

REGULATIONS FOR THE SUBDIVISION OF LAND

Amended February 28, 2018

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SECTION I AUTHORITY AND PURPOSE

Pursuant to the authority vested in the Tamworth Planning Board by the voters of the Town of Tamworth on March 11, 1969 and in accordance with the provisions of RSA 674:35 of the New Hampshire Revised Statutes Annotated, and as amended, the Tamworth Planning Board adopts the following regulations governing the subdivision of land in the Town of Tamworth, New Hampshire. These regulations are designed to accomplish the purposes set forth in RSA 674:36 and for the purpose of protecting the health, safety, convenience, and economic and general welfare of our citizens.

SECTION II TITLE

These regulations shall be known and cited as the Subdivision Regulations of Tamworth, New Hampshire.

SECTION III DEFINITIONS

A. Abutter

Means any person whose property adjoins or is directly across the Street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purpose of notification, the term "Abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification, in the case of an abutting property being under a condominium or other collective form of ownership, the term Abutter means the officers of the collective or association, as defined in RSA 356-B: 3, XXIII.

B. Applicant

Means the owner of record of the land to be subdivided, or his/her/its designated agent.

C. Approval/Approve

Means recognition by the Planning Board certified by written endorsement on the plat, that the plat meets the requirements of these Regulations.

D. Board

Means the Planning Board of Tamworth.

E. Boundary Line Adjustment

Means adjustments to the boundaries between adjoining lots, where no additional lots are created, but there are changes to the tax map, and the resultant lots conform to the requirements of these regulations.

A Boundary Line Adjustment does require planning board approval.

F. Boundary Line Agreement

An agreement created pursuant to RSA 472:1 through 472.5, between adjoining land owners as to the location of a disputed common boundary, the location of which cannot be determined by monuments and boundaries named in deeds of said land owners or their predecessors in title. A

survey plat showing an agreement line shall show courses and distances, and suitable and permanent monuments shall be placed at each end and at each angle of the agreed upon boundary.

A Boundary Line Agreement does not require planning board approval.

G. Conditional Approval

Means recognition by the Planning Board that the plat is approved subject to the satisfaction of conditions, enumerated by the Board (RSA 674:36, III).

H. Development

Means any construction or grading activities on real estate intended to facilitate current or future division of the lot, tract or parcel of land into two or more lots, plats, sites or other divisions of land for sale, rent, lease or condominium conveyance.

I. Driveway

An access way approved by the Road Agent pursuant to RSA 236:13 with the permit issued by the road agent.

J. Easement

Means the grant or reservation by the owner of land for the use of all or a portion of such by others for a specific purpose (or purposes), which arises by a conveyance of an interest in land.

K. Frontage

The distance along the lot line dividing a lot from either (1.) a public highway, excepting limited access highways as defined by RSA 230:44 and Class VI highways or (2.) a subdivision road shown on a plat approved by the Planning Board and recorded at the Registry of Deeds.

L. Lot

Means a parcel of land which existed prior to adoption of the Subdivision Regulations of Tamworth or a separate parcel of land as shown on any Approved Plat or any Plat submitted to the Board for Approval.

M. Lot of Record

Means a parcel, the plat or description of which has been recorded at the county registry of deeds.

N. Plat

Means the map, drawing or chart on which the plan of subdivision is presented to the Board for Approval, and which, if approved, will be submitted to the Register of Deeds of Carroll County for recording.

O. Private Road

Means a road that remains under private use and ownership.

P. Public Hearing

Means a meeting, notice of which must be given in accordance with RSA 675:7, 676:4, I(d) and 676:4-a at which the public is allowed to offer testimony.

Q. Public Meeting

Means the regular business meeting of the Planning Board as required by RSA 673:10. Notice must be posted at least 24 hours in advance and be posted in two public places. The meeting must be open to the public, although participation by the public is at the discretion of the Board.

R. Reserve Strips

(1) A provision in a deed or other real estate conveyance that retains a right for the existing owner even if other property rights are transferred;

(2) A method of holding land for future public use by designating public areas on a plat, or map as a condition of approval.

S. Right-of-Way

Means a strip of land for which legal right of passage has been granted in the form of an Easement by the landowner to provide access to a Lot.

T. Road Agent

Means the duly elected Road Agent for the Town of Tamworth.

U. Slope

Means the steepness of land surface, expressed as a percentage. Slope is calculated by dividing change in vertical elevation by the horizontal distance over which the change in elevation occurs multiplied by one hundred.

V. Soil Type

Means the soils type described in the Soil Survey of Carroll County as published by the United States Department of Agriculture Soil Conservation Service or as determined by a State of New Hampshire certified soils scientist.

W. Street

Means a public way that lawfully exists and is maintained for vehicular travel.

X. Subdivision

Means the division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among several owners shall be deemed a Subdivision.

Y. Voluntary Lot Merger

Means consolidation of two or more contiguous lots as defined by RSA 674:39a. Lot Merger procedures appear in the Planning Board Rules of Procedure.

Z. Wetlands

Means lands defined as wetlands by the Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

SECTION IV GENERAL REQUIREMENTS

A. Character of Land for Subdivision

Land of such character that cannot, in the judgment of the Board, be safely used for building development purposes due to peril from fire or flood, poor drainage, excessive slope, high water table, bedrock or impervious strata close to the surface or any other conditions which represent a hazard or a threat to public health and safety, shall not be platted for residential, commercial, or industrial Subdivision, nor for such other uses as may constitute a risk to the public health, safety and welfare.

B. Premature Subdivision

The Board may provide against such scattered or premature Subdivision of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, sewage disposal, drainage, transportation, schools, fire protection, or other public services which necessitate the excessive expenditure of public funds for the supply of such services (RSA 674:36, II(a)).

C. Preservation of Existing Features

Wherever feasible, suitable steps shall be taken to preserve and protect significant existing features such as trees, scenic points, stone walls, rock outcroppings, water bodies, and historic landmarks. Where possible, the boundary line(s) should follow stonewalls. Subdivision proposals will not be approved if nonessential filling or dredging of Wetlands or water bodies is required by the proposal.

D. Lots

1. Each Lot created in any Subdivision shall be in conformance with and have a minimum area as determined by the Soils and Slopes Table (Appendix A) subject to the following:
 - a. All references to square foot area shall mean contiguous area.
 - b. For a single-family residence of one to four bedrooms, the minimum Lot size shall be as listed on the Soils and Slopes Table (Appendix A).
 - c. For residential uses of five to ten bedrooms in a single structure, the minimum Lot size shall be determined by dividing the number of bedrooms by four and multiplying the quotient by the applicable minimum Lot size as listed on the Soils and Slopes Table (Appendix A).
 - d. For residential uses of more than ten bedrooms in a single structure, the minimum Lot size shall be determined by dividing the number of bedrooms by four and multiplying the quotient by the applicable minimum Lot size as listed on the Soils and Slopes Table (Appendix A) and multiplying the product by seventy-five percent provided, however, that the final lot area shall not be less than the area required for a ten-bedroom structure.
 - e. The minimum lot size shall be determined by reference to the regulations of the Department of Environmental Services provided, however, that the lot size so determined shall not include slopes of greater than thirty-five (35%) percent.

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- f. Wetlands, and lands within the one-hundred-year flood plain, and areas with slopes over thirty-five percent (35%), shall not be included in the calculation of the minimum Lot size.
 - g. Minimum Lot size for a Subdivision (excluding clustered developments) with a community or municipal water and sewer system may be decreased in size by thirty-three and one third percent (33 1/3%) of the required minimum Lot size.
 - h. For clustered Development the aggregate Lot size shall be calculated by multiplying the number of proposed dwelling units by the minimum Lot size as determined by reference to the Soils and Slopes Table (Appendix A). Density may be increased by thirty-three and one third percent (33 1/3%) (a fractional unit shall be deleted) for clustered developments, which meet the following four criteria:
 - (1) The Development must consist of at least five acres,
 - (2) All dwelling units and other structures (excluding sewerage and water facilities) are clustered within a contiguous area encompassing no more than one half (1/2) of the total area of the development,
 - (3) The Subdivision must be able to satisfy all state and municipal water supply and septic regulations within the total area of the development, and
 - (4) The area not designated for dwelling units shall be identified as common area and shall remain undeveloped except to the extent necessary to accommodate sewerage and water facilities or outdoor recreational facilities provided, however, that any such recreational facilities shall not consist of buildings occupying more than 500 square feet of surface area.
2. Lots shall have frontage on water bodies and streets as follows:
 - a. Lots bounded by any ten-acre or larger body of water or the shore or bed of any year-round brook, stream or river shall have frontage along such water body or watercourse of at least 200 feet measured in fifty-foot cords. (Note: Compliance with the Comprehensive Shoreland Protection Act (RSA 483-B) is required where applicable).
 - b. All Lots shall have street frontage of at least 200 feet measured as the distance along the street line (see frontage definition), subject to the following exceptions:
 - i. Lots abutting the circular radius of a cul-de-sac shall have frontage along such cul-de-sac of at least 100 feet.
 3. All buildings and septic systems shall be at least 75 feet from all brooks, rivers, streams, ponds, lakes, wetlands or Type A Hydric soils. For public safety and to permit emergency access, all buildings shall be set back in accordance with the State Fire Code.
 4. Lots shall be laid out in relation to the topography and graded sufficiently to provide adequate drainage without the diversion of water onto other Lots or onto property abutting the Subdivision or into any brook, river, stream, pond, lake or wetland.

E. Reserve Strips

Reserve strips of land that 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.

F. Septic Systems and Water Supply

All Subdivisions shall comply with all Federal, State and Municipal requirements for the construction and maintenance of private and community septic and water systems.

G. Monuments

Iron pins, granite, concrete, drill holes or other suitable materials shall be set at all Lot corners.

H. Utility Easements

Utility Easements shall be not less than fifteen (15) feet in width and shall have satisfactory access to existing or proposed public ways.

I. Operation and Maintenance of Facilities

All Subdivisions with a community water supply, sewage disposal system or other community facilities shall make satisfactory provisions for the continued operation and maintenance of such facilities.

J. Pedestrian Walks

Where necessary, in the judgment of the Board, Rights-of-Way for pedestrian travel and access may be required between Subdivisions or its parts, or between a Subdivision and public property.

K. Recreational and Open Space 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, shall be of reasonable size and character for neighborhood playgrounds or other recreational uses. Parks and playgrounds shall be located centrally and conveniently for the use of all residents. For Subdivisions involving more than fifteen (15) lots, whether done at one time or in a series, at least ten (10) percent of the original area shall be reserved for recreational and open space purposes, and so defined on the Subdivision plan.

L. Roads and Streets

Private Roads and Streets contained within a Subdivision shall be constructed in accordance with requirements set forth at Appendix B "Road Design and Construction Requirements."

SECTION V TYPES OF APPLICATIONS

A. Preliminary Conceptual Consultation

1. While the Conceptual Consultation phase is optional, the Applicant is encouraged to meet with the Board to discuss a proposal in conceptual form and in general terms. Such pre-application consultation shall be informal and directed toward:
 - a. Reviewing the basic concepts of the proposal,
 - b. Reviewing the proposal with regard to the master plan,
 - c. Explaining the state and local regulations that may apply to the proposal, and
 - d. Identification of submission requirements.
2. Preliminary conceptual consultation shall not bind the Applicant or the Board.
3. Such discussion may occur without formal notice to abutters and the public, as required by RSA 676:4, I(d), but must only occur at a Public Meeting of the Board, subject to public notice under RSA 91-A:2 II.
4. Because notice is not provided to the abutters and the public, the discussion is informal, and no plans, property maps, or specific details are presented. Neither the applicant nor the planning board may go beyond the general and conceptual limits and begin discussing the design or engineering details of a proposal.

B. Design Review

1. Prior to submission of an application for Board action, an Applicant may optionally meet with the Board for non-binding discussions beyond the conceptual and general stage, involving more specific design and engineering details of the proposed application.
2. The design review phase may proceed only after identification of and notice to abutters and the general public, as required by RSA 676:4, I(d).

C. Subdivision

1. A "Subdivision" means the division of the lot, tract, or parcel of land into 2 or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes resubdivision.
2. A Subdivision requires a completed application which shall consist of all data required in Section VI of these regulations.
3. The resulting lots must be buildable lots.

D. Boundary Line Adjustment (Lot Line Adjustment)

1. A Boundary Line Adjustment is a form of subdivision that makes changes to existing lots, but does not create any additional lots.
2. A Boundary Line Adjustment requires a plat that meets all the requirements in Section VI.F.
3. The resulting lots must be buildable lots.

