

SUBDIVISION REGULATIONS
FOR THE
TOWN OF HINSDALE
NEW HAMPSHIRE

FIRST EDITION

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SECTION-I. AUTHORITY

The Hinsdale Planning Board hereby adopts the following rules and regulations to control the subdivision of land pursuant to Chapter 36, Revised Statutes Annotated 1955, as amended, and as authorized by vote of the town, December 22, 1971 and February 15, 1975. As provided in said laws, no subdivision, either public or private, shall be authorized in the town or construction of such be begun until its character and extent have been submitted to and approved by the Hinsdale Planning Board and recorded with the Register of Deeds of Cheshire County.

PURPOSE

To promote the health, safety, convenience, and general welfare of the Town of Hinsdale and to provide for the harmonious development of the town and its environs; to secure adequate and safe provisions for water, sewerage, drainage, and other requirements where necessary in a subdivision; to coordinate the roads in a subdivision with existing or planned streets in the community; to provide for open spaces, parks, and recreation; and to ensure that land be of such character as to be developed safely. In furtherance of said purpose, the planning board shall not approve such scattered or premature subdivisions of land as would involve danger or injury to health, safety, or prosperity by reason of lack of water supply, drainage, transportation, school, fire protection, or other public services, or necessitate excessive expenditure of public funds for the supply of such services, which shall expressly include improvements to off site roads when necessitated by a subdivision.

SECTION-II DEFINITIONS

A. Applicant: Shall mean the owner of record, or his agent duly authorized in writing at the time of application.

B. Antique shop: Buying and selling of antiques, not used or old items.

C. Arts-crafts: Art objects, such as ceramics, sculptures, pottery, paintings, needlework, crocheting. Hobby type shops shall be excluded. Any other types of arts and crafts shall be at the discretion of the board.

D. Apartment house: A building which is used or designed as the residence of two or more families living independently of each other, which may or may not have a common egress.

[Note: Site plan review shall not be required for the development of a single building which includes only two dwelling units (a duplex), but a development which includes more than one duplex building is required to receive site plan approval. Likewise, any development which includes one or more buildings of three or more dwelling units is required to receive site plan approval.]

E. Attached single family dwelling unit (town house): a unit of a building consisting of no more than four such units side by side which share the wall between the units. Each unit is designed to house a single family, and has its own entrances from the outside. Each unit can be owned by a different person.

F. Board: Shall mean the planning board of the town of Hinsdale.

G. Conceptual layout: Shall mean a layout plan prepared as required by the planning board and submitted to the board prior to preparing the final plat.

H. Developer: The individual, partnership or corporation which will be responsible for the construction of all improvements and subsequent sale of lots and/or dwelling units.

I. Detached single family unit: A house or other abode designed expressly to house a single family, and that this unit is standing alone on a single lot such as a house, a manufactured home, or pre-site built home.

J. Engineer: Shall mean the consulting engineer of the Town of Hinsdale or the board of selectmen if no consulting engineer exists.

K. Final plat: The final map(s), drawing(s), or chart(s), on which the subdivider's plan of subdivision is indicated, prepared as required by the planning board, will be submitted to the Register of Deeds of Cheshire County for recording.

L. Health officer: Shall mean the health officer or the designated official appointed by

the selectmen of the town of Hinsdale.

M. Interior street: A street used primarily to give access to abutting properties, or to provide access to individual homes within a neighborhood. Such streets are designed to carry low volumes of traffic either to or from individual places of residence, and are not designed for through traffic.

N. Minor subdivision: A minor subdivision is one in which no more than three lots are created which front on and have access to an existing public street. Any subdivision which includes the creation of new streets shall be deemed a major subdivision regardless of the number of lots created.

O. Performance guarantee: Security that may be accepted in lieu of a requirement that certain improvements be made before the planning board approves a plat, including performance bonds, escrow agreements, and other similar collateral.

P. Plat: Map of a subdivision showing the subdivider's plan for new streets and lots.

Q. Street, arterial: A street or highway used primarily for heavy and/or through traffic.

R. Street, collector: A street which, in addition to giving access to abutting properties, serves to carry traffic from interior streets to thoroughfares and to public and other centers of traffic concentration. A collector street may be further classified as major or minor, depending on average daily traffic count.

