



Town of Tamworth
State of New Hampshire
SCENIC ROAD REGULATIONS

Adopted 1993

Amended September 28, 2016

Sec. I AUTHORITY

Pursuant to the authority vested in the Tamworth Planning Board by the voters of the Town of Tamworth by vote of town meeting, March 1972 and in accordance with the provisions of Chapter 231 Section 157 and 158, New Hampshire Statutes Annotated and related sections, the Tamworth Planning Board adopts the following regulations governing scenic roads in the Town of Tamworth, NH.

Sec. II PURPOSE

The purpose of the Scenic Road Regulation is to protect and enhance the scenic beauty of Tamworth.

Sec. III GENERAL PROVISIONS

3:01 TITLE: These regulations shall be known and cited as Scenic Road Regulations of the Town of Tamworth.

3:02 JURISDICTION: These regulations shall pertain to those roads which have been designated as scenic roads by town meeting.

3:03 ADMINISTRATION: The Planning Board shall administer these regulations. The Board may appoint an agent charged with the responsibility of evaluating the proposed work to be done and with the inspection of the work to ensure compliance with the regulations.

3:04 CRITERIA: Any repair, maintenance, reconstruction or paving work done with respect thereto by the state or the municipality, or any action taken by any utility or other person acting to erect, install or maintain poles, conduits, cables, wires, pipes or other structures pursuant to RSA 231:159-189 shall not involve the cutting, damage or removal of trees, or the tearing down, burying or destruction of stone walls, or portions thereof.

3:05 ENFORCEMENT: The Selectmen shall enforce compliance with these regulations.

3:06 EXCEPTIONS: When such trees or portions of such trees pose an imminent threat to safety or property, and provided further, that a public utility when involved in the emergency restoration of service, may without such hearing or permission of the selectmen, perform such work as is necessary for the prompt restoration of utility service which has been interrupted by facility damage and when requested, shall thereafter inform the selectmen of the nature of the emergency and the work performed, in such manner as the selectmen may require.

3:07 PENALTIES: Any person who violates any provision of this regulation adopted under this section shall be guilty of a violation and liable for all damages resulting therefrom.

3:08 WAIVERS: If, in the opinion of the Planning Board, strict conformity to these regulations would cause undue hardship or injustice to the applicant, the Board may waive that section or sections of the regulations provided that the spirit of the regulations and public safety and welfare will not be adversely affected.

3:09 APPROVAL BEFORE PROPOSED ACTIVITY BEGINS: An applicant must be granted a permit by the Planning Board before the work can begin.

3:10 SEVERABILITY: If any section, sub-section, sentence, clause or phrase of these regulations is for any reason held to be unconstitutional or illegal, such invalidity shall not effect the validity of the remaining portion of these regulations.

3:11 AMENDMENTS: The regulations may be amended or rescinded by the Planning Board, but only following a public hearing on the proposed change. The Chairman or Secretary of the Planning Board shall transmit a record of any changes so authorized to the Town Clerk and the Board of Selectmen.

3:12 EFFECTIVE DATE: The effective date of these amended regulations shall be September 28, 2016.

Section IV DEFINITIONS

4:01 APPLICANT: Any person or agent applying for a permit.

4:02 ABUTTER: Any person whose property adjoins or is directly across the street or stream, from the land under consideration by the Planning Board. For the purpose of receiving testimony only, and not for the purpose of notification, the term abutter shall include any person who is able to demonstrate that his/her land will be directly affected by the proposal under consideration (672:3)

4:03 BOARD: The Planning Board of the Town of Tamworth

4:04 PLAN: A drawing or plat prepared by the Applicant, for the purpose of obtaining a permit.

4:05 PERMIT: An approval by the Planning Board to do work on scenic roads.

4:06 PUBLIC HEARING: A hearing that has been advertised as to time, date, place and purpose, 2 times in a paper of general circulation in the area, the last publication to occur at least 7 days prior to such hearing.

4:07 SCENIC ROAD: Those roads within the Town of Tamworth as listed in Appendix B.

4:08 TREE: A woody plant which has a circumference of 15 inches or more at a point 4 feet from the ground.

Section V PROCEDURE

5:01 APPLICATION: An applicant must submit a completed application to the Planning Board.

5:02 FEES: All applications shall be accompanied by payment for notifications, advertising costs and application fees according to the fee schedule. (See Appendix A.)

5:03 PUBLIC HEARING: A public hearing shall be held within 30 days of submission of a completed application. The applicant will be notified by certified mail at least 10 days prior to the hearing stating the time, place and date of the public hearing.

5:04 DECISIONS: A decision will be made at the end of the public hearing. A notice of that decision will be made available for public inspection at the Town Offices within 72 hours after the decision is made.

5:05 FORMS: All forms prescribed herein and revisions thereof shall be adopted by resolution of the Board.

Section VI GENERAL REQUIREMENTS

6:01 PLAN: The plan shall be of a size and scale to allow the Board the ability to see what work is to be done. The plan must show the size and location of all trees and/or stone walls to be removed or altered.

6:02 DESCRIPTION: The application must include a data sheet which shall include specifications of the trees, including location, size, species and condition. The application shall also include photographs and descriptions of stone walls to be affected.

