

Madbury Subdivision Regulations

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Article I Authority

Pursuant to the authority vested in the Madbury Planning Board by the voters of the Town of Madbury and in accordance with the provisions of NH RSA 674:35 & 36, the Madbury Planning Board adopts the following regulations governing the subdivision of land in the Town of Madbury.

Article II Purpose

These regulations shall provide for the safety, health and welfare, comfort and convenience of the people, to protect the environment and to promote the harmonious development of an economically sound and stable community. These regulations are intended to guard against scattered and premature subdivision of land involving inadequate water supply or drainage, or additional public services requiring an excessive expenditure of public funds. The purpose of these regulations is to provide for the coordination of streets, to afford adequate light, air, open space and access of emergency apparatus and school transportation vehicles to developments and to assure conformance with the purpose and regulations of the Town's zoning ordinances. The procedures described here are intended to facilitate compliance with RSA 676:4 "Board's Procedures on Plats".

Article III Procedures

Section 1. Planning Board Approval Required Prior to Lot Sales

Whenever any subdivision is proposed to be made and before any contract for sale of, or negotiation to sell, such subdivision, or any part thereof, shall have been concluded, and before any permit for the erection of a structure shall be granted, the owner or an agent authorized by the owner shall apply, in writing on the form prescribed, to the Planning Board for approval of such subdivision.

Section 2. Waivers¹

The proposed development shall conform to the Zoning Ordinance of the Town of Madbury. Where strict conformity to these Subdivision Regulations would cause undue hardship or injustice to the applicant, a subdivision plan substantially in conformity with the regulations may be approved by the Board provided that the spirit of the Regulations and public convenience and welfare will not be adversely affected. Such approval shall require a 2/3 vote of the entire Board.

Section 3. Approval Required Prior to Road Construction

No person shall commence the construction of roads within the lot, tract or parcel proposed to be sub-divided by clearing land of natural vegetation or altering the terrain, unless a subdivision plan relating thereto has been approved by the Board in accordance with the requirements of these regulations and the Zoning Ordinance.

¹ RSA 674:44 III(e) enables

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Section 4. Preliminary Consultation

Prospective applicants are encouraged to consult early and informally with the Board². Prospective applicants may present preliminary plans and data showing conditions of the site and its vicinity and the proposed layouts of the subdivision. The Board may make a visual inspection of the land to be subdivided at this stage.

Preliminary consultations should:

- Allow the Board to convey and clarify the Town's interests as related to the proposed subdivision;
- Facilitate the applicant's preparation of documentation that will be acceptable for consideration at public hearing;
- Help applicants avoid obvious zoning ordinance nonconformance in their applications.

Preliminary consultations shall not constitute commitment by the Planning Board regarding the approval of any aspect of the prospective application. Such commitments may only be made at a public hearing of an accepted application.

Section 5. Pit & Perc Tests to be Witnessed

All test pits and percolation tests are to be performed in the presence of a qualified Soil Scientist on contract to the Town of Madbury. Said Soils Scientist shall be prohibited by contract from performing any private consulting work in the Town of Madbury. A "Test Pit" shall be defined as any pit dug for the purpose of evaluating soils for suitability as septic system sites and/or for determining septic system design requirements. The applicant shall be required to provide the equipment and labor necessary to conduct these tests, as well as any professional or consulting services required by State or Town regulations for the design of septic systems.

Section 6. NH DES Approval

Prior to subdivision approval by the Madbury Planning Board, sewage disposal plans must be approved by the NH Department of Environmental Services (DES). Regardless of the DES action, the Planning Board, in order to protect the public and the environment, may approve or disapprove the system, or approve it subject to stipulations. In all cases, discharge of pollutants into surface water or wetlands shall be prohibited.

Section 7. Submission of the Application

Applications are processed on a monthly interval. Applications received by the month's first regular meeting of the Board will be scheduled for the next month's first regular meeting, subject to availability of meeting time.³

Section 8. Application Fee⁴

The applicant shall submit an application fee with the Application for Subdivision. The fee is \$200 plus \$100 for each lot resulting from the subdivision. (example: Subdividing one lot into two results in two lots. The fee is $\$200 + (2 \times \$100) = \$400$.)

Section 9. Acceptance of the Application and Public Hearing on the Plan⁵

- A The Board shall provide required public notice including notification of abutters mailed at least 10 days prior to the meeting at which acceptance of an application will be considered.