4. A Boundary Line Adjustment requires abutter notices, a public hearing, and planning board approval.
5. A Boundary Line Adjustment transaction is not complete until deeds are recorded.

E. Lot Merger

1. Lot Mergers are technically not part of subdivision, but are related. This paragraph is included for informational purposes only. Lot Mergers are governed by RSA 674:39-a, and the Tamworth Planning Board Rules Of Administrative Procedure.
2. Any owner of two (2) or more contiguous preexisting approved subdivided lots or parcels, who wishes to merge them for municipal regulation and taxation purposes, may do so by applying to the Planning Board, and filing an application for Voluntary Merger, along with an administrative processing fee. Upon such application, the Planning Board shall determine whether the merger would violate any Tamworth Ordinances or Regulations, and if there would be no such violation, the Planning Board shall approve the Voluntary Merger, and shall file a copy of the approved notice of merger with the Selectmen's agent.
3. No such merged parcels shall thereafter be separately transferred without subdivision approval.
4. Lot Mergers must be reviewed at a public meeting, but do not require a public hearing, or notices to abutters.

F. Waiver Request

1. The Planning Board may waive or modify such specific requirements of these Regulations as it deems appropriate, when, in its judgment:
 - a. Special circumstances exist where strict conformity with any specific requirements of these Regulations would cause undue hardship or injustice to the subdivider,
 - b. and where the circumstances are related to the topography, or the unique physical conditions peculiar to the proposed subdivision,
 - c. and provided that the general spirit, intent, and purpose of the Master Plan and these Regulations will not be adversely or substantially affected or harmed,
 - d. and further, provided that the public convenience and welfare of the citizens of Tamworth will be substantially served and not adversely affected.
2. In approving waivers, the Planning Board may require such conditions as will, in its judgment, secure substantially the objectives of the standards and requirements of these Regulations.

SECTION VI SUBMISSION REQUIREMENTS

A. Completed Application

A completed application shall consist of the following items:

1. Completed application form.
2. Items already checked are required.
3. Check all other applicable boxes.

B. Abutters List

1. It is the applicant's responsibility to provide a list of abutters, parties holding an interest in the property (Right of Way, Easement, Covenant), any agent, and any professional who has placed his or her seal on a plan or plat that is being submitted (whether the plan was created for the current application or was created sometime before). The list of names and addresses of all Abutters shall be taken from current electronic town records as maintained by the Assessing Clerk, not more than five (5) days before the day of filing.
2. Three sets of mailing labels for the notification of abutters, and others.

C. Fees

1. All applications shall be accompanied by a check to reimburse the Board for notification, advertising costs, and application fees according to the fee schedule. (See Appendix C below.)
2. Pursuant to RSA 676:4, I(g) it shall be the responsibility of the Applicant, if the Board deems it necessary, to pay reasonable fees for special investigative studies, environmental assessments, legal review of documents, administrative expenses and other matters which may be required to make an informed decision on a particular application. Failure to pay such costs shall constitute valid grounds for the Board to terminate further consideration of the application and to disapprove the Plat without a Public Hearing.
3. Separate Payment to "Carroll County Registry of Deeds" as required by NH RSA for the Land and Heritage Conservation Investment Program (LCHIP).

D. Agent Designation

The property owner may authorize an agent to represent their application, by identifying the agent on the application form.

E. Signatures

1. All property owners must sign an application.
2. If the property is not owned by an individual(s), one copy of the legal document authorizing the signature must be submitted.

3. By filing an application, the applicant consents to a visual on-site inspection of the property by the Board or its agents at any stage of the proposal. Such site visits will be preceded by notification of the applicant.

F. Plat Requirements

Five (5) copies of the Plat, prepared at any scale between 1"=20' and 1"=400', provided, however, that all required information is legible on the Plat. The outside dimensions of the Mylar shall, be as specified by the Carroll County Registry of Deeds.

Plats must meet all requirements of RSA 478:1-a.

Plats must meet all requirements of the Carroll County Registry of Deeds, including a 1 ½" by 3 ½" white space in the upper right hand corner, for the registry plan number and recording information.

The Plat shall show the following information:

1. Name of the municipality; type of survey; proposed Subdivision name; name and address of owner of record; name of subdivider; date; bar scale; north arrow; name, license, number and stamp of surveyor.
2. Names of owners of record of abutting properties, streets, easements, parks, public open spaces.
3. Vicinity map showing location of Subdivision and its relationship to the rest of the town. This map shall be at a minimum scale of 1" to 500' and a maximum scale of 1" to 2000'.
4. Plans shall depict the entire area and boundary of each lot. Boundary survey including bearings, distances and the location of permanent markers which shall be identified as "found," "set," or "to be set." The survey shall be conducted according to the standards outlined by the New Hampshire Code of Administrative Rules LAN500. Distances shall be to the nearest hundredth of a foot and bearings to thirty-seconds.
5. Location and profiles with elevations of existing water mains, sewers, culverts, drains, or proposed connections to alternative means of providing water supply and disposal of sewage and surface drainage.
6. Existing and proposed easements, rights-of-way, driveways, and existing buildings or other structures.
7. Location of property lines, including the entire undivided lot, Lot areas in square feet and acres, and frontage on Streets. Each lot shall be numbered according to the Town tax map numbering system.
8. Water courses, ponds, standing water, ledge outcrops, stone walls and other natural features.
9. Existing and proposed Streets with names, classification, travel surface widths and Right-of-Way widths.
10. Final road profiles, center line stationing and cross sections, bridge and culvert designs and locations.

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11. Existing and proposed topographic contours based on five (5) foot intervals based upon the field surveying or aerial photogrammetry data.
12. Soil data, based on Carroll County Soil Survey, Wetland delineation; and any "Area of Special Flood Hazard" as defined in the Tamworth Flood Plain Development Ordinance as adopted August 13, 1991, and amended on March 12, 2013.
13. Location of existing or proposed well, with 75-foot well radius on its own lot.
14. Location of all soil test pits and percolation tests within a delineated 4,000 square-foot septic area, with test dates and test results.
15. A signature box for approval by the planning board, with room for two signatures and dates.

G. Other Information

1. Plan for the control of sedimentation and erosion, if applicable.
2. Town or State Driveway permit number, as applicable. See "Building Requirements" (includes Driveway Permits) in Tamworth's Regulations, Requirements, and Policies.
3. Any deed restrictions; and all deeds covering land to be used for public purposes, easements and Rights-of-Way over property to remain in private ownership, and rights of drainage across private property are submitted in a form satisfactory to the Board's counsel.
4. Any additional reports or studies deemed necessary by the Board to make an informed decision, including but not limited to: traffic, school, fiscal and environmental impact analyses. The Board reserves the right to request such information after an application has been accepted as complete, as well as before acceptance.
5. Location of all parcels of land proposed to be dedicated to public use and the conditions of such dedication; location of all parcels of land proposed for community use and the conditions of such use; and a copy of such private deed restrictions as are intended to cover part or all of the tract.
6. If any one or more of the proposed lots are less than five acres in area, state subdivision approval number is required and the applicant shall submit six copies of the plat (RSA 485-A:29I). This additional copy must be submitted to the NHDES (Department of Environmental Services) within 30 days of approval by the Planning Board. A plat consistent with the plat submitted to the state must be submitted to the Board.

H. Boundary Line Adjustment

1. Boundary Line Adjustment applications shall be signed by the owners of all lots involved.
2. Recording of the deeds within one hundred twenty (120) days shall be a condition of approval.

I. Waivers

1. A separate Waiver Application shall be submitted for each numbered paragraph of these regulations (e.g. VI.F.1) from which a waiver is being sought.

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2. The application shall state fully the grounds for the waiver and all of the facts relied upon by the applicant or petitioner.
3. The application shall show the specific circumstances surrounding Subdivision, the topography, or other inherent limitations or condition of the land, which would cause undue hardship or injustice to the owner, in meeting the requirements.
4. The application shall show that such waiver would not affect the adequacy of the lots for their intended use.
5. The application shall show that the waiver requested will properly carry out the purpose and intent of the Master Plan and these Regulations.
6. The application shall demonstrate that such relaxation or waiver would serve the public interest, and not adversely affect the welfare of the Town.

SECTION VII APPLICATION REVIEW PROCEDURES

A. Submission Schedule

See: Planning Board Rules Of Administrative Procedure section III, "Application, Submission And Review Procedures" for the timing requirements of application submission and review.

B. Notification

1. Notice of all Design Review, Boundary Line Adjustment, and Subdivision Applications, and any initial Public Hearing shall be given to the Abutters, the Applicant, holders of conservation, preservation, or agricultural preservation restrictions and every engineer, architect, land surveyor, or soils scientist whose professional seal appears on any Plat by certified mail, mailed at least ten (10) days prior to the Public Hearing. The public will be given notice at the same time by posting at the Town Hall and the Post Office and publication in a newspaper of general circulation within Carroll County. For proposals within which any structure or proposed building site will be within 500 feet of the top of the bank of any lake, pond, river, or stream, the Planning Board shall also notify the Department of Environmental Services by first class mail (RSA 676:4).
2. The notice shall give the date, time, and place of the Public Hearing at which the application or other item(s) will be formally submitted to the Board, shall include a general description of the proposal which is to be considered, and shall identify the Applicant and the location of the proposal.

C. Developments Having Regional Impact: RSA 36:54-58

1. All applications shall be reviewed for potential regional impacts. Upon such a finding, the Board may furnish the regional planning commission(s) and the affected municipalities with copies of the minutes of the meeting at which the determination was made. The copies shall be sent by certified mail within 72 hours of the meeting.
2. At least 14 days prior to the scheduled Public Hearing, the Board shall notify by certified mail the regional planning commission(s) and the affected municipalities of the date, time, and place of the hearing, and of their right to appear as Abutters to offer testimony concerning the proposal.

D. State Building Code Review

All applications shall be reviewed for compliance with State Building Codes by the Tamworth Fire Chief. Upon receipt, all applications shall be referred for such review. A written statement that the proposed subdivision plat is satisfactory is required before final approval may be granted.

E. Accepting Application as Complete

1. All applications will be reviewed for completeness by the Board at a regular meeting of the Board. If the application is incomplete, the Applicant shall provide the missing submission items to The Board.
2. Acceptance of an application as complete shall only occur at a Public Hearing after due notification has been given according to RSA 676:4, I(d).
3. Acceptance will be by affirmative vote of a majority of the Board members present, which shall be entered in the minutes of the meeting.

F. Application Amendments

Once submitted, an application cannot be substantively amended without the changes being reviewed and accepted by the Board after notice to all Abutters, or submittal of a revised application."

G. Site Inspections

1. Whenever the Board deems it necessary for the consideration of an application to visit the site; the Board shall request permission from the Applicant. Inclusion of the public at the site inspection is at the discretion of the Applicant.
2. Such a site inspection shall be posted as a Public Meeting of the Board pursuant to the Right-to-Know provisions of RSA 91-A. If there is a quorum present at the site inspection, minutes shall be kept.
3. All applications are conditioned upon the owner allowing access to the property, to the extent reasonable and necessary to properly review the application. Denial of access cannot automatically terminate any further consideration of the proposal, but instead should be a basis for The Board to then take a vote at a properly noticed public hearing to decide whether to terminate further consideration of the application.

H. Public Hearing

Prior to approval of a subdivision or Boundary Line Adjustment, a public hearing shall be held with notice given pursuant to RSA 676:4, I(d). At the Public Hearing the Applicant, any Abutter, or any person with a direct interest in the matter may testify in person or submit testimony or evidence in writing. Other persons may testify subject to Board Approval.

I. Board Action on Completed Application

1. The Board shall begin consideration of the complete application within 30 days of its acceptance. The Board shall act to Approve, Conditionally Approve, or disapprove the accepted application within 65 days of acceptance of the application, in accordance with RSA 676:4.
2. The Board may apply to the Selectmen for an extension not to exceed an additional 90 days before acting to Approve, Conditionally Approve or disapprove an application. An Applicant may waive the requirement for Board action within the time periods specified in these regulations and consent to such extension as may be mutually agreeable.
3. Approval of the application shall be certified by written endorsement on the Plat and signed and dated by the Chairman of the Board. If any application is disapproved, the grounds for such disapproval shall be adequately stated in the minutes of the Board and in written notice given to the Applicant within 144 hours of the decision, in accordance with RSA 676:3.
4. An approved Plat shall be recorded by the Board with the Register of Deeds of Carroll County within 90 days of Approval.
5. Except in the case of a Subdivision in which each Lot is fronting on an existing Street, no Plat filed with the Board shall be Approved until the subdivider provides a performance bond or irrevocable letter of credit in accordance with Section X "PERFORMANCE GUARANTY" following. All such improvements shall be completed within two years of the date of Approval of the Plat by the Board. Security other than cash deposits, irrevocable letters of credit (drawn against viable banking institutions) and performance bonds shall be subject to Approval at the Applicant's expense by the Board, the Board of Selectmen and, if deemed necessary, legal counsel for the Board, in accordance with RSA 674:36 III(b). The amount of the performance bond shall be based on an engineer's cost estimate of the necessary improvements. The

estimate shall be approved by the Board and the Board of Selectmen prior to obtaining the bond. All bonds shall be in an amount of one hundred fifteen percent (115%) of the estimated cost of road construction. The performance bond shall not be released until the Board and the Selectmen have certified completion of the required improvements in accordance with the Subdivision design and construction standards and in accordance with the Plat approved by the Board.

