SUBDIVISION REGULATIONS

Town of Stratham, N.H.

Adopted February 3, 1987

As amended to May 2019

2019

SUBDIVISION REGULATIONS
TOWN OF STRATHAM, NEW HAMPSHIRE

The following amended Site Plan Review/Subdivision Regulations were adopted by the Stratham Planning Board on December 4, 2013. These regulations were adopted in accordance with NH RSA §672 through §677 inclusive of the Revised Statutes Annotated following a public hearing on December 4, 2013.

STRATHAM PLANNING BOARD

Robert Baskerville, Chair

Michael Houghton, Selectmen's Rep.

Thomas House, Secretary

David Canada Member

Robert Roseen, Alternate

PLANNING DEPARTMENT

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SECTION I: GENERAL PROVISIONS

1.1 AUTHORITY:

These regulations are adopted in accordance with the provisions of RSA 672 through 677 inclusive of the Revised Statutes Annotated as originally authorized by the Town Meeting.

1.2 TITLE:

The regulations shall be known and may be cited as the "Subdivision Regulations, Town of Stratham, New Hampshire."

1.3 JURISDICTION:

The provisions of these Regulations shall apply to all land within the boundaries of the Town of Stratham.

1.3.1 Subdivisions:

No land shall be subdivided or lots conveyed or sold within the corporate limits of the municipality until:

a. The Planning Board has given final approval of the subdivision plan after a public hearing and after the Chairperson of the Board has affixed his/her signature on the approved plan;

b. The applicant has complied with all of these Regulations including the posting of appropriate performance and/or guaranty bonds;

c. The approved plan is filed with the Rockingham County Registry of Deeds.

1.3.2 Permits:

No building or other permit shall be issued for any parcel or plat until an approved subdivision plan is presented to the Building Inspector by the applicant.

1.4 PURPOSES:

The Regulations are adopted for the following purposes:

a. To protect and provide for the public health, safety, and general welfare of the municipality;

b. To guide the future growth and development of the municipality, in accordance with the Master Plan;

c. To provide for adequate light, air, and privacy; to secure safety from fire, flood, and other danger; and to prevent overcrowding of the land and undue congestion of population;

d. To protect and conserve the value of land throughout the municipality and the value of buildings and improvements upon the land; and to minimize the conflicts among the uses of land and buildings;

e. To provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation, and other public requirements and facilities;

f. To provide for suitably located streets and/or access ways of sufficient width to accommodate existing and prospective traffic; to afford access for firefighting equipment to buildings; and to be coordinated so as to compose a convenient and safe circulation system;

g. To establish reasonable standards of design and procedures for subdivisions in order to further the orderly layout and use of land; and to insure proper legal descriptions and monumenting of subdivided land;

h. To insure that public facilities are available and will have a sufficient capacity to serve proposed subdivisions;

i. To prevent the pollution of air, streams, and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources throughout the municipality in order to preserve the integrity, stability, and beauty of the community and the value of the land;

j. To provide for open spaces through the most efficient design and layout of the land, while preserving the density of land as established in the Zoning Ordinance of the municipality.

1.5 DEFINITIONS:

In general, words and terms used in these Regulations shall have their customary dictionary meanings or the same meanings as corresponding words and terms as defined in the Zoning Ordinance of the Town of Stratham. . If subsections of these regulations contain alternate definitions, the more restrictive term or definition shall apply unless otherwise determined by the Planning Board on a case-by-case basis. More specifically, certain words and terms are defined as follows: (Rev. 5/19)

1.5.1 Abutter: Any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration.

1.5.2 Applicant: The person seeking approval of subdivision whose name appears on the application form. Consent shall be required from the legal owner of the premises, if the owner is not the applicant.

1.5.3 Board: The Planning Board of the Town of Stratham.

1.5.4 Bond: Any form of security including cash deposit, surety bond, collateral, property, Qualifying Letter of Credit, or instrument of credit in an amount and form satisfactory to the Planning Board.

1.5.5 Community Wastewater System: A non-municipal wastewater collection, treatment, and disposal system that serves an average of at least twenty-five (25) daily year-round or that has at least fifteen (15) service connections.

1.5.6 Community Water Supply: A non-municipal water supply system that serves an average of at least twenty-five (25) individuals daily year-round, or that has at least fifteen (15) service connections.

1.5.7 Cul-de-Sac: A local street with only one outlet and having an appropriate terminal for the safe and convenient reversal of traffic movement.

1.5.8 Dead-end Street: A local street with only one outlet, with or without a "looped" roadway. **(Rev. 7/89)**

1.5.9 Dwelling Unit: One (1) or more rooms, including cooking facilities and sanitary facilities in a dwelling structure, designed as a unit for occupancy by not more than one (1) family for living and sleeping purposes.

1.5.10 Engineer: The duly designated engineer of the Town of Stratham. If there is no such official, the consultant or official assigned by the Stratham Planning Board.

1.5.11 Frontage: Any lot area fronting on an approved road (public or private) presently in existence or to be constructed.

1.5.12 Lot: A tract, plot, or portion of a subdivision or other parcel of land intended as a unit for the purpose, whether immediate or future, of transfer of ownership or for building development.

1.5.13 Master Plan: Any part or element of the overall plan for development of the Town adopted by the Planning Board, according to State law.

1.5.14 Minor Subdivision: A division of a lot, tract, or parcel of land which would create not more than three lots for building development purposes and which does not require the installation of any new public streets or proposals which do not involve the creation of lots for building development purposes.

1.5.15 Municipal Wastewater System: A wastewater collection, treatment, and disposal system that serves an average of at least twenty-five (25) individuals daily year-round or that has at least fifteen (15) service connections and that is owned and operated by a municipal or regional government.

1.5.16 Municipal Water Supply: A water supply system that serves an average of at least twenty-five (25) individuals daily year-round or that has at least fifteen (15) service connections and that is owned and operated by a municipal or regional government.

1.5.17 Person: Includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual.

1.5.18 Plan: A plat or site plan on which required information is drawn for the purpose of review and approval by the Planning Board.

1.5.19 Plat: The final map, drawing, or chart, on which the subdivider's plan of subdivision is presented to the Stratham Planning Board for approval and which, if approved, shall be submitted to the Register of Deeds of Rockingham County for recording.

1.5.20 Pork Chop Lot: A subdivision of one lot divided into two, where insufficient frontage would normally result, so long as the lot to be divided has an existing single family dwelling on premises. One lot must have a minimum of 200' of frontage, the other lot shall have a minimum of 50' of frontage on an approved road. Total frontage of the original lot must be less than that required under current zoning to create two conventional lots. (See Section 4.4.2 for specific requirements for porkchop lot subdivisions) **(Rev. 8/99) (Rev. 1/01)**

1.5.21 Qualified Soil Scientist: A person qualified in soils classification who is recommended or approved by the Rockingham County Conservation District Board of Supervisors.

1.5.22 Reserve Strip: Any area of land, which is intended for future public use for street construction or pedestrian ways.

1.5.23 Resubdivision: The division of an existing subdivision or any change of lot size or configuration therein or the relocation of any street or lot in a subdivision.

1.5.24 Slope: The average steepness of the land surface under consideration. For the purpose of determining lot size categories, slope shall be determined by slope factors used by the U.S. Soil Conservation Service Soil Survey (National Cooperative Soil Survey) soils classification (where A = 0-3%; B = 3-8%; C = 8-15%; D = 15-25%; and E = >25%).

1.5.25 Soil Type: As defined by the U.S. Soil Conservation Service, United States Department of Agriculture. For the purpose of this Regulation, soil type shall be determined by a soil scientist designated as qualified by the Rockingham County Conservation District.

1.5.26 Street: Includes the following:

a. Any highway, road, or right-of-way, which the State of New Hampshire or County of Rockingham has any obligation to maintain;

b. Any highway, road, or right-of-way dedicated to and accepted by the Town of Stratham;

c. Any highway, road or right-of-way whether or not formally accepted by the Town, which by traveled use or other appropriate circumstances has become a Town road by the Town's recognition of a duty to regularly maintain such highway or right-of-way;

d. A public or private way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however else designated.

And shall not include:

e. Any existing public highway, road or right-of-way which shall have been discontinued as an open highway, or made subject to gates and bars, or which shall not have been maintained and repaired by the Town in suitable condition for travel thereon for five (5) successive years or more. **(Rev. 7/89)**

1.5.27 Subdivider: A subdivider is an individual or any legal entity or agent thereof that undertakes the activities governed by these Regulations. The term shall also include the terms "builder" and "developer" even though the persons so designated may be involved in successive stages of the subdivision.

1.5.28 Subdivision: The division of a 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 resubdivision, 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 the several owners shall be deemed a subdivision under this chapter.

1.5.29 Wetlands: Those areas of the Town that contain marshes, ponds, bogs, lakes, as well as soils that are defined as poorly or very poorly drained by the National Cooperative Soil Survey conducted by the USDA Soil Conservation Service. The location of wetland boundary in any particular case must be determined by onsite inspection of soil types. This data shall be prepared by a qualified soil scientist using the standards of High Intensity Soil Maps for New Hampshire.

Wetlands shall also include the borders of tidal marshes of the Squamscott River and Great Bay. Said borders are hereby defined as those areas adjacent to the Squamscott River and Great Bay with elevations of eight (8) feet or less above mean sea level (National Geodetic Vertical Datum of 1929). **(Rev. 7/89)**

SECTION II: GENERAL REQUIREMENTS

2.1 GENERAL REQUIREMENTS:

2.1.1 Subdivision Plats:

Approval by the Planning Board is required before the land may be divided and sold, leased or otherwise conveyed or offered by sale, lease, or conveyance, including condominium conveyance.

2.1.2 Subdivision Permits and Site Plans:

a. In all cases where any amendment of any such subdivision plat is proposed, the applicant must also secure the approval of the amendment from the Planning Board.

b. No building permit may be issued for the construction or alteration of any building or structure within the purview of these Regulations until an approved subdivision plat or amendments thereto have been secured by the applicant and presented to the Building Inspector. The Planning Board shall certify on each subdivision plat or amendments thereto whether or not the plat meets the requirements of these Regulations and other regulations and ordinances of the Town of Stratham.

c. In cases where a variance is required from the Zoning Ordinance, the applicant shall first present the plan to the Planning Board so as to allow the Board to render a decision at a public hearing. **(Added 7/89) (Rev. 8/99) (Rev. 6/00)**

At the Applicant's request, the Planning Board may, at its sole discretion, waive the general requirements for a complete application, in accordance with these regulations, in order to advance the application to the Zoning Board of Appeals. Said waivers would be granted for the sole purpose of accepting the application, thereby providing the Board with jurisdiction to render a formal decision on the plan. Waivers of any or all of these general requirements shall be granted on a one time only basis and shall not be considered as justification for any future waivers of said regulations. The applicant assumes all risk of any further zoning relief that may be found necessary as a result of subsequent Planning Board reviews of the application. **(Rev. 6/00)**

2.2 PRELIMINARY CONSULTATION:

An individual who anticipates submitting a formal application for a subdivision approval shall be required, to consult with the Planning Board prior to submission of the formal application and supporting documentation. Any request for consultation shall be made at least 7 days prior to the meeting at which such consultation shall occur. An application for a minor subdivision as set forth in Section 2.4 of these regulations shall not be required to submit under this section. **(Rev. 3/06)**

2.2.1 Purposes of the Consultation:

The purpose of the consultation is to familiarize the Planning Board with the basic concept of the proposed subdivision. The consultation is further designed to acquaint the potential applicant with the formal application process and particular information that the Board may request, to suggest methods for resolving possible problems in the

development, design and layout, and to make the potential applicant aware of the recommendations in the Master Plan (if applicable) to the property in question.

2.2.2 Documents:

In order to facilitate discussion, the potential applicant is requested to prepare a base map of the property to be subdivided. It should be drawn to scale, and may be drawn in pencil. The proposed subdivision should be drawn on the base map. Dimensions may be approximate. The data may be tentative, but all information shall be sufficiently clear to illustrate all conditions and the proposed subdivision and/or development of the property.

The following information or data is requested to be submitted for review of the concept by the Planning Board:

a. General description of existing conditions on the site including characteristics of the land, topography, vegetation, and similar features;

b. General description of available community facilities and utilities;

c. General description of the lots to be created, including their size and dimensions, and a general use plan for the subdivision;

d. A topographic map (print, thereof) of the site showing in sketch form the proposed layout of streets, lots, and other features in relation to existing conditions and/or the location of other site development features.

2.2.3 Limits of the Review:

The Planning Board shall conduct the Preliminary Consultation at a regularly scheduled meeting of the Board. The applicant will make a presentation defining the general scope and concept of the subdivision and/or development and how the land will be divided and/or used. Any documents presented to the Board will be made a part of the record for future reference purposes.

Neither the applicant nor the Planning Board shall be bound by the discussions. However, the Planning Board shall be entitled to make recommendations with respect to the material presented to assist the applicant in preparing a formal application that will meet the development standards of the Town as expressed in these Regulations and in other ordinances and/or regulations. The Planning Board shall enter into the minutes and shall verbally communicate to the applicant any suggestions, recommendations, or other factors that the Board finds prudent and necessary. **(Rev. 8/99)**

2.2.4 Separation of Process:

It is hereby declared that no processing time limits shall apply as defined in RSA 676:4. Such time limits shall apply only when a formal application is submitted in accordance with Section 2.3 of these Regulations.

2.3 FORMAL APPLICATION REVIEW PROCESS:

Whether or not a Preliminary Consultation has been conducted, an applicant shall prepare and submit an application for subdivision approval in accordance with and to the standards set forth in these Regulations. This formal review process is designed to afford

the Planning Board, the applicant, abutters, and parties in interest a clearly delineated method for examining the proposed subdivision plan thus allowing the Planning Board to make a timely and informed decision on the proposal.

2.3.1 Submission of Information: **(Rev. 5/02)**

In order to provide Planning Board members, the Town Planner, other town officials, abutters, and the public at large the ability to review submitted materials in a timely manner, the following deadlines are provided.

a. An application for subdivision approval shall be submitted to the Town Office, c/o Chairperson of the Planning Board prior to 12-PM, at least twenty (20) days in advance of a regularly scheduled Planning Board meeting. The application form and the supporting exhibits required are set forth in Section 2.3.2 of these Regulations.

b. In the case of continued applications, all new information, including but not limited to plan revisions, special studies, waiver requests, and conditional use permit requests, must be submitted to the Planning Department prior to 4-PM, at least ten (10) days in advance of the continued meeting date;

c. Applications submitted later than the deadline date in (a) above will not be placed on the following meeting's agenda. New information in (b) above that is submitted later than ten days prior to the meeting date will not be considered by the Planning Board. In the case of late submission of new information, the Board shall automatically continue the application to the next scheduled meeting date.

2.3.2 Exhibits Required at Time of Submission:

The applicant shall submit the following information when a formal application is made for subdivision approval. The Planning Board shall not determine whether or not the application is complete until it reviews all of the documents at its next regularly scheduled meeting.

a. A completely filled out form entitled: "Application for Subdivision Approval." Forms may be obtained from the Town Office;

b. A list of the names and addresses of all abutters obtained from the Town Records not more than five (5) days before the date of filing of the application;

c. Six (6) complete sets of blackline or blueline prints of all subdivision plat plans drawn to scale (except in the case of a very large subdivision, generally a scale of not more than 50 feet to the inch), prepared under the supervision of and stamped by a registered land surveyor licensed to practice in New Hampshire; roadway, drainage and all utility plans prepared and stamped by a professional engineer licensed to practice in New Hampshire. Additional sets of plans may be required due to the scope of a project at the Board's request. **(Rev. 8/99)** The information to be contained in and standards to be followed for the preparation of these plans are set forth in Section III of these regulations;

d. High intensity soils information with lot size calculations and cover letter from a soil scientist;

e. Data on test pits and percolation tests including: location of test pits, percolation test date and rate, certification of test witness, and outline of area reserved for leach fields;

f. Any supporting documentation necessary to explain the proposal to the Planning Board, abutters, and the general public.

g. Completed Town of Stratham Land Use Development Tracking Form, most recently revised version, utilizing the companion instructions and definitions OR the online Pollution Tracking and Accounting Project (PTAP) portal.

h. A copy of the plans submitted in a digital format as provided for in Addendum D: Digital Submission Requirements. **(Added 7/06)**

2.3.3 Planning Board Responsibilities in Initial Processing:

The Planning Board will accept the exhibit materials specified in Section 2.3.2 and determine its completeness at its next regularly scheduled meeting.

a. The Board, at least ten days in advance of the meeting, shall mail notice to the applicant and abutters stating that an application for subdivision approval has been filed. The notice will contain the following:

i. Name and address of the applicant;

ii. The location of the proposed subdivision proposal;

iii. A general description of the proposed project.