² RSA 676:4 II(a) applies

³ RSA 676:4 I(c)(1) prescribes timetable

⁴ RSA 674:44 V authorizes

⁵ RSA 676:4 I(c)(1) prescribes procedure

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- B At a properly noticed meeting, the Board shall accept or reject the application. If any application is not accepted, the Board shall notify the applicant of the reasons for not accepting the application. If an application is accepted, public hearing on the plan may commence immediately or be continued to another date and time.
- C All deliberations on the application shall be conducted in the properly noticed public session(s) following application acceptance.

Section 10. Fees for Special Studies

In order to cover the Board's costs for special investigative studies, review of documents and other matters which may be required by a particular application, appropriate fees may be assessed, consistent with NH RSA 676:41(g). All expenses incurred in carrying out and implementing these regulations shall be charged to the applicant.

Section 11. Bonded Improvements

Before approval of a subdivision by the Planning Board, there shall be filed a bond by the applicant in the amount sufficient to cover the cost of the preparation of the streets and the extension of public water and sewer lines if available. This bond shall be approved as to form, sureties and amount by the Planning Board, or when the Board deems necessary, by its legal counsel and conditioned on the completion of such improvements within three years of the date of bond. The requirement of this bond may be waived where all such work has been completed to standards required by the Board for acceptance of streets and other facilities prior to final approval of the final plat.

Section 12. Planning Board Decision⁶

Within 65 days of the Acceptance of the application, the Planning Board shall act to approve or disapprove the application, however the Planning Board may apply to the Selectmen for an extension not to exceed an additional ninety (90) days before acting to approve or disapprove the plan. The decision period may also be extended with the consent of the applicant and agreement of the Planning Board.

Section 13. Filing of Approved Plans

If the Board approves the plan, the Chairman or the Secretary of the Board shall file the approved plan with the Strafford County Register of Deeds.

Section 14. LCHIP Recording Fee

Effective July 1, 2008, the Registry of Deeds requires a check for \$25 in accordance with RSA 478:17-g. The Applicant shall provide to the Planning Board with the approved plan, a check for the required amount payable to the Strafford County Registry of Deeds.

Section 15. Monuments

Permanent boundary monuments shall be set as required by the Board.

Article IV Required Exhibits & Data

Applicants for subdivision shall file with the Board three (3) copies of a final subdivision plan at a scale of not more than 100 feet to the inch. A scale of less than 100 feet to the inch may be required by the Planning Board if deemed necessary to provide adequate detail. The size of the

⁶ RSA 676:41(c)(1) and (f)

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plans shall conform to the requirements of the Strafford County Registry of Deeds. In addition, ten 11 X 17 inch copies of this plan shall also be submitted. The plans shall be accompanied by the following information:

Section 1. Names

Proposed subdivision name, name and address of the owner of record, applicant and designer, date, north arrow, scale, and the stamp of an engineer licensed in the State of New Hampshire. If the applicant is not the owner, the applicant shall submit written authorization by the owner to make such application.

Section 2. Abutters

Names of owners of record of abutting properties, abutting subdivision names, streets, easements, building lines, alleys, parks, and public open spaces and similar facts regarding abutting property.

Section 3. Dimensions & Bearings ⁷

A ground survey with sufficient data to determine readily the location, bearing and length of every existing and proposed street line, lot line, boundary line, and to reproduce such lines upon the ground. Such survey must meet or exceed the minimum precision requirements for survey classification "U" as set forth in Table 500.1 of the New Hampshire Code of Administrative Rules of the Board of Licensure for Land Surveyors, latest revision or successor document.

Section 4. Site Features

Location of property lines and their approximate dimensions; existing easements, buildings, water courses, ponds or standing water, rock ledges and other essential features.

Section 5. Streets

Location, name and widths of existing and proposed streets and highways with their grades and profiles, and the elevations of sufficient points on the property to indicate the general topography of the property.

Section 6. Easements

Where the topography is such as to make difficult the inclusion of any facilities mentioned above, within the public area so laid out, the preliminary layout shall show the boundaries of proposed permanent easements over or under private property. Such easements shall not be less than ten (10) feet in width and shall have satisfactory access to existing or proposed public ways.

Section 7. Public Use

Location of all parcels of land proposed to be dedicated to public use and the conditions of such dedication, and a copy of such private deed restrictions as are intended to cover part or the entire tract.

Section 8. Bridges/Culverts

Final designs of any bridges or culverts, which may be required.

Section 9. Future Streets

Where the preliminary layout or subdivision plan submitted covers only part of the applicant's entire holding, a sketch of the prospective future street system of the un-submitted part shall be furnished and the street system of the submitted part will be considered in the light of adjustments and connections with the street system of the part not submitted.