J. Waivers

1. A petition for any waiver shall be submitted in writing by the applicant, when the application is filed, or at such time as the need for the waiver may arise.
2. Waivers will be considered after the public hearing is closed, but before the application as a whole.
3. Approval of waivers will be by affirmative vote of a majority of the Board members present, and shall be entered in the minutes of the meeting.
4. In the event the Planning Board denies a request for a waiver submitted with an application, then such application shall not be deemed complete for jurisdictional purposes until the item or information not waived has been submitted.
5. The Board may require deed restrictions or impose additional conditions as a prerequisite to granting any waiver.

K. Conditional Approval

The Board may grant Conditional Approval of an application, but the Plat will not be signed or recorded until all of the conditions have been met. If the Applicant has not complied with the conditions of Approval within one (1) year, the Approval is void and the Applicant must submit a new application. A further Public Hearing is not required when compliance with such conditions:

1. is administrative in nature;
2. involves no discretionary judgment on the part of the Board;
3. requires the Applicant's possession of permits and Approvals granted by other Boards or agencies (NOTE: Any subsequent change to the Plat required by such Approvals must be reviewed and approved by the Board after notice to all Abutters.)

All other conditions shall require a public hearing. Additional notice shall not be required of a continued public hearing if the date, time, and place of the continued hearing were made known at the prior hearing."

L. Failure of the Planning Board to Act

1. In the event that the Board does not act on an accepted application within the prescribed 65 days, the Applicant may petition the Selectmen to issue an order directing the Board to act within 30 days.
2. If the Board fails to act within 40 days of the Selectmen's directive, the application shall be approved by the Selectmen unless they find in writing that the Plat does not comply with a local regulation. In the event the Selectmen fail to act, the Applicant may petition Superior Court to approve the Plat.

SECTION VIII CUMULATIVE EFFECT OF PREVIOUS SUBDIVISIONS

If any land shown on a Plat has been part of any previous Subdivision approved, constructed, or created by conveyance no more than four (4) years prior to the new proposal, any such previous Subdivision will be treated as part of the new proposal for purposes of analyzing its effect and applying all review criteria.

SECTION IX SPECIAL FLOOD HAZARD AREAS

1. The Board shall review the proposed Development to ensure compliance with all Federal, State and local laws regulating Development within any flood hazard area including, without limitation, compliance with the Tamworth Flood Plain Development Ordinance.
2. The Board shall require that all Subdivision proposals for development greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data. Sufficient evidence (construction drawings, grading and land treatment plans) shall be submitted so as to allow 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;
 - C. adequate drainage is provided so as to reduce exposure to flood hazards.

SECTION X PERFORMANCE GUARANTY

A. Performance Guaranty Requirement

As a condition of Approval, the Planning Board shall require the posting of a performance guaranty in an amount sufficient to defray the costs of construction of streets and public utilities such as water and sewer drains and drainage structures. The amount of the security shall be based on an estimate of costs provided by the subdivider and, at the discretion of the Board, reviewed by a licensed engineer. All costs of such review shall be paid by the Applicant.

B. Surety

The security shall be approved as to form and sureties by the Board, the Board of Selectmen, and, if necessary, the municipal counsel. The amount of the security shall include fees to cover the cost of periodic inspections.

C. Public Utility

Where electric lines or other utilities are to be installed by a corporation, municipal department, or public utility, a letter of intent shall be required stating that the work will be done in reasonable time and without expense to the Town.

D. Time Limit

Each approved Plat shall contain a time limit for the completion of streets and public improvements. The performance guarantee shall be released in phases as portions of the secured

improvements or installations are completed and approved by the Board or its designee, in accordance with the plan approved by the Board.

SECTION XI ADMINISTRATION AND ENFORCEMENT

A. Responsibility for Administration and Enforcement

These regulations shall be administered by the Board. The enforcement of these regulations is vested with the Selectmen.

B. Penalties and Fines

Any violation of these regulations shall be subject to a civil fine as provided in RSA 676:16 and 676:17, as amended.

C. Revocation of Planning Board Approval

The Board approval of a Plat may be revoked by the Board in whole or in part, under the following circumstances: (1) at the request of or by agreement with the Applicant; (2) when any requirement or condition of Approval has been violated; (3) when the Applicant has failed to perform any condition of Approval within the time specified or within four years; (4) upon cancellation of any bond or surety posted in accordance with Section XI, PERFORMANCE GUARANTEE; (5) when four years have elapsed without any vesting of rights and the Plat as approved no longer conforms to applicable regulations; or (6) when the Applicant has failed to provide for the continuation of adequate security.

D. Appeals

Any person aggrieved by a decision of the Board concerning a Plat or Subdivision may appeal said decision to the Superior Court pursuant to RSA 677:15, except when a disapproval by the Board is based upon non-compliance with the Town Flood Plain Development Ordinance in which case the appeal shall be to the Tamworth Zoning Board of Adjustment.

SECTION XII VALIDITY

A. Validity

If any section or part of a section or paragraph of these regulations shall be declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or part of a section or paragraph of these regulations.

B. Conflicting Provisions

Where these regulations are in conflict with other local, state or federal ordinances, the more stringent shall apply.

SECTION XIII AMENDMENTS

A. Public Hearing

Prior to any amendment of these subdivision regulations a public hearing shall be held, with notice given pursuant to RSA 675:7. The adopted regulations shall be certified by a majority of The Board and filed with the Town Clerk.

B. Notice Required

These regulations may be amended by a majority vote of the Board after at least one (1) Public Hearing following the notification procedure outlined in RSA 675:7.

SECTION XIV EFFECTIVE DATE

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

APPENDIX A LOT SIZE BY SOIL/SLOPE IN TAMWORTH

(a) Minimum lot size, in square feet (ft²), and factors for sewage loading shall be determined based on soil groups and slopes as set forth in Table A-1 below, which is a copy of Table 1005-1 from Env-Wq 1000 SUBDIVISION AND INDIVIDUAL SEWAGE DISPOSAL SYSTEM DESIGN RULES:

Soil Group	1	2	3	4	5	6
Slope						
0-8% or A/B	30,000 ft ² 1	39,000 ft ² 1.3	48,000 ft ² 1.6	43,500 ft ² 1.45	90,000 ft ² 3	See (c)
8-15% or C	33,000 ft ² 1.1	43,000 ft ² 1.43	53,000 ft ² 1.76	48,000 ft ² 1.6	Not Applicable	See (c)
15-25% or D	36,000 ft ² 1.2	46,800 ft ² 1.56	62,000 ft ² 2.08	52,000 ft ² 1.73	Not Applicable	See (c)
25-35% or E	39,000 ft ² 1.3	50,700 ft ² 1.69	72,000 ft ² 2.4	57,000 ft ² 1.9	Not Applicable	See (c)

Table A-1: Minimum Lot Size - Residential, 1 to 4 Bedrooms; Sewage Loading Factors

(b) Very poorly drained soils shall not be counted toward site loading to obtain subdivision approval.

(c) For purposes of determining minimum lot sizes, soil groups shall be as follows:

- (1) Group 1 soils shall be well-drained to excessively well-drained soils with rapid permeability;
- (2) Group 2 soils shall be well-drained soils with moderate permeability;
- (3) Group 3 soils shall be moderately well-drained and well-drained with hardpan;
- (4) Group 4 soils shall be bedrock relatively close to the surface;
- (5) Group 5 soils shall be poorly-drained soils; and
- (6) Group 6 soils shall be very poorly drained soils.

Specific names of soils in each group are listed in the Table A-2 below.

Soil Group names shall be as determined by the NHDES Water Division Chapter ENV-WS1000: Subdivision and Individual Sewerage Disposal System Design Rules

Group 1	Group 2	Group 3	Group 4	Group 5	Group 6
Excessively drained and somewhat excessively drained soils with rapidly or very rapidly permeable receiving layer.	Well drained soils with moderately permeable surface and subsoil layers and having a moderate to rapidly permeable receiving layer.	Somewhat poorly drained or moderately well drained soils and well drained soils with a slowly or very slowly permeable receiving layer.	Soils with bedrock within 4 feet of the soil surface.	Poorly drained soil	Very poorly drained soils.
Adams Colton Hermon Suncook	Berkshire Ondawa Ondawa Variant Salmon Variant	Becket Croghan Duane Marlow Nichollville Variant Peru Podunk Podunk Variant Skerry Waumbek	Lyman Rock Outcrop	Leicester Limerick Limerick Variant Naumburg Raynham Variant Ridgebury Walpole	Alluvial Land Chocorua Fresh Water Marsh Greenwood Muck Water Whitman

Table A-2: Soil Group by Name

APPENDIX B ROAD DESIGN AND CONSTRUCTION STANDARDS

a. Applicability: The following road design and construction standards shall apply to all subdivisions consisting of three (3) or more lots.

i. Waivers

(1) Subdivisions consisting of less than five (5) lots may apply for a waiver of the following requirements:

- (a) turn radii designs,
- (b) design speed,
- (c) slopes,
- (d) pavement width,
- (e) shoulder width, and
- (f) guardrail standards

(2) A consultant may be employed by the Planning Board to review waiver requests.

(3) Decisions regarding approval of waiver requests will consider the burden of future road maintenance to both the homeowners and the Town of Tamworth and assure that the waivers will not impair public safety and welfare.

(4) The granting of any waiver will be contingent upon incorporating restrictive plan notes and/or deed covenants prohibiting future subdivision of lots and the extension of roadways until such time as all road design and construction standards are satisfied as if no waiver had been granted.

ii. More Stringent Standards: In all cases of conflict between this and other town or NHDOT regulations, the stricter regulations shall apply.

iii. Reference Standards: The following references are throughout:

(1) AASHTO: American Association of State Highway and Transportation Officials. Latest Edition. A Policy on Geometric Design of Highways and Streets.

(2) MUTCD: US Department of Transportation Federal Highway Administration. Latest Edition. Manual on Uniform Traffic Control Devices.

(3) NHDES Greenbook: NHDES and RCCD. Latest Edition. Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire.

- (4) NHDOT: State of New Hampshire Department of Transportation. 1997. Standard Specifications for Road and Bridge Construction.

b. Road Design Standards

i. Rights-of-Way and Easements

- (1) The minimum width of a right-of-way shall be fifty (50) feet. A greater width may be required for streets that have an average daily traffic in excess of two hundred (200) vehicles per day. The Planning Board or their consultant shall make this determination.
- (2) Easements across lots shall be provided where necessary for utilities, access and drainage. Such easements shall follow lot lines wherever possible. Easement widths shall be appropriate for their use.

ii. Design Traffic Volume

- (1) Roads shall be designed for specific traffic volumes by accepted current engineering practice.
- (2) The average daily traffic (ADT) projected for the whole subdivision shall be the basis for the design.
- (3) The estimated ADT shall be based on the Institute of Transportation Engineers (ITE) trip generation manual (latest edition) and will be no less than eight (8) vehicle trips per day per household (in residential areas) for the projected number of households in the design year.

iii. Road Design Guidelines

- (1) Proposed streets shall be in harmony and conformance with existing and proposed streets as described in the town Master Plan or shown on an Official Map.
- (2) Street patterns shall give due consideration to contours and natural features.
- (3) Where required by the Board, provisions shall be made for the extension of the street pattern to abutting undeveloped property.
- (4) All roads, streets and drainage shall be designed by a Professional Engineer licensed in the state of New Hampshire, whose stamp shall appear on all design drawings for a project.
- (5) Refer to Table 1 for road-design guidelines.