At least seven (7) days prior to the meeting date where application completeness is scheduled to be determined, the Town Planner will issue formal comments relative to application completeness to the Board. These comments are made available to assist the Board in their determination of application completeness and are purely advisory. Only a vote of the Board shall determine application completeness. As a courtesy, these comments will be copied to the applicant for their consideration. **(Rev. 5/02)**

The Planning Board will also post the information contained in Section 2.3.3.a. in the Town Offices.

b. At the regularly scheduled meeting the Planning Board will:

i. Review the application for completeness and determine its acceptability for further processing;

ii. Advise the applicant of additional information that may be needed to process or evaluate the application;

iii. Advise the applicant of the administrative fees, notice fees, and other reasonable charges that may be required for the application. The applicant shall pay these fees at the meeting, unless alternative arrangements are allowed by the Board. If the fees are not paid, the Board may discontinue further consideration of the application;

iv. Set the date for a public hearing on the application;

v. Determine the need for special investigative studies and advise the applicant of the time and the need for financial support from the applicant;

vi. Notify the applicant verbally at the meeting and confirm in writing if the application is formally accepted for evaluation. The date of the formal acceptance shall be used for calculating the time period for decision by the Board;

c. The Planning Board will begin formal consideration of the application within 30 days of this regularly scheduled meeting providing that the application is determined to be complete in full compliance with these Regulations. If not complete, the Planning Board will advise the applicant of what information is needed to complete the application package and when it will next be considered by the Board.

d. The Planning Board will arrange with the applicant for an inspection of the site (if determined necessary or desirable by the Board) by the Board, a committee or a member of the Board, or a Town employee appointed for said purpose by the Chairperson. Abutters shall be notified at the hearing of such inspection and shall be permitted to attend.

2.3.4 Public Hearing and Notice:

The Planning Board, before taking action on a subdivision plat, shall hold at least one public hearing thereon. The Planning Board shall take testimony from the applicant, abutters, and parties in interest to the proposal either in person or in writing.

The applicant and abutters shall be notified of the public hearing and the time and place of such hearing by certified mail, not less than ten (10) days before the date fixed for the hearing. In addition, notice to the general public of the public hearing shall be posted in the Town Offices at least ten (10) days before the date fixed for the hearing. The notice to the applicant, abutters, and general public shall contain the information as specified in Section 2.3.3.a.

2.3.5 Concurrent and Joint Hearings:

The Planning Board may hold a hearing on a subdivision plat or for a site plan in conjunction with each other if both are required for a project. A hearing for either by the Planning Board may be held at the same time and place that a hearing for a special exception or variance is held for the project by the Board of Adjustment, provided that such a hearing is mutually agreed to in advance by the Boards.

2.3.6 Fees and Charges:

The applicant shall pay the following fees and charges as are applicable:

a. Administrative Costs: The applicant shall pay: **(Rev. 8/91) (Rev. 8/99) (Rev. 10/07)**

Major Subdivision: A filing fee of $250.00 for the first lot, plus $100.00 for each lot or unit thereafter;

Minor Subdivision: A filing fee of $150.00 for the first lot, plus $100.00 for each lot or unit thereafter;

Lot Line Revision: A filing fee of $150.00; and

Preliminary Consultation: A filling fee of $75.00.

b. Notice Costs: The applicant shall pay a $150 fee plus $8.00 per abutter and per applicant for the costs of all notice requirements including the cost of postage for certified mail, reproduction costs, and any publication and/or posting costs. **(Rev. 8/91) (Rev. 8/99) (Rev. 10/07)**

c. Special Investigative Costs: The Planning Board may require the applicant to pay reasonable costs of special investigative studies, which may be necessary for the Planning Board to evaluate properly the impact of a proposed subdivision.

d. Rockingham County Costs: The applicant shall prepare a check payable to the Rockingham County Registry of Deeds for submission to Rockingham County after the subdivision has been approved. The amount shall be determined by Rockingham County at the time of submission. Check and mylar shall be submitted to the Planning Department. It will be the responsibility of the Town to record all approved plans. **(Rev. 11/93)**

e. Municipal Review Costs: The Board will require the applicant to reimburse the Town for the cost of having duly appointed agents of the municipality review a submitted plan. Such costs may be encountered in the following instances: **(Rev. 11/93)**

   i. Witnessing of test pits by an agent designated by the Planning Board.

   ii. Review of roadway design, drainage and stormwater management, and erosion and sediment control plans by an agent appointed by the Planning Board.

   iii. Periodic construction inspections and/or tests.

   iv. In accordance with RSA 676:4(I)(g), the Board shall also require an applicant to reimburse the Town for expenses incurred by the Rockingham Planning Commission Circuit Rider Planner, including, but not limited to, time spent for technical review of plans, meetings with the applicant subsequent to application, and other reasonable expenses directly accountable to the particular application, the rate shall reflect the current hourly rate charged to the Town for this service, however, no fee shall be charged for time spent in meetings during contracted office hours, or contracted night meetings, or the first 2 hours of technical review of an application submitted to the Board. The amount of this fee will vary according to the particular aspects of any application. The Circuit Rider shall provide a detailed accounting of the time spent reviewing an application to the Town for purposes of proper billing. **(Rev. 12/96)**

2.3.7 Time For Approval/Disapproval:

The Board shall act to approve or disapprove a subdivision plan within sixty-five (65) days of the formal acceptance as determined in Section 2.3.3 (d)(v). **(Rev. 8/99)**

In the event that defects found in the subdivision can be remedied, the disapproval shall be "without prejudice" and a revised application may be submitted at any time. If a revised application is submitted after a vote of disapproval, it shall be treated as a new application and shall follow the same procedures spelled out in these Regulations.

The Planning Board may apply to the Board of Selectmen for an extension not to exceed ninety (90) days before acting to approve or disapprove an application. The applicant may waive the requirement for Planning Board action within the time periods specified

and consent to such extension as may be mutually agreeable. Upon failure of the Planning Board to approve or disapprove within sixty-five (65) days (or within additional days, if granted by the Selectmen), the applicant may obtain from the Selectmen an order directing the Planning Board to act within thirty (30) days. **(Rev. 8/99).** Failure of the Planning Board to act upon such order shall constitute grounds for action in the Superior Court in accordance with RSA 676:4.

2.3.8 Action of the Board: **(Rev. 11/93) (Revised 06/06)**

a. Within the appropriate time frames as established by NH RSA 676:4, the Board shall approve, conditionally approve, disapprove without Prejudice or disapprove the application. The reasons for disapproval of a plan shall be stated in the record of the Board. Approval of a plan shall be endorsed on the plan by the Chairman or Vice Chair of the Board. The time to act may be extended in accordance with NH RSA 676:4-f.

i. Conditional Approval: All conditional approvals are valid for a period of not more than 120 days, unless the Planning Board, at their discretion, chooses to extend the number of days required to meet precedent conditions. All precedent conditions of approval must be met within this 120-day period (or time period established by the Planning Board at time of conditional approval) or the approval shall be considered null and void. In cases where extenuating circumstances prevent the meeting of precedent conditions within 120 days, the applicant may request an extension, to be filed (in writing and with justification) with the Board no later than 14 days prior to the expiration date of the conditions. The Planning Board shall then vote on whether or not to grant such extensions.

ii. Approval with Conditions: The Planning Board may attach reasonable conditions to an approval in order to ensure that the public interest is upheld. Such conditions may include, but are not limited to the following:

1. The posting of a performance guarantee in an amount and under conditions satisfactory to the Planning Board.

2. The execution of a written agreement stating the nature, conditions, and time for performance of the approved application.

3. The phasing of the subdivision approval providing that the portions approved and any portion to be approved subsequently are clearly delineated on the documents to be filed with the Rockingham County Registry of Deeds.

4. Any other conditions that the Planning Board finds necessary to secure the public interest.

iii. Disapproval without Prejudice: If the Planning Board finds that certain administrative/procedural requirements have not been met, but could be met with additional time, the Planning Board may disapprove the application without prejudice. If such a finding is made, the Planning Board shall advise the applicant in writing what is necessary to correct the administrative/ procedural defect.

iv. Disapproval: If the Planning Board finds that the application does not meet the standards of these Regulations, fails to comply with other local or State laws, or

will have an adverse impact on surrounding areas or the community, the Board may disapprove the application. In the event of disapproval, the grounds for disapproval shall be specified in the records of the Board and communicated to the applicant in writing.

b. Vesting: Approved subdivisions shall be protected from future changes in regulations and ordinances in accordance with NH RSA 674:39 as summarized by the following:

i. Every subdivision approved by the Planning Board shall be exempt from all subsequent changes in Subdivision Regulations and Zoning Ordinances adopted by the Town of Stratham, except those regulations and ordinances which expressly protect public health standards, such as water quality and sewage treatment requirements, for a period of 4 years after the date of certification of the subdivision by the Planning Board; provided, however, once substantial completion of the improvements as shown on the plans have occurred in compliance with the approved plans, or the terms of said approval or unless otherwise stipulated by the Planning Board, the rights of the owner or the owner's successor in interest shall vest and no subsequent changes in Subdivision Regulations or Zoning Ordinances shall operate to affect such improvements; and further provided that:

1. Active and substantial development or building has begun on the site by the owner or the owner's successor in interest in accordance with the approved plans within 12 months after the date of approval (certification by the Planning Board), or in accordance with the terms of the approval, and, if a bond or other security to cover the costs of roads, drains, or sewers is required in connection with such approval, such bond or other security is posted with the Town, at the time of commencement of such development;

2. The development remains in full compliance with the public health regulations and ordinances of the Town of Stratham; and

3. At the time of approval (certification of the plans by the Planning Board), the subdivision conforms to the Subdivision Regulations, and Zoning Ordinances then in effect at the time of such approval.

ii. For purposes of these regulations, "active & substantial development" shall be defined as:

1. Construction of and/or installation of basic infrastructure to support the development (including all of the following: at least 1 building foundation wall/footing, roadways, access ways, etc. to a minimum of gravel base; and utilities placed in underground conduit ready for connection to proposed buildings/structures) in accordance with the approved plans; and

2. Construction and completion of drainage improvements to service the development (including all of the following: detention/retention basins, treatment swales, pipes, underdrain, catch basins, etc.) in accordance with the approved plans; and

3. All erosion control measures (as specified on the approved plans) must be in place and maintained on the site; and

4. Items i, ii, and iii shall be reviewed and approved by the Town's Road Agent, Building Inspector or their designated agents.

Movement of earth, excavation, or logging of a site without completion of items i, ii, iii, & iv, above, shall not be considered "active and substantial development." Plans approved in phases shall be subject to this definition for the phase currently being developed.

2.3.9 Phasing:

To insure that the rate of growth of the Town does not unreasonably interfere with the Town's capacity for planned, orderly, and sensible expansion of its services to accommodate such growth, the Planning Board at its sole discretion may require phasing of development projects, as provided in RSA 674:21.

a. For any development project (single family, multi-family, cluster, or mixed) or more than eight family dwelling units, the Planning Board may require phasing for a period of up to five years. For a project larger than 50 units, the Planning Board is entitled to negotiate a longer period of phasing time, based on the size of the project and the potential impact on the Town and Town services.

b. In order to insure equitable phasing, no developer shall circumvent the purposes of phasing by dividing a parcel of land into separate subdivision or separate forms or names of ownership.

c. The phasing process will be at the subdivision or beginning part of the construction process. Once a phasing plan is approved by the Planning Board with dates of allowed construction in each phase, the approved plan displaying the phasing plan shall be signed by the Planning Board Chairman and filed with the Rockingham County Registry of Deeds. See Addendum B.

2.4 MINOR SUBDIVISION APPROVAL:

Proposals involving minor subdivisions which create not more than three lots for building development purposes and which do not require the installation of any new public streets or proposals which do not involve the creation of lots for building development purposes may be submitted, reviewed and approved at one or more Board meetings subject to the following conditions.

2.4.1 Submission and Notice:

An application for minor subdivision approval shall be submitted in the same manner as prescribed in Section 2.3.1 of these Regulations. Notice of such minor subdivision request will be given in the manner prescribed in Section 2.3.3 (a) and (c) of these Regulations.

2.4.2 Public Hearing:

A public hearing, with notice as provided in Section 2.3.4, shall be held if requested by the applicant or abutters any time prior to approval or disapproval or if the Planning Board determines to hold such public hearing.

2.4.3 Decision of the Board:

With the exception of the expedited review procedures described above, the Board shall follow the same decision-making procedures specified for a regular subdivision and the applicant shall supply the same information (if applicable) prescribed therein.

2.5 PLATS FOR RECORDING PURPOSES ONLY:

An owner of a lot of record, established before the granting of platting jurisdiction to the Planning Board, may present a surveyed plat of such lot at any regularly scheduled meeting of the Planning Board for signature by the Board. The owner shall present a deed to the Board showing ownership and a description of the lot. The plat shall have the phrase "No Jurisdiction Taken" affixed thereon, together with a line for the signature of the Planning Board Chairperson immediately thereunder. The Planning Board may, in their discretion, sign the plat at the meeting or at a time certain after any needed investigative studies are completed.

SECTION III: DATA REQUIRED FOR SUBMISSION OF A SUBDIVISION

3.1 GENERAL:

An applicant for subdivision approval shall submit the data, plans, exhibits, and/or documents, if applicable, as required by these Regulations.

3.1.1 Application:

The applicant shall submit a completed form entitled, "Application for Subdivision Approval."

3.1.2 Identifying Information:

All plans shall contain the following information:

a. Names, addresses, and telephone numbers of: the owner, applicant, agent and/or engineer, architect, and/or land surveyor involved in the project;

b. Name of the project;

c. Location of the land/site together with the names and addresses of all owners of record of abutting properties;

d. Title, date, North arrow, and scale;

e. Tax map reference.

f. Planning Board approval block. **(Rev. 7/89)**

3.1.3 Sheet Size:

All plans shall be presented only on the following sheet sizes:

a. 8 1/2" x 11"

b. 11" x 17"

c. 17" x 22"

d. 22" x 34"

The Planning Board requests that only one sheet size be used for the preparation of all plans.

3.2 PROFESSIONAL STANDARDS:

Subdivision Plat Plans shall be stamped by a Licensed Land Surveyor. Plans of roadways, utilities, bridges and culverts, drainage and other construction plans shall be prepared and stamped by a Registered Professional Engineer in the State of New Hampshire. In specific cases, the Board may waive these requirements, at the sole discretion of the Planning Board.