⁷ Revised March 2015

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Section 10. Proposed Leach Fields

Two test pits shall be required in the location where a leach field is intended to be constructed. The two designated test pits shall be contained within the septic system reserve area and shall be separated by at least fifty (50) feet. The septic reserve area and test pit locations shall be designated on the plan and appropriate data submitted. No such area shall have a seasonal high water table closer than two (2) feet from the surface of the natural ground level.

Section 11. Test Pits

No test pit or percolation test shall be performed on land whose slope is over 25%. No test pit shall be closer than 75 feet to areas whose soils are classified as very poorly drained, nor closer than 50 feet to areas whose soils are classified as poorly drained.

Section 12. Impact Statement

- A All subdivision applications shall include an impact statement which details the probable effects of that subdivision or development on the following areas of concern to the Town:
1. Schools: Attendance at public schools;
 2. Traffic: Changes in vehicular traffic;
 3. Population: Changes in the number of legal residents;
 4. Municipal Costs: Increases in municipal costs;
 5. Utilities: Load on public utilities or future demand on them;
 6. Safety: Public safety;
 7. Taxes: Changes in tax revenue;
 8. Drainage: Changes in surface drainage;
 9. Solid Waste: Increased refuse disposal;
 10. Groundwater: Increased consumption of groundwater;
 11. Pollution: Pollution of water or air;
 12. Erosion: Land erosion or loss of tree cover;
 13. Ecology: Disturbance of other aspects of the natural ecology;
 14. Views: Blocking of views; and
 15. Character: Harmony with the character of surrounding development.
- B The Planning Board shall determine the appropriate type and extent of data and analysis required for each of the areas listed above considering
1. The size of the affected area
 2. The extent of planned development including number of lots created or extent of construction and terrain alteration
 3. The cumulative pattern of subdivision or development of a lot or area over a period of years
 4. The sensitivity of the area around and including the subdivided site.

Section 13. High Intensity Soil Survey

A high intensity soil survey shall be conducted by a soil scientist certified by the State of New Hampshire. The results of the survey shall be depicted at a scale of not more than 100 feet to the inch. The survey shall meet standards of the Society of Soil Scientists of Northern New England.

Section 14. Lot Line Adjustments

The Lot Line Adjustment Application Checklist adopted as part of the subdivision Regulation by reference prescribes the submission and plan requirements for Lot Line Adjustment applications.

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Article V Subdivision Standards

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

Section 1. Driveway Access

In order to protect against hazards and sustain aesthetics, it may be necessary to limit driveway access points onto an existing Town road by directing them onto a road within the subdivision.

Section 2. Driveway Visibility

There shall not be more than one driveway per lot. All season sight distance in either direction must be a minimum of two hundred (200) feet. All season sight distance is defined as a line, which encounters no visual obstruction between two (2) points, each at a height of 3 feet 9 inches above the pavement, and so located as to represent the critical line of sight between the operator of a vehicle using the access and the operator approaching from either direction.

Section 3. Shared Driveways

No driveway shall serve more than two adjacent lots. Shared driveways must not extend beyond the boundaries of the lots served.

Section 4. Stumps & Debris

All stumpage or forest waste materials shall be disposed of and not allowed to remain above ground. New Hampshire Timber Harvesting Laws, NH RSA 244:44a & 44b shall be observed and adhered to in all respects.

Section 5. Continuation of Streets

The arrangements of streets in the subdivision shall provide for the continuation of the principal streets into adjoining parcels, and shall be of a width at least as great as that of such existing connecting streets.

Section 6. Setback from Existing Roads

Lot lines bordering on an existing maintained Town highway shall begin at least 25 feet from the center of said highway.

Section 7. Access to Public Use Areas

Plans shall provide reasonable access to land intended for public use.

Section 8. Required Off-Site Improvements

Where a substantial development is proposed on any class highway which the Town has a duty to maintain, and where the existing road conditions cannot accept the increase in traffic use without an expenditure of public funds, the developer may be required to improve the road to accommodate the expected traffic load.

Section 9. Hazards

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

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Section 10. Common Use Areas

Areas set aside for parks and playgrounds to be dedicated or to be reserved for the common use of all property owners by covenant in the deed, whether or not required by the Board, shall be of reasonable size and character for neighborhood playgrounds or other recreational uses. Areas may be set aside for fire protection ponds to be excavated and designated for fire suppression purposes.

Section 11. Street Names

The Madbury Board of Selectmen shall determine the names of all proposed streets.