S. Street: Any street, avenue, boulevard, road lane, alley, viaduct, highway, freeway, and other way which is an existing state, county or municipal roadway, or a street shown upon a plat heretofore approved pursuant to law. The word street shall include the entire right-of-way.

T. Subdivider: 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.

U. Subdivision: The division of a lot, tract, or part of land into two or more lots, plats, sites or other division of land for the purpose, whether immediate or future, of sale or of building development. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or areas, subdivided.

V. Site Plan Review: An application must be filed for any non-residential or multi-family lot where development, redevelopment, or alterations to any such lot or site is considered.

SECTION-III PROCEDURE

Whenever any subdivision is proposed to be made, and before any preliminary construction site work shall be done (except that which is necessary to perform required on-site tests), and before any application for the erection of a structure thereon shall be made, the owner thereof shall apply in writing for and secure approval of such subdivision from the planning board of the Town of Hinsdale in accordance with the following procedures:

A. Preapplication consultations may take place between the applicant and the planning board as follows:

1) Such discussions shall take place at scheduled planning board meetings to discuss the general concept of the proposal and discuss local regulations and procedures.

2) Such discussions shall be non-binding on either party, and shall not be grounds for future disqualification of any board member.

3) The planning board or its designee may engage in non-binding discussions with the applicant which involve more specific design and engineering details only after notice to the public and abutters has been made as in paragraph G.

4) During the preapplication meeting for applications for minor subdivisions as defined in these regulations, the planning board shall determine which, if any, of the submission requirements will be waived for that particular application.

5) All such consultations shall be at the option of the applicant and, when involving a planning board designee, all his/her fees shall be paid by the applicant.

6) Persons wishing to meet with the planning board for a preapplication discussion shall contact the board's secretary at least one week before a scheduled meeting to be placed on the agenda. If abutter notification is required, the applicant must submit a list of all abutter's at least 15 days prior to a scheduled meeting of the board, along with necessary fees to cover the costs of notification.

B. An applicant may submit a completed application for final plat approval to the Town of Hinsdale Planning Board on the form provided by the planning board at least 15 days prior to a regularly scheduled meeting of the board at which the application will be formally submitted. The application shall be made by the owner of the property or his duly authorized agent. Notice shall be sent to abutters per paragraph G.

C. A completed application shall include:

1. all data required in Section IV, General Requirements, Section V, Construction requirements, and Section VII, Preliminary plat data (or in the case of a minor subdivision, all data required by the planning board during the preapplication meetings);

2. the final plat as described in Section VIII and per New Hampshire RSA 478:1-a;
3. the names and addresses of all abutters as indicated in town records five days prior to submission of the application; also name and business address of every engineer, architects, land surveyor or soil scientist whose professional seal appears on any plat submitted to the planning board.
4. the payment of fees to cover the administrative and all notification costs as well as reasonable fees to cover the costs of special investigative studies, review of documents and other matters when warranted by particular applications.

D. The time frame for consideration and action shall be as follows:

1. The planning board shall at the next regular meeting or within 30 days following the delivery of the application, determine if a submitted application is complete according to the board's regulation and shall vote upon its acceptance. Upon determination by the board that a submitted application is incomplete according to the board's regulations, the board shall notify the applicant 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. Upon determination by the board that a submitted application is complete according to the board's regulations, the board shall begin formal consideration and shall act to approve, conditionally approve or disapprove within 65 days, subject to extension or waiver. The planning board may apply to the selectmen for an extension not to exceed an additional 90 days before acting to approve or disapprove an application. The applicant may waive the requirement for planning board action within the time periods specified and consent to such extension as may be mutually agreeable. Upon failure of the board to approve, conditionally approve, or disapprove the application, the selectmen shall, upon request of the applicant, 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 plan is approved pursuant to this paragraph, unless within those 40 days the selectmen have identified in writing some specific subdivision regulation provision with which the application does not comply. Such a certification, citing this paragraph, shall constitute final approval for all purposes including filing and recording under RSA 674:37 and 676:18, and court review under RSA 677:15. Failure of the selectmen to issue an order to the planning board under the above, 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. If the court determines that the failure of the selectmen to act was not justified, the court may order the municipality to pay the applicant's reasonable cost, including attorney's fees, incurred in securing such order.