3.3 REQUIRED EXHIBITS:

The applicant or his/her agent shall submit the following exhibits:

3.3.1 Design and Sketch Plan:

The purpose of this plan is to provide general information on the site, its existing conditions, and to provide the base data from which the subdivision will be designed. It may be prepared in ink or pencil and drawn to a convenient scale of not more than one hundred feet to the inch (except for the vicinity sketch) and shall show the following:

a. A vicinity sketch showing the location of the land/site in relation to the surrounding public street system and other pertinent locational features;

b. A sketch of the site showing existing natural features including watercourses and water bodies, tree lines, and other significant vegetative cover, topographic features, and any other features which are significant to the site design process;

c. Existing contours at intervals not exceeding two feet with spot elevations provided when the grade is less than five percent;

d. Surveyed exterior property lines showing their bearings and distances and showing monument locations. The area of the parcel in square feet or acres shall also be shown;

e. The lines of existing abutting streets;

f. The location, elevation, and layout of existing catch basins and other surface drainage features;

g. The location and size of all utilities serving the land or site;

h. All other features which would fully explain the existing conditions and future development of the land;

3.3.2 Subdivision Plan:

The purpose of this plan is to illustrate the layout of the subdivision lots, rights-of-way, and other uses of land within the subdivision. It shall be prepared in ink on reproducible mylar, be suitable for filing with the Registry of Deeds, be prepared at a scale of not more than fifty feet to the inch, and shall show the following:

a. The location and dimensions of all boundary lines of the property to be expressed in feet and decimals of a foot;

b. The location and width of all existing and proposed streets and easements, alleys, and other public ways, and easement and proposed street rights-of-ways and building set-back lines;

c. The locations, dimensions, and areas of all proposed or existing lots, and the location and setback dimensions of existing structures (within 100' of parcel to be subdivided);

d. The location and dimensions of all property proposed to be set aside for park or playground use, or other public or private reservation, with designation of the purpose thereof, and conditions, if any, of the dedication or reservation;

e. Sufficient data acceptable to the Planning Board to determine readily the location, bearing, and length of all lines; and sufficient data to be able to reproduce such lines upon the ground; and the location of all proposed monuments;

f. Indication of the use of all lots (single family, two family, multifamily, townhouse) and all uses other than residential proposed by the subdivider. Indication of the location of all parcels of land proposed to be dedicated to public use and the conditions of such dedications, and a copy of such private deed restrictions as are intended to cover part or all of the tract.

g. Lots shall be consecutively (A-Z, etc.) lettered in alphabetical order. The blocks in numbered additions to subdivisions bearing the same name shall be numbered or lettered consecutively throughout the several additions.

h. The following notation shall also be shown:

   i. Explanation of drainage easements, if any.

   ii. Explanation of site easements, if any.

   iii. Explanation of reservations, if any.

   iv. Form for approval by Planning Board as follows:

Town of Stratham, Planning Board

_____ _____

Chairperson **Date**

3.3.3 Construction Plan:

The purpose of this plan is to provide detailed information and layout of the improvements that will be constructed as part of the subdivision. For subdivision, information shall be provided in accordance with paragraphs (a) through (e). Plans shall be drawn in ink at a scale of no more than fifty (50) feet to the inch and shall contain:

a. Profiles showing existing and proposed elevations along centerlines of all roads. Where a proposed road intersects an existing road or roads, the elevation along the centerline of the existing road or roads within three hundred (300) feet of the intersection, shall be shown. Radii of all curves, lengths of tangents, and central angles on all streets. **(Rev. 7/89)**

b. Plans and profiles showing the locations and typical cross-section of street pavements including curbs and gutters, sidewalks, drainage easements, rights-of-way, manholes, and catch basins; the locations of street trees, street lighting standards, and street signs; the location, size and invert elevations of existing and proposed sanitary sewers, stormwater drains, and fire hydrants, showing connection to any existing or proposed utility systems; and exact location and size of all water, gas, or other underground utilities or structures.

c. Location, size, elevation, and other appropriate description of any existing facilities or utilities, including, but not limited to, existing streets, septic disposal facilities, sewers, drains, water mains, wells, easements, water bodies, streams, and other pertinent features, such as surface drainage areas, swamps, railroads, buildings, at the point of connection to proposed facilities and utilities within the subdivision. The water elevations of adjoining lakes or streams at the date of the survey, and the approximate high and low water elevations of such lakes or streams.

d. Topography at the same scale as the sketch plat with a contour interval of two (2) feet, referred to sea-level datum. All datum provided shall be latest applicable U.S. Coast and Geodetic Survey datum and should be so noted on the plat.

e. All specifications and references required by the local government's construction standards and specifications, including site-grading plan for the entire subdivision.

3.3.4 Other Required Exhibits:

In order for the Planning Board to evaluate the subdivision proposal, the applicant is expected to supply or the Planning Board may specifically require the following information, as appropriate.

a. Draft of any protective covenants where the applicant proposes to regulate land use in the development or otherwise protect the proposed development.

b. Warranty deeds conveying to the Town streets, rights-of-way, and any sites for public use in fee simple, free from all encumbrances.

c. Calculations specifying the quantity of stormwater run-off and a statement from the applicant's engineer certifying the adequacy of the proposed drainage facilities to handle such run-off.

d. Calculations on the type and quantity of sanitary waste generated and a statement from the engineer or licensed designer certifying that the proposed facilities will adequately handle the projected effluent.

e. Traffic Impact Analysis: All proposed commercial, industrial or residential development shall be reviewed by the Board to ascertain that adequate provisions have been made by the owner or his/her authorized agent for traffic safety. To facilitate this review, the Board may require the developer to provide a traffic impact analysis when deemed necessary by the Board due to the size, location, or traffic-generating characteristic of the development. Traffic impact analyses shall address each of the following:

i. Traffic circulation and access, including adequacy of adjacent streets and intersections, entrances and exits, traffic flow, sight distances, accident statistics, curb cuts, turning lanes, and existing or recommended traffic signalization.

ii. Pedestrian safety and access.

iii. Off-street parking and loading.

iv. Emergency vehicle access.

v. Off-site improvements necessitated and to be constructed by the developer.

f. Any other specific studies, requested by the Planning Board, reasonably required to evaluate the applicant's proposal. The Planning Board may retain the services of a qualified consultant(s) to prepare and review any of the above specific studies, including the traffic analysis, and to ensure that adequate provisions are made in the development plan to reduce or eliminate any adverse impacts. The Board may further require, pursuant to RSA 676:4(g) that the developer reimburse the Town for reasonable costs of this review. No plan shall be approved until such fees, if applicable, are paid in full.

g. Necessary Federal, State, and local permits. **(Rev. 8/99)**

SECTION IV: APPLICATION PROCEDURES & REQUIREMENTS:

4.1 OVERVIEW:

An applicant shall use the following general principles and design and construction standards when designing and laying out a subdivision development within the Town of Stratham. These principles and requirements shall be construed as the minimum requirements. The Planning Board may require higher standards in individual cases or may waive certain requirements for good cause in accordance with the procedure established in Section 5.1 of these Regulations.

4.2 GENERAL PRINCIPLES:

An applicant shall observe the following general principles of land subdivision and development:

4.2.1 Conformity to Master Plan and Official Map:

The subdivision plan shall be in harmony and consistent with the Master Plan and/or Official Map of the Town.

4.2.2 Character of Land:

All land to be subdivided shall be, in the judgment of the Board, of such a character that it can be used for building purposes without danger to public health, safety, or the environment. Land subject to periodic flooding, poor drainage or other hazardous conditions, shall not ordinarily be subdivided. Land with inadequate capacity for sanitary sewage disposal shall not be subdivided unless connected to an approved public sewerage disposal system.

4.2.3 Conformity to Other Laws:

Plans for the subdivision of land shall conform with all regulations of the Board, the Zoning Ordinance, and other applicable by-laws, ordinances, regulations, and statutes of the local, State and federal governments.

4.2.4 Preservation of Natural Features:

Insofar as possible, the subdivision plan shall preserve such natural features as wetlands, watercourses, steep slopes, large or unique trees and/or habitats, and scenic views. The street and lot layout shall bear a logical relationship and be adapted to the topography of the property. Extensive grading and filling should be avoided as far as possible.

4.2.5 Self-Imposed Restrictions:

If the owner places restrictions on any land in the subdivision and/or development greater than those required by these Regulations or the Zoning Ordinance, such restrictions or reference thereto may be required to be indicated on the subdivision plat, or the Planning Board may require that restrictive covenants be recorded with the Registry of Deeds in form approved by the Town Attorney.

4.3 SOILS-BASED LOT SIZE DETERMINATION:

The lot sizes for subdivisions in the Town of Stratham shall be based on the following specified criteria:

4.3.1 Minimum Lot Sizes:

In the absence of municipal water or sewerage facilities, minimum lot sizes within all subdivisions shall, in addition to meeting the requirements of the Zoning Ordinance for the district wherein the subdivision is proposed, also meet the lot size requirements specified in Section 4.3.4, "Table of Minimum Lot Size by Soil Classification." This requirement is subject to the following qualifications:

a. Where more than one soil type is found on a lot, a soil carrying capacity of those soils occurring on the lot shall be used to determine the minimum lot size. **(Rev. 8/99)**

b. Wetlands may be used as part of the computed lot size according to the following:

   i. Areas designated as poorly drained soils (type B hydric) may be utilized to fulfill the Town's minimum lot size requirement provided that a contiguous non-wetland area of at least 30,000 square feet is provided for each building lot. This contiguous non-wetland area must be sufficient in size and configuration to adequately accommodate all housing and required utilities such as sewage disposal, water supply, and all applicable setbacks. **(Rev. 11/93)**

   ii. Areas designated as very poorly drained, fresh or saltwater marsh or alluvial soils may not be utilized to fulfill the minimum lot size.

   iii. No septic system, leach field or other waste disposal facility shall be installed within fifty (50) feet of the edge of any poorly drained soil (type B hydric) or within seventy-five (75) feet of the edge of any very poorly drained soil (type A hydric) or open water. **(Rev. 11/93)**

   iv. There shall be no filling of wetlands for the purpose of providing the minimum distance between the wetlands and sewage disposal systems. **(Rev. 7/89)**

c. Minimum lot sizes for residential developments with greater than four (4) bedrooms per unit and for commercial and industrial developments shall be determined as follows: **(Rev. 8/91)**

   i. For multi-family residential use, the minimum lot size shall be proportionately smaller than the lot size indicated in the Table of Section 4.3.4 as determined by the following formulas:

      1. Number of 1 and/or 2 bedroom units = Area of each soil type on the lot divided by (lot size from the Table in Section 4.3.4, 1A/B x .65).

      2. Number of 3 bedroom units = Area of each soil type on the lot divided by (lot size from the Table in Section 4.3.4, 1A/B x .85).

   ii. For duplex use, where the total number of bedrooms in the building exceeds 4, the lot size shall be increased by 50% of the minimum lot size as determined by the Table in Section 4.3.4. **(Rev. 1/01)**

iii. For commercial and industrial uses with residential-type waste, the lot sizes will be determined by the formula:

$$\text{Lot Size} = X \frac{Q\ (\text{gpd})}{200\ \text{gpd}} \quad \text{Lot Size from the Table in (sq. ft.) Section 4.3.4,1A/B.}$$

Where: Q = gallons of wastewater to be discharged per day. The amount of flow will be determined by use of Env-Ws 1008.02 Average Daily Flow Volume.

iv. Final site plan approval for commercial/industrial developments which generate wastes of such nature and character as to require state or federal permits for pre-treatment and discharge or sub-surface disposal shall not be granted until all such permits are secured provided, however that conditional approval may be granted per RSA 676:4, I (i). The conditions upon which such permits are issued shall comply with state and local regulations and be made part of the record before the Planning Board.

4.3.2 Determination of Soil Type:

a. Tests for determining soils information for use in this Section shall be performed by a qualified soil scientist using on-site inspections. A report and plan shall be prepared by the qualified soil scientist and filed with the Planning Board.

b. Soil data using the standards of "High Intensity Soil Maps of New Hampshire" shall be provided as part of the subdivision plan at the scale and dimensions required. Any cover letters or explanatory data provided by the qualified soil scientist shall also be submitted.

c. Such tests shall be performed with the advice and under the direction of the Planning Board or its designated agent.

d. All costs of performing such investigations shall be borne by the subdivider.

4.3.3 Relationship Between State and Local Regulations:

Where both State and local regulations are applicable, the more stringent regulation shall apply. If the State regulation addresses an issue not included in the local regulation or if the local regulation addresses an issue not included in the State regulation, that regulation shall automatically apply.

4.3.4 Conservation Land Exception:

Any portion of a lot or other land which was protected by a recorded conservation easement and where the easement provided for a restriction of the development rights of the property or shown as intended for protection or dedication on any plan conditionally approved and not revoked by the Planning Board at the time of application, shall not be included in the calculation of minimum lot size or in the calculation of any Yield Plan as defined under Section 4.6.4 (OPEN SPACE CLUSTER SUBDIVISION). (Added 9/19/2007)

4.3.5 Table of Minimum Lot Size by Soil Classification **(Rev. 5/04)**

Soil	**Slope**			
Type	**B**	**C**	**D**	**E**
111-H	31750	35250	40000	46000
112-H	31750	35250	40000	46000
114-H	77000	89000	106000	132000
117-H	54500	60500	67500	77000
118-H	65750	74750	86750	104500
121-H	31750	35250	40000	46000
122-H	31750	35250	40000	46000
124-H	77000	89000	106000	132000
127-H	54500	60500	67500	77000
128-H	65750	74750	86750	104500
161-H	31750	35250	40000	46000
164-H	77000	89000	106000	132000
167-H	54500	60500	67500	77000
168-H	65750	74750	86750	104500
211-H	31750	35250	40000	46000
212-H	31750	35250	40000	46000
214-H	77000	89000	106000	132000
217-H	54500	60500	67500	77000
218-H	65750	74750	86750	104500
221-H	40000	46000	54500	67500
222-H	40000	46000	54500	67500
223-H	54500	60500	67500	77000
224-H	77000	89000	106000	132000
227-H	54500	60500	67500	77000
228-H	65750	74750	86750	104500
231-H	40000	46000	54500	67500
234-H	77000	89000	106000	132000
237-H	54500	60500	67500	77000
238-H	65750	74750	86750	104500
243-H	54500	60500	67500	77000
247-H	54500	60500	67500	77000
248-H	65750	74750	86750	104500
253-H	54500	60500	67500	77000
257-H	54500	60500	67500	77000
258-H	65750	74750	86750	104500
261-H	40000	46000	54500	67500
263-H	54500	60500	67500	77000
264-H	77000	89000	106000	132000
267-H	54500	60500	67500	77000
268-H	65750	74750	86750	104500
275-H	40000	46000	54500	67500

311-H	54500	60500	67500	77000
312-H	54500	60500	67500	77000
313-H	54500	60500	67500	77000
314-H	77000	89000	106000	132000
317-H	54500	60500	67500	77000
318-H	65750	74750	86750	104500
321-H	54500	60500	67500	77000
322-H	54500	60500	67500	77000
323-H	54500	60500	67500	77000
324-H	77000	89000	106000	132000
325-H	54500	60500	67500	77000
327-H	54500	60500	67500	77000
328-H	65750	74750	86750	104500
331-H	54500	60500	67500	77000
332-H	54500	60500	67500	77000
333-H	54500	60500	67500	77000
334-H	77000	89000	106000	132000
337-H	54500	60500	67500	77000
338-H	65750	74750	86750	104500
343-H	54500	60500	67500	77000
344-H	77000	89000	106000	132000
347-H	54500	60500	67500	77000
348-H	65750	74750	86750	104500
353-H	106000	132000	N/A	N/A
354-H	106000	132000	N/A	N/A
357-H	106000	132000	N/A	N/A
358-H	106000	132000	N/A	N/A
361-H	54500	60500	67500	77000
363-H	54500	60500	67500	77000
364-H	77000	89000	106000	132000
367-H	54500	60500	67500	77000
368-H	65750	74750	86750	104500
374-H	77000	89000	106000	132000
375-H	54500	60500	67500	77000
411-H	77000	89000	106000	132000
412-H	77000	89000	106000	132000
413-H	77000	89000	106000	132000
414-H	77000	89000	106000	132000
417-H	77000	89000	106000	132000
418-H	77000	89000	106000	132000
421-H	77000	89000	106000	132000
422-H	77000	89000	106000	132000
423-H	77000	89000	106000	132000
424-H	77000	89000	106000	132000
427-H	77000	89000	106000	132000

428-H	77000	89000	106000	132000
431-H	77000	89000	106000	132000
432-H	77000	89000	106000	132000
433-H	77000	89000	106000	132000
434-H	77000	89000	106000	132000
437-H	77000	89000	106000	132000
438-H	77000	89000	106000	132000
443-H	77000	89000	106000	132000
444-H	77000	89000	106000	132000
447-H	77000	89000	106000	132000
448-H	77000	89000	106000	132000
453-H	106000	132000	N/A	N/A
454-H	106000	132000	N/A	N/A
457-H	106000	132000	N/A	N/A
458-H	106000	132000	N/A	N/A
461-H	77000	89000	106000	132000
463-H	77000	89000	106000	132000
464-H	77000	89000	106000	132000
467-H	77000	89000	106000	132000
468-H	77000	89000	106000	132000
475-H	77000	89000	106000	132000
511-H	106000	132000	N/A	N/A
512-H	106000	132000	N/A	N/A
513-H	106000	132000	N/A	N/A
514-H	106000	132000	N/A	N/A
517-H	106000	132000	N/A	N/A
518-H	106000	132000	N/A	N/A
521-H	106000	132000	N/A	N/A
522-H	106000	132000	N/A	N/A
523-H	106000	132000	N/A	N/A
524-H	106000	132000	N/A	N/A
527-H	106000	132000	N/A	N/A
528-H	106000	132000	N/A	N/A
531-H	106000	132000	N/A	N/A
532-H	106000	132000	N/A	N/A
533-H	106000	132000	N/A	N/A
534-H	106000	132000	N/A	N/
537-H	106000	132000	N/A	N/A
538-H	106000	132000	N/A	N/A
543-H	106000	132000	N/A	N/A
544-H	106000	132000	N/A	N/A
547-H	106000	132000	N/A	N/A
548-H	106000	132000	N/A	N/A
553-H	N/A	N/A	N/A	N/A
554-H	N/A	N/A	N/A	N/A

557-H	N/A	N/A	N/A	N/A
558-H	N/A	N/A	N/A	N/A
561-H	106000	132000	N/A	N/A
563-H	106000	132000	N/A	N/A
564-H	106000	132000	N/A	N/A
567-H	106000	132000	N/A	N/A
568-H	106000	132000	N/A	N/A
575-H	106000	132000	N/A	N/A

The soil types listed below have one or more limiting characteristics that make the soil type "NA" or require on-site investigation, no matter what other characteristics of the soil may be present

Soil Type	**Minimum Lot Size**	
6***H	N/A	very poorly drained soil
*66*H	N/A	fill does not meet the Standards for Fill Material (See Key to Soil Types)
76**H	On-site evaluation needed. (Usually filled, excavated or regarded sites)	

"N/A" means not allowed. Doesn't count at all toward lot size.

