

## Subdivision Regulations

For Public Hearing on August 26, 2021

TOWN OF RANDOLPH, N.H.

Initially adopted:

Amended:

Amended:

Amended:

Amended

Filed With Randolph Town Clerk:

December 4, 1984

March 3 & October 6, 1987

February 5, 1991

June 5, 2003

January 6, 2011

January 24, 2011

## Table of Contents

SECTION 1. AUTHORITY AND PURPOSE.....	1
SECTION 2. TITLE .....	1
SECTION 3. DEFINITIONS .....	1
SECTION 4. GENERAL PROVISIONS .....	4
SECTION 5. SUBDIVISION PROCEDURES.....	5
5.01 Pre-application Phases (optional).....	5
5.02 Final Application .....	6
5.03 Expedited Review.....	7
5.04 Planning Board Action on Completed Application .....	8
5.05 Conditional Approval .....	8
5.06 Notices.....	9
5.07 Waiver Requests.....	10
5.08 Notice of Action on the Final Plat.....	10
SECTION 6. FEES.....	11
SECTION 7. PLAT SUBMISSION REQUIREMENTS, COMPLETED APPLICATION .....	12
SECTION 8: STUDIES AND CONSULTANTS .....	14
SECTION 9. CONSTRUCTION AND DEVELOPMENT .....	15
9.01 Use of Consultants.....	15
9.02 Performance Guarantee .....	15
9.03 Deviation or Change in Plan.....	16
9.04 Enforcement of Developer’s Undertakings .....	16
9.05 Certificate of Completion .....	17
SECTION 10. DESIGN STANDARDS.....	17
10.01 Minimum Lot Sizes .....	17
10.02.....	17
Sewage Disposal.....	17
10.03 Rights-of-Way .....	18
10.04 Preservation of Trails and Natural Features .....	18
10.05 Street Design .....	18
10.06 Fire Protection .....	24
SECTION 11. REQUIRED IMPROVEMENTS.....	24
11.01 Monuments.....	24

11.02 Stormwater Management.....	24
11.03 Water Supply, Sewage Disposal, and Other Utilities .....	25
11.04 Street Signs.....	25
SECTION 12. APPEALS.....	25
SECTION 13. ADMINISTRATION AND ENFORCEMENT.....	26
<b>APPENDIX</b> .....	27
<b>Access Management Standards</b> .....	27

SECTION 1. AUTHORITY AND PURPOSE

- 1.01 Pursuant to the authority vested in the Randolph Planning Board by the legislative body of the Town of Randolph on March 7, 1972 and in accordance with the provisions of NH RSA 674:35, as amended, the Randolph Planning Board adopts the following regulations governing the subdivision of land in the Town of Randolph, New Hampshire.
- 1.02 These regulations are designed to accomplish the purposes set forth in RSA 674:36 and for the purposes of protecting the health, safety, convenience, and economic and general welfare of our citizens.

SECTION 2. TITLE

- 2.10 These regulations shall be known and cited as the "Subdivision Regulations of Randolph, New Hampshire," and hereinafter referred to as "these Regulations."

SECTION 3. DEFINITIONS

- 3.01 ABUTTER — "Abutter" means any person or other entity whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the Board. For purposes of receiving testimony only, and not for the purposes 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 by a municipality of a Board hearing, 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, and such other persons as may be specified in RSA 672:3.
- 3.02 ACCESS MANAGEMENT: The control of driveway and street connections to public roadways in order to manage traffic flow and safety, preserve the carrying capacity of the road and implement coordinated land use and transportation plans.
- 3.03 APPLICANT — Shall mean 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, or the duly authorized agent of any such owner.
- 3.04 APPROVAL — Shall mean recognition by the Planning Board, certified by written endorsement on the plat, that the plat meets the requirements of these Regulations and in the judgment of the Board satisfies all criteria of good planning and design.
- 3.05 AVERAGE DAILY TRAFFIC — An estimated ten (10) vehicle trips per day per dwelling on a residential road.
- 3.06 BOARD — Shall mean the Planning Board of Randolph.
- 3.07 BOUNDARY AGREEMENT - A boundary agreement is an agreement between two abutting landowners as to the location of a common boundary and is used whenever a precise point or line determining the

boundary between two or more parcels of real property cannot be identified from the existing public record, monuments, and landmarks. The agreed boundary shall be shown on a plan to be recorded in the Coos County Registry of Deeds.

- 3.08 BUILDING — A building is a structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind or nature.
- 3.09 CERTIFIED SOIL SCIENTIST — Shall mean a person qualified in soil classification and mapping who is certified by the State of New Hampshire Board of Natural Scientists [RSA 310-A].
- 3.10 COMPLETED APPLICATION — Shall mean the application for Final Plat approval, including forms and supporting documents as specified in these Regulations, that contain all the information the Planning Board needs to review a subdivision proposal and make an informed decision. All fees and administrative expenses, as indicated in these Regulations, must be included.
- 3.11 CONDOMINIUM — An interest in real property subject to RSA Chapter 356-B, the New Hampshire Condominium Act, in which a unit or a lot is owned individually together with an undivided interest in the common area appertaining to that unit or lot. Condominiums shall be considered a subdivision under the requirements of RSA 356-B.
- 3.12 DEAD-END STREET — A local street open at one end only, with special provision for turning around, such as a cul-de-sac or turnaround.
- 3.13 DRAINAGE — All drainage systems, catch basins, drains, ditches, culverts, pipes, and mains.
- 3.14 DWELLING UNIT — A building or a portion of a building which contains a single set of living quarters designed to be occupied by one family group only.
- 3.15 LICENSED LAND SURVEYOR — Shall mean a person who engages in the practice of land surveying and is licensed by the State of New Hampshire under RSA 310-A:53.
- 3.16 LOT — A parcel of land of at least sufficient size to meet the minimum requirements of the Land Use Ordinance and these Regulations for use, setback and other open spaces, and having frontage on a Class V or better public highway or a street that has been approved by the Planning Board.
- 3.17 LOT LINE ADJUSTMENT — Shall mean the exchange of abutting land among two or more owners which does not increase the number of owners or the number of lots or cause either lot to become nonconforming with the Randolph Land Use Ordinance or these Regulations.
- 3.18 MASTER PLAN — Shall mean a plan for development of the Town of Randolph in accordance with the provisions of RSA 674:2.
- 3.19 PLAT — Shall mean a map or plan of a proposed subdivision.
- 3.20 PREAPPLICATION REVIEW — Shall mean the two optional steps, Conceptual Consultation and Design Review, that an applicant may follow prior to filing a completed application.
- 3.21 PRIVATE ROAD — A road which meets town specifications but is built and maintained with

private funds.

- 3.22 ROAD RIGHT-OF-WAY — The road right-of-way constitutes the limits or boundaries of any parcel of land used for highway purposes.
- 3.23 SEASONAL HIGH WATER TABLE --- Means the level at which the uppermost soil horizon contains 2% or more distinct or prominent redoximorphic features that increase in percentage with increasing depth, as determined by a certified soils scientist or a licensed septic designer making the determination in accordance with the requirements of CHAPTER Env-Wq 1000 SUBDIVISIONS; INDIVIDUAL SEWAGE DISPOSAL SYSTEMS in The New Hampshire Code of Administrative Rules for the Department of Environmental Services published by the State of New Hampshire.
- 3.24 SITE SPECIFIC SOIL MAPPING - Maps prepared on-site by a certified soil scientist in accordance with the current version of *Site Specific Soil Mapping Standards for New Hampshire and Vermont*, Publication No. 3, published by the Society of Soil Scientists of Northern New England (SSSNNE), as amended.
- 3.25 SLOPE — The steepness of land surface, expressed in percentage by dividing the change in elevation in a given distance by that distance.
- 3.26 SOIL TYPE — As identified by soil series described by the National Cooperative Soil Survey Standards and the publication *Site Specific Soil Mapping Standards for New Hampshire and Vermont*, SSSNNE Publication #3, as amended.
- 3.27 STREET — A road, avenue, highway, and other public way. The entire width of the right-of-way whether unimproved or improved is included in the definition.
- 3.28 SUBDIVIDER — An individual, firm, association, syndicate, partnership, corporation, trust, or other legal entity (or agent thereof) that undertakes the activities governed by these Regulations.
- 3.29 SUBDIVISION — (A) "Subdivision" means the division of the lot, tract, or parcel of land into two 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. (B) The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision under this title. (C) The grant of an easement in gross to a public utility for the purpose of placing and maintaining overhead and underground facilities necessary for its transmission or distribution network such as poles, wires, cable, conduit, manholes, repeaters, and supporting apparatus, including any unmanned structure which is less than 200 square feet, shall not be construed as a subdivision under this title, and shall not be deemed to create any new division of land for any other purpose.
- 3.30 SUBDIVISION, MAJOR — Any subdivision not classified as a minor subdivision.
- 3.31 SUBDIVISION, MINOR — Shall mean a subdivision of land into not more than three (3) lots or sites, with no potential for resubdivision, each with Board-approved access to an existing, publicly-maintained street, or existing private road previously approved by the Planning Board, and not involving any new or extended streets, common water supply or sewage disposal, stormwater facilities, or other municipal improvements.

