the Board from the surveyor if required by the Board.

As part of the final plat submission, the land owner or the land owner’s agent may be required by the Board to submit any or all of the following:

7. Subdivision Grading and Drainage Plan: This plan shall be submitted on a separate sheet or sheets and shall provide the following information for the entire area of the proposed subdivision, unless there is a determination by the Board that a lesser area is sufficient:
  - a. Basic road and lot layout, with all lots numbered consecutively;
  - b. Location of all existing buildings and approximate location of proposed buildings, if known;

- c. Contours of existing grade at intervals of not more than five (5) feet. Intervals less than five feet may be required depending on the character of the topography;
- d. Final identification, location, elevation, grades and/or contours at intervals of not more than two (2) feet (less existing and proposed drainage ways, drainage easements, drainage structures, and water bodies);
- e. Final identification, specifications, and relative location of proposed soil erosion and sediment control measures and structures in accordance with guidelines acceptable to the Planning Board;
- f. Final drawings, details, and specifications for proposed flood hazard prevention measures and structures and for proposed storm water retention facilities (See Zoning Ordinance for guidance);
- g. Final slope stabilization details and specifications;
- h. A timing schedule indicating the anticipated starting and completion dates of the subdivision development and the time of exposure of each area prior to the completion of effective soil erosion and sediment control measures.

Note: The land owner shall bear the final responsibility for the installation and construction of all required drainage, slope stabilization, soil erosion, and sediment control measures and structures according to the provisions of these regulations.

- 8. Subdivision Road and Utility Plan: This plan shall be submitted on a separate sheet or sheets and provide the following information:
  - a. Complete plans and profiles of all proposed roads including but not limited to:
    - 1. Horizontal and vertical curve data at the road centerlines;
    - 2. Road stationing every 50 feet;
    - 3. Intersection, turn-around, and/or cul-de-sac radii;
    - 4. Statements and/or typical sections of proposed roads.
  - b. Complete plans and profiles of all proposed sanitary systems and storm drains, including the following:

1. Elevations and original and finished ground profiles above on-site and common septic systems;
  2. Profiles and grades of storm drains and inlets;
  3. Type of material, class used, and proposed grades.
- c. Location and details of all existing and proposed underground utilities, including TV cable, telephone, electric, etc. on and adjacent to the land to be subdivided. Culverts, bridges, etc. are also to be included with all watershed calculations.
- d. A statement as to (when applicable):
1. The flow available on existing private water supplies (well, etc.);
  2. The proposed number of units and anticipated septic system capabilities;
  3. The available storm water facilities downstream of the subdivision;
  4. Any other details pertinent to road and/or utility construction.

### C. As-Built Plans

In subdivisions requiring construction of roads or other public or private utilities, a survey shall be submitted to the Board after construction has been completed and before release of the bond or other security, certifying that roads, and/or other utilities, have been constructed as shown on the plan and in accordance with the Final Approval. This plan shall be drawn to scale and shall indicate by dimensions, angles, and distances, as applicable, the location of all public and/or private utilities, road profiles, and center line elevations and final grading plan showing swales and ditches. Plan shall show easements, roadways, and open space. As built plans shall be submitted by the land owner to the Town on a mylar with two (2) paper prints.

### Minor Subdivision

For minor subdivisions which create not more than three (3) lots for building development purposes or for proposals which do not involve creation of lots for building development purposes, the Board may waive the following:

- A. The requirement of a perimeter survey of the entire tract parcel; however, specific data for any lot for which sale or lease is contemplated is required;
- B. The requirements of existing and proposed contours, existing and proposed plans for telephone, electricity, and gas utilities, proposed storm drainage, drainage analysis map and watershed computations and proposed methods of supplying water.

The plat shall include a general map inset which indicates the size and shape of the entire tract within which the lots being subdivided are contained.

Such expedited review may allow submission and approval at one or more Board meetings, but no application may be approved without the full notice to the interest holders and public.

#### Previously Approved Subdivisions

If any of the land shown on the plat of a subdivision proposal has been part of any previous subdivision, approved, constructed, or created by conveyance no more than 10 years prior to a new proposal, then such previous subdivision (including lots created) will be treated as part of the new proposal for purpose of analyzing its effect and applying all review criteria. This may mean that a new proposal creating not more than three lots will not be considered a minor subdivision and will not receive the waivers mentioned above.