"*" means any slope or any number.

The Soil Type symbols are explained in "High Intensity Soil Maps for New Hampshire. Standards and Origins, SSSNNE Special Publication No.1, revised July 2002."

4.4 DESIGN STANDARDS:

The following design standards shall be observed in the layout of a subdivision and/or development of a site: Exception; (See Section 3.8 and Section 3.9 of the Zoning Regulations)

4.4.1 Lot Configuration: **(Amended 06/06)**

a. Purposes and Intent: The intent of these regulations is to enhance and insure consistency with the Stratham Zoning Ordinance and the following purposes: **(Added 06/06)**

   i. To promote lots which are shaped in a manner that promotes clarity of ownership, access across fee-title land rather than easement interests, which may promote property disputes, and to promote the convenient and harmonious development of the land.

   ii. To prevent odd shaped lots that cannot reasonably be interpreted to be an orderly layout of the land and insure that proper description of ownership or ease of identification will carry forward in time.

   iii. Lots within a cluster subdivision are not subject to these requirements.

b. Design Standards: The following criteria should be considered as design standards. It is recognized that not all of these standards may be achievable in every case; for this reason, each application should be carefully considered, and waivers may be granted where appropriate. **(Added 06/06)**

   i. Land shall be subdivided and improved in reasonable conformity to existing topography in order to minimize grading, cutting and filling, and in order to retain the natural contours, limit storm water run-off, and conserve the natural cover and soil. After a preliminary layout has been submitted to the Board, no topsoil, tree, sand or gravel shall be removed from the subdivision for any other purpose than to meet construction needs for that particular subdivision or to meet any requirements or these regulations.

   ii. Existing features, which would add value to the subdivision, such as trees, watercourses, falls, brooks, historic spots, view sheds, stonewalls and similar irreplaceable assets, are encouraged to be preserved in the subdivision to the greatest extent possible.

   iii. The lot size, width, depth, shape, and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and the type of development and use contemplated. Lots shall provide satisfactory sites for buildings and be properly related to topography. Lots shall not contain irregular shapes or elongations solely to provide necessary square footage.

   iv. No portion of a lot created under these regulations shall be less than 50’ in width.

   v. The minimum building envelope area shall contain sufficient space for natural expansion residential uses commonly associated with single-family structures. Building setbacks shall not be included within the building envelope.

vi. Building envelopes shall be selected so as not to intrude on the tops of visible ridgelines.

vii. Building envelopes shall be located to minimize the visual impact of the development unless such placement is part of an integrated plan to protect view sheds or minimize the visual intrusion of the improved portion of the subdivision.

viii. Building envelopes shall not include wetlands or 100-year floodplains.

4.4.2 Pork Chop Lot Subdivision:

Optimal Pork Chop Subdivisions in the Residential/Agricultural District: **(Added 8/99) (Rev. 6/00)**

At its option, the Planning Board may permit residential subdivisions for single-family homes only, of one lot divided into two lots, provided that the following is found to exist:

a. One of the lots, which would result from the proposed subdivision, must have 200 feet of frontage upon, and access to, an approved road. The second lot must have frontage of 50 feet upon, and access to, an approved road. The approved road may be public or private. Total frontage of the original lot must be less than that required under current zoning to create two conventional lots.

b. The lot to be divided currently has a house located on it.

c. Both lots must conform to the density, soil type, setbacks, and other appropriate subdivision or zoning regulations pertaining to this district, except with regard to frontage and access to an approved road, for the newly created lot.

d. The pork chop or back lot must have square footage 50% greater than the square footage that would regularly be required by current soil-type density regulations.

e. The pork chop lot must be 200 feet wide at a line touching the front of the principal residence, and parallel to a line connecting the intersection of the side lot lines with the street line.

f. At its option, the Planning Board is empowered to require the dedication to the Town, of a sixty (60) foot strip of land passing from the approved road to the rear of the property in question, to ensure future access to back lands alongside or to the rear of any subdivision proposed under this pork chop regulation. **(Rev. 8/99)**

This type of subdivision will be granted on a one time only basis and said restriction shall be provided as a covenant to the deed. All newly created lots within a pork chop lot subdivision shall not be created as part of a new, multi-lot subdivision proposal.

4.4.3 Streets:

a. Platting of Streets: Insofar as the Master Plan or Official Map does not indicate the size, location, direction and extent of a street, and subject to the regulations hereinafter specified regarding definite minimum widths, the arrangements of streets in a subdivision shall provide for the continuation of the principal street existing in the adjoining subdivisions, or of their proper projection when adjoining property is not subdivided, and shall be of a width at least as great as that of such existing streets but no less than a sixty (60) foot right-of-way. Where, in the opinion of the Board,

physical conditions make such continuance or conformity impractical, the Board may permit dead-end streets as described below.

i. Dead-end Streets: Unless restricted by physical conditions, all turnarounds for dead-end streets shall contain a minimum of two (2) legal-sized lots. See Addendum A (Figures *) for designs.

ii. Maximum Length: The maximum length of road shall be one thousand (1,000) feet in total.

c. Street Rights-of-Way: The minimum right-of-way for streets shall be as shown on the street right-of-way cross sections per Addendum A.

d. Access: There shall be no reserve strips controlling access to streets, except where the control of such strips is definitely placed with the Town under conditions approved by the Board. The subdividing of the land shall be such as to provide each lot, by means of either public street, with satisfactory access to an existing public street or highway.

e. Street Intersection Angles: A street should intersect at a ninety-degree angle.

k. Street Name Signs: At all intersections street signs shall be provided and installed by the developer in conformity with the specifications of the Town. **(Rev. 11/93)**

Until such time as each street is accepted by the Town as a public way, the signposts at the intersections of such street with any other street shall have affixed thereto a sign designating such street as a private way.

l. Street Names: Street names of all proposed streets shall be subject to approval by the Board of Selectmen. No proposed street name shall duplicate the names of existing streets irrespective of the use of the suffix "street", "avenue", "boulevard", "drive", or "court". The continuation of an existing street shall have the same name. **(Rev. 8/99)**

m. Street Numbers: Street numbers shall be obtained from the Assessing Department. Such assigned numbers must be posted on the lot and visible from the road prior to issuance of building permit.

o. Grass Strips: All areas between the exterior street lines which are not occupied by approved sidewalks shall be rolled, loamed and seeded in accordance with the specifications of the Town. **(Rev. 11/93)**

4.4.4 Curbing:

The Planning Board, in its discretion, may require the installation of granite (either vertical or sloped) on streets in order to channel surface water, to control vehicular traffic, to separate vehicular from pedestrian areas and/or to enhance the quality of the subdivision. Curbing shall meet standards set forth by NHDOT. **(Rev. 8/99)**

4.4.5 Sidewalks:

The applicant may be required by the Planning Board to install concrete sidewalk of a minimum of six (6) feet in width along proposed roads.

4.4.6 Driveways Standards: (**Rev. 06/06**) See Addendum A, Driveway Detail

a. Related Improvements

i. The Board may, at the recommendation of Public Works, require improvement of existing access/egress point(s) in order to provide safe traffic flow onto abutting streets, should increased traffic be generated by the proposed development

ii. Off-site improvements may be required, such as but not limited to, increasing pavement width or adding deceleration lanes, curbing and signaling devices, in order to mitigate hazardous impacts that are generated by the particular needs and impacts of the site.

iii Driveways shall be located in such a manner as to promote all season safe access and to prevent unreasonable negative impacts to the owners or occupants of neighboring parcels.

iv. All driveways shall be constructed to prevent all drainage from entering onto the traveled way.

v. All driveways shall provide adequate drainage in the Town right-of-way and from the property itself. It shall be the responsibility of the landowner to correct deficiencies and maintain the driveway and drainage facilities.

b. Private Driveways and Access - Private driveways and access serving any part of a development shall remain in private ownership and the developer shall provide legal instruments to insure their continued maintenance and ownership. All private accesses shall comply with these and other town regulations relating to construction and maintenance.

c. Access to State Highways - Driveways and access onto State highways shall be designed in accordance with the NH Department of Transportation's Rules as amended, and receive approval there under prior to final town approval of the subdivision plan.

d. Driveways and Access Points: The Board, or its designee, shall approve the final design and installation for a proposed access/egress point onto any town road or way within any new development. Said point shall provide for adequate sight distances, grades, widths and curb.

4.4.7 Community Water Service/Hydrants: **(Rev. 11/93)**

a. Newly proposed community water systems, as defined by RSA 485:1, shall be designed by professional engineer licensed in New Hampshire. Site selection of community wells shall conform to the applicable New Hampshire Code of Administrative rules entitled, "Site Selection of Wells for Community Water Systems." Each system shall be designed to handle the expected flows for present and future development within the subdivision. The number and location of all fire hydrants associated with fire ponds shall be determined by the Fire Department.

Newly proposed major groundwater users (defined by the State as public water systems using 20,000 gallons per day or more) shall submit a detailed water supply study as part of their application. Said study shall, at a minimum, address the

requirements outlined in the above referenced administrative rules for siting community water systems. Said study shall be prepared by a professional engineer, hydrologist, hydrogeologist, or other groundwater professional.

Newly proposed major groundwater users which plan on utilizing a Stratham aquifer (see boundaries of the Town's Aquifer Protection District) as a supply source shall address the following additional items as part of their detailed water supply study:

i. The water system's overall impact on the aquifer's production capability in respect to other potential users of the aquifer as a public water supply;

ii. The potential for de-watering adjacent wetlands;

iii. Potential effects on the surrounding water table;

iv. Potential changes to the base flows of adjacent watercourses; and,

v. Potential effects on wells located on abutting properties

b. Hydrants

i. In the interest of public safety, all new subdivisions that will contain five (5) or more single family homes or four (4) or more duplexes shall be required to provide fire protection. Fire protection shall be either an underground water cistern or residential sprinklers in each dwelling **unit**.

ii. If subdivisions increase number of units on an existing subdivision to numbers greater than listed in Item 1 then Fire protection shall be either an underground water cistern or residential sprinklers in each dwelling **unit**.

iii. Cisterns and Fire ponds must meet NFPA Standards (NFPA 1142) as adopted by the State of NH Fire Marshall Office. All cisterns and fire ponds construction plans must be prepared by a profession engineer licensed in NH and submitted in advance to the Fire Chief, Code enforcement officer, town planner, highway agent and planning board.

iv. All cisterns or fire ponds must contain a capacity of equal to or greater than 30,000 gallons.

v. Cisterns and fire ponds in subdivisions shall not be any further than 1,000 ft via road travel path from water source to each structure.

vi. All cisterns must meet Town of Stratham approved Cistern Designed and will be reviewed by a third-party engineer.

vii. All fire ponds and cisterns are subject to testing for approval by the Fire Department and must be able to maintain 1,000 gpm flow for 75% of tank volume as determined by the Fire Department. Builder is responsible for initial filling and re-fill of cisterns after testing is complete. The spacing of cisterns may be increased or eliminated if the contractor, developer and/or owner installs an NFPA 13,13R or 13D compliant sprinkler system in the facility or individual houses within the development. Adjustments to the cistern spacing requirement may be made by the Fire Chief or designee on a case by case basis.

4.4.8 Performance and Maintenance Security:

a. The Planning Board shall set the amount of the performance surety, to include winter maintenance, (in the form of a bond, passbook, Qualifying Letter of Credit, or cash only) prior to the final approval of the subdivision plat. The developer shall post such surety with the Board of Selectmen prior to the issuance of any building permits for the site, in lieu of the completion of street work and other required improvements (e.g., community water supply, sewerage, etc.). The performance surety will be in a form and amount sufficient to cover the construction and installation costs of such improvements. **(Rev. 12/13)**

Upon completion and acceptance of said street(s) and improvements, all but 10% of the security shall be released to the developer. Said 10% balance shall be retained for one (1) year after the date of such completion and acceptance to insure the continued and proper operation and integrity of the streets, drainage, and all other facilities and improvements.

Prior to Town acceptance of a road an "as-built" plan, showing road drainage and any changes or additions subsequent to Planning Board approval, shall be submitted to the Selectmen and/or their agent. A deed for the road right-of-way shall be conveyed to the Town as a condition of acceptance. The road shall become Town property upon the Town filing said deed at the Register of Deeds. **(Rev. 7/89)**

b. Qualifying Letter of Credit (**Added 12/13)**

A "Qualifying Letter of Credit" shall be an irrevocable letter of credit issued by a "Qualified Financial Institution" naming the Town of Stratham as beneficiary and meeting the following requirements:

i. The Letter of Credit shall provide for payment by the Financial Institution to the Town upon presentation of a Sight Draft alone and no other documents. The Letter of Credit shall obligate the Financial Institution to pay upon receipt of the Sight Draft without any form of accompanying affidavit or declaration and without any qualification as to whether or not any default may have arisen. The Letter of Credit shall permit partial drafts. After any partial draft, the Letter of Credit shall remain in full force and effect with respect to the balance. The Letter of Credit shall provide that it may not be amended or cancelled without the consent of the Town.

ii. The Letter of Credit shall provide that it is renewable annually and shall automatically renew annually unless written notice is delivered to the Town via Certified Mail, Return Receipt Requested to the attention of the Town Manager, in care of the Town Offices, not less than 45 days prior to the date of renewal. The agreement between the Town and the Developer shall provide that the Town is authorized to draw on the Letter of Credit upon receipt of any such notice without regard to whether there are any undertakings on the part of the Developer to cause the renewal of the Letter of Credit.

iii. There shall be a separate agreement between the Town and the Developer by which the Developer undertakes to complete the improvements secured the Letter of Credit. Further, the Developer shall, in such agreement, agree to cooperate with the Town in any appropriate modifications to the Letter of Credit.

iv. The Letter of Credit shall provide that it is payable to the Town upon presentation of a Sight Draft. The Letter of Credit shall be in such form as to make clear that the Sight Draft described in Section 4.4.8a (vii) of these Regulations is a fully conforming Draft and that when signed and presented to the Financial Institution it shall be paid promptly, and in any event at sight.

v. The Letter of Credit shall be issued by a "Qualified Financial Institution," which means an institution that meets the following requirements: (a) it is a bank, State Chartered Bank, National Banking Association, Savings and Loan Association, Federal Savings Bank, or other institution, the deposit accounts of which are insured by the Federal Deposit Insurance Corporation; (b) it has a net worth in excess of 1,000 times the face amount of the Letter of Credit; (c) it is not insolvent, and the Town has no reasonable fear that the Financial Institution will become insolvent; and (d) it has an office physically located in the County of Rockingham, State of New Hampshire, at which the Letter of Credit may be presented for payment.

vi. The agreement between the Town and the Developer shall provide that if the financial condition of the issuing Financial Institution shall materially change in an adverse fashion between the date that the Letter of Credit was issued and the date that the Town exercises its rights under this Paragraph, then the Town may, in its complete discretion, Draft in full under the Letter of Credit, with or without notice to the Developer.

vii. The form of Sight Draft to be presented shall be as follows:

Sight Draft *Issuing Financial Institution*
Stand-by Letter of Credit Reference No. _____

To: *Issuing Financial Institution*

Date: _____

Pay to the order of _____ *(the "Beneficiary")*

*$*_____ *(U.S. Dollars)*

*By wire transfer in same-day funds to Account No.*_____,

ABA Routing No. _____.