6:03 WAIVERS: All requests for waivers will be made on forms provided for that purpose by the Board.

6:04 EROSION CONTROL: When the work involves any repair, maintenance, reconstruction, or paving work, the applicant shall submit an erosion control plan.

6:05 OTHER PERMITS: Other permits are the responsibility of the applicant. The Board will only issue a permit if all other required permits, such as, but not limited to, Dredge and Fill and Alteration of Terrain, have been received by the applicant and submitted with the application.

Section VII TYPES OF APPLICATIONS

7:01 APPLICATION FORM: PB-Road-A15

7:02 WAIVER REQUEST FORM: PB-Road-A16

Section VIII EFFECTIVE DATE

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

Section IX APPENDICES

Appendix A - FEES

Appendix B – LIST

Appendix C – MAP

Appendix A - FEES

Application Fee	\$100.00
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Appendix B – List

#	Scenic Road Name	#	From	#	To	Length
104	Albee Rd		end	61	Washington Hill Rd	0.36
94	AMC Ln	93	Hemmingway Rd	44	Rt.113A	0.19
71	Bolles Rd	65	Chocorua Lake Rd		end	0.35
95	Breakneck Hill Rd		end	92	Great Hill Rd	0.39
91	Brown Hill Rd	T/L	Sandwich	50	Cleveland Hill Rd	2.40
75	Bryant Rd	41	Rt.113		end	0.81
84	Bunker Hill Rd	40	Rt.113	50	Cleveland Hill Rd	2.30
65	Chocorua Lake Rd	66	Fowler's Mill Rd	35	Rt.16	1.82
50	Cleveland Hill Rd	T/L	Sandwich	49	Main St.	4.46
81	Depot Rd	41	Rt.113	35	Rt.16	3.45
101	Depot Rd Ext	35	Rt.16	111	Marsh Ln	0.08
108	Dixie Ln	73	Turkey St		end	0.11
109	Dump Rd	82	Durrell Rd		end	0.13
82	Durrell Rd	102	Hackett Hill Rd	41	Rt.113	1.12
52	Ferncroft Rd	44	Rt.113A	T/L	Albany	0.13
66	Fowler's Mill Rd	44	Rt.113A	65	Chocorua Lake Rd	2.80
100	Gallup Rd		end	82	Durrell Rd	0.22
69	Gardner Hill Rd	44	Rt.113A	41	Rt.113	1.81
76	Gilman Valley Rd	T/L	Ossipee	36	Rt.25	0.65
92	Great Hill Rd	51	Pease Hill Rd	49	Main St.	4.86
102	Hackett Hill Rd	84	Bunker Hill Rd	82	Durrell Rd	0.91
93	Hemmingway Rd	92	Great Hill Rd	44	Rt.113A	1.58
63	High St	61	Washington Hill Rd	T/L	Madison	0.19
105	Hollow Hill Ext	85	Hollow Hill Rd	41	Rt.113	0.64
85	Hollow Hill Rd	41	Rt.113	50	Cleveland Hill Rd	1.29
100	Irenes Way	81	Depot Rd		end	0.29
103	Jeffers Rd	36	Rt.25		end	0.09
77	Lords Hill Rd		end	36	Rt.25	0.21
67	Loring Rd	68	Philbrick Neighborhood Rd	65	Chocorua Lake Rd	0.79
64	Macgregor Rd	35	Rt.16	61	Washington Hill Rd	0.84
90	Maple Rd	35	Rt.16	35	Rt.16	0.98
88	Marsh Ln	T/L	Ossipee	35	Rt.16	0.34
97	Mason Hill Rd		end	36	Rt.25	0.27
87	Meader Rd	50	Cleveland Hill Rd	51	Pease Hill Rd	1.00
80	Mill Rd	36	Rt.25		end	0.10
78	Mountain Rd		end	36	Rt.25	2.02
96	Mt Mexico Rd	44	Rt.113A		end	0.21
70	Old Mail Rd	44	Rt.113A	69	Gardner Hill Rd	2.21
107	Old Route 16	35	Rt.16	35	Rt.16	0.76
53	Ossipee Lake Rd	48	Rt. 41	T/L	Madison	0.55
72	Page Hill Rd	41	Rt.113	41	Rt.113	2.12
79	Paugus Rd	66	Fowler's Mill Rd		end	0.54
51	Pease Hill Rd	91	Brown Hill Rd	44	Rt.113A	1.92
68	Philbrick Neighborhood Rd	41	Rt.113	65	Chocorua Lake Rd	2.08
89	Pine Hill Rd	40	Rt.113	50	Cleveland Hill Rd	1.14
62	Savary Rd	61	Washington Hill Rd	T/L	Madison	0.36
60	Scott Rd	35	Rt.16		end	0.57
74	Sunnyside Av	73	Turkey St		end	0.24
73	Turkey St	72	Page Hill Rd	90	Maple Rd	2.30
98	Union Hall Rd	36	Rt.25	36	Rt.25	0.35
61	Washington Hill Rd	43	Rt.113	35	Rt.16	3.05
99	Whittier Rd East	35	Rt.16		end	0.19

Appendix C – Map