3.32 SUBGRADE — The top surface of a roadbed upon which the pavement structure and shoulders are constructed.

3.33 WETLANDS — Area that is inundated or saturated by surface water and/or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, prevalence of vegetation typically adapted to life in saturated conditions.

#### SECTION 4. GENERAL PROVISIONS

4.01 No person may sell or transfer any land within a subdivision until the Planning Board has approved and recorded a subdivision plat. Whenever any subdivision of land is proposed, before any construction, land clearing, or building development is begun, before any permit for erection of any building in such proposed subdivision shall be granted, and before any subdivision plat may be filed in the Office of the Registrar of Deeds of Coos County, the subdivider must submit an application for such subdivision on a form provided by the Randolph Planning Board and secure approval for the subdivision in accordance with these Regulations.

4.02 Land of such character that it cannot, in the judgment of the Planning Board, be safely used for building development purposes because of exceptional danger to health or peril from fire, flood, poor drainage, excessive slope, or other hazardous conditions, shall not be platted for residential, commercial, or industrial subdivision, nor for such other uses as may increase danger to life or property, or aggravate the flood hazard. Land with inadequate characteristics or capacity for sanitary sewage disposal shall not be subdivided for residential, commercial, or industrial subdivision purposes unless connected to a shared NHDES-approved sewerage system.

4.03 The Planning 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, drainage, transportation, schools, fire protection, or other public services, or necessitate the excessive expenditure of public funds for the supply of such services.

4.04 Off-site Improvements — If the Board determines that improvements to highways or drainage located outside the boundaries of the property that is subject to the subdivision application will be necessitated by the development, then the Applicant may be required to pay a reasonable share for such upgrading of the public facilities to the extent necessary to protect the public interest. If other properties benefit from the upgrading of such off-site public improvements, the Board shall determine the portion of the cost to be paid by the Applicant. The Applicant's share shall be paid to the Town prior to the signing of the Final Plat for recording purposes. These funds shall be held in a special account established by the Town to be expended on the upgrading of the public facilities.

## SECTION 5. SUBDIVISION PROCEDURES

### 5.01 Pre-application Phases (optional)

#### A. Preliminary Conceptual Consultation (recommended)

1. The Applicant may appear at a meeting of the Planning Board to discuss a proposal in conceptual form and in general terms. Such conceptual consultation shall be informal and directed toward:
  - a. Reviewing the basic concepts of the proposal.
  - b. Reviewing the proposal with regard to the Town's Master Plan.
  - c. Reviewing the Town's Land Use Ordinance and Subdivision Regulations as they may apply to the proposal, together with a determination as to whether the proposal would constitute a "major" or a "minor" subdivision.
  - d. Advising the Applicant relative to both State and local requirements that may be applicable.
2. Preliminary conceptual consultation shall not bind the Applicant or the Planning Board. Such discussion may occur without formal public notice but must occur only at a scheduled meeting of the Board.

#### B. Design Review Phase (recommended)

1. Prior to submission of an application for Planning Board action, an applicant may request to meet with the Board for non-binding discussions beyond the conceptual and general, involving more specific design and engineering details of the potential application.
2. The Design Review Phase may proceed only after identification and notice to abutters and the general public as required by RSA 676:4, I(d). No additional notice shall be required for an adjourned meeting to consider issues arising with regard to the same matter, so long as the subsequent meeting takes place within 9 weeks after the prior meeting, and the date, time and place of the subsequent meeting are made known at such prior meeting.
3. Persons wishing to engage in pre-application design review shall submit a "Request for Pre-application Review" and associated fees not less than twenty-one (21) days before the regularly scheduled meeting of the Planning Board. The Request shall include:
  - a. The name(s) and address(es) of the applicant(s) and a list of abutters and their addresses taken from municipal records not more than five (5) days before submission;
  - b. List of holders of conservation, preservation or agricultural preservation restrictions, and their addresses;
  - c. Address of any engineer, land surveyor or soil scientist whose professional seal appears on the plat; and
  - d. Check to cover mailing and advertising costs.
4. Statements made by Planning Board members shall not be the basis for disqualifying said members or invalidating any action eventually taken on the application.
5. The Board shall not accept any formal submissions by the Applicant at this time, provided,



however, that an applicant may file an application with the Board for its determination at a subsequent meeting or hearing as to whether or not it is a completed application.

## 5.02 Final Application

- A. An application form and checklist provided by the Planning Board shall be completed with information considered sufficient to invoke jurisdiction of the Board (see below) and shall be filed with the Board for consideration only at a regularly scheduled monthly meeting at least twenty-one (21) days prior to the date of the public meeting at which the application is to be formally submitted for acceptance as a completed final application.
- B. The completed application shall consist of:
  - 1. All data required in Section 7 of these Regulations ("Plat Submission Requirements").
  - 2. Completed Checklist.
  - 3. All required fees for notices and any administrative or other fees assessed by the Planning Board under provisions of RSA 676:4,I(g) and RSA 676:4-b.
- C. A Final Application shall be submitted to and accepted by the Planning Board only at a regularly scheduled meeting after due notification has been given as required by RSA 676:4,I(d). No additional notice shall be required for an adjourned meeting to consider issues arising with regard to the same matter, so long as the subsequent meeting takes place within 9 weeks after the prior meeting, and the date, time and place of the subsequent meeting are made known at such prior meeting.
- D. Acceptance as a complete Final Application will be by affirmative vote of a majority of Planning Board members present.
- E. When a completed application has been accepted by the Planning Board, the Board shall provide a receipt to the Applicant indicating the date of acceptance (start of the 65-Day Review; see Section 5.04 below).
- F. Applications shall be rejected by the Planning Board without public hearing on the grounds of failure of the Applicant to supply required information or to pay fees as required by these Regulations.
- G. Summary of Subdivision application process:
  - 1. A completed Application must be filed at a regularly scheduled monthly meeting of the Planning Board least twenty-one (21) days before the meeting at which it is to be submitted.
  - 2. The Planning Board shall vote to accept or reject an Application as a completed application within 30 days or at the next regular meeting for which notice can be given after such Application has been filed with the Board.
  - 3. Only the Planning Board has the authority to decide if an Application meets the requirements for a completed Application,
  - 4. Acceptance of an Application by the Board as a completed application can take place only at a

public meeting for which notice has been given to the Applicant, the abutters, other interested parties and to the general public in accordance with the provisions of Section 5.06 below.

5. When a completed Application has been accepted, the 65-day review period begins.
6. Except in the case of Expedited Review described below or in the case of nonpayment of fees, no subdivision application may be denied or approved without a public hearing.