Town of Stratham

By: _____

Name: _____

Title: _____

viii. The Letter of Credit shall provide that the issuing Financial Institution is obligating itself to pay to the Town against the Draft irrespective of the Applicant's financial condition or ability to pay or bankruptcy. In the event that the presentation of a Draft or the payment against the presentation of a Draft is enjoined by any order of any court or enjoined by the operation of 11 U.S.C. §362, then the Letter of Credit shall be automatically renewed until a date one year after any such injunction or automatic stay has finally terminated.

ix. A Letter of Credit shall be a Qualifying Letter of Credit hereunder only if it is irrevocable. A Qualifying Letter of Credit shall contain no other conditions for payment excepting only the presentation of a Draft by the Town. The obligations of the issuing Financial Institution shall not be modified or affected or conditioned in any fashion upon performance by the Applicant.

x. The Agreement between the Town and the Applicant shall provide, among other things, as follows:

1. That the Applicant shall pay all of the costs and attorney's fees incurred by the Town in connection with the enforcement of its rights under the Letter of Credit or of its rights under the approval or in connection with the approval; and
2. That the reimbursement of those costs and attorney's fees referenced above shall be secured by the Letter of Credit, and the Town may affect the payment of those costs and attorney's fees as and when they are incurred by partial Drafts on the Letter of Credit.

xi. The Agreement between the Town and the Borrower shall include provisions that allow the Town to act as the Borrower's attorney-in-fact to modify any Reimbursement Agreement or other agreements between the Applicant and the Financial Institution or among the Applicant, the Financial Institution and the Town, the effect of which is to lower the amount of the Letter of Credit provided, however, that the Applicant shall reasonable cooperate with the Town and shall provide original signatures or original confirming signatures promptly on request.

4.4.9 Installation of Utilities:

a. The applicant in all subdivision developments shall install all electric, telephone, and other utility distribution lines per specifications of the public utilities companies involved, and there shall be provided by the developer such easements as are required for transformer units. Both the landscaping and the location of such transformer areas shall be as approved by the Planning Board and detailed plans for all transmission or utility lines within the subdivision shall be supplied to the Planning Board prior to installation. A draft utility plan to be provided prior to final Planning Board action.

b. Indicator tape shall be installed in all residential, commercial, and industrial areas over all underground utility mains and services when such undergrounding is provided. Metallic tape shall be utilized over non-metallic materials.

c. The Planning Board may, at its discretion, require the installation of underground utilities as it deems appropriate.

4.4.10 On-Site Water Supply:

The provision of on-site water supply shall conform to NHDES Water Supply and Pollution Control Division criteria and be subject to approval by the Board. It shall be the responsibility of the subdivider to provide adequate information to prove the area of each lot is adequate to permit the installation and operation of both individual on-site water supply and sewage disposal systems. **(Rev. 8/99)**

4.4.11 On-Site Sewage Disposal Systems: (**Formerly Section 4.4.10, Removed 8/99**)

See Section XX of the Zoning Ordinance

4.4.12 Open Space:

a. Natural Features: The subdivision and development shall, whenever possible, preserve in their natural condition important natural features. The Planning Board may request an advisory opinion from the Conservation Commission in the determination of the value of natural features and the boundaries of such natural systems. Such areas include watercourses, wetland areas, steep slopes, large or unique trees, groves, or special habitats. Natural features that provide buffers between lots, or sections, of a subdivision should be preserved to enhance privacy and aesthetic value.

b. Buffer Strips: The Planning Board may require the designation of buffer strips in excess of that required by the zoning ordinance around surface water, wetlands, or other natural features, which may be adversely affected by erosion or stormwater runoff. The Board may require a vegetative buffer to provide screening where non-residential developments abut a residential zone. **(Rev. 8/99)**

c. Parks: The Board may require the dedication or reservation of such open space within the subdivision for park, playground, or other recreational or open space purposes, for the residents of the subdivision.

   The Board shall also require of the developer that he/she supply and plant such trees and shrubbery as are deemed compatible to the environmental design of the neighborhood. It shall also be stipulated by covenant upon the plan that such open spaces shall not contain signs other than street directional or place-name signs. Upon approval of the final plans and plantings, if the park is dedicated for public use, the maintenance of said landscaped areas shall be the responsibility of the community. If the park is solely for subdivision use, the maintenance of said landscaped areas shall be the responsibility of the residents of the subdivision.

d. Tree Planting: The planting of shade trees within all subdivision layouts where residential, commercial, or industrial development is to take place may be required of the developer who shall supply planting plans to the Board. The planting plans of shade trees within proposed or accepted rights-of-way must be submitted to the Conservation Commission and receive its approval before planting.

4.4.13 Flood Hazard Areas:

Subdivisions involving land designated as flood hazard areas shall be reviewed to determine whether such proposals will be reasonably safe from flooding and shall meet the following requirements.

a. Permits: The Planning Board shall review the proposed development to assure that all necessary permits have been received from those government agencies from which approval is required by federal or State law including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

b. Minimization of Flood Damage: Sufficient evidence (construction drawings, grading and land treatment plans) shall be submitted so as to allow the Planning Board to determine that:

   i. All such proposals are consistent with the need to minimize flood damage;

   ii. All public utilities and facilities, such as sewer, gas, electrical and water systems are located, and constructed to minimize or eliminate flood damage;

   iii. Adequate drainage is provided so as to reduce exposure to flood hazards; and,

   iv. New and replacement water and sewer systems (including on-site systems) are located, designed, and constructed to minimize infiltration and avoid impairment.

c. Elevation and Flood-Proofing Records: The applicant shall obtain and maintain records of elevations and flood-proofing levels for all new or substantially improved structures, whether or not such structures contain a basement.

d. Alteration of Watercourses: The State Wetlands Board shall be notified prior to any alteration or relocation of a watercourse and copies of such notifications shall be submitted to the National Flood Insurance Program. The flood carrying capacity shall be maintained within the altered or relocated portion of any watercourse.

e. Floodplain Delineation: The base flood elevation (100-year flood) shall be delineated on all plats. **(Rev. 7/89)**

4.4.14 Stormwater Management and Erosion Control: **(Rev. 11/93)**

The purpose of this regulation is to control runoff as well as erosion and sedimentation resulting from development. Subdivision and site plans shall include plans for managing stormwater and controlling erosion and sedimentation as provided by the following:

a. Definitions:

   i. Best Management Practice (BMP): A proven and accepted structural, non-structural, or vegetative measure, the application of which reduces erosion, sedimentation, or peak storm discharge.

   ii. Critical Areas: Disturbed areas of any size within 50 feet of a water-course, waterbody, poorly drained soil or very poorly drained soil; disturbed areas exceeding 2,000 square feet in highly erodible soils; or, disturbed areas containing slope lengths exceeding 25 feet on slopes greater than 15 percent.

   iii. Disturbed Area: An area where the natural vegetation has been removed exposing the underlying soil.

   iv. Highly Erodible Soils: Any soil with an erodibility class (K factor) greater than or equal to .43 in any layer as found in Table 3-1 of the "Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas of New Hampshire".

b. Where Required:

The applicant shall submit a stormwater management and erosion control plan to the Planning Board for any tract of land being developed or subdivided, where one or more of the following conditions are proposed:

i. A cumulative disturbed area exceeding 20,000 square feet.

ii. Construction of a street or road.

iii. A subdivision of three or more building lots or dwelling units.

iv. Disturbed critical areas.

c. Waivers:

The Planning Board may waive the requirement for all or part of a storm-water management and erosion control plan if it determines that a plan is unnecessary because of the size, character, or natural conditions of a site. All requests for waivers shall be made in writing by the applicant with supporting technical documentation to demonstrate minimal environmental impact. At a minimum, all plans shall depict the following:

i. Critical areas within the site.

ii. Areas to be disturbed during development.

iii. Stormwater management and erosion control BMP's.

The applicant shall also submit a narrative section which discusses each BMP, its purpose, construction sequence, and schedule of installation. A description of the design standards, plan requirements, and other relevant criteria for stormwater management and erosion control plans can be found in Addendum C of these regulations.

4.4.15 Easements:

a. Utilities: Any utilities proposed to be located within any Town Right of Way, shall be located within an easement dedicated for such use. Said easements must be shown on recorded subdivision plats and may only be utilized if accepted by the Board of Selectmen. Except where alleys of not less than twenty (20) feet are provided for the purpose, the Board may require easements not exceeding twenty five (25) feet on each side of all rear lot lines, and on side lot lines where necessary or, in the Board's opinion, advisable, for poles, wires, conduits, storm and sanitary sewers, gas, water and heat mains or other utilities. Easements of the same or greater width may be required along the lines of or across lots where necessary for the extension of existing or planned utilities, or for passage of Town equipment.

If in the opinion of the Board, the most suitable and reasonable locations for any of the utilities (such as sewers, storm drains, water and gas pipes and electric pole lines and conduits, which are likely to be required within a subdivision, either for the service thereof or for service for areas in the surrounding territory) do not lie wholly in the streets, including alleys if any, shown on the plat, the Board may require, insofar as reasonable, provision to be made for the location of such utilities on routes

elsewhere than within said streets, either by the dedication of public easements for the same as part of the plat or by the filing of supplementary instruments which will adequately protect the public interest in the proper location of said utilities.

b. Drainage: Where a subdivision is traversed by a watercourse, drainage way, channel or stream, the Planning Board may require a storm water easement or drainage right-of-way of at least twenty five (25) feet in width.

4.4.16 Monuments:

Concrete or granite monuments shall be placed at all street intersections, points of radius of curvature, and every 1000 feet in a straight-line right-of-way. Concrete or granite monuments shall be used at property corners. **(Rev. 7/89)**

4.4.17 Benchmarks:

As part of the subdivision plan a permanent reinforced concrete marker may be required by the Planning Board, and if so required, it shall be placed at the edge of each road boundary at their terminus of the subdivision as reference for all locations and elevations and every twenty-five hundred (2,500) feet within the subdivision or at other locations specified by the Town. **(Rev. 11/93)**

4.4.18 House Numbers and Street Names: (**Removed 8/99, See Section 4.4.3**)

4.5 CONSTRUCTION STANDARDS:

4.5.1 Street Layout, Plan, and Construction

The laying out and construction of all streets within subdivisions shall be in conformity with those ordinances of the Town pertaining to such development and in addition shall meet the following construction and material specifications. The layout of all streets shall provide for continuation of the principal streets in an adjoining subdivision, if applicable. It shall be strongly encouraged to promote connectivity and limit dead end streets. When the adjoining property is undeveloped, proper consideration of future development shall be given respect to future continuous alignments. Safe access to all abutting lots shall be provided. Due consideration to topography, drainage and other natural features shall be given when laying out streets. The general street development plan shall be approved to the construction of any phase of the plan. The general street development plan shall show all work necessary to connect and complete improvements and utilities between the proposed street(s) and any non-improved connecting street in an existing subdivision Where not specified below, street construction shall follow the practices outlined in the latest edition of the State of New Hampshire Standard Specifications for Road and Bridge Construction. Streets shall conform to the cross-sections attached to this section.

A pre-construction conference will be mandatory prior to the beginning of any construction of a subdivision involving municipal improvements. The conference shall be called by the developer. In attendance will be representatives of the Public Works Department, Police and Fire Departments, Town Planner, Code Enforcement Officer, all utility companies involved, and the developer's engineer, contract, resident inspector, and any State and/or Federal officials as necessary.

a. Clearing: The entire area of each roadway shall be cleared and cleaned of all stumps, brush, roots, boulders, like material and all trees not intended for preservation, and will not be used for fill. Ledge occurring anywhere in the full cross-section of the roadway must be cleared to a minimum depth of twenty four (24) inches below the finished surface. Ledge occurring in pipe trenches must be cleared so as to have a gravel cushion of at least one (1) foot below and on both sides of the pipe.

b. Excavation: All loam, soft clay, and other yielding material shall be removed or stripped from the roadway area to a depth of no less than twenty four (24) inches below the finished grade, and/or to a depth that may be required by the Town. **(Rev. 11/93)**

c. Rough Grade and Preparation of Sub-Grade: The excavated area shall be backfilled to the sub-grade and shoulder elevation with suitable backfill, rough graded and compacted to sub-grade and shoulder elevations. The sub-grade shall be shaped to a true surface conforming to the proposed cross-section of the road and thoroughly compacted before applying the gravel.

d. Base Course: The base course area shall be deemed to include travel way and shoulder areas and shall consist of a course of bank-run gravel of twelve (12) inch minimum depth, unless the Town determines that ground conditions warrant greater depth for either course. **(Rev. 11/93)**

   The base course shall not be constructed during freezing weather or on a wet or frozen sub-grade. Blading and rolling shall be required to provide a smooth, even and uniformly compacted course true to cross section and grade. A minimum slope of the finished base course shall be one quarter (1/4) inch per foot or as may be required on curves or on super elevations. At all times during construction, the sub-grade and all ditches shall be constructed and maintained so that the road bed will be effectively drained to prevent erosion. All compaction shall be at ninety-five percent (95%) density in accordance with A.A.S.H.T.O. T 99.

e. Street Paving: Street paving shall be accomplished by placing a minimum of two (2) courses of hot mix asphalt bituminous concrete which shall be placed with a self-propelled spreader and in accordance with the specifications and conditions stated in the State of New Hampshire Department of Transportation Standard Specifications for Road and Bridge Construction, adopted and approved, latest edition. **(Rev. 8/99)**

   If a significant time interval occurs between the successive passes of the paving machine, the contractor must use a joint heater to insure a better bond. No paving shall be done between November 1 and April 15 unless provided with a letter of approval by the Town Road Inspector. In all cases, the temperature of the day must be forty (40) degrees and rising before asphaltic concrete mixture (Type 1) can be applied. **(Rev. 7/89)**

f. Side Slopes: Side slopes shall not exceed the following ratio of vertical rise to horizontal length, without retaining walls or other special considerations:

4-foot high slope:	use 4:1
4-foot to 10-foot:	use 3:1
Over 10 feet:	use 2:1

Erosion control measures will be required until permanent growth is established.

g. Approval and Specifications: All material shall be secured from sources approved by the Town. Samples of all materials to be used in the project shall be submitted to the Town upon request **(Rev. 11/93)** All materials shall conform to the latest edition of the NH Department of Public Works and Highways Standard Specifications for Road and Bridge Construction or to Town requirements if more stringent.

h. Curbing: Granite curbs, where required by the Planning Board, shall conform to the following nominal dimensions and shall not have rust stains: straight granite curb, 5" x 18" x 48" minimum length. Curb shall be bedded on and surrounded by a minimum 6" layer of gravel. Complete compaction shall occur in all areas and under the entire length of curb.

i. Sidewalks: The sub-base for a sidewalk, when required by the Planning Board, shall be at least twelve (12) inches of bank-run gravel, thoroughly compacted. All stones larger than three (3) inches in diameter shall be removed. In no case shall the surface be laid until the sub-base has been inspected and approved by the Director of Public Works. Concrete sidewalks shall not be less than four (4) inches in thickness reinforced by 6 x 6 - 6° of wire mesh, placed on the same base. Sidewalks shall be a minimum of six (6) feet wide.

j. Inspection and Methods: The Town shall regularly be notified to inspect all road and utility construction and materials used.

i. The subdivider shall notify The Director of Public Works prior to the commencement of any road construction activity and at each stage of its construction. Approval or disapproval of any segment by The Public Works Director shall be in writing, with a copy to the Town Administrator, and shall constitute a recommendation relative to whether or not the Town shall accept the street concerned.

ii. The following inspection schedule shall be abided by during construction of roads. The inspections shall be performed and documented by The Public Works Director.

1. Review of design engineer's layout and wetlands marking.
2. Inspection of clearing, grubbing, and erosion control measures.
3. Inspection of fill placement. In- place compaction testing of fill is required every 200linear feet or as directed by The Public Works Director

4. Inspection of drainage piping and buried utilities.
5. Inspection of sub grade and slope work.
6. Inspection of gravel grade. Compaction testing of gravel course is required every 200 linear feet of roadway.
7. Inspection of crushed gravel grade. Compaction testing of crushed gravel course is required every 200 linear feet of roadway.
8. Inspection of final ditch work/ slope work, landscaping and erosion control measures.
9. Inspection of headwall construction.
10. Inspection of binder course paving. Full-time inspection will be performed during the paving. After the binder course pavement and all work required to that point has been completed, the developer can request in writing, a reduction of the roadway bond to The Town Planner. The exact amount of the bond is determined by The Town Planner and reviewed for final approval by The Board of Selectmen.
11. Inspection of wearing course pavement. Full-time inspection is required.
12. Final walk through inspection.
13. Follow up inspection (one (1) year after the project completion date).