2. A public hearing shall be held on the application unless it is for minor lot line adjustments or boundary agreements which do not create buildable lots (although abutters must be notified prior to board action), or for disapprovals based on failure of the applicant to: supply information required by the regulations, including abutters identification; meet reasonable deadlines established by the board; or pay costs of notice or other fees required by the board.

3. The planning board may grant conditional approval, which shall become final upon certification that the conditions imposed have been met without further public hearing when the conditions are minor plan changes, administrative conditions with no discretionary judgment of the planning board involved, or conditions regarding permits and/or approvals granted by other boards or agencies.

E. The grounds for disapproval of any application shall be adequately stated upon the records of the planning board and in written notice given to the applicant.

F. Upon approval of the final plat, the chairman of the planning board shall certify said approval by written endorsement on the plat, signed and dated by the chairman. A copy of said plat shall be transmitted by the applicant to the Cheshire County Register of Deeds for recording within one (1) year from approval date. Approval of the final plat by the planning board shall not constitute an acceptance by the town of the dedication of any street, highway, park, or other public open space.

G. Notice is required for submission of a completed application and public hearing and shall be given as follows:

1) sent by the planning board to the abutters, applicant and every engineer, architects, land surveyor or soil scientist whose professional seal appears on any plat submitted to the board, by certified mail, mailed at least 10 days prior to the meeting

2) posted for the general public at least 10 days prior to the meeting

3) The notice shall give the time, date, and place of the planning board meeting, shall include a general description of the proposal, and shall identify the applicant and location of the proposal.

4) If notice of a public hearing is included in a prior notice (such as that for acceptance of the completed application), then additional notice is not required. Likewise, additional notice is not required for an adjourned hearing provided that the date, time, and place of the continued hearing is made known at the adjourned meeting.

5) All costs for such notice shall be paid in advance by the applicant, and if not, shall constitute valid grounds for the planning board to terminate further consideration and to disapprove the plat without a public hearing.

I. The subdivider shall tender offers of cession in a form certified as satisfactory by the

subdivider's counsel of all land included in streets, highways, or parks not specifically reserved by him, but approval of the final plat by the board shall not constitute an acceptance by the town of the dedication of any street, highway, park, or other public open space. The final plat shall be accompanied by either:

1) Certificates of street and utility improvements: A certificate from the town engineer and the road agent stating that all streets shown on the plat have been graded with gravel and improved, sanitary sewers, water utilities, storm drainage, and other facilities and monuments have all been installed in accordance with the town engineer's specification and the requirements of the planning board; or

PERFORMANCE GUARANTEE

2) Performance guarantee. The developer shall file a duly completed and executed bond, escrow agreement, or other collateral, certified by the town attorney as valid and enforceable by the town, with the planning board. This guarantee shall be in an amount satisfactory for securing and making the installation of all improvements required by the planning board, pursuant to Section V. (See note below) This guarantee shall be retained by the selectmen until the improvements have been satisfactorily completed. The time between beginning the construction of a portion of a subdivision and completion of the improvements for that portion of the subdivision shall not exceed eighteen (18) months.

2A NOTE: The subdivider shall be financially responsible for the maintenance of all streets or roads, bridges, storm drain system, manholes and grate covering, as well as any other facilities owned by him until such time as they are accepted by the town. The board shall normally require a bond in an amount determined by it as adequate to cover the cost of the maintenance of any such roads and facilities until such time as the town may elect to accept the roads or other facilities. In the case of a road, street or bridge, or infrastructure element such as water and sewer lines, storm drainage system, basins and manholes, fire hydrants or side walks, the Town of Hinsdale will not release the bond or relieve the developer of it's financial responsibility for at least one year after the date of completion, and a Certificate of Street and Utility Improvements is drawn and signed by Hinsdale's road agent or such person as may be assigned with that responsibility, and delivered to the selectmen.

SECTION-IV GENERAL REQUIREMENTS

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

A. STREETS

1. The arrangement of streets in the subdivision shall provide for the continuation of the principal streets in adjoining subdivisions or for their proper projection when adjoining property is not subdivided, and shall be of a width at least as great as that of such existing connecting streets.

2. Streets which join or are in alignment with streets of abutting or neighboring properties shall bear the same name. Names of new streets shall not duplicate, nor bear phonetic resemblances to the names of existing streets within the Town of Hinsdale.