#### Annexation (Lot Line Adjustment)

Any subdivision for the purpose of annexation as defined in Section II shall be submitted to the Board for review. The Board, after reviewing the facts and merits of the proposal, may at its discretion waive compliance with the requirements of these regulations, providing however, that the following conditions shall be met in all cases:

- A. A general map shall be prepared and submitted to the Board showing the original boundaries of the adjacent lots in questions;
- B. A detailed survey map shall be presented and submitted to the Board showing the property line or lines created as a result of the annexation;
- C. A deed restriction shall be placed on the plat and in the body of the deed or other instrument of transfer stating as follows, “The grantee(s) by virtue of acceptance of this deed agree that the premises hereby conveyed shall not be deemed a separate lot of record, but shall be regarded as merged into and made an integral part of the contiguous lot of land previously owned by the grantee (s) so that the same shall hereafter be one combined single lot of record;”
- D. No annexation may be allowed without the full notice to the interest holders and public as required by RSA 676:4. A hearing shall be held if requested by the applicant or interest holders, or if the Board determines to hold a hearing;
- E. The affected lots shall still conform after the annexation to Zoning Ordinance requirements such as lot size and frontage.
- F. A deed restriction shall be placed in the body of the deed or other instrument of transfer stating as follows: “The grantee(s) by virtue of acceptance of this deed agree(s) that the premises hereby conveyed shall not be deemed or considered a separate lot of record,

but shall be regarded as merged into and made an integral part of the contiguous lot of land previously owned by the grantee(s) so that the same shall hereafter be one combined single lot of record.”

## **VI. Performance Guarantees**

Where applicable to a specific subdivision, the following are required, in a form approved by the attorney for the Town, prior to approval of the final plat:

- A. Agreement to convey to the Town land to be used for roads, open space, and other public purposes, with transfer of title to such interests to be effective on such date as the Town accepts such land;
- B. Descriptions of easements and rights-of-way for public purposes over property to remain in private ownership;
- C. Descriptions of easements to drain onto or across other property, whether public or private, including a road;
- D. As a condition of approval, the Board shall require the posting of performance guarantee in an amount sufficient to defray the costs of construction of roads, public improvements, drainage structures and other improvements of a public utility nature. The amount of the security shall be based on an estimate of costs provided by the licensed engineer and shall include fees to cover costs of periodic portions of the improvements or installations are completed and approved in accordance with the plan approved by the Board. Performance guarantees will be handled in conjunction with the Selectmen as the Boards mutually agree.

## **VII. Administration and Enforcement**

### Penalties for Transferring Lot in Unapproved Subdivision

Any owner, or agent of owner, who transfers or sells any land within a subdivision, before the plat of said subdivision has been approved by the Planning Board and recorded or filed in the office of the Sullivan County Registry of Deeds shall forfeit and pay a penalty of five hundred dollars (\$500) for each lot so transferred or sold; and the description by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from penalties.

The Town may enjoin such transfer or sale and may recover the said penalty by civil action. In any such action, the prevailing party may recover reasonable court costs and attorney’s fees as same may be ordered by the court.

### Appeals

An appeal of a decision of the Board may be made pursuant to RSA 677:15.

### Enforcement

Any violation of these regulations shall be described to the violator by the Planning Board in writing. These regulations shall be enforced as provided in RSA 676:16-18. The Select Board or their agent shall enforce these regulations.

### Interpretation

In matters of judgment or interpretation of the above requirements, the opinion of the Board shall prevail.

### Separability

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

### Conflicting Provisions

Whenever the regulations made under the authority hereof differ from those prescribed by any ordinance or other regulations that provision which imposes the higher standard shall govern.

### Time Limits Following Approval

The plat shall become void one (1) year after approval, unless, in the opinion of the board, substantial progress in implementing the subdivision described thereon has been made. Any additional expense included in the procedure for approval or disapproval of the subdivision shall be borne by the applicant.

Conditional approval will become void if all conditions specified have not been met after one year from date of such approval. Applicants must apply to the Board for an extension in order for the conditional approval period to be extended.

### Four-Year Exemption

As provided in RSA 674:39, every plat approved by the Board and properly recorded in the Registry of Deeds shall be exempt from all subsequent changes in these regulations, except those regulations and ordinances which expressly protect public health standards such as water quality

and sewage treatment requirements, for a period of four (4) years after the date of recording; provided, however, that once substantial completion of the improvements as shown on the plat have occurred in compliance with the approved plat, or the terms of said approval, the rights of the owner or his successor in interest shall vest and no subsequent changes in subdivision regulations or zoning ordinance shall operate to affect such improvements, provided that:

- A. Active and substantial development or building shall have commenced on the site by the owner or his successor in interest in accordance with the approved plat within 12 months after the date of approval, or in accordance with terms of said approval, and, if bond or other security to cover the costs of roads, drains, or sewers is required in connection with such approval, such bond or other security is posted with the Town at the time of commencement of such development;
- B. Development remains in full compliance with public health regulations and ordinances specified in this section;
- C. At the time of approval and recording, the plat conforms to the Subdivision Regulations then in effect at the site of such plat.