Section 12. Septic Systems and Water Supply⁸

In areas not served by public sewer systems and/or public water supply systems, it shall be the responsibility of the applicant or his agent to prove that the area and the soil characteristics of each lot are adequate to permit the installation and operation of an individual sewage disposal system and/or an individual water supply system. Such system must be in compliance with NH RSA 149-E. These minimum requirements shall be the guidelines recommended in the most recent printing of Guide for the Successful Design of Small Sewage Disposal Systems, published by NH Department of Environmental Services (DES).

Section 13. More Stringent Standards

The Planning Board, at its option, may require more stringent septic disposal and water supply standards for a particular application, as it feels necessary, for the protection of the quality of ground or surface water, either within or outside of the proposed subdivision and these requirements shall take precedence over the State requirements.

Section 14. Proof of Compliance

Proof of compliance with these standards shall be submitted to the Planning Board as well as to NH DES, and shall include:

- A Feasible Locations: Plans for feasible locations of water supply systems and/or sewage disposal systems. Such locations must show the capability to serve such use as may be expected within the subdivision, based on lot sizes, and uses permitted by the Zoning Ordinance.
- B Easements: Plans for protective easements with respect to other water supply and/or sewage disposal systems, surface waters, culverts, drains, structures, roadways, and property lines.
- C Topography: Plans showing the topography as it may affect or limit the construction and operations of water supply and/or sewage disposal systems.
- D Test Pits: A report on test pits at the location of the proposed sewage disposal systems, identifying the soil types to a depth of 10 feet if possible, and the depths to the seasonable high water table, to the observed water table, and to bedrock, if any, in each pit.
- E Percolation Tests: A report on the results of percolation tests performed.

Section 15. Land Use Limitations

Based on percolation and test pit data, the Planning Board, at its discretion, may limit the extent or type of use of any or all lots. Such limitations shall be recorded in the Planning Board's files and

⁸ If the subdivision is within the Tolend Landfill Overlay District (adopted by Board of Selectmen in 1992 in the interest of public health and safety), the installation of wells for domestic water supply is prohibited. See Water Resources Map of June 14, 2005 for location of this overlay district.

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the applicant shall incorporate notice of such limitation on the recorded subdivision plan, on appropriate deeds, and in any sales contract subsequently.

Section 16. Community Septic Systems

In no case shall any system which utilizes mechanical or powered devices, and which serves more than two dwelling units, be permitted unless a copy of a service contract, prepaid at least twelve (12) months in advance, giving the Town the power to call for repairs, shall be submitted to the Planning Board, and after approval, it shall be renewed annually and submitted to the Board of Selectmen. At its discretion, the Madbury Planning Board may require additional conditions for those septic systems which serve more than one dwelling.

Section 17. Utility Installation

All service utilities shall be installed underground.

Section 18. Storm-Water Run-Off

Appropriate measures shall be taken to prevent erosion and sedimentation, and in no case shall post-development run-off peak rate of discharge at the perimeter of the subdivided property be permitted to exceed the pre-development rate.

Section 19. Additional Conditions

The Planning Board may impose other conditions, safeguards, and limitations on time and use, consistent with the purposes of this Article. Such conditions may pertain to, but are not limited to, maintenance agreements for common area and open space, home owner association agreements, fees, ownership of common land, conservation land, open space land, special studies, design requirements, interconnection to water and/or sewage systems, and off-street parking.

Article VI Road Construction Standards

Section 1. Authority and Purpose

- A Authority: Pursuant to the authority vested in the Planning Board by the Town of Madbury and in accordance with the provisions of NH RSA 674:35 and 674:43 of the NH RSA, as amended, the Planning Board adopts the following regulations governing the development of roads as part of a subdivision of land or site plan application in the Town of Madbury, New Hampshire.
- B These regulations supersede Article VI of the Subdivision Regulations of the Town of Madbury NH, adopted June 3, 1992 as amended prior hereto, and such prior regulations are hereby rescinded.
- C Purpose: The purpose of establishing these regulations is to provide the community with safe and well-constructed roadways. Although the standards are based on estimated vehicle trips, the Planning Board seeks to meet the goal of having high quality, but not overly built roadways. The width of these roadways should reflect the immediate surrounding land use but the depth and base of these roadways should be constructed to handle occasional loads from commercial vehicles, fire safety equipment, school buses, and construction vehicles without eventual failure. By keeping the width to a minimum, travel speeds in these neighborhoods will remain low and be safer for the residents.

Section 2. Title

These regulations shall be known and cited as the ROAD CONSTRUCTION STANDARDS of the Town of Madbury, New Hampshire.

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Section 3. Definitions

Base course: One or more layers of specified or selected material of designed thickness placed on a properly prepared sub base to support a surface course.

