

To: Madbury Planning Board
From: Liz Durfee, Contract Planner
Date: August 15, 2019

Subject: Suggested Amendments to Subdivision Regulations for Fire Protection

Below are suggested amendments to Madbury's Subdivision Regulations that incorporate submission requirements and standards for fire protection. The amendments would also require that the Fire Chief review and provide comments to the Planning Board on applications for subdivision. It is recommended that the Planning Board solicit input from the Fire Chief on the draft amendments below.

- Part A includes existing and proposed language from the Subdivision Regulations (in black font). New language is in red and underlined.
- Part B contains additional relevant language from the Site Plan Review and Subdivision Regulations.
- Part C provides a summary of fire protection regulations from nearby municipalities. Excerpts from Lee and Durham's regulations are attached.

Part A. Existing Regulations with Suggested Amendments

Article III. Procedures

Section #TBD (before Section 9). Department Review

The Planning Board or its designee shall forward all applications to the Fire Department, Police Department, and Road Agent for review. Departments shall submit recommendations and comments to the Planning Board prior to the public hearing.

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, and fire protection. 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.

Article IV. Required Exhibits & Data

Section 15. Fire Protection Water Supply

For all subdivisions that propose new roads or more than three lots, potential sources of fire protection water supply within one half mile of the site shall be identified. This includes public water mains, existing fire ponds, or other possible sources of water supply.

Article V Subdivision Standards

Section 12. Septic Systems and Water Supply

- A. 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).

B. It shall be the responsibility of the applicant to provide an adequate supply of water for fire protection. Approval from the Fire Chief is required for all subdivisions.

Part B. Supplemental Existing Regulations

Madbury – Existing Site Plan Review

Article VII, Section 11. Prior to site approval by the Planning Board, the applicant shall submit a written statement from the Madbury Fire Chief ascertaining that the proposal has adequate fire lanes, emergency site access and other appropriate provisions to ensure public safety, as determined by the Fire Chief.

Madbury - Existing Subdivision Regulations

Article V, 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.

Article VII. Road Construction Standards, Section 4 General Standards

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 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.

Part C. Summary of Regulations from other Municipalities.

Lee – Subdivision Regulations

- Prelim Plan requires approval from any other municipal, state, or federal agencies which may have jurisdiction including review by police chief, road agent, and fire chief.
- Plan must show location of proposed cistern(s)

- At public hearing before planning board approval, applicant must provide Fire Protection Plan as well as a statement or review from the Police Chief, Fire Chief, and Road Agent
- Board may require bonding for fire protection
- Section IX Fire Protection *see full text attached*
- Inspection by fire chief required prior to issuing occupancy permit.

Durham - Subdivision Regulations

- Subdivision plan must show any potential sources of fire protection water supply within one half mile of the site including public water mains, existing fire ponds, or possible sources of water supply.
- 9.10 Fire Protection: All subdivisions, except residential minor subdivisions (3 or fewer lots or dwellings), shall be provided with an adequate supply of water for fire protection purposes at the applicant's cost. This requirement can be met by any of the following subject to the approval of the Fire Chief:
 - A) Fire hydrants
 - B) Private fire protection water supply systems*Full text of Section 9.10 attached.*

Rochester – Subdivision Regulations

- Planning office submits subdivision plans to departments (including fire) for technical review. Departments submit recommendations and modifications back to the planning department, who passes them along in a staff memo to the planning board.
- Fire Pond requirement: In areas not served by public water, the subdivider may be required to construct fire ponds of adequate size with dry hydrants in a manner specified by the Planning Board after consultation with the Fire Chief and other appropriate officials on matters of soil, water, health and safety. Required fire ponds shall be adequately fenced at the subdivider's expense and, after completion, shall be maintained by the subdivider or a Home Owner's Association.