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Table 1 Road Design Guidelines			
Criteria	Terrain Classification		
	Level	Rolling	Hilly
Design Speed (mph)	25	25	20
Minimum Sight Distance (ft.)	200	150	150
Maximum Grade	8%	8%	10%
Minimum Grade	1%	1%	1%
Minimum Curve Radius	200	200	150

(6) Refer to the typical road-section Details #1A and 1B for road design criteria.

iv. Road Layout and Intersections

- (1) The arrangement of roads in the subdivision shall provide for the continuation of existing principal roads.
- (2) Roads shall be laid out so as to intersect at a ninety (90) degree angle or as nearly as possible. No road intersection angle shall be less than seventy-five (75) degrees.
- (3) The centerlines of no more than two (2) streets shall intersect at any one point. At a minimum, one street shall be a "stop" condition, while the other shall be a through street.
- (4) Curve radii at street intersections of ninety (90) degrees shall be at least twenty-five (25) feet. Where the angle of the street intersection is less than ninety (90) degrees, a radius of at least thirty (30) feet shall be required.
- (5) The maximum grade shall not exceed two (2) percent within 100 feet from the edge of pavement of the existing street.
- (6) The minimum centerline offset from an adjacent intersection shall be 125 feet.

v. Pavement Width

- (1) Pavement widths shall be in accordance with Details 1A and 1B.
- (2) When curbing is required, such as at intersections or steeper grades, then the pavement width shall be increased by two (2) feet.

vi. Curbing

- (1) Use of curbing requires catch basins and culverts for drainage. Curbing is required on any road that exceeds eight (8) percent grade, or six (6) percent when the developed length exceeds 250 feet.

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- (2) Granite curbing shall be used. If there are no sidewalks, sloped granite may be used in place of vertical.

vii. Sidewalks

- (1) Sidewalks may be installed to enhance pedestrian circulation and safety.
- (2) If sidewalks are proposed, they shall meet the following:
 - (a) A minimum of five (5) feet wide
 - (b) Constructed of bituminous asphalt or cast-in-place concrete.
 - (c) Designed and constructed in accordance with the NHDOT standards.

viii. Dead-End Streets

- (1) Dead-end streets, designed to be so permanently, shall not serve more than 20 residential units, and have a maximum length of two thousand (2,000) feet.
- (2) No street shall be designed with a permanent dead-end when there
- (3) All dead-end streets shall have a cul-de-sac or hammerhead turnaround providing adequate room for the movement of snowplows and fire equipment.
 - (a) Variations in the typical cul-de-sacs and turnarounds may be allowed to accommodate differences in terrain. (See Detail #4A, 4B or 4C)
 - (b) Minimum outer edge-of-pavement radius for a cul-de-sac shall be fifty (50) feet.
 - (c) Minimum pavement width shall be thirty (30) feet.

ix. Off-Street Parking

- (1) A minimum of two (2) off-street parking spaces shall be required for each residential unit.

x. Driveways (See Detail #5)

- (1) Residential widths are ten (10) feet minimum and eighteen (18) feet maximum within the right-of-way.
- (2) Commercial widths are twenty (20) feet minimum and thirty-six (36) feet maximum.
- (3) Residential intersection entrance flare is fifteen (15) feet minimum radius.
- (4) Commercial intersection entrance flare is twenty-five (25) feet minimum radius.

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- (5) Unpaved driveways, from a paved road, require a twenty (20) foot paved apron measured from the edge of pavement on the road.
- (6) Unpaved driveways, from an unpaved road, require a twenty (20) foot gravel apron measured from the edge of traveled way on the road. The gravel apron shall meet material specifications for subgrade construction.
- (7) No more than two (2) curb cuts for each residential lot.

xi. Traffic-Control Devices and Signing

- (1) Traffic-control devices or signs shall be placed at locations where conflicting traffic movement will exist or where large traffic volume indicates necessity.
- (2) Generally, stop signs will be provided at intersections where the street of lesser traffic volume enters that of a higher traffic volume.
- (3) All signs and control devices shall conform to those standards set forth in the MUTCD.
- (4) Traffic sign location, type and size shall be shown on the drawings and approved by the Planning Board.

xii. Guardrail

- (1) Steel or wood guardrail is required when a road fill exceeds ten (10) feet or in other areas as recommended by AASHTO.
- (2) Guardrails shall be designed in accordance with NHDOT specifications.

xiii. Utilities: All utility services shall be located underground and within 5-feet of the right-of-way line. All above ground transformer slabs shall be located at the right-of-way line adjacent to lot corners.

xiv. Drainage

- (1) Adequate disposal of surface water shall be provided.
- (2) Drainage calculations must be submitted to the Planning Board for their approval.
- (3) The design storm shall be based on a twenty-five-year frequency.
- (4) For drainage areas less than five (5) acres the Rational Method shall be used to compute the peak rate of runoff.
- (5) For drainage areas larger than five (5) acres, the Natural Resources Conservation Service (formerly the Soil Conservation Service) TR-20 method shall be used to compute the peak rate of runoff.

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(6) Culverts shall be sized by generally accepted hydraulic design methods such as those developed by the Federal Highway Administration.

(7) Culverts shall have a minimum diameter of fifteen inches.

xv. Erosion & Sedimentation Control

(1) Erosion control shall be provided in roadside ditches and at drainage structure outlets.

(2) Such erosion control shall be designed and constructed in accordance with the NHDES Greenbook.

xvi. Scenic Road Construction

(1) Practices shall conform to the Tamworth Scenic Road Regulations.

(2) The following practices shall not be permitted without the knowledge and permission of the abutting property owner:

(a) Stone walls shall not be pushed over and destroyed for the laying of culverts or for any other reason.

(b) Debris and excavation material from ditches, culverts or roadways shall be trucked away - not piled along the roadside or onto stonewalls, or pushed onto the adjoining property owners' land.

(c) Runoff from ditches and culverts shall not be directed onto private property.

c. Submission Requirements

i. Road Design Plans

(1) The applicant shall submit four (4) complete sets of road design plans to the Planning Board for approval.

(2) The plans shall be submitted on sheets no larger than 24-inch by 36-inch and having a horizontal scale no smaller than 1 inch = 50 feet and a vertical scale no smaller than 1 inch = 10 feet.

(3) The plan(s) submitted shall show the following:

(a) Title block, including: the name of the subdivision, name of street, name of owner, date (day, month, year), revision history, scale, and name and stamp of a professional licensed engineer in the State of New Hampshire.

(b) Right-of-way lines and bound location.

(c) Slope and drainage easements.

Tamworth Subdivision Regulations

- (d) All centerline data (tangent lengths and bearings, curve data and stationing).
- (e) Edges of pavement lines.
- (f) Appropriate cross-sections as requested by the Board.
- (g) Existing grade at each half station (on profile).
- (h) Proposed grade at each half station (on profile).
- (i) Length of vertical curves and data (on profile).
- (j) Sight distance on horizontal and vertical curves.
- (k) Design speed.
- (l) Type of terrain considered to control design (level, rolling or mountainous).
- (m) Average Daily Traffic (ADT) based on "ITE Trip Generation Manual, latest edition"
- (n) Drainage structure location and inverts, station, skew, length, slope and end treatment.
- (o) Temporary and permanent erosion-control best-management practices.
- (p) Benchmarks not more than five hundred (500) feet apart.
- (q) Utility details.
- (r) Material specification or reference.

ii. Other Submissions

- (1) In the case of a road, which is part of a Subdivision, Subdivision Approval will not be granted until a satisfactory Road design is approved.
- (2) A detailed engineer's estimate of construction cost.
- (3) A letter of certification that all road and utility materials meet the standards specified in these regulations.
- (4) A notarized letter fixing the legal responsibility for construction and maintenance of a private road.

iii. Subdivision As-Built Plans

- (1) Before the final inspection and acceptance of a road or other improvements by the Town, the owner(s) shall prepare and submit as-built plan(s) to the Board.
- (2) As-built drawings shall be maintained on a weekly basis and may be inspected upon request of the Board.
- (3) These plans shall show as-built locations and elevations in a contrasting color (redline drawings acceptable) on a print of the original road design or final plat.
- (4) The as-built plans shall show the following information:
 - (a) road centerline elevations;
 - (b) drainage systems, including: culverts, catch basins, drainage easements, swales and ditches; guard rail locations; sign locations; location of sewer and drain Y-branches, laterals and manholes; hydrants; valves; and curb shutoff valves.
 - (c) Plans shall also show easements and dedicated roadways.

d. Road Construction Standards

i. Clearing and Grubbing

- (1) The entire right-of-way shall be cleared of all trees, stumps, brush, roots, boulders and like materials (this provision may be waived in rural settings).
- (2) In addition, all topsoil and unsuitable materials must be removed from the limits of the road bed.
- (3) The road bed shall extend one foot beyond the shoulder, ditches, or toe of fill slope.

ii. Subgrade Preparation

- (1) All loam and other unsuitable material shall be removed from the roadway and replaced with suitable fill material.
- (2) All boulders and ledge shall be removed to a uniform cross sectional depth of not less than twelve (12) inches below the subgrade and replaced with sand or gravel.

iii. Subbase Material

- (1) In areas of extreme fill, or unsuitable material, or in the presence of water, the construction of a subbase will be required to bring the level of the street up to that which is needed to place base materials.

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- (2) The subbase shall be brought to grade with common material which is suitable for road construction as approved by the town.
- (3) Testing of the materials shall be done at the applicant's expense.

iv. Material

- (1) Construction material shall meet the NHDOT specifications.
- (2) Special specifications for material which differs from the NHDOT standard will be stated explicitly in the initial submission of the design plans.
- (3) Approval of material must be made by the Board's designated consultant prior to its use in construction. A letter of certification shall be provided by the applicant(s) that all material meets specifications.
- (4) Actual delivery slips certifying conformance with NHDOT specifications will be required for paving material.

v. Compaction

- (1) Embankment fill shall be placed in layers the full width of the roadway, generally parallel to the finished grade.
- (2) General fill layers shall not exceed twelve (12) inches; crushed gravel base course shall not exceed six (6) inch layers.
- (3) Each layer shall be spread to a uniform thickness and compacted to ninety-five (95) percent of the maximum density.
- (4) The maximum density shall be specified in AASHTO T99 Standard Proctor Test.
- (5) In-place density will be determined by the AASHTO T191 Sand Cone Method or other approved methods.
- (6) If the required density cannot be achieved with the equipment at hand, the Contractor shall obtain whatever equipment is necessary to achieve the specified density.

vi. Drainage

- (1) Surface water shall be disposed of by means of culverts of sufficient capacity at water courses, as determined by standard hydraulic design methods and by construction of a longitudinal storm drainage system to relieve water in ditch sections.
- (2) Construction shall be in accordance with NHDOT Sections 603 and 604.

vii. Erosion Control

- (1) Erosion shall be controlled by placing mulch or matting on all surfaces disturbed by the roadway construction and on all other surfaces where there is danger of eroding material being carried to the roadway area or a watercourse.
- (2) Erosion control shall be provided in roadside ditches and at drainage structure outlets. Such erosion control shall be sod, small stones or large cobbles, as the design dictates. Paved gutters or outlets will not be allowed.

viii. Construction Observation and Inspection

- (1) The Town and their consultant shall at all times have access to the site for the purpose of performing inspections.
- (2) The cost of inspection and testing shall be paid by the applicant(s).
- (3) The applicant shall notify the Planning Board or the Town's consultant at least two (2) business days prior to the required inspections.
- (4) Upon notification, a Town representative or the Town's consultant shall perform the following inspections within 48 hours.
 - (a) Prior to the start of construction, a pre-construction meeting shall be held prior to the start of the work to review procedures, identify responsibilities and discuss town requirements.
 - (b) Site clearing – roadway is cleared and grubbed down to native soil, free of loam or other unsuitable material prior to placement of any fill.
 - (c) Drainage – installation of pipe, culverts, structures, etc.
 - (d) Subbase gravel – installation and compaction of subbase gravel course.
 - (e) Crushed gravel – installation and compaction of crushed gravel course.
 - (f) Pavement – applicant must notify the town of date(s) which pavement will be installed. The town must give approval prior to the placement of pavement. The Town must inspect the installation of all pavement courses.
 - (g) Utilities – installation of conduits, cables, pipes, and warning tape for electric, water, sewerage, etc.
 - (h) Final inspection – after submission of as-built drawings and prior to the release of the surety of work, the town shall conduct a final inspection. All items from the town's punch list shall be addressed prior to acceptance of work.

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- (5) If at any time during construction the Board feels that it is necessary to have more extensive inspection or engineering than they are capable of providing, the cost of this inspection shall be paid by the Town and reimbursed in full by the owner(s).
- (6) Failure to notify the Town or its consultant of said inspection shall give the Town the right to reject the work and require reconstruction.

ix. Surety of Work

- (1) Proper surety in the form of cash or surety bonds must be submitted to the Town to insure the completion of work.
- (2) No work shall start on the property until proper surety is in place or has been waived by the Board.
- (3) The surety amount shall be one hundred and fifteen (115) percent of the current estimated cost.
- (4) A unit cost estimate shall be submitted for approval prior to the surety being accepted.
- (5) The estimate shall include the costs of inspection and testing.
- (6) Surety may be drawn down no more often than monthly.
- (7) In no case shall the surety be drawn below ten (10) percent until the completed road has successfully stood for one year.