Bicycle paths: An access way with a surface designed to handle bicycle traffic in a safe and effective manner.

Centerline: An imaginary line drawn down the approximate middle of a linear feature such as a road, ditch, shoulder, right of way, etc.

Ditch line: The lowest point of a ditch where the water will flow in a linear direction parallel to the roadway.

Hammerhead: The end of a Cul de Sac road that is finished as a “t” intersection that allows vehicles to turn around within the public roadway.

Monumentation: The placement of monuments or markers identifying both private and public property lines.

Pedestrian way: An access designed to handle pedestrian traffic in a safe and effective manner.

Road/Street Section: A portion of roadway measured from a start of an intersection to another intersection or to where the road makes a turn greater than 45 degrees.

Shoulder width: The shoulder width is measured from the edge of the pavement outward towards the ditch.

Sidewalk: A pedestrian walkway adjacent to traveled roadways.

Turn around: A circle, bulb or hammerhead located at the end of a Cul de Sac that allows vehicles to reverse direction.

Section 4. General Standards

- A **Street Layout, Plan and Construction:** The layout of all proposed streets shall provide for the continuation of the principal streets in an adjoining subdivision, if applicable. When the adjoining property is undeveloped, proper consideration of future development potential shall be given with respect to future continuous alignments. Safe access to all abutting lots shall be provided. Due consideration to topography, drainage and other natural features shall be given when laying out streets. The general street development plan shall be approved by the Planning Board through the subdivision approval process prior to the construction of any phase of the plan. The proposed street plan shall show all work necessary to connect and complete improvements and utilities between the proposed street(s) and any improved and non-improved connection streets in an existing subdivision. All streets and related improvements shall be constructed in conformance with the standards described herein. Typical roadway sections, base on expected average daily traffic volume (ADT), are illustrated in Figure One.
- B **Street Names:** The Madbury Board of Selectmen shall determine the names of all proposed streets.
- C **Traffic Control Signs:** All streets shall have such street signs as are necessary and approved by the Town Road Agent to provide for safe and efficient movement of all vehicles. The cost of all traffic control signs shall be the responsibility of the developer.
- D **Cul de sacs:** Cul de sacs shall be allowed in accordance with the specifications listed in these standards. The centerline of all cul de sacs shall be aligned with the centerline of the street. These standards are illustrated in Figure Two. A landscaped island in the center of the cul de

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sac is preferred and may be required at the discretion of the Planning Board. Adequate drainage, as approved by the Planning Board, shall be installed around the island.

Hammerhead turnarounds on dead end streets may be permitted at the discretion of the Planning Board. When proposed, the design of these facilities will be subject to the approval of the Town Road Agent and the Fire Department. When undeveloped parcels adjoin roads ending in a cul de Sac, a reserve strip shall be provided for possible future expansion. Any reserve strip shall be depicted on the approved plan and deeded in a manner that shall permit the future extension of the road network. A master plan of the remaining land shall be required to ensure that the reserve can be later converted to a road.

- E Bridges: On stream crossings spanning ten (10) or more feet, the bridge structure shall be designed to HS 25 loading (American Association of State Highway and Transportation Officials [AASHTO] specifications {as amended}, hereby incorporated by reference). The Planning Board will determine bridge widths, depending on the volume of traffic anticipated. Bridge railings shall be required in accordance with NH DOT standards.
- F Sidewalks, Pedestrian Ways and Bicycle Paths: Sidewalks, pedestrian ways and bicycle paths may be required at the discretion of the Planning Board. When required, the type of sidewalk and curbs shall be constructed in accordance with the specifications listed in section 608 and 609 of the "Standard Specifications for Road and Bridge Construction" NH DOT, 1997 (as amended) hereby incorporated by reference. Proposed designs of pedestrian ways and bicycle paths shall be based on estimated use and subject to approval of the Planning Board. Sidewalks are defined as those walkways adjacent to traveled roadways. Pedestrian ways and bicycle paths may or may not be adjacent to traveled roadways.
- G Curbs and Gutters: Street curbing and gutters may be required at the discretion of the Planning Board. When required, curbing shall be constructed in accordance with section 609 of the "Standard Specifications for Road and Bridge Construction" NH DOT, 1997 (as amended) hereby incorporated by reference, unless otherwise agreed to by the Planning Board.
- H Driveways and Other Accesses: Driveways and other accesses to the local street network or proposed streets shall be constructed in accordance with the "State of New Hampshire Department of Transportation Policy and Procedure for Driveways and Other Accesses to the State Highway System", NH DOT 2000 (as amended), hereby incorporated by reference. Driveways shall be defined in accordance with the definitions given this publication. The grade of all driveways shall not exceed 6 percent for the distance sufficient to accommodate expected vehicle storage.
- I Clearing and Grubbing: Only that portion of the right of way shall be cleared and grubbed as necessary to meet safety requirements. Where possible, preservation of existing vegetation, ground cover and especially trees is highly desirable. Under no circumstances shall any wood, brush or any other unsuitable material be placed under or allowed to remain within the limits of the sub grade area.
- J Cut and Fill in Street Construction: Excavation of roadbeds shall consist of removing earth or ledge to a depth of 2' below the finished roadbed grade (sub grade) shown on the final profile; i.e., below the required road base. Filled roadbeds shall be formed by spreading successive layers of fill material not greater than 12" in depth. Fill standards set forth in section 209 of the "Standard Specifications for Road and Bridge Construction" NH DOT, 1997 (as amended) are adopted by reference. Each layer shall be compacted to a density of at least 95% of maximum density before another layer is begun. The maximum density determination will be made as specified in AASHTO T 99 (Standard Proctor Test). Material containing loam, organic soil, forest litter, wood, roots or other substances that will not provide a stable bed or embankment will not be acceptable for the construction of fills. Broken ledge may be used in layers in fills