TOWN OF STRATHAM

Incorporated 1716

10 Bunker Hill Avenue · Stratham, NH 03885

603-772-7391

Inspection Report for Road Construction

This report is to be signed and dated at the completion of each step of road construction by the Director of Public Works, or his deputy, and the contractor. The road is to be constructed in accordance with the specifications and requirements of the Town.

Name of Applicant	Phone
Address	City, State, Zip
On Site Contact	Cell Phone
Location of Road Construction	
SIGNATURES	
Inspection of Road Subgrade	
Road Inspector	Date
Contractor	Date
Inspection of 6" Compacted Gravel Base Courses	
Road Inspector	Date
Contractor	Date
Inspection of Compacted, 12" Crushed Gravel Base Courses	
Road Inspector	Date
Contractor	Date

k. Guard Rails: The Planning Board may require installation of guard rails where physical conditions, including but not limited to, side slopes exceeding 4 to 1, at the recommendation of Public Works, or as otherwise required by the Town. Steel, or another material approved by the Town, shall be used for the rail portion of guardrail construction. Guard rail posts shall be pressure treated wood. **(Rev. 11/93)**

4.5.2 Street Cross Sections:

The required standards for the construction of streets are shown on the charts in Addendum A. For developments, which would require arterial streets (R.O.W. of 80' x 100'), the Town shall prescribe standards consistent with the State of New Hampshire Department of Transportation design standards. **(Rev. 8/99)**

4.5.3 Fire Protection Structures: **(Added 5/04)**

Where required, it is recommended that cisterns be designed and installed according to the Specifications for 30,000 Gallon Single-Wall FRP Tank For Fire Cistern as provided in Addendum "A" of the Stratham Site Plan Review Regulations.

4.6 OPEN SPACE CLUSTER SUBDIVISION: (Added 8/99)

4.6.1 General -The Open Space:

Cluster development provisions of these regulations are adopted in accordance with the authorization present in the Open Space-Cluster Ordinance. These regulations are required to administer and regulate the flexibility that is meant to be an inherent part of this development process.

This process is meant to provide applicants with an alternative development approach intended to promote creativity and innovation in land planning. Within this context, these regulations that are established are intended to be a minimum consideration of allowable impacts. Each tract of land possesses different, unique development characteristics and limitations, and the Open Space - Cluster development use allowed on any particular tract will be a function of innovative subdivision design interacting with the special characteristics and limitations of the site.

The definitions found in the Stratham Zoning Ordinance shall apply to this Section of the Subdivision Regulations.

4.6.2 Application Procedure: **(Rev. 5/04)**

All applications proposed to the Planning Board under this section shall follow the following 3-step procedures, which have been developed to ensure compliance with the intent of this section and the Stratham Zoning Ordinances. The steps listed are considered to be the minimum, and additional information may be required by the Planning Board as they may find helpful in their review of the application.

a. Natural Features and Yield Plan:

i. A Yield Plan as defined in Section 4.6.4.

ii. A natural resources inventory which shall at a minimum describe any important features, wildlife habitat or other environmentally sensitive areas which may be disturbed by the proposed development or may abut the site.

iii. Special consideration shall be given to the location of large contiguous forest stands, wildlife corridors, historic sites, trails, active farms or farmlands which are located on the site or on properties which abut the site.

The Planning Board may grant a preliminary approval to the base Yield Plan if the applicant can show the site could be developed under conventional Zoning and Subdivision Regulations.

b. Preliminary Development Plan:

i. A plan of the site, which shows the areas, which are proposed for development and areas that are proposed as protected open space.

ii. The plan shall also show any areas, which are considered as view sheds, active farming, recreation (proposed and current), environmentally sensitive areas and any trails or corridors, which are to be protected.

iii. A proposed layout of home sites and roadways on the property with a discussion of how the proposed layout will provide for the greatest protection of the open space lands, an environmentally sensitive development and a quality neighborhood.

iv. A request for any density bonus, which the applicant may seek under these regulations or the Zoning Ordinances.

v. Request for any waivers, which the applicant may require.

The Planning Board may grant a preliminary approval to the maximum number of cluster units, which may be developed if the applicant can show the site meets the requirements of these regulations and the Zoning Ordinances for any proposed density bonus.

c. Final Application:

i. The applicant shall provide a complete, fully engineered plan, which shall show the development of the site as required under subdivision regulations and the provisions of this Section.

4.6.3 Legal Review & Approval:

The legal review of the proposed development shall be conducted under the conditions delineated herein:

a. Any condominium agreements, deed restrictions, organizational provisions for a Homeowner's Association, or any legal entities providing for ownership of individual dwelling units and a sharing of certain utilities, open space, common areas, and auxiliary facilities and structures, must be approved in writing by the Planning Board

and by Town Counsel and any other municipal, county, or state agency, body, commission or department required by law to assure the same.

b. The developer will submit a suitable legal instrument which to the satisfaction of the Board and/or Town Counsel will assure that such open space and/or common land will continue to be used for conservation, park or recreation, and shall not be disposed of by sale or otherwise except to any organization established for the purpose of owning and maintaining such open space.

c. Such developer shall also provide for adequate maintenance of such area set aside for conservation, park, or recreation. Such developer shall provide for the insertion in all deeds, in a form approved by the Planning Board and/or the Town Counsel any and all safeguards and conditions suitable to carry out the purposes of these regulations.

d. Such legal instruments shall also provide that the Town of Stratham, its agents, servants, and employees, may, without liability, enter upon such land held for conservation, park or recreation and remove, or cause to be removed, any object, or condition which may be deemed to be a nuisance or in the nature of a nuisance.

4.6.4 Yield Plan: **(Rev. 5/04)**

In accordance with the Open Space - Cluster Ordinance, the applicable density shall be determined through submittal of a yield plan. The yield shall be reviewed and approved by the Planning Board in accordance with the following:

a. The yield plan shall incorporate soils information sufficient to determine estimated lot sizes by soil type.

b. The yield plan shall incorporate roads and rights-of-way that provide for a layout that corresponds with existing state and federal laws, town ordinances, and subdivision regulations, including but not limited to minimization of wetland crossings, road length requirements, right-of-way widths, and safe sight distance for entrances.

c. The yield plan is meant to be conceptual in nature but must be realistic and not show potential house sites or streets in areas that would not ordinarily be legally permitted, nor environmentally or economically viable in a conventional layout.

d. In addition to the above, the yield plan shall include, basic topography, wetlands, floodplains, frontage distances, building setbacks, steep slopes (greater than 25%), soils subject to slumping, contiguous non-wet areas, and other areas of land where it is not feasible to accommodate building sites and individual septic systems

4.6.5 Innovative Open Space Bonus: (Rev. 5/04)

These regulations provide for the available open space bonus as authorized in the Open Space - Cluster Ordinance, Section 8.1.9.

a. Threshold Bonus**:** To be considered by the Planning Board for a Conditional Use Permit the proposed Open Space Cluster plan shall provide that a minimum of 35% of the total parcel be established as open space and protected as such in perpetuity.

The required open space may be used, with conditions as may be required by the Planning Board, for the protection of forest or other natural or environmental areas and as set forth in Section 4.6.6.

If the land proposed for protection is found to be significant to the protection of the natural environment or that allowing the placement of any improvements would adversely affect or destroy wildlife corridors, natural dense forested stands or active farm lands, the board may restrict such uses from locating within the protected open space areas.

The purposes for which open space areas are proposed shall be fully documented by the applicant.

For such consideration the development shall be awarded a density bonus of 1 unit as set forth Ordinances.

b. Frontage Lots: A density bonus of up to 2 (two) lots may be awarded for the preservation of each potential frontage lot as open space. In granting the bonus the board may consider the following:

   i. The ability to provide a visual buffer to the development area,

   ii. The protection of natural viewscapes,

   iii. The historical or environmental value of the provided lots,

   iv. Active usage for agricultural purposes and/or the protection of historical farming activities.

   v. Be a buildable lot with the required legal frontage on a roadway existing at the time of application.

   vi. The lot be preserved in a natural condition.

c. Recreation & Public Access Bonus: For the development of new recreational facilities such as parks, playgrounds, trails and/or community centers, the board may grant an additional density bonus of up to 5%. If the improvements are made available to the general public, this bonus may be increased to a maximum of 10%. In granting the bonus the board may consider the following:

   i. Self-directed trails and facilities, green-space parks and family picnic areas,

   ii. Open fields prepared for the use of active sports and group activities,

   iii. Constructed play grounds and play areas,

   iv. Community center or meeting facilities.

   The nature of public access required to trigger the additional bonus is pedestrian traffic. The instrument granting access, acceptable to the Planning Board, may reasonably restrict the use of motorized vehicles.

d. Unique Land and Environmental Features and/or Facilities: Where the development is able to protect unique characteristics or for the development of innovative sewage treatment or stormwater facilities, the Planning Board may grant an additional density bonus of up to 30%. In granting the bonus the board may consider the following:

i. View sheds: which are lands or corridors of land that contribute to the visual landscape of the town, including items such as, but not limited to, open fields, stonewalls, hills, mature stands of trees, visible water bodies and their natural buffers.

ii. Historically Significant Buildings and Landscapes: identified as such in the Master Plan, that includes buildings and associated uses that are maintained and visually separated from the developed portion of the cluster development. Structures or landscapes not identified as such through the Master Plan may be determined by sufficient evidence presented to the Planning Board during review of the cluster development. Such evidence may include Heritage Commission comment, listing or eligibility for listing on the National Register of Historic Landmarks, or other qualified statements of historic value.

iii. Valuable Wildlife and Environmental Areas: that are otherwise buildable land, proven as such through an environmental resource inventory by a qualified wildlife biologist specializing in either flora or fauna. Reports by a wetlands or soil scientist shall not satisfy this criteria.

iv. Linking Open Space Parcels or Trail Corridors: through the site with existing trails or open space networks. The beginning of such a network or trail way may be considered as linking where reasonable opportunity is present for establishing through corridors into neighboring parcels and provided that Conservation Commission comment is in favor of this location.

v. Innovative Stormwater and Wastewater Treatment Facilities: which provide for the reintegration of stormwater into the groundwater system or provide for the innovative treatment of wastewater within the development or through the sharing of an innovative treatment system with other nearby developments through the development of a community wastewater treatment system as may be approved by the NH Department of Environmental Services.

vi. Agricultural Lands and Use Bonus: Where the development protects agriculturally valuable lands and provides permission for their use as such in perpetuity, the development may be awarded a density bonus. The Planning Board shall, on a case-by-case basis, determine the bonus percentage by considering the size of the project and the number of acres of farmland preserved. The open space portion preserved for agricultural use must be land that has been historically farmed, or contain good soils for farming and must be reasonably accessible to receive a bonus. A minimum of three and one-half (3.5) contiguous acres must be available for agricultural uses in order to receive any bonus under this section. The instrument granting use, acceptable to the Planning Board, may reasonably restrict the type or intensity of farming to occur to prevent nuisances. This provision only requires that permission is reasonably available, the fact that agricultural uses are not pursued at any particular time does not affect the validity of the bonus.

vii. Additional Open Space: Increase the amount of protected open space to a minimum of 50%.

e. Innovative layout and design of the project to encourage a village or community type environment with such amenities as village greens and parks, community view sheds and/or integration into existing protected farm activities or existing recreational opportunities, the Stratham Planning Board may award the development additional density bonus of up to 15% based on the following standards:

   i. The location and integration of the development into an existing active farm or recreational activity, where the residents are able to participate in the recreational activity or where a majority of the units abut the active farm lands.

   ii. The development of a central village green with single-loaded streets and service ways which allow units to front on village greens, park areas or view sheds.

   iii. Layout of the development where all units may enjoy direct community access to view sheds or parklands.

   Innovative layout, which provides for the integration of the development into the natural features and forested areas of the parcel, which would provide for the protection and enjoyment of the natural environment yet provide for pedestrian travel within the site. Or for the development of terminal vistas which will maximize the visual impact of any protected areas so that residents and visitors will correctly perceive the conservation emphasis of the development.

4.6.6 Open Space Criteria:

Useable Open Space shall be reasonably available for recreational use by the residents of the subdivision. General public use may be considered but shall not be required. The usability criteria are necessitated by the subdivision. Where land is to be developed in a manner that will result in a significant number of people forming a community on that land, adequate recreational space is a necessity. These criteria are intended to provide that those moving into the subdivision will have an adequate recreational area.

a. A minimum of 25% of the total required open space land must be useable uplands and reasonably available for recreational purposes, provided however, that no more than 50% shall be utilized for such purpose in order to preserve a reasonable proportion of natural area on the site.

b. Recreational uses may include, but are not limited to, trail ways, recreational/athletic fields for sports, cross country ski trails, tennis facilities, swimming pools, playgrounds for children, off-road bicycle paths, horseback-riding etc.

   i. Uses customarily accessory to permitted outdoor-recreational uses such as small clubhouses (less than 1,500 square feet footprint), maintenance facilities, or gazebos shall be permitted.

   ii. Where recreational uses may interfere with neighboring residentially zoned or used parcels, the Planning Board shall require mitigative measures to lessen any projected negative effects. Such measures may include sufficiently opaque visual buffers, placement within the interior of the development, and limitations on night lighting and use.

iii. Recreational facilities shall be constructed by the developer or financial provision for construction shall be provided by the developer to the homeowners association in order to adequately insure their proper creation.

iv. Land targeted for recreational use shall not occupy the exterior buffer of the development site unless such use is limited to trailways.

c. The minimum required Open Space shall not contain more than 50% of the sum of the following kinds of unbuildable land:

i. Wetlands as defined elsewhere in this ordinance, or if not so defined, as found in state law.

ii. Slopes exceeding a grade of 25%, or soils subject to slumping.

iii. Drainage facilities, except that constructed ponds that are filled with water year-round, that are part of a drainage plan, may be included in the open space calculation, provided that access is not restricted.

iv. Land used for septic systems.

viii. Floodways, and floodway fringe within the 100-year floodplain as shown on official FEMA maps.

No portion of public utility easements, of any kind, may be considered part of the minimum required open space. Expansion or creation of a public utility easement after approval of a development shall not affect the requirements for provision of open space or recreational uses of the development.

d. Open Space Layout: Open space land shall be designated as undivided parcels to facilitate easement monitoring, enforcement, maintenance, and to promote appropriate management by a single entity according to approved land management standards.

i. As part of the application an open space plan shall be submitted showing clear delineation of parcels of open space land that is not to be developed. The open space plan shall be recorded at the Registry of Deeds and shall indicate that development is restricted from the open space in perpetuity.

ii. The minimum required open space land shall be placed in undivided preserves that equal or exceed three (3) acres. All parcels between three (3) and ten (10) acres shall have a length to width ratio equal to or less than 4:1; except such areas specifically designated and constructed as village greens, ball fields, upland buffers to wetlands, water bodies or water courses, or trail links. Areas less in size or dimensional requirements may be considered common land left open, but shall not be included in the minimum required open space calculation.

iii. Open space shall be directly accessible to the largest practicable number of lots within the development.

iv. Safe and convenient pedestrian access to open space shall be provided from all lots not adjoining the open space.

4.6.7 Development Yield:

The yield for residential Open Space - Cluster development, shall be determined by total bedrooms and shall not exceed the following:

- 4 bedroom units = (yield plan + bonuses) / 1.00
- 3 bedroom units = (yield plan + bonuses) / 0.85
- 1 & 2 bedroom units = (yield plan + bonuses) / 0.65

The development yield shall not exceed the provisions of Section 8.1.9 of the Stratham Zoning Ordinance.

4.6.8 Roadway Design Criteria:

Road design for Open Space - Cluster development shall adhere to the roadway design criteria found in the Subdivision Regulations, as amended. The Planning Board may consider the following design waivers specifically for developments in accordance with this Article. The Planning Board may deny any and all of these waivers where future connections to other roadways is reasonably possible or anticipated. No roadway minimum shall apply where fire and safety access is jeopardized.

4.6.9 Road Specifications:

Roadways within an Open Space - Cluster development may be considered for design waivers by the Planning Board in accordance with these regulations. On-street parking shall be prohibited. See Addendum A.

4.6.10 Additional Requirements:

As part of any application, whether roadway design waivers are granted or not, the Planning Board may require additional facilities to insure adequate access and service for safety vehicles, including but not limited to, additional off-street parking, turn-outs or turnarounds, fire hydrants, fire ponds, cisterns or other recommended accommodations. **(Rev. 5/04)**

1. Parking: For all units, off-street parking shall be provided for three (3) cars per unit, with a minimum of a one-car garage for single-family units

4.7 AFFORDABLE SENIOR HOUSING (Added 05/06)

4.7.1 General:

Affordable Senior Housing development provisions of these regulations are adopted in accordance with the authorization present in the Affordable Senior Housing, Ordinance Section 5.7 of the Stratham Zoning Ordinances. These regulations are required to administer and regulate the flexibility to provide a more affordable housing option for the Town's senior population.