### 5.03 Expedited Review

#### A. Lot Line Adjustments and Boundary Line Agreements

Lot line adjustments or boundary line agreements that do not create buildable lots must be approved by the Planning Board. Submission procedures shall be the same as for completed Applications (above). No public hearing is required, however, notice must be given to abutters and holders of conservation, preservation, or agricultural preservation restrictions and the same may be heard upon request. A completed application for a lot line adjustment or boundary agreement shall contain:

1. Completed application for approval of a lot line adjustment or boundary agreement.
2. Names and addresses of all interest holders.
3. All applicable fees.
4. A detailed survey plan shall be submitted to the Board showing and labeling the new property line or lines created, and dotted lines showing the original, and all existing buildings, wells and septic systems.
5. A statement shall be placed on the survey plan stating as follows: *"The property conveyed herein shall not be deemed or considered a separate lot of record, but upon the recording of this plan and the accompanying deed, shall be regarded as merged into and made an integral part of the contiguous lot of land previously owned by the grantee(s) so that the same shall hereafter be one combined single lot of record."*

After final approval is given, the mylar will be held and not recorded until the Town has received the accompanying deed and can record them both at the same time with the Coos County Registry of Deeds.

#### B. Voluntary Mergers

1. Pursuant to RSA 674:39-a, any owner of 2 or more contiguous preexisting approved or subdivided lots or parcels who wishes to merge them for municipal regulation and taxation purposes may do so by applying to the Planning Board or its designee. Except as set forth in paragraphs 2 and 3 below, all such requests shall be approved, and no public hearing or notice shall be required. No new survey plat need be recorded, but a notice of the merger, sufficient to identify the relevant parcels and endorsed in writing by the Planning Board or its designee, shall be filed for recording in the Registry of Deeds, and a copy filed with the Town assessor. No such merged parcel shall thereafter be separately transferred without subdivision approval.

2. If there is any mortgage on any of the lots, the applicant shall give written notice to each mortgage holder at the time of the submission of the application. The written consent of each mortgage holder shall be required as a condition of approval of the merger, and shall be recorded with the notice of the merger pursuant to paragraph 1. Upon recordation of the notice and each consent, the mortgage or mortgages shall be deemed by operation of law to apply to all lots involved in the merger. The Town shall not be liable for any deficiency in the notice to mortgage holders.
3. No merger shall be approved that would create a violation of then-current ordinances or regulations.

#### 5.04 Planning Board Action on Completed Application

- A. The Board shall act to approve, conditionally approve, or disapprove the Completed Application within sixty-five (65) days of acceptance.
- B. The Board may apply to the Selectmen in writing for an extension not to exceed an additional ninety (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 (RSA 676:4,I(f)).
- C. Approval of the Plat shall be certified by written endorsement on the Plat and signed and dated by the Chairman of the Planning Board. The Planning Board's designee shall transmit a copy of the Plat with such approval endorsed in writing thereon to the Registrar of Deeds of Coos County. The subdivider shall be responsible for the payment of all recording fees and associated costs.
- D. If any submitted plat is disapproved, the grounds for such disapproval shall be adequately stated in the records of the Planning Board and in written notice given to the Applicant.
- E. If the Planning Board has not taken action on the Completed Application within sixty-five (65) days of its acceptance and has not obtained an extension, the Applicant may request the Selectmen to issue an order directing the Board to act on the Application within thirty (30) days. If the Board does not act on the application within that thirty (30) day period, then within forty (40) days of the issuance of the Selectmen's order, the Selectmen shall certify on the Applicant's Application that the Plat is approved pursuant to RSA 676:4, I(c)(1) unless within that forty (40) day period the Selectmen have identified in writing some specific Subdivision Regulation or other ordinance with which the Application does not comply. The certification of the Selectmen either as to approval or that the Application does not comply, constitutes a decision for purposes of appeal as provided in RSA 677:15.

#### 5.05 Conditional Approval

- A. The Planning Board may grant conditional approval of an application; the plat will not be signed or recorded until all of the conditions precedent have been met. A further public hearing is not required when such conditions:
  1. Are administrative in nature;

2. Involve no discretionary judgment on the part of the Board; or
  3. Involve the Applicant's possession of permits and approvals granted by other boards or agencies, such as the Department of Transportation or NH Department of Environmental Services.
- B. A further public hearing will be required to demonstrate compliance with the terms of all other conditions precedent pursuant to RSA 676:4,I(i).

#### 5.06 Notices

- A. Pursuant to the provisions of RSA 36:56, upon receipt of an application for subdivision, the Board shall review it and determine whether or not the development, if approved, could reasonably be construed as having a regional impact. Doubt concerning regional impact shall be resolved in a determination that the development has a potential regional impact. This regional impact could result from a number of factors, such as, but not limited to, the following:
1. Relative size or number of lots or units compared with existing stock.
  2. Proximity to the borders of a neighboring community.
  3. Transportation networks.
  4. Anticipated emissions such as light, noise, smoke, odors or particles.
  5. Proximity to aquifers or surface waters which transcend municipal boundaries.
  6. Shared facilities such as schools and solid waste disposal facilities.
- Pursuant to RSA 36:57, upon determination that a proposed development has a potential regional impact, the Board shall afford the Regional Planning Commission and the affected municipalities the status of abutters for the limited purpose of providing notice and giving testimony. Not more than 5 business days after reaching a decision that a development has regional impact, the Board shall, by certified mail, furnish the Regional Planning Commission and the affected municipalities with copies of the minutes of the meeting at which the decision was made. The Board shall, at the same time, submit an initial set of plans to the Regional Planning Commission, the cost of which shall be borne by the applicant. At least fourteen (14) days prior to the public hearing, the Board shall notify, by certified mail, all affected municipalities and the Regional Planning Commission of the date, time and place of the hearing and their right to testify concerning the development.
- B. Notice of a meeting for the Design Phase Review, submission of a Completed Application or public hearing shall be given by the Planning Board to the abutters, to the Applicant, to the holders of any conservation, preservation or agricultural preservation restrictions on land subject to the application, and to any engineer, land surveyor or soil scientist whose professional seal appears thereon, by certified mail, mailed at least ten (10) days prior to such meeting or hearing.
- C. The public will be given notice, at the same time, by posting at Town Hall and publication in a daily or weekly publication with local distribution.
- D. The notice shall give the date, time, and place of the Planning Board meeting at which the Application or other item(s) will be formally submitted to the Board. It shall include a general description of the proposal which is to be considered, and shall identify the Applicant and the location of the proposal.

- E. If the notice for the public hearing was included in the notice of submission or any prior notice, additional notice of the public hearing is not required. Additional notice is not required of an adjourned session of a hearing provided that the date, time, and place of the adjourned session was made known at the prior meeting.

#### 5.07 Waiver Requests

##### A. Waiver of Application Requirement

Upon written request by the applicant, or upon the motion of any Board member, the Board may vote to waive, in whole or in part, any provision(s) of Section 7 Plat Submission Requirements, Completed Application when, in the majority opinion of the Board, such provision(s) would be inappropriate or superfluous to informed evaluation of the site in question.

If, during the course of its review, the Planning Board determines that the waived information is necessary to complete its review, then the applicant shall provide that information.

##### B. Waiver of Standards

Upon the written request by the applicant, the Board may grant a waiver or relaxation of the provisions of these Regulations as it deems appropriate per NH RSA 674:36, II(n), by majority vote of the Board. Reasons for the waiver shall be recorded in the meeting minutes. The requirements of these Regulations may only be modified or waived by the Board when:

1. Strict conformity would pose an unnecessary hardship to the applicant and a waiver would not be contrary to the spirit and intent of the regulations; or
2. Specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulation.

In approving waivers, the Planning Board may require such conditions as will, in its judgment, substantially secure the objective of the standard or requirement of these Regulations that is being waived.

#### 5.08 Notice of Action on the Final Plat

The Board shall notify the applicant in writing, signed by the Chair, of its actions on the final plat. In case of disapproval, the grounds for such disapproval shall be set forth in the Notice of Action, which shall become part of the public records of the Board. For the purpose of calculating the 30-day period within which to file an appeal under RSA 677:15, the 30-day period will begin with the date following the date upon which the Planning Board voted to approve or disapprove the application. In case of approval, the Notice of Action shall set forth the following as applicable:

- A. A copy of any deed restriction submitted by the applicant and accepted by the Board. Deed restrictions shall be written on the final plat.
- B. Any conditions precedent required by the Board to be completed prior to signing and recording the

final plat.