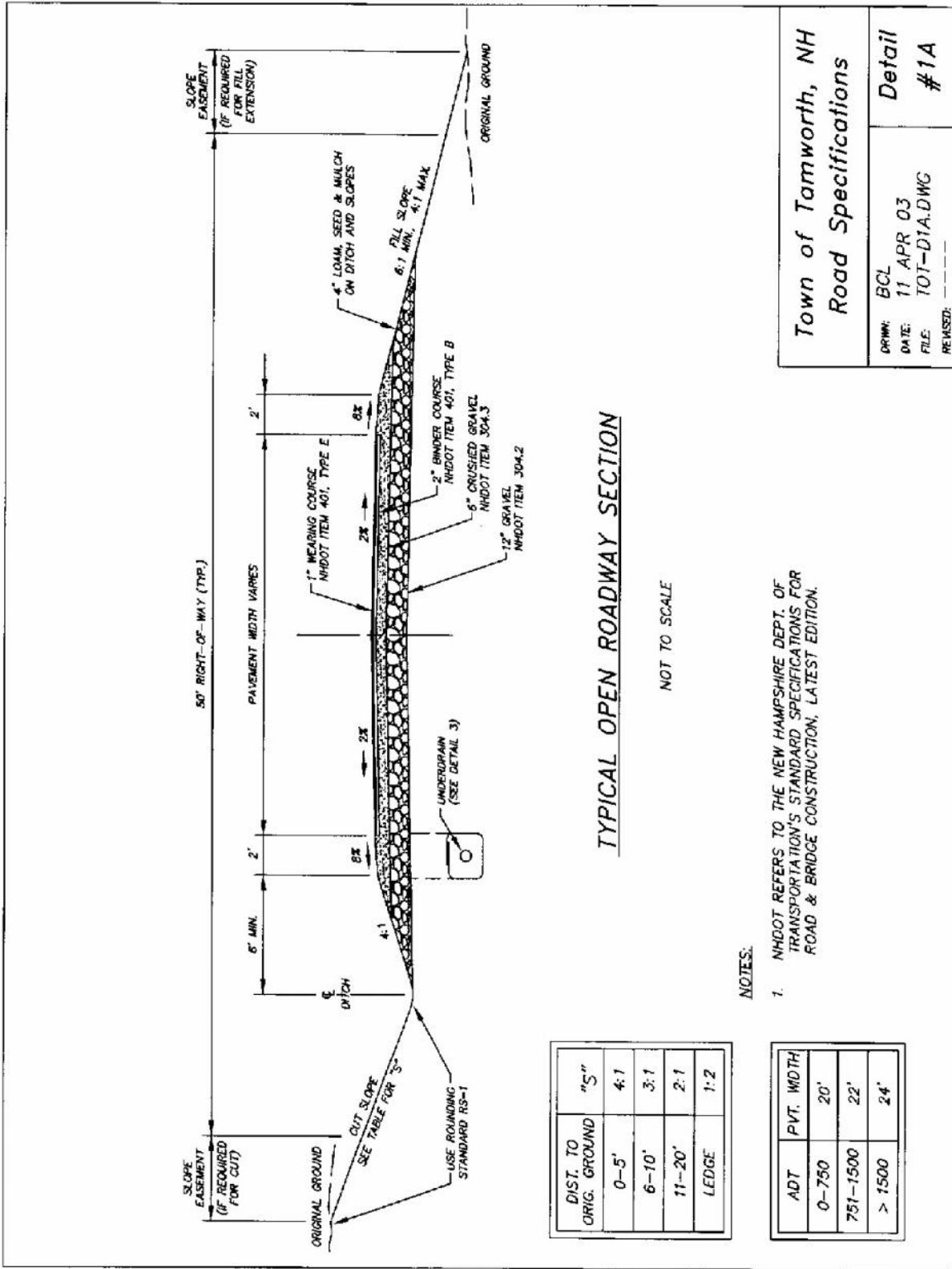
x. Road Acceptance

- (1) No street will be recommended for acceptance by the Town until such time as all improvements have been constructed as shown on the final plat, in accordance with the requirements of these regulations and subject to any conditions established by the Board at the time of final plat approval.
- (2) In addition, the following conditions shall be met prior to the Board recommending a street for acceptance:
 - (a) At least sixty (60) percent of all buildings on lots fronting on the road shall be fully constructed and ready for occupancy.
 - (b) The valuation along said street shall be a minimum of \$500,000 or 60% of the lots have been developed.
 - (c) Street construction shall have been complete for a minimum of eighteen months.
 - (d) The standards of these regulations shall have been met.

Tamworth Subdivision Regulations

- (e) At least one thousand feet (1,000) of street shall be proposed for acceptance, except when the proposal is for a generally straight extension of an existing town street.
- (f) A fee-simple deed shall be submitted to the Town, with its metes and bounds description, prepared by a New Hampshire licensed surveyor. Accompanying the deed shall be a certification by the applicant's surveyor that the right-of-way bounds have been set at the locations shown on the street design plan.
- (g) No road will be recommended for acceptance unless it is accessible via a town or state roadway.

When there are no records indicating that the Town witnessed the road construction (i.e., inspection reports, sieve analyses, compaction tests), road corings to investigate subgrade shall be performed and paid for by the applicant. Testing will not be done between November 1 and May 1. The following testing shall be performed: pavement and aggregate thickness testing at 200-foot spacing; aggregate base density and percent compaction at 200-foot spacing; aggregate base and subgrade sieve analysis at 400-foot spacing; and aggregate base proctor tests at 800-foot spacing (composite from corings).



DIST. TO ORIG. GROUND	"S"
0-5'	4:1
6-10'	3:1
11-20'	2:1
LEDGE	1:2

ADT	PVT. WIDTH
0-750	20'
751-1500	22'
> 1500	24'

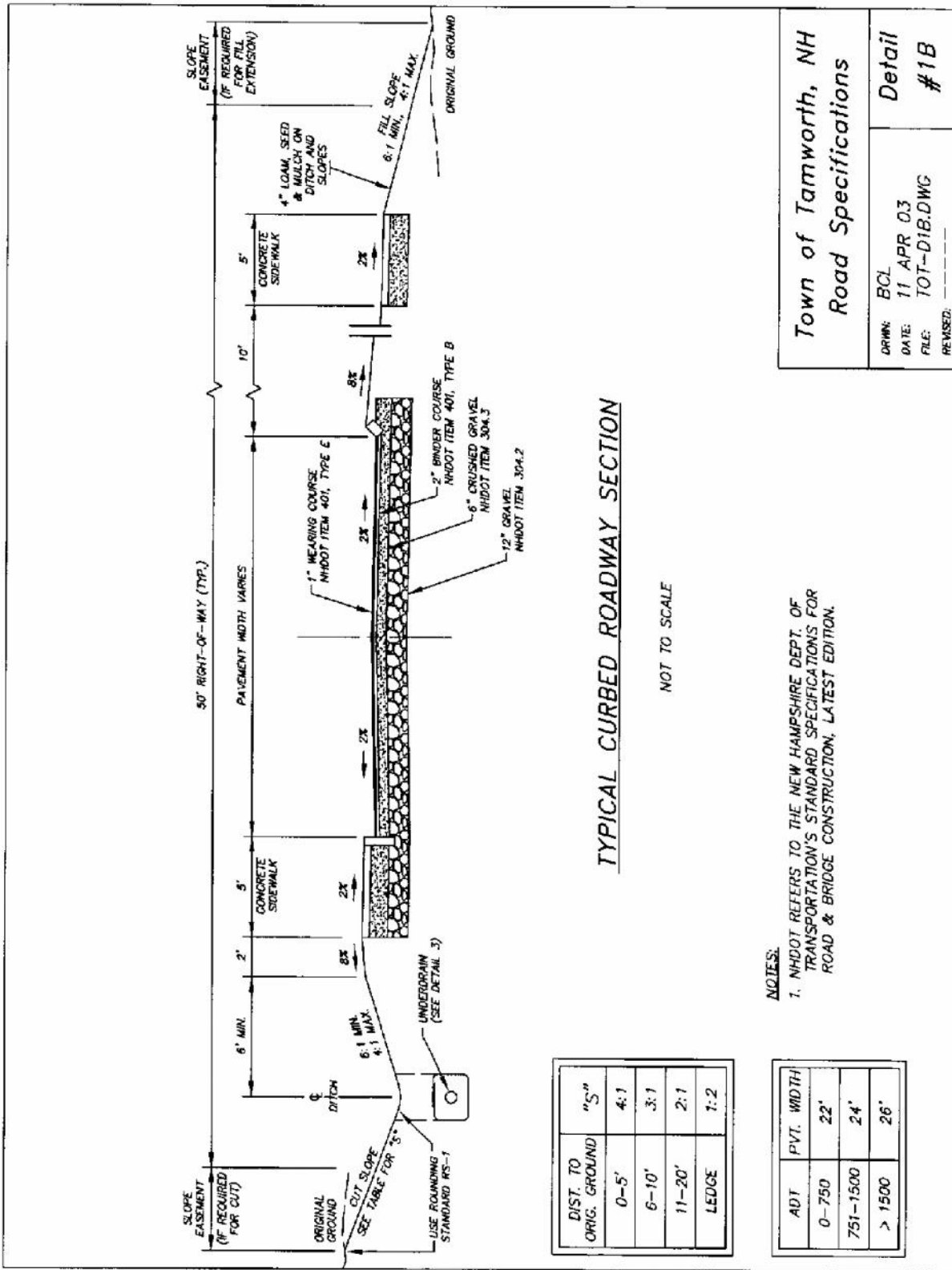
NOTES:

- NHDOT REFERS TO THE NEW HAMPSHIRE DEPT. OF TRANSPORTATION'S STANDARD SPECIFICATIONS FOR ROAD & BRIDGE CONSTRUCTION, LATEST EDITION.

Town of Tamworth, NH
Road Specifications

Detail
#1A

DRWN: BCL
DATE: 11 APR 03
FILE: TOT-D1A.DWG
REVISED: ---



TYPICAL CURBED ROADWAY SECTION

NOT TO SCALE

NOTES:

1. NHDOT REFERS TO THE NEW HAMPSHIRE DEPT. OF TRANSPORTATION'S STANDARD SPECIFICATIONS FOR ROAD & BRIDGE CONSTRUCTION, LATEST EDITION.

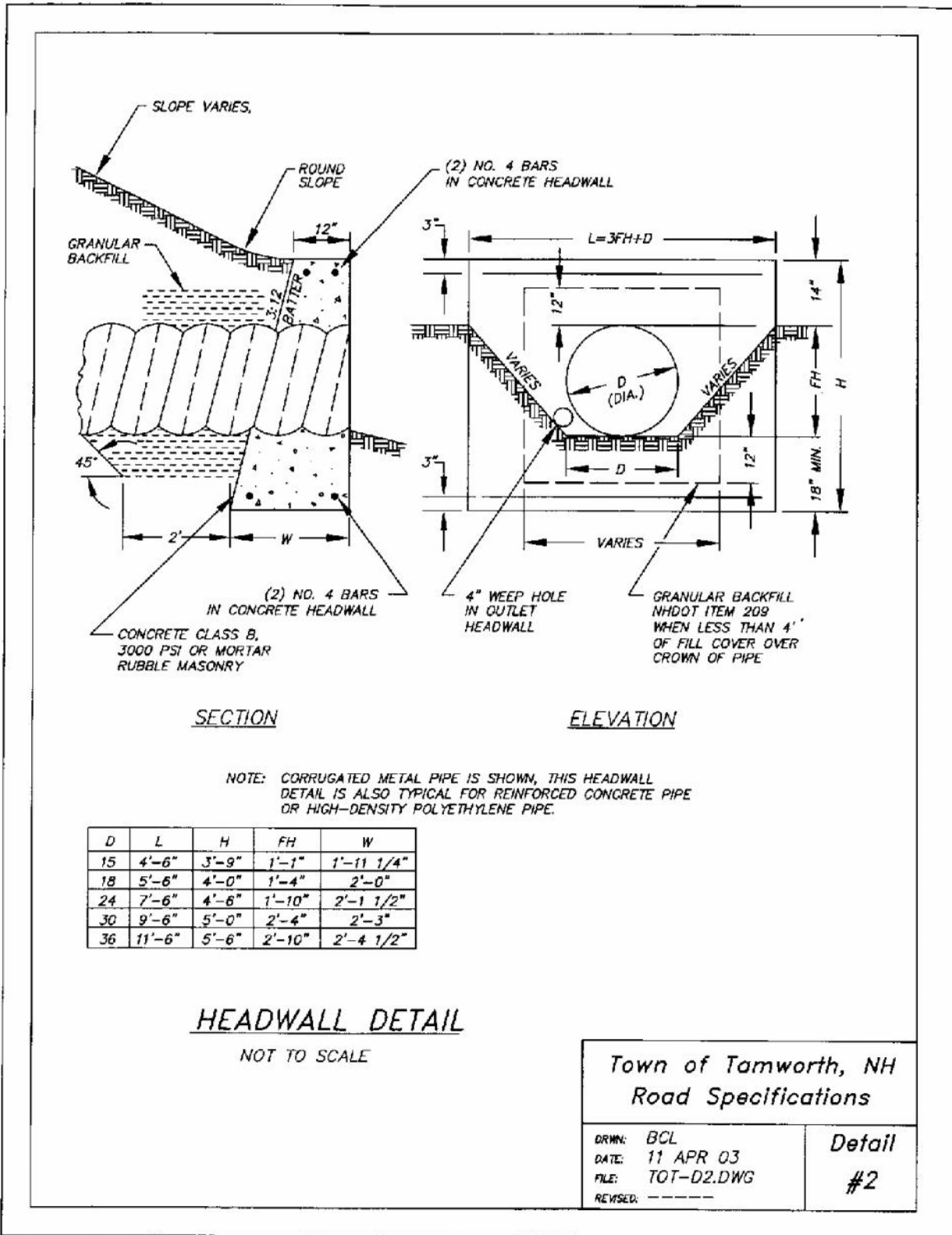
DIST. TO ORIG. GROUND	"S"
0-5'	4:1
6-10'	3:1
11-20'	2:1
LEDGE	1:2