3. Streets shall be logically related to the topography so as to produce suitable lots and reasonable grades, and shall be in appropriate relation to the proposed uses of the land to be served by such streets. Where practical, lots shall be graded toward the streets.

4. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 75 degrees. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 150 feet between their center lines.

4a. All new streets at the approach of the intersection shall have a minimum tangent length of at least fifty feet (50') and a slope not greater than 4% for that length.

5. No street or highway right of way shall be less than 50 feet in width and may be required to be more if a greater street width is warranted in the opinion of the board. The apportioning of the street widths among roadway, sidewalks, and possible grass strips shall be subject to the approval of the board.

5 a. Existing unpaved or narrow streets shall, whenever necessary and practicable, be widened and improved to the standards required by these regulations at the expense of the subdivider / developer. Where requested by the board the developer shall also upgrade any existing culverts, ditching, and sidewalks on or leading to the proposed subdivision.

6. Except where near future connections may be possible, dead end or cul-de-sac streets shall be avoided. Said streets shall, in general, not exceed 400 feet in length, unless the planning board determines no alternative design is practical. Said streets shall be equipped with a turn around roadway at the closed end with a minimum radius of 90 feet from the center to the outside edge of the right of way. The entire cul-de-sac shall be paved.

7. Street intersections and intersecting property lines at street intersections shall be joined by a curve of at least 20 foot radius.

8. Grades of all streets shall conform in general to the terrain and shall, so far as practicable, not exceed 6% for arterial and collector streets and 8% for local streets. No street shall have a grade of less than 1%.

9. Road crowns on all roads shall have a minimum of 1% slope and a maximum of 3% slope.

10. No horizontal curve shall have a center line radius of less than 150 feet, except a horizontal curve on a turn around on a cul-de-sac or dead end way. For changes in grade

exceeding one percent, a vertical curve shall be provided ensuring a minimum sight distance of 150 feet.

11. The time between beginning the construction of a portion of a subdivision and completion of the improvements for that portion of the subdivision shall not exceed eighteen (18) months.

B. LOTS

1. Lots shall be laid out and graded to eliminate flood or stagnant water pools. No water shall be permitted to run across a street on the surface, but shall be directed into catch basins and piped underground in a pipe of not less than fifteen (15) inches in diameter as stated in Section V.

2. There shall be adequate width and area on every lot after the erection of a residence, to permit the parking within the lot of a least two cars for each family dwelling unit, at the rate of 250 square feet per car.

3. Each lot shall conform to the zoning requirements for the district in which it lies in regards to frontage, lot area, and lot size. No rear lot provision may be exercised in a new subdivision or on any new proposed streets or roadways in the Rural Agricultural and Residential districts.

C. UNDESIRABLE LAND

1. 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 the flood hazard, or diminish any environmental quality.

2. For 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.

D. SEPTIC TANKS AND WATER SUPPLIES

1. In areas not currently served by public sewer systems, it shall be the responsibility of the subdivider or his agent to provide adequate information to prove that the area of each lot is adequate to permit the installation and operation of an individual sewage disposal system (septic tank and drain field), consistent with "The Septic Tank System of Sewage Disposal" recommended by the New Hampshire Water Pollution Control Commission. Such information shall consist of the reports of the New Hampshire Water Pollution Control Commission regarding seepage and other test they may require. The subdivider or his agent shall be required to provide the necessary equipment and labor for making these tests. In areas where public sewer is available, the town's sewer ordinance shall apply.

2. In areas not currently served by public water systems, it shall be the responsibility of the subdivider to provide adequate information to prove that the area of each lot is adequate to permit the installation and operation of both individual on lot water and sewage systems. Each water system shall be at least 75 feet from any portion of a septic tank or drainage field and shall be constructed in accordance with the U.S. Department of Health, Education and Welfare publication titled "Manual of Individual Water Supply Systems" Public Health Service PUB. No. 24.

2A. In areas where public water is available but the applicant chooses not to connect to said water system, a clear statement must be noted on the plat showing the exact source of water for each lot.

3. The location of all wells, the location, dimensions and design of all septic tanks, leach fields, and other water supply or sewage disposal systems, shall be in accordance with the New Hampshire Water Supply and Pollution Control Commission regulations.