- C. Any conditions subsequent, for example, those dealing with restrictions on the use of property; long-term responsibility for maintenance of roads, stormwater and other utilities and facilities; safeguards that must be observed during development of the property or once the project is in use; and specifying which must appear on the final plat.
- D. All requirements for off-site improvements.
- E. Requirements regarding utilities.
- F. A description of land, if any, to be conveyed to the Town to be used for roads, open space and other public purposes, with transfer of title to such interests to be effective on such date as the Town accepts the land through the town meeting process.
- G. A description of any modification or waiver granted by the Board, including modifications of design standards.
- H. All agreements, if any, between the applicant and the Board concerning matters not required by these Regulations, but to be performed by the applicant.
- I. A statement that the subdivision shall be completed and constructed in conformity with the final plat and these Regulations.
- J. A statement that all improvements required by the Planning Board shall be completed and constructed at the sole expense of the applicant or the successors and assigns of the applicant.
- K. A reference to any security to be provided by the applicant as guarantee of performance in construction of the required improvements, as set forth in Section 9.02.
- L. Criteria established by the Board for determining “active and substantial development” and “substantial completion” pursuant to RSA 674:39 Five-Year Exemption.

Unless all of the above information appears on the final plat to be signed and recorded, the Notice of Action shall be recorded at the Coos County Registry of Deeds with the final plat.

#### SECTION 6. FEES

- 6.01 A Completed Application for Major Subdivision shall be accompanied by a filing fee plus a fee for each additional lot over three (3) and a fee per abutter for notification. A Completed Application for Minor Subdivision shall be accompanied by a filing fee plus a fee per abutter for notification.
- 6.02 All costs of notices, whether mailed, posted, or published, shall be paid in advance by the Applicant. Failure to pay costs shall constitute valid grounds for the Planning Board to terminate further consideration of the application and to disapprove the plat without a public hearing.
- 6.03 Pursuant to RSA 676:4,I(g) and 676:4-b, 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 require making an informed decision on a particular application.

6.04 All fees for recording with the Coos County Registrar of Deeds shall be borne by the applicant.

SECTION 7. PLAT SUBMISSION REQUIREMENTS, COMPLETED APPLICATION

7.01 Three (3) dark line prints and a PDF of the Plat shall be submitted. Each copy shall be 22x34 inches in size and each shall be certified as to its correctness by a registered land surveyor or civil engineer licensed in the State of New Hampshire. Space shall be reserved for all needed endorsements.

7.02 After subdivision approval by the Planning Board, the subdivider shall submit to the Board one mylar print, three (3) dark line final prints and a PDF file of the approved Plat. All submissions shall contain the following statement: "The Subdivision Regulations of the Town of Randolph, N.H., are a part of this Plat, and approval of this Plat is contingent on completion of all requirements of said Subdivision Regulations, excepting only any waivers or modifications approved in writing by the Planning Board."

7.03 The Plat shall show or be accompanied by:

- A. Subdivision application form signed by all owners.
- B. The names and addresses of all abutters, as shown in Town records not more than five days before the day of filing, and of all holders of conservation, preservation or agricultural preservation easements over land within the proposed subdivision.
- C. Payment to cover filing fees, mailing, advertising, recording, and other costs in Section 6.
- D. Additional reports or studies, as may be required by the Planning Board, including but not limited to: traffic, school, and fiscal and environmental impact analyses, to allow the Board to make an informed and educated decision concerning the proposal.
- E. The Plat shall include:
  - 1. Proposed subdivision name or identifying title.
  - 2. Name and address of the applicant and of the owner(s), if other than the applicant.
  - 3. Scale of 1 inch = 100 feet, and north arrow.
  - 4. Locus plan showing general location of the total tract within the Town.
  - 5. Name, license number, and business address of every engineer, architect, land surveyor or soil scientist whose professional seal appears on the plat.
  - 6. Date and dates of any revisions.
  - 7. Boundary survey including bearings, distances, and the location and type of permanent markers.

8. Existing and proposed easements, rights-of-way, buildings, water courses, ponds, standing water, rock ledges and outcrops, stone walls, and other significant natural and cultural site features.
9. Location of existing and proposed property lines, including entire undivided lot, lot area in acres and square feet, street frontage and setbacks. Each lot shall be numbered according to the Town's tax map numbering system.
10. Regulated shoreland, flood hazard areas and fluvial erosion hazard areas if mapped.
11. Existing and proposed topographic contour boundaries at two-foot intervals for the area of the lot within 100 feet of any proposed improvements, including septic field and driveway, and five-foot intervals for the remainder of the lot. Show all areas of slope over 25%.
12. A soils classification map including slopes and boundaries, together with descriptive information for each soil type. Identify hydric soils and soils subject to flooding. Show square footage of contiguous areas of buildable land in accord with Section 10.01. For proposed lots less than 2.5 acres this information shall be obtained from on-site soil survey conducted by a soil scientist certified in N.H.
13. Location of groundwater and percolation tests and test results, including:
  - a. Description of soil layers.
  - b. Depth to seasonal high water level.
  - c. Water level and date on which pit is dug.
  - d. Identification of hard pan ledge, etc.
  - e. Location of 4000 square feet for the proposed leach field.
14. Existing or proposed deed restrictions, including conservation, preservation or agricultural preservation easements.
15. Open space to be preserved, including agricultural land, wetlands, natural areas and recreational trails.
16. Proposed location of driveway entrances.
17. All existing streets, roads, shared driveways and driveways (showing the edge of the traveled way and right of way line), utilities and permanent water bodies, and flood hazard areas within 100 feet of the area submitted for approval.
18. State highway/municipal access permit, as applicable.
19. State subdivision approval if required
20. Any other permits required from NHDES such as wetlands, shoreland, alteration of terrain.
21. Written requests for waivers, if any, in accord with Section 5.07, including the justification for relaxing the requirements.



22. Any additional information which the Board deems necessary in order to apply these Regulations.

Major Subdivisions shall also submit the following items:

23. Road designs (3 copies) for any roads proposed for construction or improvement, in plan and profile, on sheets 22x34 inches in size, that have a horizontal scale of 1 inch = 50 feet and a vertical scale of one inch = 10 feet, which include the following information and are accompanied by a detailed engineer's estimate of construction costs:
  - a. Title, including the name of the subdivision, name of the owner, name of the road(s), date, scale, and name of engineer or other designer.
  - b. Road right-of-way lines.
  - c. Slope and drainage easements.
  - d. All center line data (tangent lengths and bearings, curve data, and
  - e. Edge of pavement lines,
  - f. Typical cross-section.
  - 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. Drainage structure location and inverts, station, skew, length, slope, and end treatment.
  - k. Design speed.
  - l. Average daily traffic.
  - m. Specific material specifications or references.
24. A layout showing how the site will be served by electric, telephone or other public utilities, together with a letter of intent to supply service from a utility company supplying such service and, where required by such company, adequate evidence that whatever easements are needed have been granted to it.
25. A stormwater management plan providing adequate detail to demonstrate compliance with the appropriate applicable best management practices identified in Volumes 1, 2 and 3 of the *New Hampshire Stormwater Manual*, current edition, published by NHDES. This shall include, for example, a storm drainage plan, including plans for retention and slow release of stormwater where necessary, including the location, elevation and size of all catch basins, dry wells, drainage ditches, swales, culverts, retention basins, and storm sewers. Indicate direction of flow through the use of arrows. Show the engineering calculations used to determine drainage requirements, as well as the date and source for precipitation data. A plan for long-term maintenance of the stormwater facilities must be included.
26. Provisions for fire prevention and control, including access, water supply.
27. Pedestrian/bicycle paths.
28. Plans if any for common water supply and sewage disposal systems.