#### Development of Regional Impact

All applications shall be reviewed for potential regional impacts. Upon such finding, the Board shall furnish the regional planning commission and the affected municipalities with copies of the minutes of the meeting at which the determination was made. The copies shall be sent by certified mail within 72 hours of the meeting.

At least 14 days prior to the scheduled public hearing, the Board shall notify by certified mail, the regional planning commission and the affected municipalities of the date, time and place of the hearing, and of their right to appear as abutters to offer testimony concerning the proposal.

#### Amendments

The regulations may be amended or rescinded by the Board, but only following public hearing on the proposed change, and in accordance with the provisions of RSA 675:6. The Board shall transmit a record of any changes so enacted to the Town Clerk, the Selectmen, NH Office of Energy and Planning, and appropriate regional planning commission.

Adopted:	May 25, 1971	
Amended:	February 19, 1980	June 16, 1987
	December 16, 1980	September 8, 1988
	November 17, 1981	May 18, 1989
	June 15, 1982	February 21, 1991
	January 18, 1983	November 21, 1991
	May 15, 1984	March 18, 2010
	September 17, 1984	
	April 14, 1984	

Certification by Planning Board

Certified to be a true copy, attest:

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*Appendix A*

*Design Criteria Construction Specifications Construction Details for Road and Drainage Construction*

**TABLE OF CONTENTS**

1.0	ROADWAY CONSTRUCTION PLANS .....	1
1.1	GENERAL PLANS.....	1
1.2	PROFILES .....	1
1.3	CROSS SECTIONS .....	1
1.4	CONSTRUCTION DETAILS.....	2
1.5	EROSION AND SEDIMENT CONTROL PLANS.....	2
2.0	GENERAL REQUIREMENTS .....	2
2.1	MONUMENTS .....	2
3.0	ROAD DESIGN STANDARDS.....	2
3.1	STREET SYSTEM.....	2
3.2	TABLE OF GEOMETRIC STANDARDS.....	3
4.0	STORMWATER MANAGEMENT.....	4
4.1	DEFINITIONS.....	4
4.2	HYDROLOGY: RUNOFF CALCULATION METHODS .....	4
4.3	DRAINAGE DESIGN CRITERIA .....	5
4.4	DRAINAGE PIPE DESIGN .....	5
4.5	DITCHES .....	7
4.6	SUBSURFACE DRAINAGE (UNDERDRAIN).....	7
5.0	PERFORMANCE GUARANTY /BONDING REQUIREMENTS AND PROCEDURES .....	7
5.1	TYPES OF BONDS. ....	8
5.2	FORMS OF BONDING ALLOWED .....	8
5.3	PROCEDURE.....	8
5.4	RELEASE REQUIREMENTS .....	9
5.5	OTHER REQUIREMENTS.....	11
5.6	ROAD MAINTENANCE BOND.....	11

## 1.0 ROADWAY CONSTRUCTION PLANS

### 1.1 *General Plans*

Each construction plan sheet shall contain the name of the project, the Tax Map and lot number, the date plans were prepared, the scales used (including a bar scale), and the name and address of the engineer. Each plan sheet shall be numbered consecutively. The plan set shall include a front sheet with the project identification, a location map and index of sheets, roadway plans/profiles, typical roadway section, miscellaneous construction details and cross sections. The front sheet shall be stamped and signed by a NH Licensed Professional Engineer responsible for the design of the project.

All areas to be disturbed for construction of streets, drainage ways, and structures; sewer, water and electric lines, erosion and sediment control structures, and other areas to be disturbed for the construction of improvements shall show existing topography in dashed lines and proposed contours shown in solid lines at a contour interval no greater than two (2) feet plus spot elevations. Soil types and boundaries shall be labeled and shown in dotted lines. Existing topographic features, natural and man-made shall be shown. The proposed construction shall be shown including roadway center line (with horizontal and vertical curve data), edges of pavement, right-of-way, slope lines designated as cut or fill lines, drainage facilities (including drainage easements), underground utilities, temporary and permanent erosion control features and other construction details as required. Each adjacent proposed lot shall be shown with lot lines and lot numbers taken from the final subdivision plat. Plans shall be drawn at a scale of one (1) inch equals fifty (50) feet, or larger scale as approved by the Planning Board (Board) or the Board's Agent (Agent).

### 1.2 *Profiles*

Profiles of all proposed streets, showing existing and proposed elevations along center lines of all proposed streets, proposed grades, location of vertical curves, "K" values, drainage structures, piping, erosion control features and other pertinent details. Plans shall include profiles of the proposed stormwater drainage, sanitary sewer, and water distribution systems as applicable and include proposed pipe invert elevations, size of pipe, construction materials, and pipe slope. Profiles shall be drawn at the same horizontal scale as the plans and one (1) inch equals five (5) feet or ten (10) vertical scale or greater.