3A. The board will require a copy of the subdivision application submitted to the Water Supply and Pollution Control Commission, as well as any approval of same.

E. FIRE PROTECTION

1. Fire ponds, dry fire hydrants, wet fire hydrants, and other fire protective facilities shall be furnished by the subdivider if deemed necessary by the board.

2. There will be no more than 500' between fire hydrants supplied by town water.

F. EASEMENTS

1. Where the topography is such as to make difficult the inclusion of any utilities or other facilities within the public area so laid out, the conceptual layout shall show the boundaries of proposed permanent easements over or under private property. Such easements shall be not less than 15 feet in width and shall have satisfactory access to existing or proposed public ways. Watercourses proposed for public control shall have a permanent easement of not less than 25 feet.

G. OTHER REQUIREMENTS

1. The widths of blocks shall not be less than 300 feet, nor shall the length exceed 1200 feet.

2. Pavement and drainage facilities, curbs or sidewalks, when required, shall be installed and constructed in accordance with the standard specifications of the Town of Hinsdale and in all cases must be inspected by the town's engineer.

3. Reserve strips of land which in the opinion of the planning board show an intent on the part of the subdivider to control access to land dedicated or to be dedicated to public use shall not be permitted.

4. Areas set aside for parks and playgrounds to be dedicated or to be reserved for the common use and ownership of all property owners by provision in the deed, whether or not required by the board, shall be reasonable size and character for neighborhood playgrounds or other recreational uses.

5. The planning board shall not approve scattered or premature subdivisions of land for any purpose which would involve danger of injury to health, safety, or prosperity by reason of the lack of fire protection, water supply, sewage disposal facilities, drainage, transportation or other public services, or which would necessitate an excessive expenditure of public funds for the supply or maintenance of such services, or which would not allow for the proper scheduling of immediate or future expense to the Town. It shall attempt to provide for the harmonious development of the community, allowing for open spaces of adequate proportions, for suitably located streets for the accommodation of existing and prospective traffic, and for parks suitably located for playgrounds or other recreational purposes.

SECTION-V IMPROVEMENT REQUIREMENTS

The developer shall be financially responsible to the town for all clearing, grading, drainage, graveling, surface pavement, loaming, and seeding within the rights of way, and for the installation of the required improvements. The following improvements shall be installed and constructed by the subdivider to the satisfaction of the engineer, and such improvements shall be made before submission of the plat, or the subdivider shall file, together with the final plat, a bond sufficient to cover the cost of the improvements.

A. Monuments constructed of concrete or stone at least four inches on the top and at least thirty inches long, or a 600 mm Feno Spike with polyroc monument block, shall be set at all new lot corners, tangents, and curvatures. This must be done for all new subdivisions and boundary adjustments.

B. The roadway or traveled way exclusive of grass strip and sidewalk areas shall have a paved width of at least 24 feet. Two feet minimum gravel shoulders shall be constructed on both sides of the paved portion of the road even if the paved portion exceeds twenty four feet.

C. The roadway shall be constructed in accordance with the following specifications:

1. All topsoil or loam must be removed from the limits of the roadbeds. Topsoil shall be removed from areas that will be filled. Where loam or improper road foundation material exists, such material must be excavated and replaced with bankrun gravel or broken rock to the satisfaction of the engineer.

2. The base course shall consist of bankrun gravel, free from loam, silt and clay, rolled and compacted to a thickness of at least twelve (12) inches as specified by the board. The longest dimension of gravel stone in no case shall exceed six (6) inches. The maximum compacted depth of any layer of gravel shall not exceed twelve (12) inches, and each twelve (12) inch layer shall be compacted by hauling, spreading and rolling equipment before the second layer is spread. The required density of each layer shall be such that additional trips of rollers will produce only a small increase in compaction of materials.

3. The finish course shall consist of fine gravel, not to exceed two (2) inches in diameter, rolled and compacted to a thickness of at least six (6) inches as specified by the board.

4. It is required that the roads be sealed, this will be done with rolled bituminous material (bituminous concrete) of at least three (3) inches in thickness.

A. The final roadway surface shall be approved by the engineer before any surface treatment is applied. The surface shall be true to line and grade and free from foreign material. All ruts and other depressions shall be eliminated. Immediately before applying any bituminous material, the surface shall be loosened slightly by dragging with a steel brush drag approved by the engineer.