SECTION 8: STUDIES AND CONSULTANTS

At any time during consideration of an application for subdivision approval, the Board may, for the purpose of making an informed decision:

- A. Commission such special investigative studies, environmental assessments, traffic studies, economic impact studies, legal reviews of documents, administrative measures or other research as the Board may consider necessary, and
- B. Appoint one or more consultants to assist the Board in ascertaining whether such application meets the standards and requirements of these Regulations, in setting conditions and monitoring their observance, in determining the amount of security required for a performance guarantee, in detecting changes or deviations from the approved plan and assessing their effects, in deciding upon the release of a performance guarantee, or in regard to any other relevant matters.
- C. The costs thereof shall be paid by the applicant.

Whenever the Board determines that it requires technical assistance in accordance with this Section, the applicant shall have the right to request that the Board choose a different consultant pursuant to the procedures provided by RSA 676:4-b

## SECTION 9. CONSTRUCTION AND DEVELOPMENT

### 9.01 Use of Consultants

To assist the Board in making any determination authorized in this Section, it may request advice from one or more consultants appointed in accordance with the provisions of Section 8, provided that if an applicant wishes an opportunity to ask questions of the consultant, to offer contrary evidence or to dispute the conclusions reached, the Board shall provide such opportunity.

### 9.02 Performance Guarantee

As a condition of approval, the Planning Board shall require the posting of a performance guarantee in an amount sufficient to defray the costs of construction of streets, public improvements, drainage structures, storm drains, under-drains, and other improvements of a public utility nature. The amount of the security shall be based on an estimate of costs provided by the subdivider subject to Board review.

- A. The security shall be approved as to form and sureties by the Planning Board and the Selectmen.
- B. The security may be in the form of a certified check payable to the Town of Randolph, a Certificate of Deposit, an irrevocable letter of credit, or a Faithful Performance Bond, running to the Town of Randolph and issued by a surety company acceptable to the Selectmen. All documents evidencing or establishing the security shall be prepared at the Applicant's expense and approved by the Town Attorney.
- C. Where electric lines or other utilities are to be installed by a corporation, municipal department, or public utility, a letter of intent from the utility company shall be required stating that the work will be done in reasonable time and without expense to the Town.
- D. Each approved plat shall contain a time limit of three (3) years for the completion of streets and public improvements.

- E. The performance guarantee may be released in phases as portions of the secured improvements or installations are completed, approved by the Planning Board or its designee, in accordance with the plan approved by the Board and acknowledged by the issuance of a Certificate of Completion. The remaining security shall be sufficient to complete all remaining construction. A portion of the security may be held for two years if necessary to determine performance.
- F. 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 shall be submitted in a form satisfactory to the Planning Board's Counsel.
- G. The Board shall, at the time of plan approval, prior to the approval endorsement of the final plat, require the applicant to establish an appropriate escrow in an amount estimated by the Board to fully compensate the Town of Randolph for all inspection and testing charges deemed necessary to confirm that construction is completed in conformance with the approved plans and/or applicable specification, codes and standards.

### 9.03 Deviation or Change in Plan

- A. If, at any time the developer desires to deviate from, or make a change in, the plan as presented to the Board, he or his agent may appear at a regularly scheduled meeting of the Board to request the Board to approve such deviation or change and may present such documentation as he considers necessary to support such request.
- B. If the Board determines that such proposed deviation or change constitutes a substantial alteration in the plan as approved, it may require such additional information as it deems necessary and shall proceed to schedule a public hearing with prior notice as required under Section 5.06.
- C. After a public hearing, as provided above, the Board shall make a decision regarding the requested deviation or change taking into consideration its effect upon the scope and intent of the original approved plan and upon the health, safety and welfare of the community and its citizens.

### 9.04 Enforcement of Developer's Undertakings

- A. A developer shall construct the improvements called for in the approved subdivision plan within any time limit stipulated therein, not to exceed three years, and shall notify the Planning Board and the Board of Selectmen, in writing, when such construction shall have been completed on all or any discrete portion of such improvements.
- B. If it is determined that any conditions and/or requirements remain unfulfilled, or that any improvements provided for in the approved subdivision plan do not meet specified conditions or requirements the Board shall notify the developer, in writing, of such deficiencies and establish a time, not to exceed one year, for their rectification.
- C. Should said deficiencies continue uncorrected, the Planning Board shall take all necessary actions to protect the Town's rights and interests, including, but not restricted

to, suspension and/or revocation of the approval of the Subdivision Plan pursuant to RSA 676:4-a; and, in the event of legal action, the Town shall be entitled to reasonable attorneys' fees, awarded by the court, to be paid by the developer.

#### 9.05 Certificate of Completion

When the Planning Board's approval of a subdivision application requires or anticipates that the developer shall be responsible for building or installing roads, drains, utilities or other improvements, and when the Planning Board is satisfied that the developer has complied with these regulations and has completed work on all or any one of the improvements for which he is responsible, in accordance with the approved application including any conditions attached thereto, the Board may issue a Certificate of Completion and file a copy thereof with the Board of Selectmen.

### SECTION 10. DESIGN STANDARDS

#### 10.01 Minimum Lot Sizes

A. Lot sizes shall conform to the Land Use Ordinance of the Town of Randolph, meaning each lot shall have a minimum of 80,000 contiguous square feet (1.84 acres) of buildable land. The following soil types shall not be considered buildable land and shall not be included in the calculations of contiguous square feet of buildable land:

1. Soils that are 25% slope or greater. A LiDAR-derived slope map may be utilized as an alternative.
2. Hydric soils. A wetlands map prepared by a wetlands scientist certified in New Hampshire may be utilized as an alternative.
3. Soils subject to flooding. Current National Flood Insurance Program mapping may be utilized as an alternative.
4. Rock outcrops.

A larger lot area will be necessary when required by NHDES for on-site septic disposal for the proposed use and/or soil conditions.

B. Frontages shall be in accordance with the requirements of RSA 674.41 and the Land Use Ordinance of the Town of Randolph.

#### 10.02 Sewage Disposal

A. For areas without public sewage, there shall be on each lot to be used for single dwelling purposes a minimum of 4,000 square feet, suitably located and of reasonable shape and slope for subsurface sewage disposal in accordance with State requirements or more stringent Town regulations.

B. Areas designated for proposed structures, driveways, parking areas, septic systems, leach fields or paved areas shall conform to the setback requirements of Article V of the Randolph Land Use Ordinance.

### 10.03 Rights-of-Way

- A. Rights-of-way shall be kept clear of buildings, parking lots, or similar obstructions. A right-of-way shall not be used as a method to connect two (2) non- adjacent lots to make a single lot, nor as the sole means of access to a lot not having frontage on a Class V or better public highway or street approved by the Planning Board.
- B. All subdivisions shall have laid out rights-of-way for the accommodation of utilities. Such layouts shall be subject to the approval of the relevant utility provider(s).

### 10.04 Preservation of Trails and Natural Features

- A. It shall be the responsibility of the subdivider to be aware of the recommendations of the Randolph Master Plan calling for the protection of agricultural land resources, open spaces, wetlands and watershed regions and for the preservation of recreational trails.
- B. Whenever a proposed development may necessitate the relocation of a recreational trail the Board shall encourage the applicant to cooperate with the Randolph Mountain Club or other organization responsible for its maintenance to determine an alternate route.

### 10.05 Street Design

The design of proposed streets shall be in harmony and conformance with the Town of Randolph Master Plan and be designed to minimize the impact to traffic safety and flow by incorporating the Access Management Standards contained in the Appendix, and:

- a. Limit the number of new access points onto Route 2 and reduce the number of accesses whenever possible.
  - b. Discourage more than one access to existing streets per subdivision.
  - c. Be no wider than is necessary, occupy a minimum of space, and disturb as little vegetation as possible.
  - d. Be responsive to topography, wetlands and other natural features.
  - e. Limit the number of intersections.
  - f. Discourage excessive speeds by being designed with curves, changes in alignment and using the natural contours of the land.
  - g. Maintain the maximum number of trees and other vegetation in the right-of-way.
- A. Road Layout
    - 1. All streets shall be constructed, and all culverts, storm sewers, gutters, drainage ditches, and other improvements required by the subdivision plat and accompanying documents shall be installed in conformance with the current standards and specifications adopted by the Town. Streets requiring bridges, drainage structures, etc. will be designed to suit the requirements of the subdivision.
    - 2. The plan of any proposed subdivision shall show all work required to connect and complete the improvements and utilities between the proposed street pattern and any connecting street in an existing subdivision.

3. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the Planning Board such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.
4. There shall be a setback of not less than twenty-five feet (25') between the edge of the road right-of-way and the nearest abutting property boundary. Within the subdivision, the setback between the edge of the shoulder and the nearest boundary of any lot within that subdivision shall be not less than ten feet (10').
5. Where a proposed subdivision abuts an existing subdivision, the subdivider shall design the street system of the proposed subdivision to connect with dead- end or "stub" streets of the existing subdivision.
6. Where a subdivision abuts an existing street which needs straightening or needs a wider right-of-way the subdivision plat shall include in the street dedication all land needed to meet the standards established by these Regulations, and as approved by the Board.
7. Except where it is impractical, because of the character of the land, streets shall intersect so that within 75 feet of the intersection the street lines are at right angles and in no case less than sixty degrees. When a street approaches another street at an undesirable angle, a ninety degree angle may be obtained by bending the last 100-foot section of road. The grade within 100 feet of an intersection should not exceed one percent. No structure shall impair corner visibility.
8. Multiple intersections involving a junction of more than two streets shall be prohibited. If at all possible, four-way intersections shall be avoided on all local and collector streets unless roundabouts or traffic circles are utilized and constructed according to FHWA guidelines.
9. The minimum distance between centerline offsets at street jogs shall be one hundred twenty-five (125) feet on all local streets and two hundred and fifty (250) feet on collector streets.
10. Permanent dead-end streets or roads shall not exceed 200 ADT and shall terminate in a turnaround. Streets or roads with 100-200 ADT shall have a circular turnaround with an unpaved center island with at minimum a one hundred and twenty (120') diameter right of way, a ninety foot (90') diameter circle and an eighteen foot (18') roadway. The Board may approve a circular turnaround with no center island but with a minimum one hundred and twenty foot (120') right of way and eighty-four foot (84') off center diameter. A "T" shaped turnaround may be employed for streets or roads not exceeding 100 ADT. The right-of-way "footprint" for the top of the "T" shall be no less than one hundred feet (100') long and fifty feet ((50') wide. Within that footprint the traveled roadbed of the top of the "T" shall be at least eighty feet (80') long and twenty-five feet (25') wide. Other turnaround configurations may be considered.
11. With temporary dead-end streets, where future extension to another outlet is approved by the Board, or where indicated on the plan, the full of the right-of-way to the subdivision property line shall be reserved as a street right of way. A turnaround shall be provided and provisions made for the future reversion of the excess right-of-way to the adjoining properties.
12. Curb radii shall vary by type of intersecting streets, according to the following:

<u>Type of Intersection</u>	<u>Curb Radius Range (feet)</u>
Local-Local	10-15
Local-Collector	15-20
Collector-Collector	15-25
Collector-Arterial	Meet State Standards

For all arterial streets, curb radii shall be sufficient to allow turning by trucks and other large vehicles without encroachment into the opposite flow of traffic.

B. Design Standards

1. The classification of new streets shall be determined by the Board in accordance with the following table:

STREET OR ROAD DESIGN STANDARDS

Standard	Minimum Local Street	Minor Local Street	Major Local Street	Collector Street	Arterial Street
Number of Dwellings	3-6	7-40	41-150	151-500	>500
ADT	<60	60-400	400-1500	1500-5000	>5000
Surface Width (ft)	16	18	20	20	varies
Shoulder Width (ft)	1.	2	2	4	varies
Min. Right of Way (ft)	50	50	50	50	varies
Design Speed	15	15	20	25	varies
Min. Length Of Vertical Curve (ft)	80	80	115	155	varies
Min. Horizontal Curve Radii	45	45	90	165	varies
Minimum Grade (%)	0.5	0.5	0.5	0.5	0.5

Maximum Grade (%)	12	10	10	8	8
Site Distance (both directions)	150	200	200	250	400

FOOTNOTES:

[1] Shall be future anticipated traffic. (Assuming 10 trips per day per dwelling unit).

[2] All cross-section horizontal distances shall be measured perpendicular to straight –line sections and radii to curved sections.

[3] Sight distance shall be measured between two points along the centerline of the street on a straight line entirely within the street right-of-way and clear of obstructions, one of the points to be at the surface and the other 3’9” above the surface.

- a. The Board may modify the maximum and minimum gradient of streets where, in its judgment, existing topographic conditions or the preservation of natural features indicate that such modification will result in more efficient subdivision of land. Under no circumstances will grades exceed 12% on major local or 10% on collector streets. The Board may also require emergency snow plow pull-off areas at the foot of roads on long slopes.
  - b. The Board may require a greater width of right-of-way where, in its judgment, the demands of present or future traffic make it desirable or where topographic conditions create a need for greater width for grading or snow storage.
  - c. Streets shall have a minimum travel surface width as prescribed above, with shoulders not less than 2 feet wide, except on minimum local streets. The Board may require a greater travel surface width and shoulders when deemed necessary for vehicular or pedestrian/bicycle safety.
2. Where the Board determines that paved surfaces are required due to traffic volumes, curves or grades, it may require streets or roads to be so constructed.
  3. Minimum design standards for streets or roads shall conform to the “New Hampshire Department of Transportation Suggested Minimum Design Standards for Rural Subdivision Streets” as published December 4, 2003, or as subsequently revised, except where the Board shall determine that there are relevant reasons for departing from such standards.

C. Pedestrian Walks and Bike Paths

The Board may require walkways, bikeways or other multi-modal paths within the subdivision, between subdivisions or to connect public and private facilities or properties.

D. Easements

Easements across lots shall be provided where necessary for utilities, access, and drainage. Such easements shall be placed on rear or side lot lines wherever possible, provided that adjacent properties are not affected.



## E. Private Roads

1. Private roads shall conform to the standards of these regulations since residents on private roads, as taxpayers, are entitled to the same quality as a Town-accepted road, and since, at some future date, the taxpayers may petition the Selectmen for acceptance of the road.
2. The Planning Board's approval of a proposed street as part of a subdivision application does not constitute or imply any future acceptance of the road by the Town. All subdivision streets shall be noted on the plat as private. Acceptance of a street by the Town may be accomplished only by the Town Meeting or as provided by RSA 674:40-a; such acceptance shall be determined on an individual basis.
3. The developer, landowners, or homeowners association shall be responsible for maintenance and repair of private roadways. The applicant shall demonstrate that an entity (e.g. developer, landowners, or homeowners association) will be in place having the responsibility and financial substance to ensure maintenance and repair of proposed roads in a manner which provides safe access for all users, including residents, visitors, delivery and emergency vehicles.
4. Covenant language shall be incorporated in deeds within the subdivision to provide for maintenance and repair. The proposed covenant language shall be provided for review and approval by the Planning Board, Town Manager and town attorney and should include:
  - a. The legal description of all properties that have a right to use the street.
  - b. The legal owner of the street.
  - c. The manner in which the responsibility for carrying out and paying for maintenance and repairs is to be shared by the parties.
  - d. The process for emergency repairs.
  - e. The consequences for non-participation.
  - f. The statement that in the event any lot owner petitions the Town to take over maintenance, the road owner(s) will be solely responsible for paying any costs of upgrading the road to town road specifications if required.

## F. Street Names

Street names require the approval of the Selectmen. Streets obviously in alignment with existing streets shall be given the names of the existing streets. New street names shall not duplicate those of existing streets and shall be consistent with 911 standards.