### 1.3 *Cross Sections*

Cross sections of all proposed streets at fifty (50) foot intervals and at all catch basins or cross culverts shall be included in the plans. These shall include the existing ground, proposed roadway, proposed roadway "box" (base materials), drainage features, underground utilities and roadway cross slope. Existing grades and proposed final grades shall be noted. The proposed side slopes of each cut or fill shall be noted on the cross section (i.e., 4:1, 2:1, etc.) as well as the proposed pavement cross slope rate, expressed in terms of a percent slope (i.e., 2%, 4%, etc.). Cross-sections shall be drawn to a convenient scale of not smaller than one (1) inch equals ten (10) feet; both the horizontal and vertical scales shall be the same.

#### 1.4 Construction Details

Construction details of all streets, driveways, curbing, guardrail (including terminal treatment), sidewalks, drainage structures, temporary and permanent sediment and erosion control structures and any other required improvements shall be shown at a convenient scale. Reference to NHDOT Standard Plan details is acceptable and preferred for appropriate items. It is the intent to provide construction drawings in sufficient detail to communicate the intent of the designer and eliminate confusion in the field.

#### 1.5 Erosion and Sediment Control Plans

Plans and other information indicating how increased runoff, sedimentation, and erosion shall be controlled during and after construction of required improvements. Stormwater and Erosion Control measures shall comply with the current version of *New Hampshire Stormwater Manual*, prepared by the USEPA, NHDES, and by Comprehensive Environmental Inc., December 2008, as amended and the current *Manual on Drainage Design for Highways*, published by the New Hampshire Department of Transportation (amended May 2003). The applicant shall submit a stormwater management and erosion control plan to the Planning Board for any tract of land being developed or subdivided, where one or more of the following conditions are proposed:

- a. A cumulative disturbed area exceeding 15,000 square feet.
- b. Construction or reconstruction of a street or road.
- c. A subdivision of more than three building lots.
- d. Disturbed critical areas.

## 2.0 GENERAL REQUIREMENTS

### 2.1 Monuments

The boundaries of all new roads shall be monumented as required by the Board.

## 3.0 ROAD DESIGN STANDARDS

### 3.1 Street System

- a. Reserve strips controlling access to roads shall be prohibited except where their control is definitely placed in the Town under conditions approved by the Planning Board.
- b. Street jogs with centerline offsets of less than 125 feet shall not be permitted.
- c. Roads shall be designed to intersect as nearly as possible at right angles and no street shall intersect any other street at less than 60 degrees. The centerlines of no more than two accepted rights-of-way shall intersect at any one point.
- d. Cul-de-sac roads shall be provided with a paved Town approved turn-around by approval of Planning Board only. Such turn-around to be removed at the time of extension or connection of such dead-end roads.

- e. Road grades shall conform to those specified in the Table of Geometric Standards in the following section of these regulations.