B. When requested by the board all, sidewalks shall be constructed of concrete to a minimum of 4 feet in width, 4" (4 inches) thick, on a bed of 6" (6 inches) of crushed stone or bankrun gravel.

C. All proposed drainage facilities shall be installed by the developer prior to acceptance of the road by the town. Culverts shall be the high density polyethylene type (HDPE), a minimum of 15 inches in diameter. Any manholes shall be precast concrete. Natural water courses shall be cleaned and increased in size where necessary to take care of storm water runoff. Drainage swales of at least 3 feet in width and 16 inches in depth below centerline grade at the midpoint of the swale shall be constructed in the street right of way on both sides of the roadway. No side slopes shall be greater than 2 to 1 for an upslope from the roadway shoulder or greater than 4 to 1 for a down slope extending 6 feet beyond the roadway shoulder.

D. The roadway shall be graded to the final grade in accordance with the profile and cross section submitted.

E. Slopes and drainage ditches shall be seeded and mulched or otherwise stabilized to prevent erosion.

F. No underground installation shall be covered until inspected by the appropriate town officials or their authorized agents.

SECTION-VI PRE-APPLICATION DATA

The following information shall be provided at the time of the pre-application meeting with the board or upon filing the conceptual plat if no conceptual meeting is held:

1. General subdivision information in the application shall describe or outline the existing conditions of the site and the proposed development as necessary to supplement the required drawings. This information describing the subdivision proposal shall include such items as number of residential lots, typical lot width and depth, business areas, proposed utilities and street improvements.

2. A location map showing the relationship of the proposed subdivision to existing community facilities which serve or influence it. The following items shall be included upon such map: development name and location, main traffic arteries, shopping centers, schools, parks, and playgrounds and other community facilities, title, scale, north arrow and date.

3. A sketch plan showing in simple form the proposed layout of streets, lots and other features in relation to existing conditions. The sketch plan may be a pencil sketch made directly on a print of a topography survey.

SECTION-VII THE PRELIMINARY PLAT

The subdivider shall file with the board six (6) paper copies of a conceptual layout. Both a graphic and a relative scale shall be drawn on the plan at a standard scale suitable to adequately depict the detail required. The outside dimensions of the sheets on which two (2) of the plats are presented shall be 22 x 34 inches except as may otherwise be specified by the Cheshire County Registry of Deeds per New Hampshire RSA 478:1-a, with separate sheets numbered and showing their relationship to one another. A margin of at least one (1) inch shall be provided outside ruled borderline on three (3) sides and of at least two (2) inches along the left side for binding. The remaining four (4) copies shall be 11" x 17".

The conceptual plat shall contain:

A. Proposed subdivision name, name and address of owner of record, name and address of designer, planner or surveyor, date, north arrow and bar scale, vicinity map at scale of town's base map, name of town, plat and revision dates.

B. Names and addresses 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. (Including those who abut across a road or a town or state line.)

C. Deed reference (book and page number in Cheshire County Registry of Deeds.), as well as the town map and lot number.

- D. A clear statement in writing of the purposes of the proposed subdivision with the names and addresses of all individuals, corporate or other entities, having an interest therein, having liens thereon, or contributing to the financing thereof.
- E. Location of ultimate outside property lines and their approximate dimensions, proposed lots, approximate acreage of each lot, and dimension of lot frontage on a public right of way, existing easements, buildings, water courses, ponds or standing water, rock ledges and other essential site features.
- F. Existing water mains, sewers, culverts, drains and proposed connections or alternative means of providing water supply and disposal of sewerage and surface drainage, showing the location of any percolation test pits if any.
- G. Location, name, and widths of existing and proposed streets and highways with their grades and profiles and the location of their rights of way. If a cul-de-sac is proposed, the length of the street to the cul-de-sac and the radius of the cul-de-sac.
- H. Contour topographic map of the property to indicate the general site topography. Contour interval of not greater than ten (10) feet. A contour interval of five (5) feet may be required, if deemed necessary by the board. Where the property has flood plain on it and when the planning board deems it necessary, the topographic information shall be tied to a USGS benchmark.
- I. Where the topography is such as to make difficult the inclusion of any facilities mentioned above, within the public area so laid out, the conceptual layout shall show the boundaries of proposed permanent easements over or under private property. Such easements shall not be less than 15 feet in width and shall have satisfactory access to existing or proposed public ways.
- J. 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 all of the tract.
- K. Conceptual designs of any bridges or culverts which may be required.
- L. Where the preliminary layout submitted covers only a part of the subdivider's entire holding, a sketch of the prospective future street system of the unsubmitted part will be considered in light of adjustments and connections with the street system of the part submitted.
- M. Grading and drainage plan showing all pertinent engineering plans, cross sections, construction drawings and specifications, and other data on existing and finished grading, surface and sub-surface drainage, storm drainage system, slope stabilization and erosion control.