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over 4" in thickness. The voids in each layer shall be filled with earth or spalls. Broken ledge shall not be placed within 2' below the finished sub grade. Ledge fragments or boulders larger than 1/8 cubic yard shall not be used within 2' of the finished sub grade. The sub grade shall be at least two (2) feet above the estimated Seasonal High Water Table.

Side Slopes cut in soil above the finished roadway shall not exceed a ratio of 3' horizontal to 1' vertical and shall be graded, loamed (4" compacted), and seeded in conformance with "Standard Specifications for Road and Bridge Construction" NH DOT, 1990, Section 644 (as amended). Side slopes in ledge above the finished roadway shall not exceed a ratio of 1' horizontal to 2' vertical. Embankment slopes away from the edge of the finished roadway shall not be constructed at a ratio steeper than 4' horizontal to 1' vertical unless the length of the grade is greater than 10'. If the horizontal length of the grade exceeds 10', a ratio of 3' horizontal to 1' vertical may be used. The Planning Board and/or the Town Road Agent may require W beam guardrails.

- K Road Grades: Roadway grades shall be constructed in conformance with the standards provided herein (see Figures 1, 2 & 3 included).
- L Grade Stakes: The design engineer shall be responsible for placing grade stakes at 50' intervals adjacent to the road course where there are abrupt changes in grade and at 100' intervals where a more level contour is present. Each stake shall be securely placed where it will not be disturbed by construction. Each stake will indicate a station number, its offset from the centerline of the street, and the extent of cut or fill to finished centerline grade. Grade stakes shall be preserved until the completion of the roadway. If grade stakes are removed or damaged to the extent that they cannot be read by the appropriate town official or agent, it will be the responsibility of the design engineer to replace them.
- M Erosion Control: All construction and/or development activities shall incorporate design standards for erosion and sedimentation control which, at a minimum, reflect the recommendations of the publication "Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire"⁹ by the Rockingham County Conservation District, prepared for the Department of Environmental Services, August, 1992. The proposed Erosion and Sediment Control plans shall be included as part of the Road Construction Plans.
- N Drainage: All streets shall be provided with drainage facilities (closed storm drain system, where appropriate, or culverts and ditches) to allow for the removal of storm water and prevent flooding of the pavement and erosion of adjacent surfaces. Construction of such facilities shall be in accordance with "Standard Specifications for Road and Bridge Construction" NH DOT, 1990, Section 603, 604 and 605 (as amended) hereby incorporated into these regulations by reference. No water from adjacent lots shall be allowed to run across street surfaces, but shall be directed into catch basins or ditches and piped underground in a pipe of a size approved by the Planning Board or its assigned agent. Standing water in ditches, culverts, or catch basins shall not be permitted. The developer shall provide the Town with access easements for all required drainage systems located on private property.
- O Landscaping: Upon completion of any development or development phase, all planting strip areas adjacent to streets shall receive at least 4" of compacted high quality topsoil (loam) free of stones over one inch in diameter, clay and sod. At a minimum, these areas shall be seeded with a high quality grass seed in conformance with "Standard Specifications for Road and Bridge Construction" NH DOT, 1990, Section 644 and 658 (as amended) hereby incorporated by reference.