The definitions found in the Stratham Zoning Ordinance shall apply to this Section of the Subdivision Regulations.

Any project developed under this section shall be required to follow all requirements of the Stratham Land Use Regulations unless waived by the Planning Board or superseded.

by the requirements this section.

4.7.2 Application Procedure:

All applications proposed to the Planning Board under this section shall follow the provisions of Sections 4.1 and 4.2 of these regulations.

Any applicant shall also at time of application apply for a Conditional Use permit as required by Section 5.7.2 of the Zoning Ordinances.

4.7.3 Legal Review & Approval:

The legal review of the proposed development shall be conducted under the conditions delineated herein:

a. Any condominium agreements, deed restrictions, covenants, organizational provisions for a Homeowner's Association, or any legal entities providing for ownership of individual dwelling units, land units or lots and a sharing of certain utilities, open space, common areas, and auxiliary facilities and structures, must be approved in writing by the Planning Board and by Town Counsel and any other municipal, county, or state agency, body, commission or department required by law to assure the same.

b. The applicant/developer will submit a suitable legal instrument which to the satisfaction of the Board and/or Town Counsel which comply with standard definitions of affordability set forth by Federal Housing and Urban Development or New Hampshire Housing Finance Authority regulations/guidelines for affordable housing in NH. Such housing may be publicly or privately financed. Additionally, any elderly housing developed under this section must be established and maintained in compliance with the Fair Housing Act, as amended, 42 U.S.C. Sec. 3601 et esq. and NH Human Rights Commission Regulations Hum 302.02 62 or Over Housing, 302.03 55 or Over Housing as may be amended and assure the long-term affordability of any residential units within any development.

c. Such developer shall also provide for adequate maintenance of such area set aside for common areas, park, or recreation facilities.

d. Such developer shall provide contracts and agreements for the delivery of required services and amenities, in a form approved by the Planning Board and/or the Town Counsel any and all safeguards and conditions suitable to carry out the purposes of these regulations.

4.7.4 Amenity Requirements:

a. All affordable senior housing developments shall provide significant facilities and services specifically designed to meet the physical or social needs of older persons 55 or older.

b. Significant services and facilities specifically designed to meet the physical or social needs of older persons shall include, but not be limited to:

i. Programs designed to provide a social life for residents;
ii. Continuing education programs of interest to residents.
iii. Information and counseling services;
iv. Recreational programs;

v. Homemaker services;
vi. Services designed to assist residents with the maintenance and upkeep of building and grounds;
vii. An accessible physical environment;
viii. Emergency and preventive health care programs;
ix. Congregate dining facilities;
x. Transportation to facilitate access to social services;
xi. Referral services; and
xii. Services designed to encourage and assist residents to use the services and facilities available to them.

c. Any development may request a waiver from the above section 4.7.4, B. if it provides significant services and facilities but does not provide all the features described in Section 4.7.4, B.

d. Additionally any development may qualify for a waiver from Section 4.7.4, B, if it is not practicable to provide significant facilities and services designed to meet the physical or social needs of older persons and no other housing for older persons is available in the same geographic area. The developer, owner or manager of the development shall demonstrate that the provision of significant facilities and services designed to meet the physical or social needs of older persons would result in depriving older persons in the relevant geographic area of needed and desired housing.

e. In granting any waiver the Planning Board shall find that the development is eligible for the waiver in (C and D) under the following conditions:

i. The applicant, developer, owner or manager of the development has endeavored to provide significant facilities and services designed to meet the physical or social needs of older persons either by the owner or by some other entity;

ii. The amount of rent, if the dwellings are rented, or the price of the dwellings, if they are offered for sale makes the housing affordable for low and/or moderate income individuals;

iii. The income range of the residents of the housing facility indicates the housing is used by moderate and/or low income individuals;

iv. There is a demand for affordable senior housing in the relevant geographic area;

v. Similarly affordable senior housing choices within the relevant geographic area are not otherwise available; and

vi. If similarly priced affordable senior housing with significant facilities and services is reasonably available in the relevant geographic area then the housing facility shall not meet these requirements.

f. Demonstrating only that significant services and facilities are expensive to provide shall not be sufficient to demonstrate that the provision of such services is not practicable.

g. In addition, any waiver from Section 4.7.4, B shall require approval for an exemption from the requirements of NH Hum 302.03 55 or Over Housing from the New Hampshire Human Rights Commission.

SECTION V: WAIVER PROCEDURE

5.1 WAIVER PROCEDURE:

When a proposed subdivision plat is submitted for approval, the applicant may request in writing to waive specific requirements of these Regulations as they pertain to the subdivision plan. The applicant shall present reasons in writing why the waiver is needed.

The Planning Board may grant a waiver in a special case, so that justice may be done and the public interest secured, provided that such waiver will not have the effect of nullifying the intent and purposes of these Regulations; and further provided that the Planning Board shall not approve waivers unless it shall make findings based upon the evidence presented to it in each specific case.

SECTION VI: AMENDMENTS

6.1 AMENDMENTS:

The Planning Board may from time to time amend these Regulations. Such amendments shall only take effect after a public hearing on the proposed changes(s) has been held. The Chairperson or Clerk of the Planning Board shall transmit copies of any regulations, revisions, or amendments thereto, certified by a majority of the Planning Board members, to the Registry of Deeds of Rockingham County, the Town Clerk, and the Board of Selectmen.

SECTION VII: INTERPRETATION, CONFLICT, SEPERABILITY

7.1 INTERPRETATION:

In their interpretation and application, the provisions of these Regulations shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

7.2 CONFLICT:

These Regulations are not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provisions of law. Where any provision of these Regulations imposes restriction different from those imposed by any other provision of these Regulations or any other ordinance, rule or regulations, or other provision of law, whichever, provisions are more restrictive or impose higher standards shall control.

7.3 SEPARABILITY:

If any part or provision of these Regulations or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of these Regulations or the application thereof to other persons or circumstances.

SECTION VIII: EFFECTIVE DATE

8.1 EFFECTIVE DATE:

These Regulations are effective as of February 3, 1987, on which day they were filed with the Stratham Town Clerk and the Board of Selectmen.

ADDENDUM A: ROAD DESIGN & CONSTRUCTION SPECIFICATIONS (***REV. 2018***)

1. Checklist For Preliminary Hearing:

   Design Criteria Necessary:

   a. Preliminary design of subdivision.
   b. Plot plan, scale, and designer.
   c. Contour Sheet (5' intervals).
   d. Soils data, name of soil scientist, test pits location and acres (square feet).
   e. Preliminary road location and grades.
   f. Preliminary drainage.
   g. Bench mark, T.P.'s, elevation, and descriptions (NGVD-Datum).
   h. 50' Front setback.

2. Checklist For First Public Hearing:

   Final Design of Project/Subdivision:

   (Design checked by Department of Public Works before hearing)

   a. Public Roads

      1. Final design of roadway, "profile". (Scale 1" = 4' vertical; 1" = 40' horizontal.)
      2. Contour sheet (2' intervals).
      3. Cross sections of road at 50' intervals and at all drainage structures, intersections, and dead-end turnarounds. **(Rev. 7/89)**
      4. Final centerline staked on the ground.
      5. Profile of road drainage ditches left and right plotted separately on profile paper (scale 1" = 4' vertical, 1" = 40' horizontal.)
      6. Complete runoff calculations using the SCS TR 55 method or equivalent. (See Addendum C for storm frequencies.) **(Rev. 7/89)**
      7. Finish grades of road profile.
      8. Easements plotted on plan "25" foot width.
      9. Typical section of roadway shown on plan. Including utilities, sewer and water.
      10. Sight distance and intersection along road. (See Table #1)
      11. Maximum backslopes 3:1 cuts, 4:1 fills, 5:1 cul-de-sac turnaround fills. **(Rev. 7/89)**
      12. Benchmark and T.P.'s (shown on plan described with elev.).
      13. All pipe structures under roadway will be H.D.P.E. rubber ring gaskets, frame and grate catch basin covers.

14. Sewer pipe (S.D.R.) 35 P.U.C. laid in a stone envelope 6" all around pipe. Pipe locations shown on design with elevations (see typical section with utilities).
15. Under drains may be required by the Department of Public Works. The use of fabric may be necessary; also more gravel may be necessary through wet areas. With ledge or any other field problems, the Department of Public Works may require field design changes.
16. All utilities shown on design. See typical section for water and sewer utilities.

b. Private Road

1. Use same design and specifications as for Town Roads (see typical section).
2. All roads shall be considered private until or unless accepted by Town.
3. Construction inspection to be done by Department of Public Works, the same as for Town Roads. See Section 6.1 of Site Plan Review Regulations.
4. Must be bonded.
5. No Town winter maintenance services shall be provided per RSA 231.59 on private roads.

The Town has adopted New Hampshire State Highway and Bridges Specifications. For any specification not covered in these regulations, refer to New Hampshire Specifications of Roads.

3. Construction Specifications:

a. Subgrade:

1. Subgrade shaped and compacted full width, ditch cut and shaped.
2. Grade stakes in place every 50'.
3. As-built subgrade cross-sections submitted to Department of Public Works.
4. Subgrade properly graded and crowned with grader.
5. Maximum compaction, 97%.
6. No gravel (until subgrade inspected and approved).
7. Use of construction fabric may be required at unstable/wet locations. This determination shall be made (**Rev. 11/93)**

b. Gravel**:** (to be approved by Department of Public Works**)**

1. Bank run gravel put in 6" lifts.
2. Grade stakes in place every 50'.
3. Compaction test, sieve analysis, and as built cross sections for each lift.
4. No processed gravel until bank run inspected and approved.
5. Processed gravel same procedure as bank run gravel.
6. Compactor on project for subgrade bank run and finished processed gravel.

7. HDPE Pipe shall be used for all drainage under the road way. All pipe under the roadway shall be a minimum diameter of 12”. All drainage pipes underneath the road way shall have a minimum of 3’ of cover.
8. Driveway culverts will be (HDPE) 12” diameter minimum, length 30'; permits must be acquired from Town Office or building inspector and approved by Department of Public Works.
9. Erosion control measures during construction.
10. Loam and seeding: 6" of loam, conservation mix recommended for seeding.

d. Paving Asphalt Finish **(Rev. 12/16)**:

1. Before any paving of roadway a letter of approval by Department of Public Works stating the subsurface is ready and weather is acceptable. This letter will be given to the prime contractor and also to the subdivider of the project.
2. The contractor shall install 2.5 inches of bituminous concrete binder course (rolled). **(Rev. 12/16)**
3. The contractor shall install .35 gallons per square yard of RS-1 tack coat emulsion. **(Rev. 12/16)**
4. The contractor shall install 1.5 inches of bituminous concrete surface course (rolled). **(Rev. 12/16)**
5. Maintenance bond will be held for one (1) year after completion and Town acceptance. **(Rev. 7/89)**
6. Upon completion of any paving course, developer shall sweep roadway on an as-needed basis for dust and erosion control to the satisfaction of the Director of Public Works.

e. As-Built Construction Plans:

1. Must be delivered to Town before bonds are released.
2. Must show all drainage structures (stations), inverts and outlet elevations, utility lines and structures.
3. Must show road ditches profile.
4. Must show drainage easements.
5. Must show any changes from original design.
6. Must show lot line corner monuments installed. 4" x 5" x 36" stone or concrete. **(Rev. 7/89)**
7. Must indicate Sign Installation:
   i. Stop signs
   ii. Road "name" signs
   iii. Power and telephone
   iv. Road delineators

8. Bond Release
   i. By Board of Selectmen at the recommendation of Department of Public Works and Town Planner.
9. Road right-of-way deed to Town, including all 50' laterals and paper streets for future utilization.

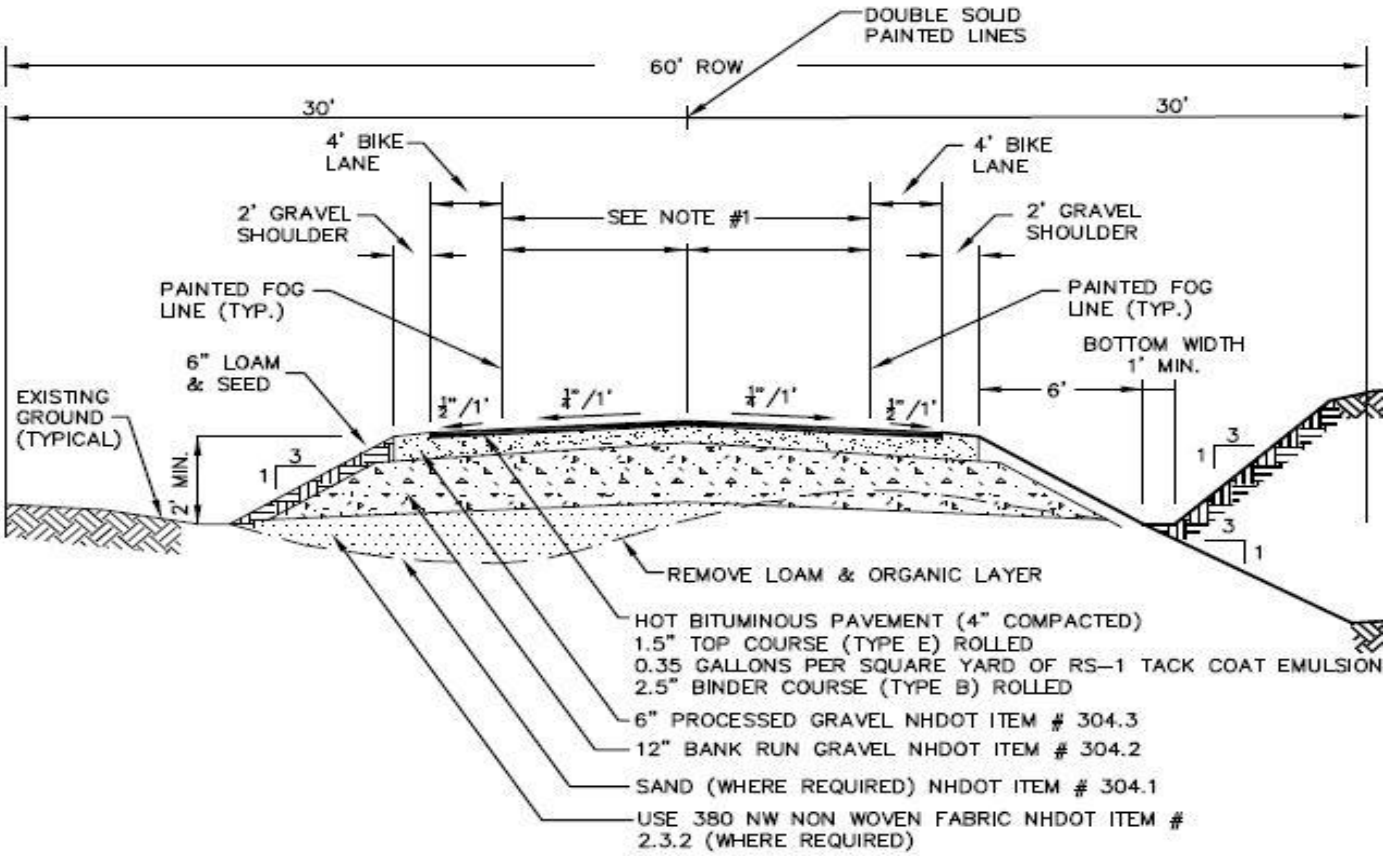
TABLE 1 – ROADWAY DESIGN CRITERIA (SEE ALSO ADDENDUM A, FIGURES A-D)

	ROADWAY TYPE:			
CRITERIA:	Residential Dead-end:	Residential	Commercial (Not GW/TC):	Industrial:
Right-of-Way Width:	60’	60’	60’	60’
Minimum Centerline Radius:	125’	275’	500’	500’
Minimum Curb Radius (if applicable):	30’	40’	50’	50’
Minimum Profile Grade:	1%	1%	1%	1%
Maximum Grade at Intersection:	2%	2%	2%	2%
Maximum Profile Grade:	8%	8%	8%	8%
Maximum Profile Grade on Curves:	4%	4%	4%	4%
Maximum Profile Grade of Cul-de-Sac Turnaround:	2%	2%	2%	2%
Minimum Stopping Sight Distance:	400’	400’	400’	400’
Distance Between Intersections (Street to Street OR Street to Driveway):	200’			
Depth of Gravel Base (See Cross Section)				
Binder Depth (See Cross Section)				
Surface Depth (See Cross Section)				