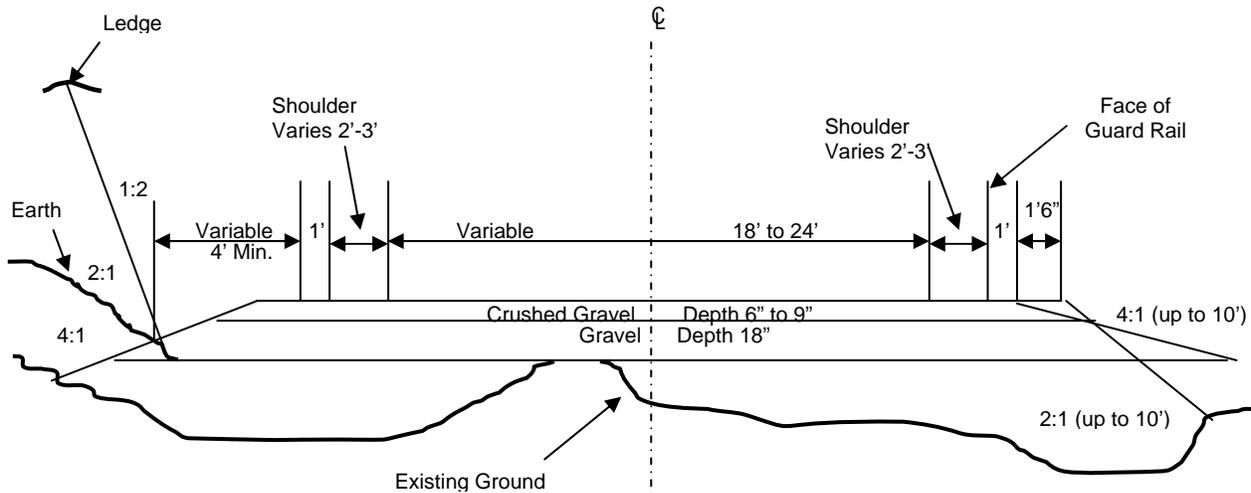
3.2 Table of Geometric Standards

Item Description	Local Road		Collector Road
	Minor	Major	
Average Daily Traffic (ADT)	≤250	≤400	>400
Travel Way (each lane)	9'	10'	11' - 12'
Shoulder Width to Slope Break-Point (unpaved)	2'	3'	3'
Center of Road to Ditchline - Minimum	16'	18'	19' - 20'
Hot Bituminous Pavement Widths (see note 6)			
1½ " Wearing Course	18'	20'	22' - 24'
2½ " Binder Course	18' 4"	20' 4"	22' 4" - 24' 4"
Base Course Material Thickness			
Crushed Gravel [NHDOT 304.3]	6"	9"	9"
Gravel [NHDOT 304.2]	18"	18"	18"
Sand in ledge areas [NHDOT 304.1]	24"	24"	24"
Face of Guard Rail Offset from Centerline	11'	13'	14' - 15'
Additional Shoulder Width with Guard Rail	1' 6"	1' 6"	1' 6"
Minimum Cross Slope	3%	3%	3%
Maximum Cross Slope (Super-elevation)	4%	6%	8%
Right-Of-Way Width	50'	50'	60'
Design Speed	30 mph	30 mph	35 mph
Maximum Vertical Grade (Profile)	10%	9%	8%
Minimum Vertical Grade	1%	1%	1%
Maximum Grade within 50' of Intersection	2%	2%	2%
Angle of Intersection (Degrees)	60-90	75-90	80-90
Min. Edge of Pavement Radii at Intersections	30'	30'	35'

Notes:

1. For Major Local and Collector Roads, the reference manual to be used in determining the requirements for stopping sight distances (vertical and horizontal), intersection sight distance, minimum centerline radius, super-elevation runoffs, and other miscellaneous design criteria is the most current edition of the American Association of State Highway and Transportation Officials (AASHTO) "A Policy on Geometric Design of Highways and Streets."
2. For Minor Local Roads, the reference manual which may be used in determining the requirements for the above mentioned design criteria is the AASHTO "Guidelines for Geometric Design of Very Low-Volume Local Road (ADT ≤ 400)," most current addition.
3. The Planning Board shall determine the functional classification of a proposed roadway and associated design speed.
4. In no way are these Guidelines/Regulations to be considered a substitute for sound engineering judgment.
5. Construction material substitutions that differ from these standards require written approval from the Board or its Agent prior to use in the field.
6. Gravel surface may be allowed by Planning Board approval.
7. See following drawing for typical roadway sections and construction details.

### TYPICAL CROSS SECTION



## 4.0 STORMWATER MANAGEMENT

The entity or individual responsible for construction site operations shall control runoff, erosion and sediment during and after construction through any measure approved by the Board or Agent. In each instance, the measure or measures shall be suitable to the site and subject to approval by the Board and/or Agent. All runoff, erosion and sediment control measures and the design of all drainage structures and systems shall meet the design standards and specifications set forth in these regulations, the current version of *New Hampshire Stormwater Manual*, prepared by the USEPA, NHDES, and by Comprehensive Environmental Inc., December 2008, as amended and the current *Manual on Drainage Design for Highways*, published by the New Hampshire Department of Transportation (*amended May 2003*).

### 4.1 Definitions

**Erosion:** The wearing away of the land surface by the action of wind, water or gravity.

**Sediment:** Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

**Runoff:** The portion of precipitation that makes its way overland toward stream channels or lakes.

**Measure:** A specific procedure designed to control runoff, erosion or sediment.

### 4.2 Hydrology: Runoff Calculation Methods

The calculation of runoff is of prime importance to the overall scheme of drainage design. The Town of Springfield approves four methods to compute runoff.

- a. The Rational Method - This method is usually used when the drainage area is less than 200 acres. It is also used extensively for on-site design.
- b. The NEHL-AWM Method - This method is usually used when the drainage area is greater than one square mile.
- c. The Potter Method - This method is usually used when the drainage area is between 200 and 1000 acres. This method provides a check on either of the preceding methods.
- d. The Natural Resources Conservation Service (NRCS) Method - This method can be used when the drainage area is greater than 10 acres. The design storm shall be a 10 year or 25 year, 24-hour rainfall of a storm distribution Type III.

The methodology used in computing the runoff for the Rational Method, NEHL-AWM Method and Potter Method is found in the NHDOT Drainage Manual as well as many popular Engineering Texts.

The following three NRCS publications, which provide the details on hydrologic analyses using the SCS methods, are widely distributed and used:

- NEH-4: Hydrology, Section 4, National Engineering Handbook.
- TR-20: Computer Program for Project Formulation, Hydrology, Technical Release No. 20.
- TR-55: Urban Hydrology for Small Watersheds, Technical Release No. 55.