⁹ Available from DES or RCCD

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- P Clean Up: Before acceptance, a street shall be cleaned up so that it is left in a neat and presentable condition. Construction related debris of all kinds, both natural and man-made, shall be completely removed from the ROW.
- Q Inspections: In order to ensure that streets are constructed in accordance with the standards prescribed herein, the Board of Selectmen or their designated agent reserves the right to inspect any aspect of street construction at any time during the construction process and prior to acceptance of the roadway. All underground utilities shall be inspected and approved prior to paving. Cut or fill slopes shall also be subject to inspection and approval.

The developer will be responsible for notifying the road agent and/or building inspector at each of the construction phases. Failure of the developer to notify the Town official or agent at each of these construction phases will likely result in a delay of the release of the financial surety posted to cover such work. The developer shall request Town inspection of street construction at the appropriate times during the construction phase, as outlined in the inspection schedule listed below. All costs for inspections will be borne by the developer. No work beyond the phase to be inspected shall be performed prior to that inspection. Un-inspected work will not be accepted.

The road agent responsible for street inspection shall establish and maintain a record of each inspection. Copies of these records shall be forwarded to the Planning Board so that it is able to monitor the progress. These records shall contain, but are not limited to, the date of inspection, the street or street segment inspected identified by station, lot line or other reasonable means, conditions found, and action taken (approval or disapproval). Reasons for disapproval must be supplied to the developer, in writing within five (5) business days of the inspection. Inspection records will be archived by the town.

The following inspection schedule shall be used to insure that all phases of construction are performed to Town standards:

1. Clearing and Grubbing;
 2. Sub Grade;
 3. Drainage;
 4. Underground Utilities;
 5. Gravel Base;
 6. Paving;
 7. Binder Course;
 8. Wear Course;
 9. Loaming and Seeding;
 10. Monumentation and Signage.
- R Safety: The Planning Board reserves the right to modify road requirements for the purpose of enhancing the safety of the traveled way. Potential modifications include, but are not limited to, removing obstruction, adding W beam guard rails in areas where steep slopes exist (greater than 3' horizontal to 1' vertical) or are created, and requiring additional warning signs. The appropriate Town official or agent may act for the Planning Board under this paragraph.
 - S Acceptance: No road shall be accepted by the Town until it has been inspected by the appropriate Town official or agent and found to be constructed in accordance with the specifications prescribed herein or additionally prescribed or agreed to by the Planning Board and approved by the Board of Selectmen.

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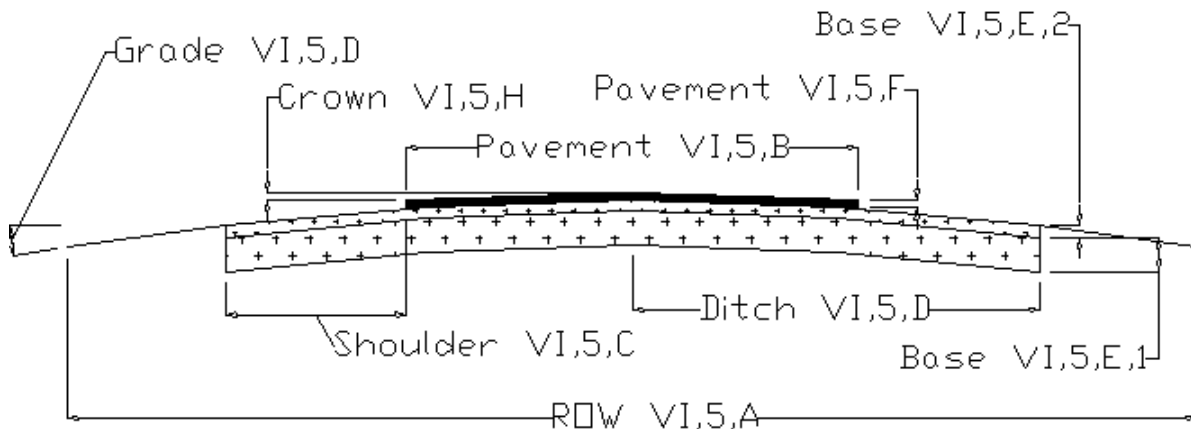