## G. Materials

Construction material specifications shall be those provided for in *Standard Specifications for Road and Bridge Construction, including Supplemental Specifications*, published by the New Hampshire Department of Transportation, latest edition, and a letter certifying that all materials meet specifications shall be provided by the owner(s). Where special specifications or specifications which differ from State or Town standards are applied, that fact shall be stated explicitly in the initial submission of design plans. Approval of materials must be made by the Planning Board or its appointed engineer prior to their use in construction.

## H. Subgrade Preparation

1. All topsoil or loam must be removed from limits of the road-bed to a depth of at least twelve (12) inches. Where loam or improper road foundation material exceeds twelve (12) inches in depth, such material must be excavated to solid base and replaced with bank-run gravel or broken rock containing pieces no larger than 12 inches in diameter. All boulders and ledge shall be broken off to a uniform cross-section depth of not less than twelve (12) inches below the subgrade.
2. The base course shall consist of binding gravel or bank-run gravel or crushed rock containing pieces no greater than 6 inches in diameter - free from loam or organic matter – rolled and compacted to a thickness of at least twelve (12) inches.
3. The final course shall consist of a six (6) inch thick layer of compacted or crushed gravel, 100% of which must be capable of being passed through a 1.5 inch mesh screen. The final course must be used with adequate binder.

## I. Drainage

1. Provision must be made for natural water courses including storm run-off. Catch basins shall be built where required and culverts of proper capacity (at least fifteen (15) inches) installed at all water courses with necessary headers of an approved construction. Culverts should be tarred steel for seasonal runoff or concrete for constant running water, or made of another approved alternative material.
2. Culverts for individual lot access also must be of an approved type material and size and length.

Drainage swales or ditches of at least two (2) feet in width and eighteen (18) inches in depth at their midpoint shall be constructed in the street right-of-way, below centerline grade, on both sides of the roadway, no closer than four (4) feet from the edge of the traveled surface.

## J. Incidental Construction

1. Bridges – On stream-crossing spans of ten (10) feet or more, the structure shall be designed to H15-S20 loading (AASHTO specifications, as amended) and constructed in accord with the latest edition of NHDOT *Standard Specifications for Road and Bridge Construction*, including any Supplemental Specifications. Width shall be as compatible with road classification. Any bridge to be constructed on any road shall be approved by a licensed engineer, and the costs of such approval shall be paid by the developer.
2. Utilities
  - a. Any damages and all costs of installing utilities will be borne by the owners.
  - b. Utility poles should be positioned close to the edge of the right-of-way, never closer than the ditch line, and always back of the curb.
  - c. If utility systems are to be placed underground, there shall be conformity with the terms and specifications of the utility company (ies) involved.
  - d. Water and sewer mains should be constructed beyond the road and shoulder.

K. Inspection.

The Planning Board or its designee shall inspect the streets or road(s) under construction during the following phases:

1. Clearing and removal of stumps, boulders, etc.
2. Preparation of sub-grade elevation
3. Installation of base course
4. Final construction

10.06 Fire Protection

All subdivisions shall meet the approval of the Randolph Fire Department, documented by the Fire Chief or designee, relative to emergency access, and fire prevention, protection, and water supply. Installation of cisterns or fire ponds **may be required by the Planning Board if recommended by the Fire Chief or designee.**

SECTION 11. REQUIRED IMPROVEMENTS

11.01 Monuments

The subdivider shall install two concrete or cut stone monuments at least forty-two inches in length with 36 inches in the ground and four (4) inches square, with a suitable center point, at each street intersection on the right-of-way line, and iron pin monuments 3/4 of an inch in diameter and 36 inches long at all points on boundary lines of lots where there is a change of direction, and at all lot corners.

11.02 Stormwater Management

A stormwater management plan shall be submitted demonstrating the following:

1. On-site drainage and erosion and sediment control measures will be designed to effectively manage surface and subsurface drainage, and to minimize soil erosion and siltation, during and after site development.
2. Storm drainage will be designed to handle adequately a 50-year frequency 24-hour rainfall amount as determined by the National Weather Service or other source based on current data and trends acceptable to the Planning Board, and for the retention of excess stormwater for later gradual release when site drainage systems, or existing drainage systems to which site drainage systems are connected, become overloaded. Any emergency overflow structures are based on the 100-year 24-hour frequency storm discharge rate.
3. All stormwater management and erosion control measures in the plan will adhere to Volumes 1, 2 and 3 of the *New Hampshire Stormwater Manual*, current edition, published by NHDES, to the extent practicable.
4. The smallest practical area of land will be exposed at any one time during development.
5. When land is exposed during development, the exposure will be kept to the shortest practical period of time. Land is not be left exposed during the winter months.

6. Where necessary, temporary vegetation and/or mulching and structural measures will be used to protect areas exposed during development.
7. Provisions will be made to effectively accommodate the increased run-off caused by the changed soil and surface conditions during and after development.
8. The permanent, final vegetation and structures will be installed as soon as practical in the development.
9. The development plan will be fitted to the topography and soils so as to create the least erosion potential; whenever feasible, natural vegetation will be retained and protected.
10. Flow volume, velocity, and pollutant loading will not be higher at the property line post-development when compared with pre-development conditions.
11. Provisions have been made for winter snow storage and/or removal as necessary to ensure that existing or proposed drainage facilities can adequately dispose of melting snow.

The applicant shall bear final responsibility for the installation, construction, and establishment of provisions for ongoing maintenance of all stormwater and erosion control measures required by the Planning Board. Final approval will not be granted until the plan and a mechanism for ensuring ongoing maintenance are approved by the Planning Board.

#### 11.03 Water Supply, Sewage Disposal, and Other Utilities

- A. All subdivisions shall make adequate provisions for water supply, sewage disposal, and other utilities for each lot. All such utility systems shall be installed at the expense of the subdivider or property owner. Water supply and sewage disposal facilities shall be constructed in accordance with state and local permits and regulations. All utilities shall be installed in conformance with the requirements of the utility companies involved.
- B. The design of any common water supply or sewage disposal system to be provided by the Applicant shall be approved by the New Hampshire Department of Environmental Services before the Planning Board will grant final approval. The Board may impose additional requirements based on a review and recommendation of a Professional Engineer. The Board will not approve a subdivision with a common water supply or sewage disposal system until provisions have been made satisfactory to the Board for the continued operation and maintenance of such systems. It shall be a condition of final plat approval that the Applicant shall file with the Planning Board "As Built" plans and drawings showing the location and installation of any common water supply and/or sewage disposal system. Such filing shall not impose any obligation on the Town but shall be solely for information purposes and for the benefit of the ultimate owners and operators of such common facilities.

#### 11.04 Street Signs

The subdivider shall be responsible for the erection of street name signs at all street intersections, and for posting all streets as "Private" unless or until accepted by the Town.

### SECTION 12. APPEALS

Any person aggrieved by a decision of the Board may appeal to the Superior Court as provided for by

RSA 677:15.

SECTION 13. ADMINISTRATION AND ENFORCEMENT

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

13.02 These Regulations shall be considered to be a part of each approved subdivision plat. These Regulations shall be enforced by the Selectboard. The Selectboard shall undertake such enforcement in a manner similar to that of enforcing the Land Use Ordinance, including the delegation of prosecution of specific enforcement actions to such other qualified individuals as may be appropriate from time to time. Any and all penalties available to the appropriate enforcement official per RSA 676:15-18, as amended, are hereby incorporated into these Regulations by reference.

SECTION 14. CONFLICTING PROVISIONS

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

14.02 All subdivisions, minor lot line adjustments, and boundary line agreements shall conform to the Randolph Land Use Ordinance. The Planning Board shall not approve any subdivision, lot line adjustment, or boundary line agreement which does not meet the requirements of the Land Use Ordinance.

SECTION 15. 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 sections or part of a section or paragraph of these Regulations.

SECTION 15 AMENDMENTS

These regulations may be amended by the Planning Board following a public hearing on the proposed change(s). Such changes shall not take effect until a copy of said change(s), certified by a majority of the Board, is filed with the Town Clerk.