#### 4.3 *Drainage Design Criteria*

The following design criteria shall apply to proposed drainage systems:

- a. Cross Culvert Pipes: 25-year storm frequency; check impacts for 50-year storm.
- b. Closed Drain System: 10-year storm frequency; check impacts at sag points for a 25-year storm.
- c. Storm Water Detention Facilities: 25-year storm frequency; check impacts for 50-year storm.
- d. Storm Water Retention Facilities: 25-year storm frequency; check impacts for 50-year storm.
- e. Box Culverts and Bridges: 50-year storm frequency; check impacts for 100-year storm.

The Planning Board reserves the right to require that storm drain systems be designed for less frequent, more intense rainfalls where conditions warrant.

#### 4.4 *Drainage Pipe Design*

- a. Documentation of Computations for Culvert Pipes: All computations for culvert pipes shall be documented and included in the drainage report. These shall be performed under the supervision of a NH Licensed Professional Engineer. The Professional Engineer shall stamp and sign the drainage report. Designs shall comply with NHDES stream crossing design standards as appropriate.

- b. Use of Rainfall and Floods Records: All available records concerning rainfall and floods shall be used in the design of culverts and storm sewers.
- c. Pipe Culvert Design: Pipe culverts will be designed as open flow channels. They will either be under inlet or outlet control. The exact control can be found by following the procedure outlined in *Hydraulic Charts for the Selection of Highway Culverts*, published by the Bureau of Public roads as H.E.C. No. 5. This material can also be found in the *NHDOT Drainage Manual*.
- d. Pipe Culvert Size: Minimum pipe culvert sizes are as follows:
  - a. Roadways - 15"
  - b. Drives – 15"
- e. Pipe Culvert Bridge: Pipe culverts with a span of 10 feet or more will be considered a bridge.
- f. Natural Channel Culverts: It is preferred that culverts be located to fit natural channels in lines and grade.
- g. Culvert Flow Minimums: The minimum grade of culverts shall be 0.4% or able to maintain a velocity of 2 fps while flowing one-third full.
- h. Culvert Collars: Collars will be designed for culverts whose grades exceed 20%.
- i. Outlet Protection: When the computed outlet velocity is in the range beyond normal design of 10 fps, additional outlet protection shall be considered.
- j. Culvert Flow Controls: The maximum headwater depth of flow immediately upstream from a pipe culvert shall be controlled by the following or the NHDES Wetland Bureau’s Rules, whichever is more stringent:
  - Damage to adjacent property;
  - Damage to culvert and the roadway;
  - Traffic interruption;
  - Hazard to human life; and,
  - Damage to stream & floodplain environment.

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

<u>Pipe Size</u>	<u>Maximum Allowable Headwater</u>
12" - 30"	2 times pipe diameter
36" - 48"	1-1/2 times pipe diameter
54" - up	1 times pipe diameter

- k. Culvert Depth: Minimum cover for culverts, measured between the pipe crown and finished grade, shall be as follows:
  - Paved Roads - 3'
  - Unpaved Roads - 3'
  - Under Drives - 18"
  - Under Grass - 2'

- l. Pipe Material: Acceptable pipe material for roadway culverts is reinforced concrete pipe. Drive pipes are the developer's option. Underdrain pipes may be CMP or plastic pipe.
- m. End Sections, Headers, or Stone Slope Paving: All culverts shall be constructed with end sections, headers, or stone slope paving as specified below. End sections shall be permitted on all pipes less than 48" diameter, except 24" diameter where there is an active stream.
- n. Catch basins and Drop Inlets. Catch basins and drop inlets shall be reinforced concrete unless specifically authorized by the Planning Board.

#### 4.5 Ditches

- a. Ditch Length Requirements: A maximum length of 400 feet for a ditch to a catch basin or drop inlet is required. Local conditions may require variations. Any variations must be approved by the Board or Agent.
- b. Ditch Minimum Grade: In order to keep the ditch self-cleaning, a minimum grade of 0.5% shall be required, except for "Site Specific Swales" as required by RSA 485-A: 17.
- c. Erosion Control: All ditches shall be checked for possible erosion and subsequent siltation of streams. Acceptable methods of treatment include matting for erosion control, stone for erosion control, stone fill and riprap.
- d. Ditch Grade Control: All ditches steeper than 5% shall be adequately protected against soil erosion. Matting for erosion control or stone linings shall be provided, as determined by an engineering evaluation.
- e. Off-site Runoff Controls: Ditches shall be used at the top of back-slopes only when excessive off site runoff damage slopes and/or overtax on-site systems.