Figure 1

Section 5. Street Construction Standards

TRAFFIC VOLUME (estimated average vehicles per day)	1-500	501-1000	1001+
A Minimum Right Of Way width	50'	60'	60'
B Minimum pavement width	20'	22'	32'
C Minimum shoulder width	4'	4'	6'
D Center of street ditch line	18'	19'	26'
1. Minimum grade		.05%	
2. Maximum grade		8.0%	
E Base course depth (Travel-way and shoulder)			
3. Gravel	18"		
4. Crushed gravel	6"		
5. Total base depth	24"		
F Paving, roads and shoulders (if paved shoulder required)	2"	2.5"	2.5"
G Shoulder type	Gravel		
H Road crown per foot	1/4" to 3/8"		
I Maximum street section length	1000'		
J Minimum cul de sac radius (center to outside edge of pavement)	60'	64'	76'
K Minimum cul de sac radius (radius to property line)	70'	76'	90'
L Minimum landscaped island radius (as required by the Planning Board)	30'		
M Minimum tangent length between reverse curves (see Figure 3)	75'	150'	200'

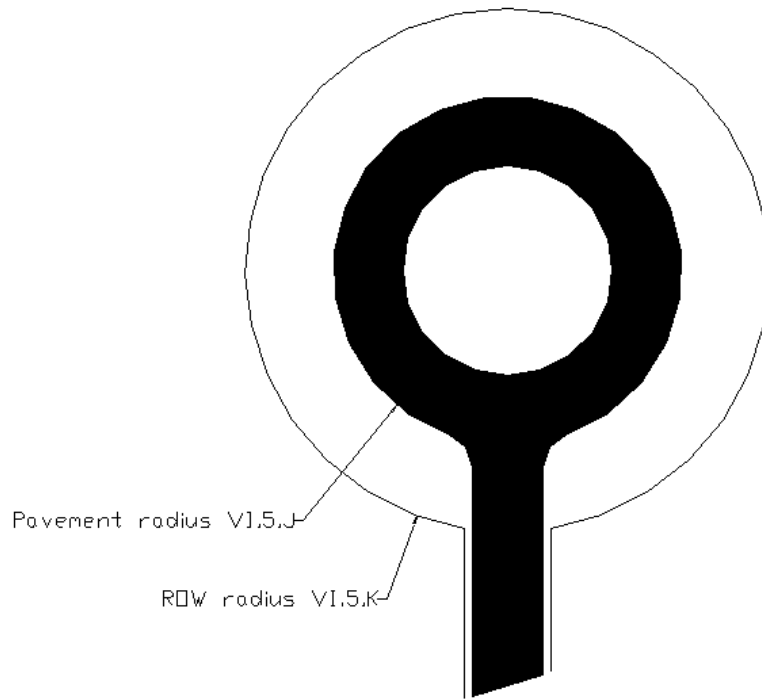


Figure 2

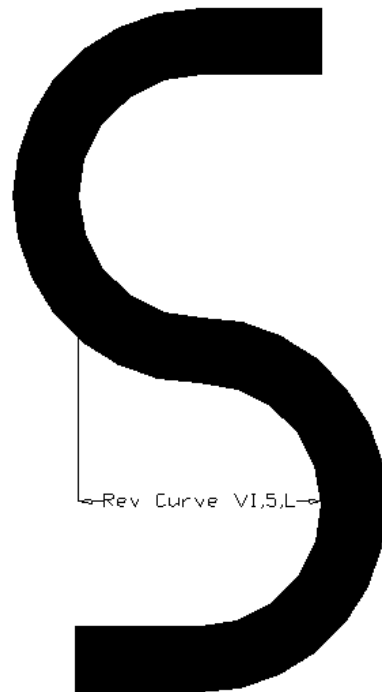


Figure 3

Madbury Subdivision Regulations

Intersections where the minor approach is controlled by a stop sign shall be provided a minimum sight distance (onto the street intersected) relative to the speed of the major 2-lane street intersected. Standards for these relationships are as follows:

Required Sight Distance from Minor Approach for 2-Lane Street

Posted Speed (mph)*	20	25	30	35	40	45	50
Sight distance in feet	250	325	390	455	520	585	650

*In cases where over 25% of the expected average daily traffic is projected to be large semi trucks, these distances may be increased by approximately 30%.

Intersections that are stop controlled on all approaches or signalized shall be provided with adequate stopping sight distance (on each approach) relative to the speed allowed on the approach.

Article VII Definitions

The definitions of terms provided in the Madbury Zoning Ordinances shall apply to these Subdivision Regulations except where definitions are provided in these Subdivision Regulations.

Article VIII Special Flood Hazard Area Requirements¹⁰

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

Section 1. Other Required Permits

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.

Section 2. Base Flood Elevation data

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).

Section 3. Minimizing Flood Damage

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:

- A All such proposals are consistent with the need to minimize flood damage;
- B All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and,
- C Adequate drainage is provided so as to reduce exposure to flood hazards.

¹⁰ Article VIII added December 16, 2009