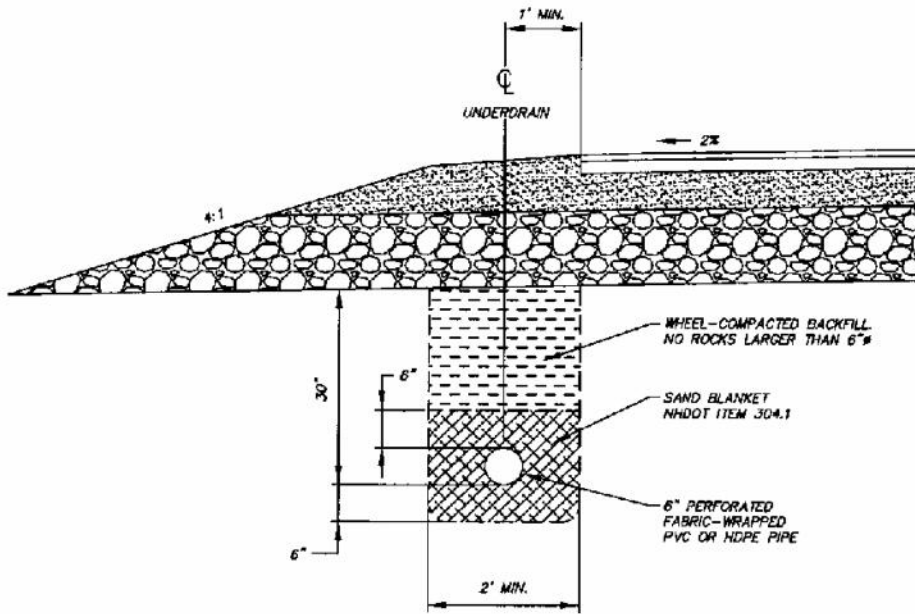
ADT	PVT. WIDTH
0-750	22'
751-1500	24'
> 1500	26'

Town of Tamworth, NH
Road Specifications

Detail
#1B

DRWN: BCL
DATE: 11 APR 03
FILE: TOT-DIB.DWG
REVISED: _____





UNDERDRAIN DETAIL

NOT TO SCALE

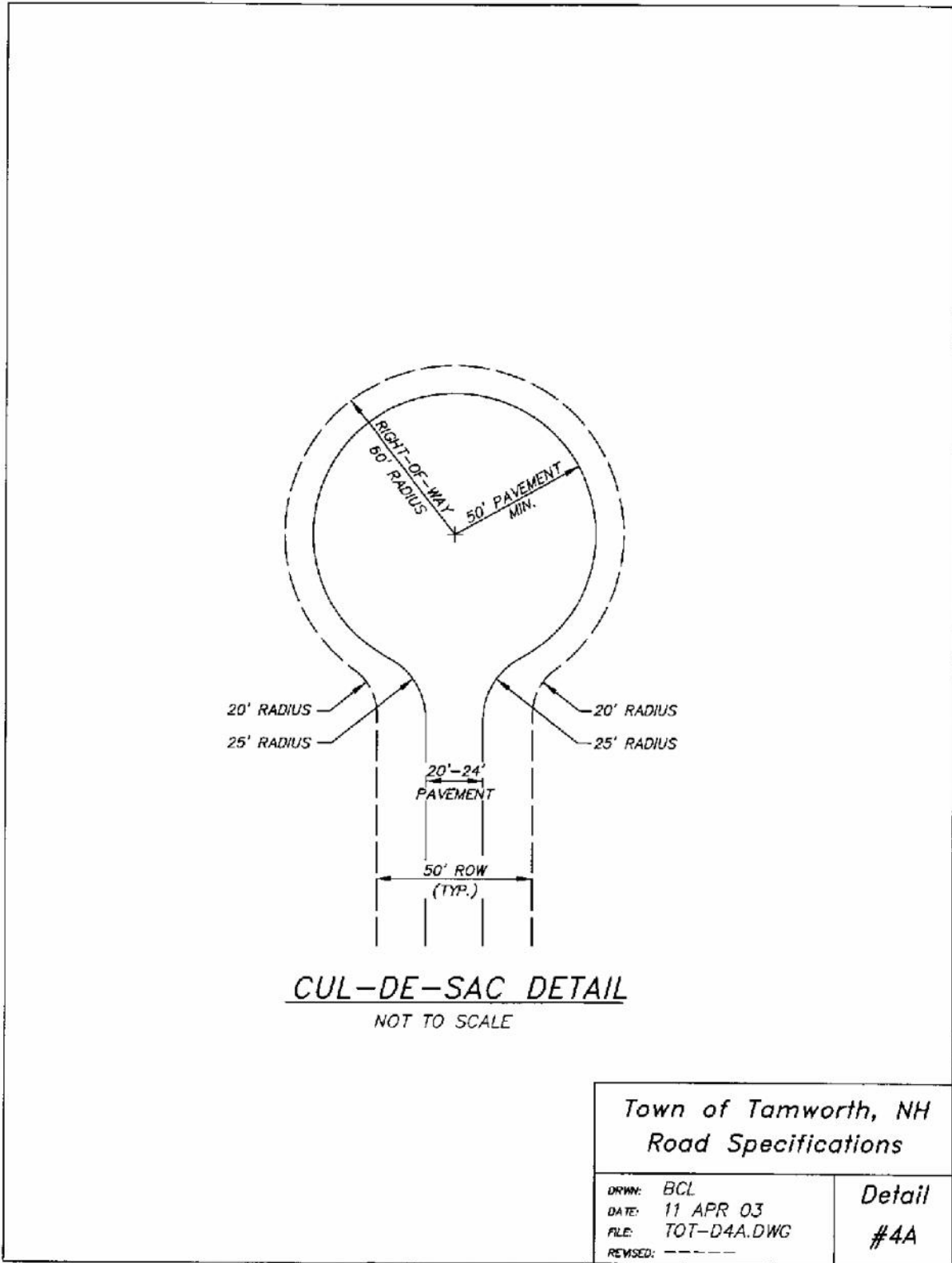
NOTES:

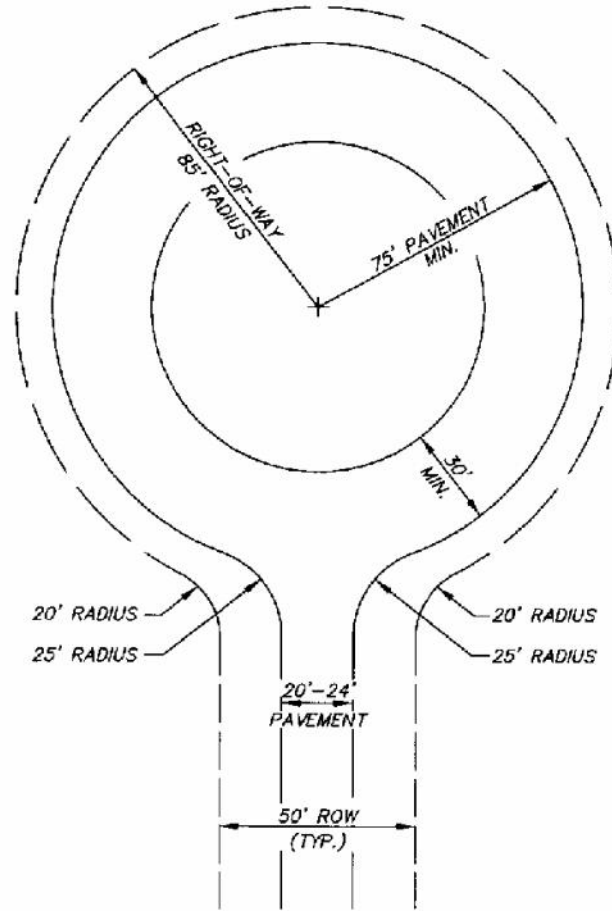
1. UNDERDRAIN SHALL BE PROVIDED IN ALL CUT SECTIONS.
2. NHDOT REFERS TO THE NEW HAMPSHIRE DEPT. OF TRANSPORTATION'S STANDARD SPECIFICATIONS FOR ROAD & BRIDGE CONSTRUCTION, LATEST EDITION.