#### 4.6 Subsurface Drainage (Underdrain)

Subsurface drainage systems (underdrain pipe) shall be provided where the seasonal high ground water table is within five feet (5') of the finished roadway grade. Test pits or borings in roadway cut sections shall be taken, as required or ordered by the Board or Agent, to locate the Seasonal High Water Table (SHWT) and determine the need for underdrain pipe. This pipe shall be perforated PVC or metal with a minimum diameter of 6". Alternate underdrain pipe material shall require specific approval by the Board or its Agent. This design shall be supervised by a NH Licensed Professional Engineer.

### 5.0 PERFORMANCE GUARANTY /BONDING REQUIREMENTS AND PROCEDURES

The following apply to roads, site plans and subdivisions within the Town of Springfield. All required bonding shall be in place prior to the start of any construction. The owner or their agent shall file with the Select Board or their agent a certificate from the Town Offices (Obligee)

indicating that a performance guaranty has been posted for the project. In addition:

- a. Guaranty/Bonding shall be sufficient to ensure the satisfactory completion of all necessary improvements noted on the approved subdivision and/or site plan. The amount of the guaranty will be based on an estimate provided by the Board's designated representative (e.g. consulting engineer). The cost of the estimate shall be paid by the applicant. (A sample application may be provided upon request.)
- b. The guaranty shall be approved as for form and surety by the Town counsel.
- c. The initial bond shall include an amount to cover escalation costs for two years, which may not exceed 10% per year. (RSA 674:36, III (b)).
- d. The bond shall be reviewed and adjusted at intervals not to exceed two years.

### 5.1 *Types of Bonds.*

Two types of bonds are used for subdivision site plan and improvements.

- a. Performance Bond - for subdivision and site plan improvements, include but are not limited to construction of roads, common driveways, water supply and wastewater connections (excluding subsurface disposal systems), stormwater controls and temporary erosion control measures. Additionally, for vegetative measures (installation and replacement), including but not limited to approved landscape plans, man-made and vegetative buffers and required seeding/plantings. Under special circumstances, critical buffers shall require legal document(s) that ensure maintaining the approved plantings until there is mutual agreement by all interested parties to modify or cease such an agreement.
- b. Maintenance Bond - including but not limited to roads, stormwater structures and temporary erosion control measures for a period of two (2) years.

### 5.2 *Forms of bonding allowed*

Contact the Springfield Town Hall for Bond Forms allowed by the Town of Springfield (Obligee).

- a. Cash,
- b. Cashiers Check (guaranteed funds available),
- c. Passbook (NH bank),
- d. Surety Bond (shall expire not less than one year after issuance), or
- e. Irrevocable Letter of Credit.

### 5.3 PROCEDURE

- a. A bond amount shall be recommended by Springfield's (Obligee's) designated representative (e.g. Consulting engineer) upon Planning Board and applicant (Principal) agreement on the final plan layout. Bond amounts and initial term (i.e. expiration date) shall be set prior to Planning Board Approval and be reviewed at the pre-construction meeting for adequacy by the Boards designated representative. Final bond amounts shall

- be authorized by the Select Board.
- b. Bond(s) shall be filed prior to any construction.
  - c. Bond reduction shall be requested in writing.
  - d. Bond reduction shall be in accordance with the format as described.
  - e. Bond reduction shall be recommended by Springfield's (Obligee's) designated representative (e.g. consulting engineer) and approved by a vote of the Planning Board. Any bond reduction requires written authorization from the Select Board.
  - f. Bond release shall be requested in writing.
  - g. Bond release shall be recommended by Springfield's (Obligee's) designated representative (e.g. consulting engineer) and approved by a vote of the Planning Board. Any bond release requires written authorization from the Select Board.
  - h. The phasing of construction work on major subdivision and/or site plan may be permitted on a case-by-case basis at the discretion of the Planning Board. The phasing of the performance bond, cash bond may also be permitted with the specific approval of the Planning Board. Any phasing of a bond amount requires written authorization from the Select Board. Any phasing must be approved by the Planning Board prior to subdivision and/or site plan approval.
  - i. Under no circumstances shall a building permit be issued for a building on a portion of roadway that has not been properly bonded.
  - j. Where applicable, a maintenance bond is required.

#### 5.4 RELEASE REQUIREMENTS

- a. Partial Release - may be approved under the following conditions, after all necessary inspections and as recommended by the Planning Boards designated representative (E.g. Consulting engineer and/or staff): Any partial release of the bond amount requires written authorization from the Select Board.
  - 1. Subdivisions
    - a.) A substantial portion of the project has been completed (Greater than 25% of the bond value).
  - 2. Site Plan Improvements – Requirements and Performance Guaranty/Bonding
    - a.) Residential – A substantial portion of the project has been completed (greater than 25% of the bond value).
    - b.) Non-Residential - As recommended by the Planning Boards designated representative (e.g. consulting engineer).
    - c.) Site is stable.
    - d.) Maintenance bond is required.
  - 3. Landscape - no partial release
    - a) Landscaping shall be guaranteed for a period of two (2) years from time of planting.