**APPENDIX**  
**Access Management Standards**

**PURPOSE:**

In order to promote safe and reasonable access between streets and lots, improve the convenience and ease of movement of travels on streets and permit reasonable speeds and economy of travel while maintaining the capacity of the roadway, the location and design of access points within the Town of Randolph shall be in accordance with the following access management regulations, which involve: 1) the number, spacing and width of access points; 2) turning radii; 3) corner clearance; 4) throat length; 5) shared access; 6) alignment of access points; 7) sight distance; 8) internal and parallel roads; 9) pedestrian and bicycle access; and 10) roundabouts traffic circles.

**1. NUMBER, SPACING AND WIDTH OF ACCESSPOINTS**

A. Driveway Approach Width (non-residential): The maximum width of a driveway approach for a two-way driveway shall not exceed thirty-six feet (36') including two-foot (2') shoulders. The minimum width of a driveway approach for two-way driveway shall not be less than twenty-four feet (24') including two-foot (2') shoulders.

B. Driveway Approach Width (residential): The maximum width of a driveway approach shall not exceed fifteen feet (15'). The minimum width of a driveway approach shall not be less than ten feet (10'). The Planning Board may require paving of these approaches

C. Driveway Access Spacing: Driveway access spacing shall be measured from the edge of the proposed driveway pavement to the nearest edge of the roadway of the adjacent or opposite driveway or street. Driveway access spacing shall meet the requirements of Table 1 or for state highways, the standards in the New Hampshire Department of Transportation report, "Policy For Permitting of Driveways and Other Accesses to the State Highway System", as amended, whichever is more stringent.

**Table 1 Driveway Spacing**

<b>Roadway Classification</b>	<b>Minimum Spacing (feet)</b>	<b>Desirable Spacing (ft.)</b>
Route 2	300	500
Minor Arterial	100	300
Collector	100	200

D. Consolidating Existing Accesses: The applicant shall take advantage of all opportunities to consolidate existing access points and to provide cross access between existing developments or lots.

## 2. TURNING RADII

The principal users of the roadway shall be considered when determining the inside turning radii. The inside turning radii shall vary between a minimum of fifteen feet (15') and a maximum of thirty feet (30') and meet the minimum and maximum requirements of Table 2. The New Hampshire Department of Transportation may require turning radii at intersections with state highways to be greater.

**Table 2. Inside Turning Radii**

<b>Land Use</b>	<b>Minimum Inside Turning Radii</b>	<b>Maximum Inside Turning Radii</b>
Residential Only	15	20
Commercial/Industrial Only	20	30
Mixed Uses	15	30

## 3. CORNER CLEARANCE

No driveway approach may be located closer to the corner than indicated in Table 3. The measurement shall be taken from the intersection of property lines at the corner to the nearest edge of the proposed driveway pavement. When these requirements cannot be met due to lack of frontage, the nearest edge of the proposed driveway pavement shall be located as far as possible from the intersection of property lines at the corner.

**Table 3. Distance of Driveway Approach from Corner**

<b>Roadway Classification</b>	<b>Distance from Corner (feet)</b>
Route 2	300
Minor Arterial	100
Collector	100
Local Street	30

## 4. THROAT LENGTH

Driveway throat length shall be measured from the edge of the property line to the furthest end of the driveway. A minimum driveway throat length of twenty-five feet (25') for collector streets, forty feet (40') for minor arterials, and fifty-five feet (55') for Route 2 shall be required. The purpose of the

driveway throat length is to allow for traffic entering the site to be stored on site in order to avoid a line of traffic on the roadway causing delays and a potentially hazardous situation. Sufficient space within the driveway should also be provided to allow for turning around without backing onto the adjacent roadway.

## 5. SHARED ACCESS

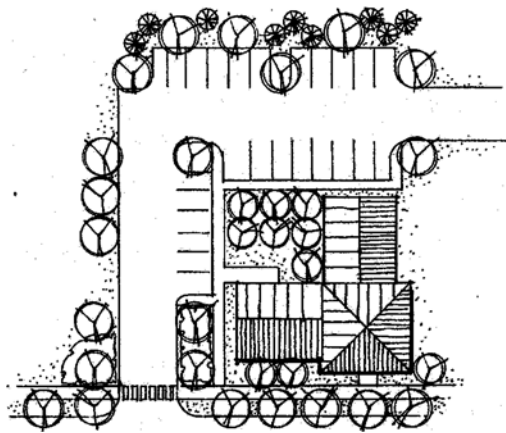
A. Shared driveways are encouraged and may be required between adjacent lots. In such cases, a joint access easement between the property owners may be required. The location and dimensions of said easement shall be determined by the Planning Board.

B. Parking provision for any combination of uses on the same site shall consider the opportunity for combined visits (i.e. one parking space in front of a gas station pump may count as one parking space for both the convenience store and the gas station in a combined gas station/ convenience store development). Shared parking arrangements with adjoining non-residential developments or other uses on site are encouraged. Off-site shared parking shall be protected with a shared parking easement agreement which shall be reviewed and approved by the Planning Board and recorded with the approved plan.

C. Parking shall be located within six hundred feet (600') of the principal use and connected to the principal use by a five foot (5') wide pedestrian path, if necessary.

D. Parking shall not be permitted in any required setback or between the principal structure and a public street, including corner lots. Parking shall be located to the side or rear of the principal structure. The Planning Board may waive this requirement in situations where lot configuration or use renders such parking lot location impractical; however, effort shall be made to locate parking to the side or rear of buildings. See Diagram 1.

E. Side yard parking shall be limited to a single row of vehicles. See Diagram 1.





*Diagram 1. Parking to Side and Rear of Principal Structure.*

**6. ALIGNMENT OF ACCESS POINTS**

- A. Intersection Alignment: If a proposed driveway cannot meet the requirements of Section 1, above, then the proposed driveway shall be aligned directly opposite an existing or proposed opposite driveway and the configuration shall be treated as a four-way intersection.
- B. Angle of Driveway Approach: The angle of driveway approach shall be approximately ninety (90) degrees for two-way driveways and between sixty (60) degrees and ninety (90) degrees for one-way driveways. Angles of one-way driveways shall be in the appropriate direction.

**7. SIGHT DISTANCE**

- A. All season safe sight distance is defined as a line which encounters no visual obstruction between two (2) points, each at a height of three feet nine inches (3'-9") above the pavement and allowing for a snow window and /or seasonal vegetation. The line represents the critical line of sight between the operator of a vehicle using the access (point 1, ten feet (10') back from the road pavement) and the operator of a vehicle approaching from either direction (point 2).
- B. Safe sight distance shall be compatible with the maximum speed limit posted on the roadway as indicated in Table 4. Additionally, The New Hampshire Department of Transportation requires 400 feet of sight distance in all cases on state highways.

**Table 4. All-Season Safe Sight Distance**

Speed Limit (mph)	All Season Safe Sight Distance (feet)						
	Downgrades			Upgrades			Flat
	3%	6%	9%+	3%	6%	9%+	0-2%
25	158	165	173	147	143	140	155
30	205	215	227	200	184	179	200
35	257	271	287	237	229	222	250
40	315	333	354	289	278	269	305
45	378	400	427	344	331	320	360
50	446	474	507	405	388	375	425
55	520	553	593	469	450	433	495

Source: Policy on Geometric Design of Highways and Streets, AASHTO, 2001

- C. To prevent hardships to owners of small parcels of land or special land uses, exceptions to the all season safe sight distance requirements may be allowed by the Planning Board for individual homes, agricultural land, town land and temporary accesses for vehicles such as construction vehicles, gravel trucks and log trucks. The road shall then be properly signed for "Blind Drive" or "Trucks Entering." Permission must be obtained from the New Hampshire Department of Transportation for signs on state highways.

## 8. INTERNAL AND PARALLEL ROADS

For commercial and industrial land uses, the Planning Board may require the use of internal roads and roads parallel to Route 2 in order to reduce access points and allow for the movement of traffic internally between adjacent lots.