N. Base Flood Elevation (BFE) data (i.e. floodplain boundary and 100-year flood elevation) where the proposal for development is greater than 50 lots or 5 acres, whichever is the lesser.

SECTION-VIII FINAL PLAT

The subdivider shall file with the board six (6) paper copies of a final plat. Both a graphic and a relative scale shall be drawn on the plan at a standard scale suitable to adequately depict the detail required. The outside dimensions of the sheets on which two (2) of the final plats are presented shall be 22 x 34 inches except as may otherwise be specified by the Cheshire County Registry of Deeds per New Hampshire RSA 478:1-a, with separate sheets numbered and showing their relationship to one another. A margin of at least one (1) inch shall be provided outside ruled borderline on three (3) sides and of at least two (2) inches along the left side for binding. The remaining four (4) paper copies shall be 11" x 17".

The final plat submitted for approval and subsequent recording (per New Hampshire RSA 478:1-a, which sets standards for plats submitted for recording) shall be drawn in ink on mylar. If more than one sheet is required to show the entire subdivision, an additional map must be submitted showing the layout of the lots at an appropriate scale to fit the page.

Adequate space shall be provided on all the final plats for the necessary endorsement by the board, which shall read:

"Approved by the Hinsdale Planning Board on _____,"

Certified by Chairman _____, and

Secretary _____.

Space shall also be provided for reference to any conditions or restrictions required by the planning board.

In total, there shall be six paper copies of all pages and one (1) mylar submitted to the board as described.

FINAL PLAT SHALL SHOW:

A. Proposed subdivision name or identifying title; name and address of subdivider; name, license number and seal of the subdivider's engineer; and/or name and address of surveyor; date; scale; and north arrow, the town tax map and lot number of the parcel being subdivided, name of the town, and plat and revision dates.

B. Street right of way lines; building setback lines; lot lines; lot sizes in square feet;

reservations; easements and areas to be dedicated to public use; and areas the title to which is reserved by the subdivider.

C. Sufficient data acceptable to the engineer to determine readily the location, bearing, and length of every street right of way line, lot line, easement line, reservation line, and boundary line, and to permit reproduction of such lines upon the ground. All dimensions shall be shown to hundredths of a foot and bearings to the nearest degrees, minutes, and seconds. The error of closure shall not exceed 1 to 5000.

D. Location and description of each permanent monument and bench mark and including primary control points and reference to a USGS bench mark.

E. Base Flood Elevation (BFE) data (i.e. floodplain boundary and 100-year flood elevation) where the proposal for development is greater than 50 lots or 5 acres, whichever is the lesser.

Other data to be submitted:

A. Typical street cross sections; approximate street grades and profiles; and location and sizes of any bridges or culverts.

B. Typical design and location of any proposed on lot sewerage and water systems; and location and size of any proposed storm pipe and catch basin.

C. Copy of application and a written statement of approval from the New Hampshire Water Supply & Pollution Control Commission.

D. Upon completion of each section of a subdivision, the final utility plat shall be amended to include the "as built" conditions of the plan and shall be kept on file with the planning board.

E. Other data; such other certificates, affidavits, endorsements or agreements as may be required by the planning board in the enforcement of these regulations.

Per New Hampshire RSA 478:1-a: a plat shall be a map of a specific land area whose boundaries are defined by metes and bounds. The register of deeds shall refuse for recording any map that does not meet the definition of a plat, and any plat that does not contain the information or meet the specifications required under this statute. Some of the information and specifications required may be in addition to the Final Plat checklist above.