Town of Tamworth, NH
Road Specifications

DRWN: BCL
DATE: 11 APR 03
FILE: TOT-D3.DWG
REVISED: -----

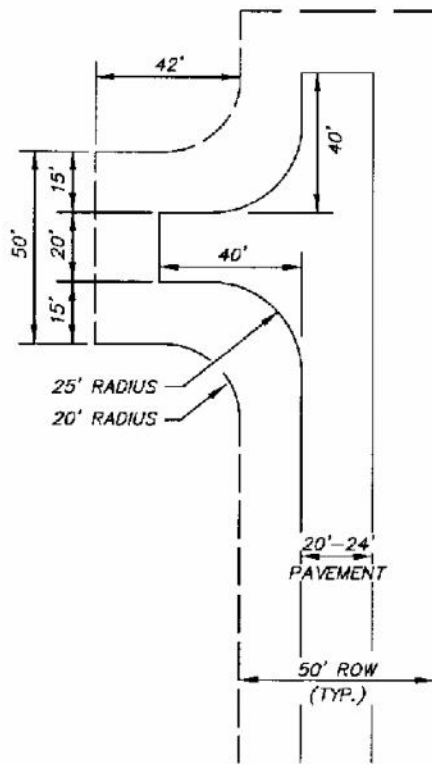
Detail
#3





CUL-DE-SAC DETAIL
NOT TO SCALE

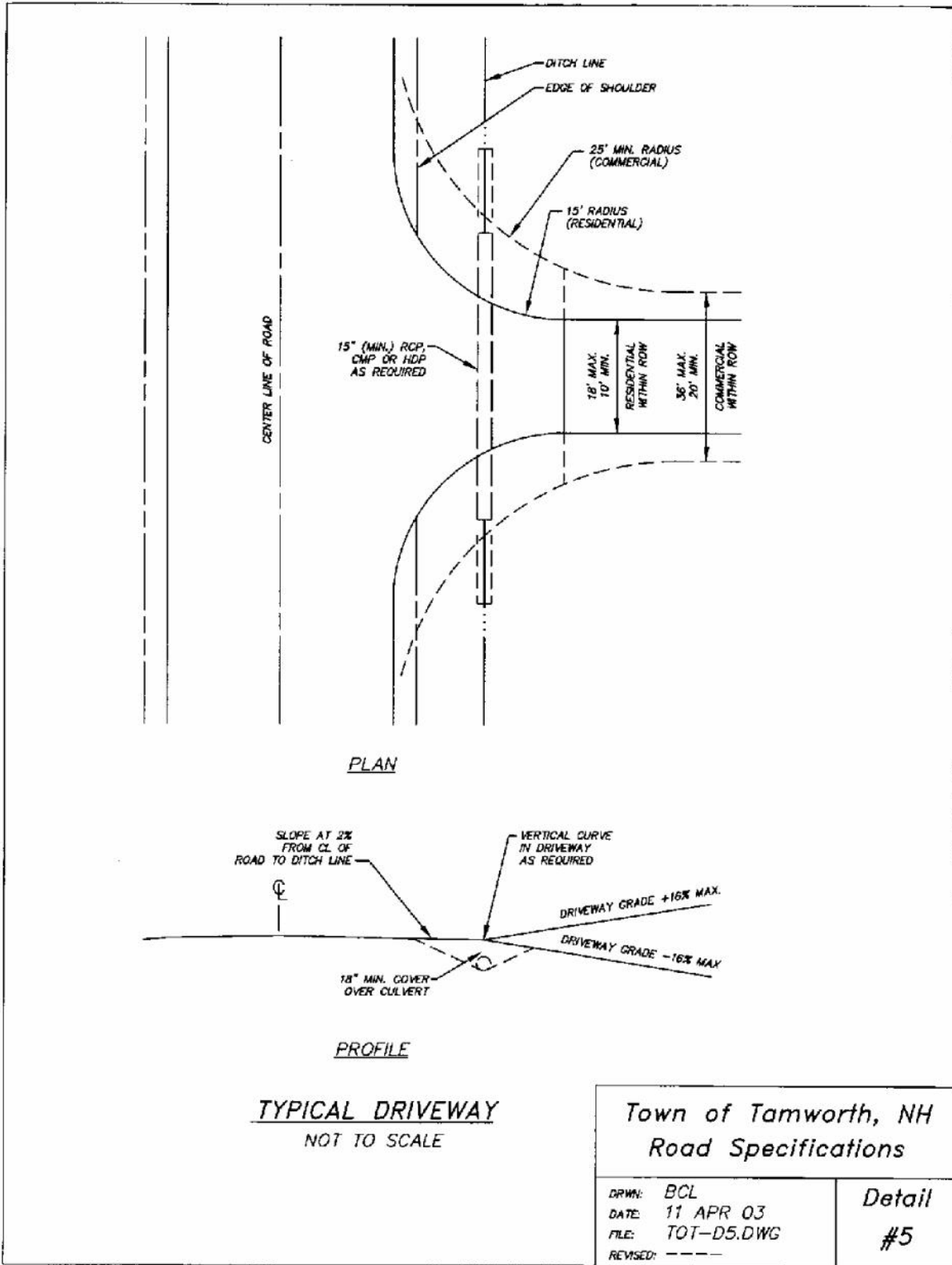
Town of Tamworth, NH Road Specifications	
DRWN: BCL	Detail #4B
DATE: 11 APR 03	
FILE: TOT-D4B.DWG	
REVISED: -----	

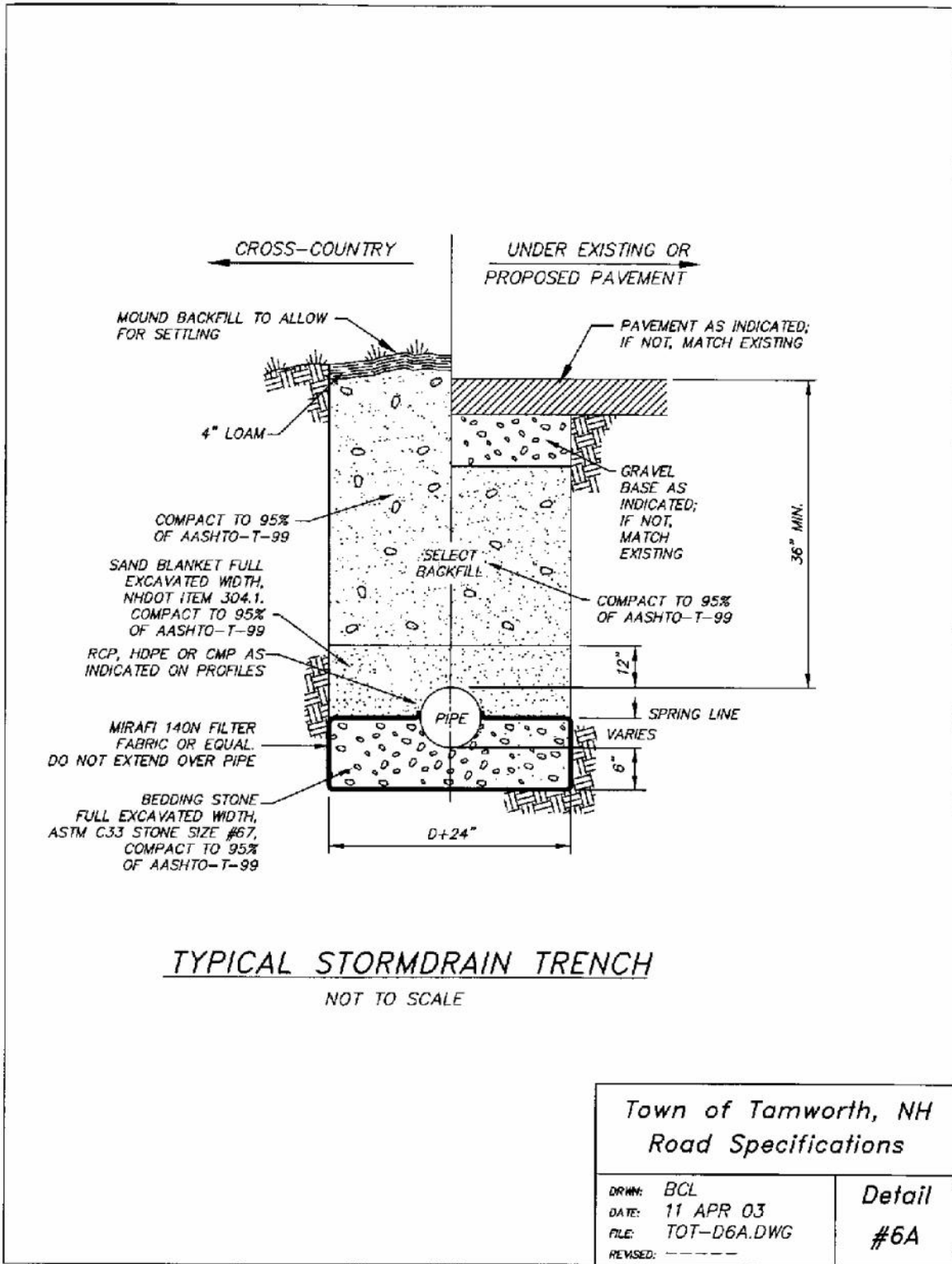


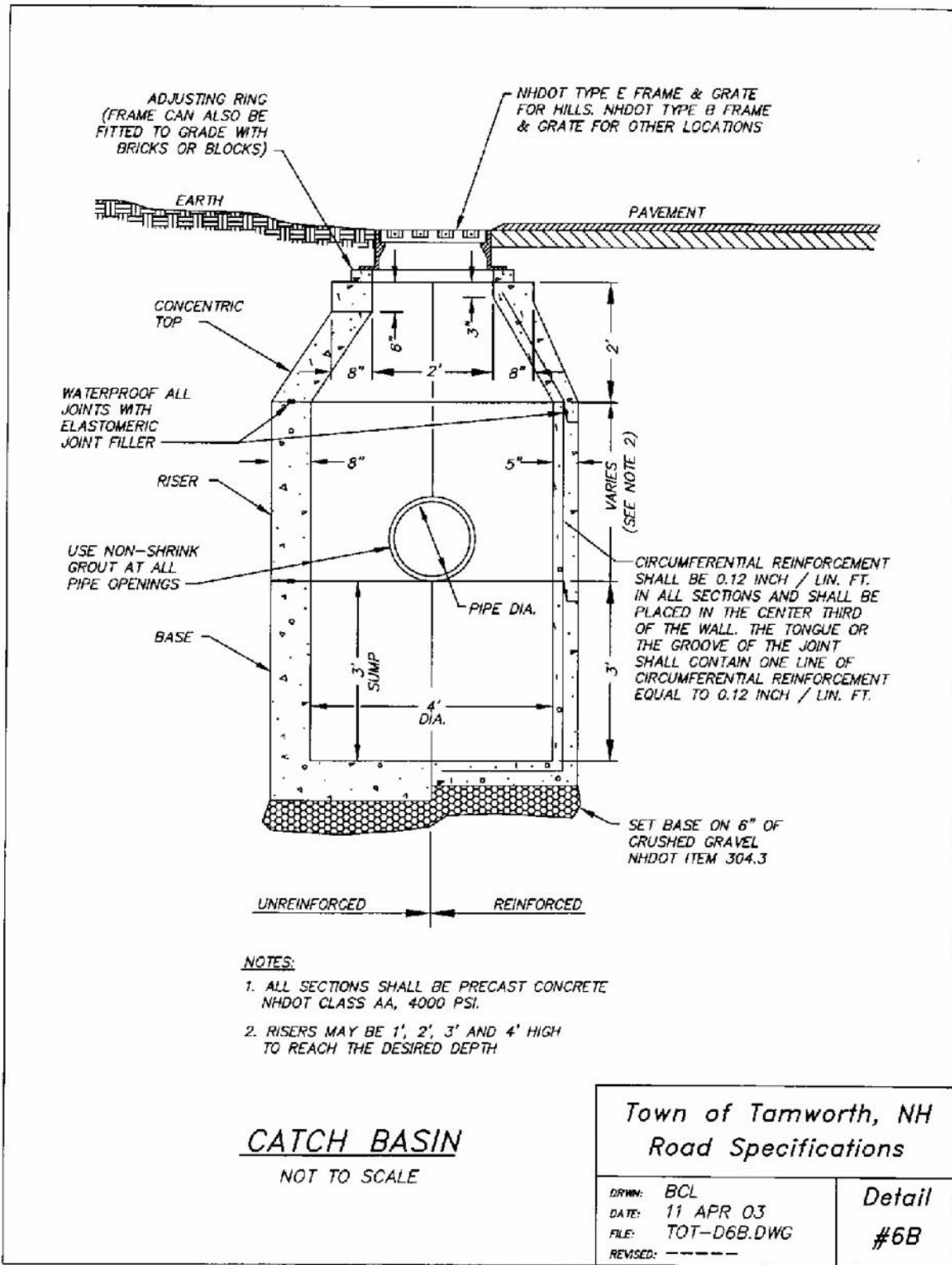
HAMMERHEAD DETAIL
NOT TO SCALE

<i>Town of Tamworth, NH Road Specifications</i>	
DRWN: BCL	<i>Detail #4C</i>
DATE: 11 APR 03	
FILE: TOT-D4C.DWG	
REVISED: -----	