4. Erosion Control- no partial release
- b. Release Requirements -Before voting to release any of the performance guaranty/bond, the Planning Board shall receive acceptable written statements as follows: (Any release of the bond amount requires written authorization from the Select Board.)
  1. Where applicable, the officers of the appropriate public utilities have accepted the location, specifications and construction of utilities and are in accordance with the final plan diagram and all applicable standards and requirements (e.g. waste water collection systems, water mains and hydrants have been properly installed, tested and in operating condition).
  2. An adequate Maintenance Bond has been furnished to the Town.
  3. Request for release in writing.
  4. Inspection by designated representative (e.g. consulting engineer and/or staff) with recommendation to the Planning Board.
  5. Planning Board vote to approve release.
  6. Select Board authorize any bond release.
  7. Release shall not be less than the amount required for the Maintenance bond.
- c. Maintenance Bond
  1. At the end of two (2) years, the maintenance bond may be released upon inspection by the Planning Board's designated representative (e.g. consulting engineer and/or staff) and where all requirements have been met in accordance with the Town of Springfield's zoning, subdivision or site plan regulations.
  2. Before voting to release the maintenance bond, the Planning Board shall receive documentation (written proof) of the following: (Any release of the bond amount requires written authorization from the Select Board).
    - a) All permanent bounds and monuments on street lines and on lot lines have been installed by a registered land surveyor and the As-Built plan depicts these accurately.
    - b) The appropriate public utilities necessary for basic services and fire protection have certified in writing that they have accepted the installed fixtures and/or equipment and that these have been installed in proper operating condition, are accurately depicted on the As-Built plans and meet all applicable standards and requirements.
    - c) Stormwater structures, roads and drainage features are clean and free of sediment, debris and temporary erosion controls have been removed or adequate funds secured for their removal at a later date.
    - d) As-built plans have been prepared, submitted and accepted as final by the Planning Board upon the recommendation of their designated representative (e.g. consulting engineer and/or staff).
    - e) A deed for the public right-of-way has been approved by Town Counsel, submitted to and approved by the Planning Board.

## 5.5 OTHER REQUIREMENTS

- a. All bonds shall be in force until released by the Town (Obligee) upon completion of bonded improvements, or as otherwise required by law.
- b. Provider (Surety) and or owner/developer (Principal) shall provide the following for all bonds:
  1. Sixty (60) days prior to the expiration of the bond, the provider (surety) and or owner/developer (Principal) shall notify the Town of Springfield (Obligee).
  2. The provider (Surety) and/or owner/developer (Principal) shall forward proof of bond renewal at least 30 days prior to the expiration date.

## 5.6 ROAD MAINTENANCE BOND

The purpose of the post construction performance guaranty/maintenance bond is to provide funds to repair or reconstruct subdivision roads, which have become damaged due to latent defects or other unexpected events. The Town Road Agent and Consulting Engineer shall determine if a repair or reconstruction procedure will be required. The Maintenance Bond shall be in accordance with the procedures below.

- a. The Developer (Principal) shall submit to the Town (Obligee) a Post Construction Performance/Maintenance Bond to be in effect for a period of two (2) years. The beginning date of the two-year period shall be the date of the Planning Board vote to accept the Post Construction Performance/Maintenance. Any maintenance bond amount requires written authorization from the Select Board. Bond value amount and specifically begin the period. The calculated Bond dollar value shall not change for the entire two-year period.
- b. The Post Construction Performance/Maintenance Bond shall be Twenty Dollars (\$20.00) per linear foot of roadway, adjusted as provided herein. For all other maintenance bonds, where applicable, amounts shall be calculated by the Planning Boards designated representative (consulting engineer) upon final design or specifications being agreed upon by the applicant and the Planning Board. Final bond amount requires written authorization from the Select Board.
- c. This basis for calculating bond amount shall be adjusted based on the *Engineering News Record* (ENR) construction cost index in effect as of the date the bond is calculated. The basis for the *ENR adjustment factor* is 8,500. The ENR index at the time of the bond calculation shall be divided by 8,500 and the resulting number applied to the \$20.00 per linear foot bond rate to determine the adjusted bond amount. This number shall be reviewed by the Board and the consulting engineer on a biennial basis.
- d. Calculation. The Post Construction Performance Bond will be calculated by multiplying the linear footage of the roadway to be bonded times \$20.00 times the ENR adjustment factor. Example: The bond required for 1,000 feet of roadway at the time when the ENR is 8,700 is calculated as 1,000 feet X \$20.00 X 8,700/8,500 = \$ 20,470.

- e. The Planning Board shall vote to approve the release of the Maintenance Bond after review of a written report/recommendation from the Town Road Agent and designated representative (e.g. consulting engineer and/or staff). Any release of the maintenance bond amount requires written authorization from the Select Board.