Shading over any text shall not be permitted on any plat. No lines, whether hatching, boundary lines, or topographic contours shall obstruct or interfere with the legibility, either before or after reproduction, of any bearings, dimensions, or text.

ADMINISTRATION

These rules, regulations and standards shall be considered the minimum requirements for the protection of the public health, safety, and welfare of the Town of Hinsdale. Any action taken by the planning board under terms of these regulations shall give primary consideration to the welfare of the entire community. However, if the subdivider or his agent can clearly demonstrate that, because of peculiar conditions pertaining to his land, the literal enforcement of one or more of the regulations is impracticable or will exact undue hardship, the planning board may permit such modifications as may be reasonable and not contrary to the welfare and safety of the community, or to the spirit of the regulations.

In case of conflict with applicable statutes or ordinances, the requirements of these regulations shall be minimum requirements.

In considering applications for subdivisions, the board shall consider all factors which in any way affect the town, its inhabitants, the abutters, and the ecology of the area involved, both in specific detail and in general concept. In all determinations, the decisions of the board shall be controlling.

Any expense which the board may incur in securing information relative to a subdivision, including engineering, surveying, legal, or other pertinent service, shall be reimbursed to the board by the subdivider.

SECTION-X AMENDMENTS

These regulations may be amended, changed, altered, added to or rescinded from time to time whenever this action is deemed necessary or advisable by the board, but only following a public hearing on the proposed change, and shall require the concurring vote of the board. A statement, signed by the chairman or secretary of the board, indicating any amendments thus authorized from such regulations as were previously filed, shall be transmitted to the Register of Deeds of Cheshire County by the chairman or secretary of the board.

SECTION XI PENALTIES FOR TRANSFERRING LOTS IN UNAPPROVED SUBDIVISION

Any owner, or agents of the owner, of any land located within a subdivision, who transfers or sells any land, before a plat of the said subdivision has been approved by the planning board and recorded or filed in the office of the registry of deeds, shall in accordance with RSA 676:16, forfeit and pay a penalty of five hundred dollars for each lot or parcel so transferred or sold; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. Said municipality may enjoin such transfer or sale or agreement and may recover the said penalty by civil action. In any such action, attorney's fees as same may be ordered by the court.

SECTION XII COURT REVIEW RSA 677:15

Any persons aggrieved by any decision of the planning board concerning a plat or subdivision or building permit may present to the superior court a petition, duly verified, setting forth that such decision is illegal in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the office of the planning board. Upon presentation of such petition, the court may allow certiorari order directed to the planning board to review such decision and shall prescribe therein the time within which return thereto shall be made and served upon the petitioner's attorney, which shall not be less than ten (10) days and may be extended by the court. The allowance of the order shall stay proceedings upon the decision appealed from. The planning board shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof, or of such portions thereof, as may be called for by such order. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified. If upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusion of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review. Costs shall not be allowed against the municipality, unless it shall appear to the court that the planning board acted in bad faith or with malice in making the decision appealed from.

SECTION-XIII VALIDITY

If any article, section, sub-section, sentence, clause or phrase of these regulations is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the remaining portions of these regulations.

SECTION-XIV EFFECTIVE DATE

These regulations shall take effect upon their adoption, and all regulations, or parts of regulations, inconsistent therewith, are hereby repealed.

Date Adopted
09/18/90

FLOOD HAZARD AREAS

Special Flood Hazard Areas - All subdivision proposals and proposals for other development governed by these regulations having lands identified as Special Flood Hazard Areas in the "Flood Insurance Study for the Town of Hinsdale, NH", together with the associated Flood Insurance Rate Maps and Flood Boundary and Floodway Maps

of the Town of Hinsdale, dated May 23, 2006, shall meet the following requirements:

All subdivision proposals and other proposed new development shall be reviewed to determine whether such proposals will be reasonably safe from flooding. Subdivision review shall assure that the following minimum standards are met:

1. the proposal is designed consistent with the need to minimize flood damage, and
2. all public utilities and facilities, such as sewer, electrical, gas, and water systems shall be located and constructed to minimize or eliminate flood damage, and
3. adequate drainage systems shall be provided to reduce exposure to flood hazards, and
4. base flood elevation (the level of the 100 year flood) data shall be provided for proposals greater than 50 lots or 5 acres, whichever is the lesser, for that portion within the Special Flood Hazard Area.