Tamworth Subdivision Regulations

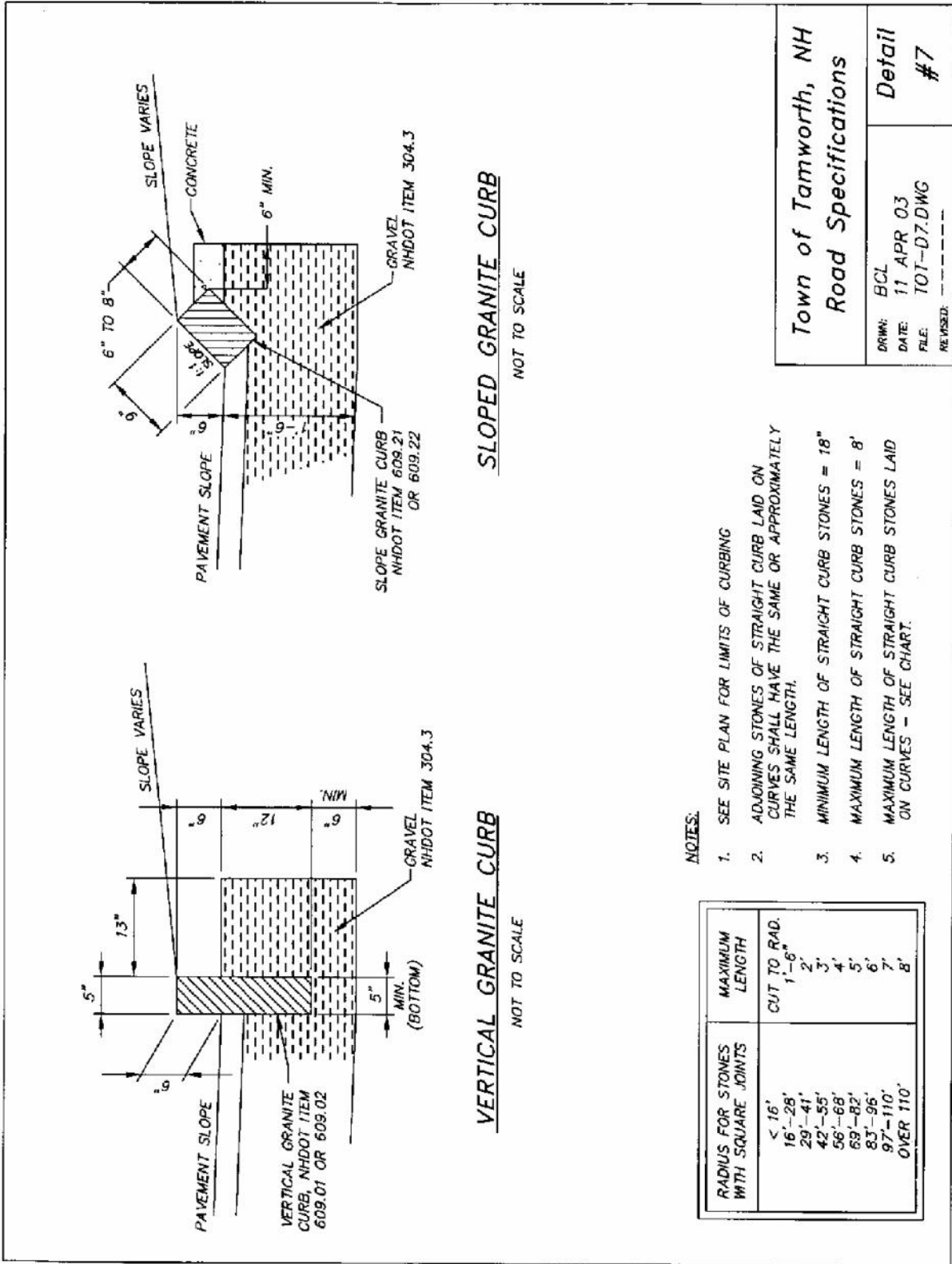






CATCH BASIN
NOT TO SCALE

<p>Town of Tamworth, NH Road Specifications</p>	
<p>DRWN: BCL DATE: 11 APR 03 FILE: TOT-D6B.DWG REVISED: -----</p>	<p>Detail #6B</p>



SLOPED GRANITE CURB

NOT TO SCALE

VERTICAL GRANITE CURB

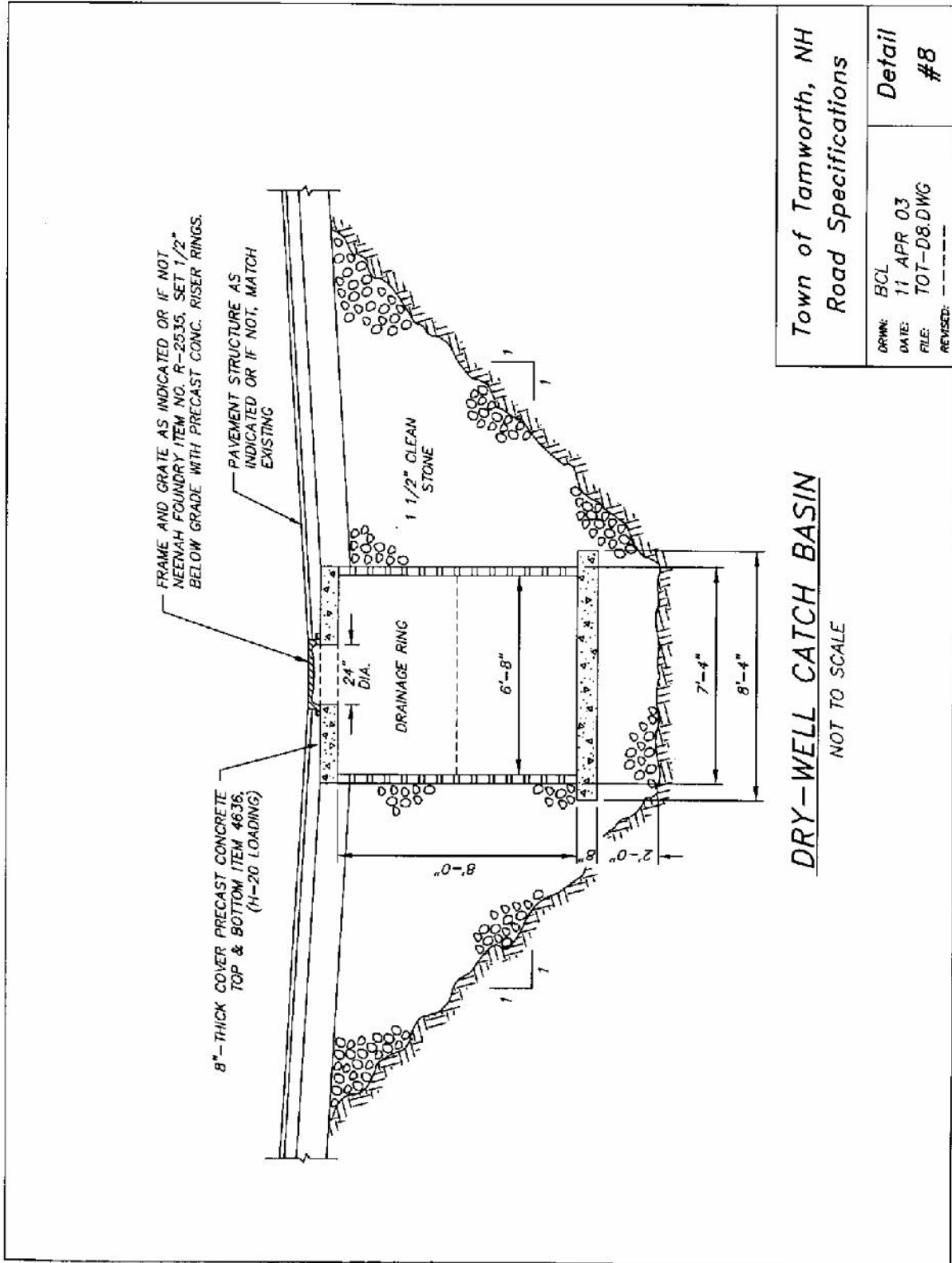
NOT TO SCALE

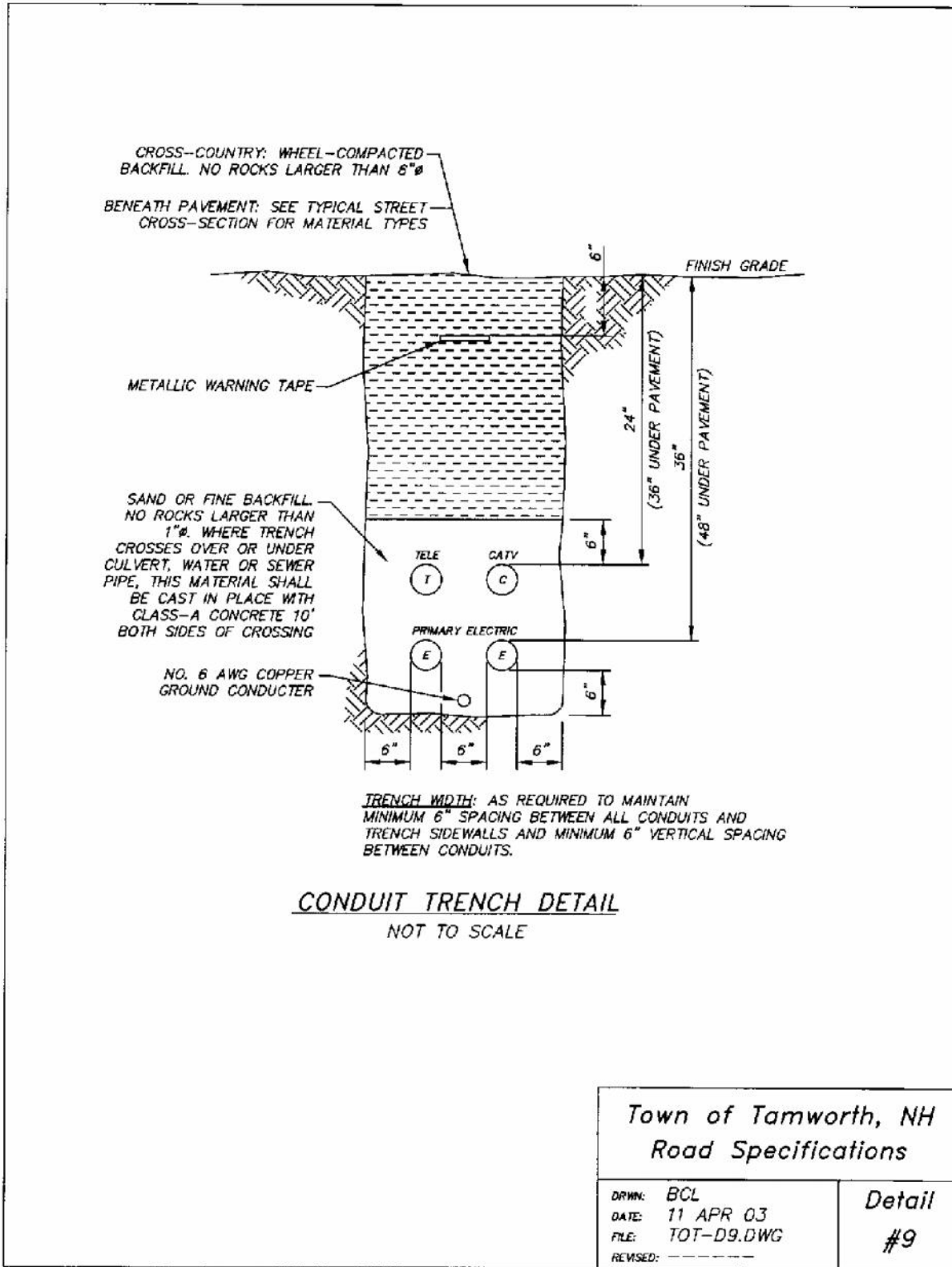
Town of Tamworth, NH Road Specifications	
DRAWN: BCL	DATE: 11 APR 03
FILE: TOT-D7.DWG	REVISION: ---
Detail	#7

NOTES:

1. SEE SITE PLAN FOR LIMITS OF CURBING
2. ADJOINING STONES OF STRAIGHT CURB LAID ON CURVES SHALL HAVE THE SAME OR APPROXIMATELY THE SAME LENGTH.
3. MINIMUM LENGTH OF STRAIGHT CURB STONES = 18"
4. MAXIMUM LENGTH OF STRAIGHT CURB STONES = 8'
5. MAXIMUM LENGTH OF STRAIGHT CURB STONES LAID ON CURVES - SEE CHART.

RADIUS FOR STONES WITH SQUARE JOINTS	MAXIMUM LENGTH
< 16'	CUT TO RAD.
16'-28'	1'-6"
29'-41'	2'
42'-55'	3'
56'-68'	4'
69'-82'	5'
83'-96'	6'
97'-110'	7'
OVER 110'	8'





APPENDIX C FORMS, FEE SCHEDULES, RELATED INFORMATION

FORMS

NOTE: Current Forms listed below are available:
 at the Tamworth Town Offices;
 by Mail (request to Tamworth Planning Board, 84 Main St., Tamworth, NH 03886);
 and
 as downloads at <http://www.tamworthnh.org/ord.html>
 (see "Applications For Town-Issued Permits, etc.").

Planning Board Agenda Request	PB-AGND-A1
Planning Board Application Fees	PB-FEES-A2
Planning Board Subdivision Conceptual Review	PB-SUBD-A3
Planning Board Subdivision Design Review	PB-SUBD-A4
Planning Board Subdivision Application	PB-SUBD-A6
Planning Board Boundary Line Adjustment Application	PB-SUBD-A7
Planning Board Subdivision Waiver Request	PB-SUBD-A10
Planning Board Lot Merger Application	PB-MERG-A14

FEE SCHEDULE

Application Fees payable to "Town of Tamworth"

Subdivision	\$100.00 per lot
Boundary Line Adjustment	\$100.00
Campground	\$25.00 per site
Condominium or Apartments	\$100.00 per unit
Lot Merger	\$20.00
Lot Merger Recording/Notice Fee	\$12.45
Abutter Notice Fee/per abutter	\$10.00
Publication Notice Fee	\$45.00
Plat Recording Fee	\$28.00
Engineering Review (to be determined, as necessary)	\$_____

Separate check, payable to "Carroll County Registry of Deeds"

LCHIP Surcharge	\$25.00
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