(1) At Planning Board Discretion

ADDENDUM A (continued)

FIGURE A — ROAD CROSS SECTION



NOTES:

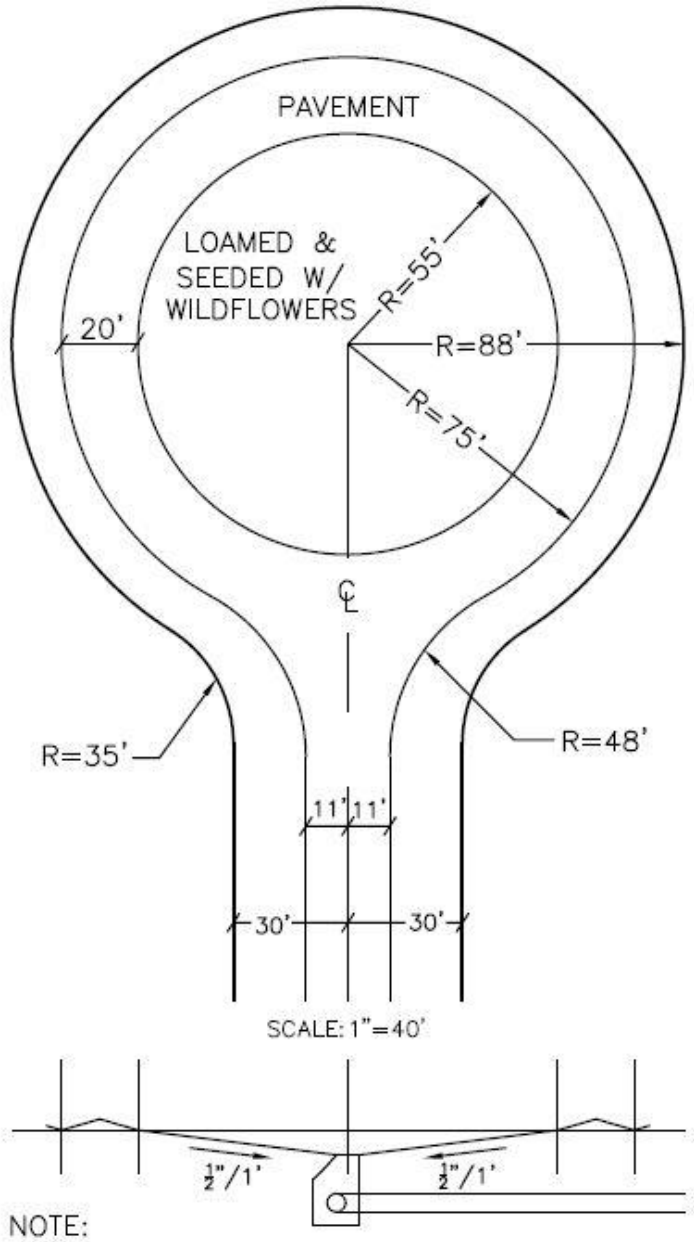
1. PAVEMENT WIDTH TO BE 28' (INCLUDING BIKE LANES), 22' FOR RESIDENTIAL DEAD END ROADS.
2. ALL MATERIALS TO BE INSPECTED, TESTED, AND APPROVED BY DEPARTMENT OF PUBLIC WORKS.
3. ALL CROSS CULVERTS SHALL BE HDPE PIPE WITH A 12" MINIMUM DIAMETER AND A 3' MINIMUM COVER.
4. UNDERDRAINS SHALL BE INSTALLED WHERE REQUIRED BY PUBLIC WORKS.

TOWN OF STRATHAM
ROAD CROSS SECTION

NOT TO SCALE

ADDENDUM A (continued)

FIGURE B – DETAIL PAVED CUL-DE-SAC



NOTE:

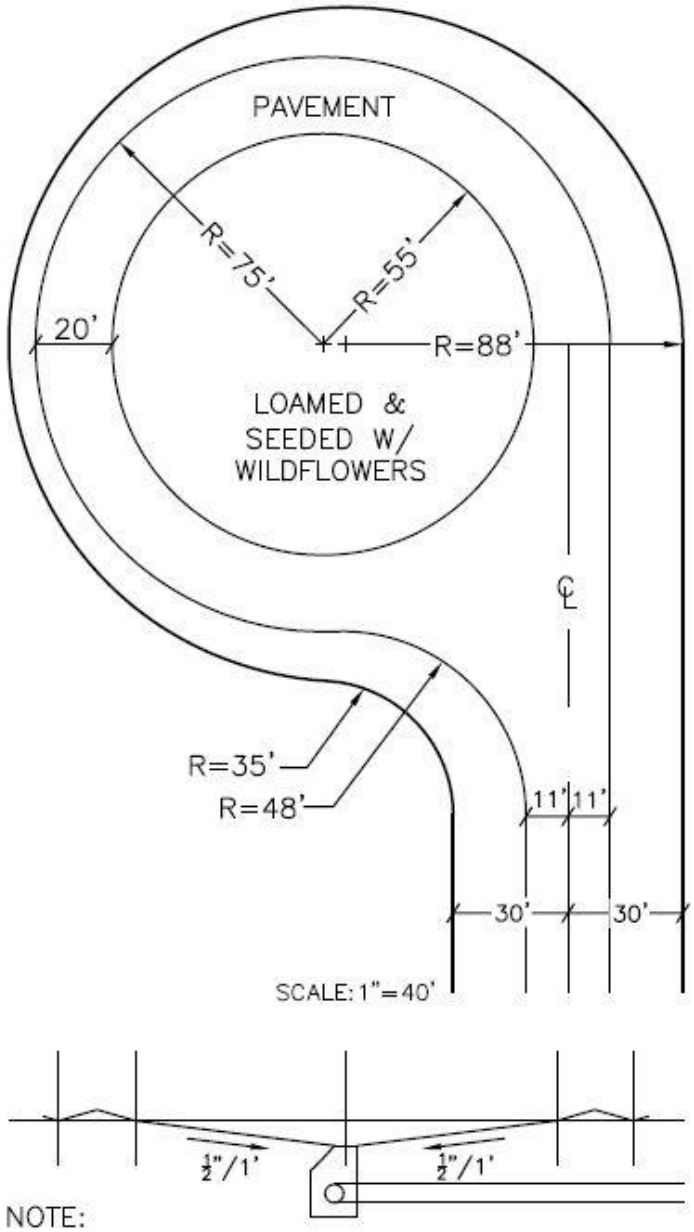
1. 20' PAVEMENT IN CUL-DE-SAC CROWNED AT TYPICAL ¼"/1' WITH 4' GRAVEL SHOULDER ON BOTH SIDES.

CROSS SECTION NOT TO SCALE

TOWN OF STRATHAM
CUL-DE-SAC
NOT TO SCALE

ADDENDUM A (continued)

FIGURE C – DETAIL TEAR DROP CUL-DE-SAC



NOTE:

1. 20' PAVEMENT IN CUL–DE–SAC CROWNED AT TYPICAL ¼"/1' WITH 4' GRAVEL SHOULDER ON BOTH SIDES.

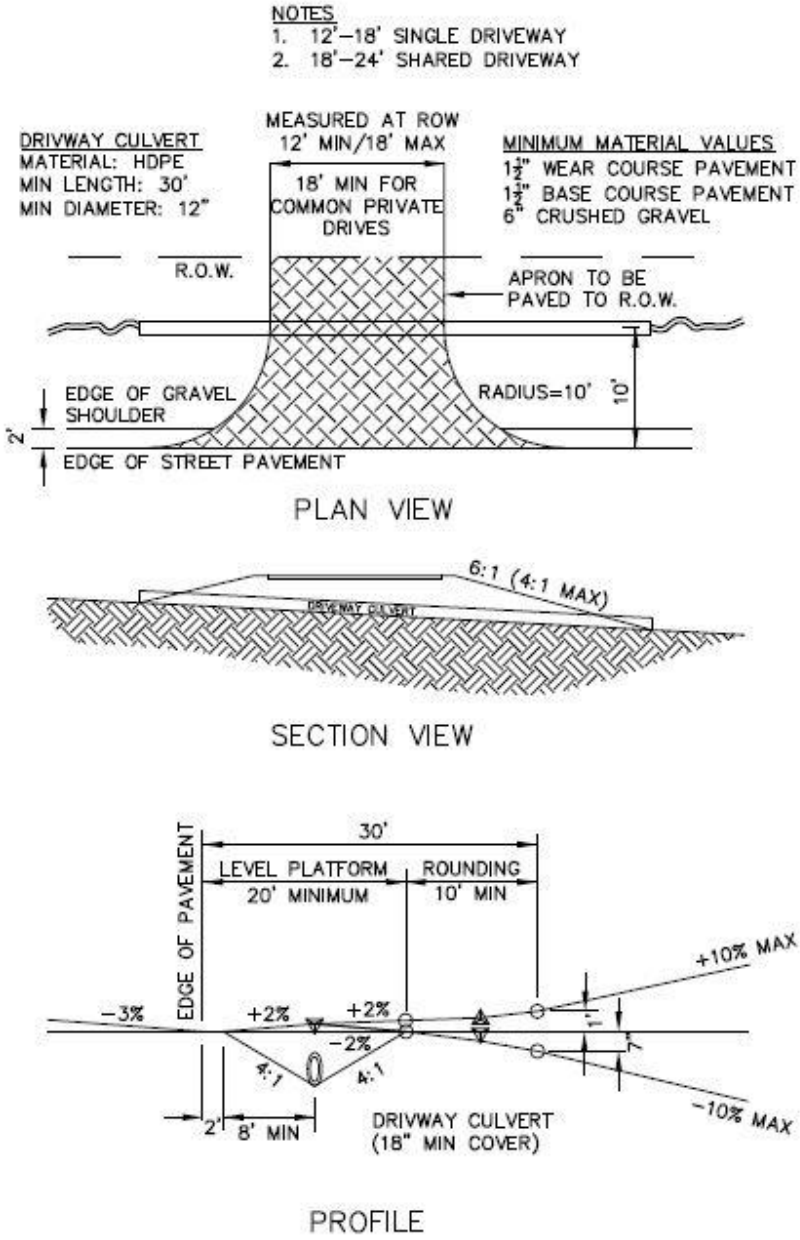
CROSS SECTION NOT TO SCALE

TOWN OF STRATHAM
TEAR DROP CUL–DE–SAC

NOT TO SCALE

ADDENDUM A (continued)

FIGURE D – DRIVEWAY CROSS SECTION



TOWN OF STRATHAM
DRIVEWAY CROSS SECTION
NOT TO SCALE

ADDENDUM B: PHASING & CLUSTER GUIDELINES

PHASING:

The following phasing tables are guidelines for developers in preparing for Planning Board action in reviewing subdivision and cluster housing proposals. The Planning Board at its sole discretion may modify these phasing requirements in either direction, if Town services are not reasonably abreast of the pace of development. Phasing program will be described on the mylar submitted to the Registry of Deeds.

Single Family - Conventional or Cluster Subdivision

(Basic phasing program - maximum of ten dwelling units per year)

Total Quantity of Dwelling Units:	Phasing- Years:					
	First:	Second:	Third:	Fourth:	Fifth:	Sixth:
	10					
20	10	10				
30	10	10	10			
40	10	10	10	10		
50-75	Divide total number of units by six					
75-100	Divide total number of units by seven					
Over 100	Divide total number of units by eight					

Multi-Family & Cluster Subdivision

(Basic phasing program - maximum of twelve dwelling units per year)

Total Quantity of Dwelling Units:	Phasing- Years:					
	First:	Second:	Third:	Fourth:	Fifth:	Sixth
12 to 60	12	12	12	12	12	
61 to 100	Divide total number of units by six					
101 to 144	Divide total number of units by seven					
Over 144	Divide total number of units by eight					

ADDENDUM C: STORMWATER MANAGEMENT & EROSION CONTROL SPECIFICATIONS (AMENDED MAY, 2019)

1. Design Standards:

   Please Refer to Site Plan Regulations, Addendum C..

7. Other Required Permits:

   In addition to local approval, the following may be required:

   a. RSA 485:17 requires a permit from the NH Water Supply and Pollution Control Division for "...any person proposing to significantly alter the characteristic of the terrain, in such a manner as to impede natural runoff or create an unnatural runoff..."

   b. State regulations require a Site Specific Permit from the WSPCD for any project involving more than 100,000 contiguous square feet of disturbance or 50,000 square feet if such activity occurs in or within 250 feet of the boundary line for public waters or rivers of the forth order or higher (RSA 485-B)

ADDENDUM D: DIGITAL SUBMISSION REQUIREMENTS (ADDED 07/06)

With the submission of any new application for (Subdivision / Site Plan Review) and prior to the recording of a Mylar, an Applicant shall submit a complete electronic file of all of the drawings in the plan set for the Town of Stratham's records, in accordance with the following:

1. All submitted plans shall be submitted to the Town Planner in a format compatible with the town's ArcGIS (Shapefile .shp) format.
2. All digital files shall be projected in NH State Plane feet, NAD83.
3. All digital Files shall be submitted on a CD-ROM or 3.5" floppy disk (note that files compressed and spanned with multiple floppy disks will not be accepted). Arrangements may be made to send digital data via FTP, email, or on other media on a case-by-case basis by approval of the Town Planner;
4. If submitted via disk the following information shall be labeled on the disk: file name; property owner name; parcel identification number (tax map and lot number); and name of submitting consultant;
5. Horizontal control points shall have an adjusted accuracy of 1:10,000 (Third Order, Class I);
6. Entities and their data layer properties shall correspond to the following:
   a. Property lines entities shall be created on a "Lot Line" layer.
   b. Parking lots shall be created on a "Parking" layer.
   c. Driveways shall be created on a "Driveway" layer.
   d. Building outlines shall be created on a "Structure" layer.
   e. Location of wetlands, streams and ponds shall be created on a "Hydro" layer.
   f. Distance and bearing annotation shall be created on a "Dimtxt" layer.
   g. The digital file shall have a layer named "NHSPCS". NH State Plane NAD83 referenced points and the easting, northing and vertical descriptions of at least 2 referenced points shall be annotated on this layer.
7. All lines representing property lines shall consist of continuous line work snapped to endpoints. Stonewall representations, unless created using a line type will not be accepted.

APPENDIX A: RECORD OF AMENDMENTS

May 2019

Addendum C amended; editorial changes to correlate with said changes.

August 2018

Section IV. Rescind and Replace in Full.

Section IV Addendum A Rescind and Replace in Full.

December 07, 2016

Section IV, Addendum A, 3.d *Paving an Asphalt Finish* update per Highway Agent Recommendation

Section IV, Addendum A, Table 1 Amendment to sight distance per Highway Agent Recommendation

December 4, 2013

Section 1.5.4 Bond

Section 4.4.8 Performance and Maintenance of Security

Addendum C.3 Stormwater Management & Erosion Control Specifications

- To amend sections 1.5.4, 4.4.8, and Addendum C.3 of the subdivision regulations to allow letters of credit as an acceptable form of performance/maintenance surety.

October 3, 2007

Section 2.3.6 Fees and Charges:

- To amend section 2.3.6 of the subdivision regulations and section 4.2.7 of the site plan review regulations pertaining to fees & charges to increase the fees to reflect the current cost of services.

September 19, 2007

Section 4.3.4 SOILS-BASED LOT SIZE DETERMINATION

- Conservation Land Exception**.** Any portion of a lot or other land which was protected by a recorded conservation easement or shown as intended for protection or dedication on any plan conditionally approved and not revoked by the Planning Board at the time of application, shall not be included in the calculation of minimum lot size or in the calculation of any Yield Plan as defined under Section 4.6.4 (OPEN SPACE CLUSTER SUBDIVISION).

July 19, 2006

Section 4.3.2 Exhibits Required at Time of Submission

- To amend section 4.3.2 to add a new subsection o as follows:
  A copy of the plans submitted in a digital format as provided for in Addendum D: Digital Submission Requirements.

June 7, 2006

Section 4.4.1 Lot Configuration

- Amend Section 4.4.1 Lot Configuration of the Subdivision Regulations to replace the section with a new Section 4.4.1 providing standards to promote lots which are shaped in a manner that promotes clarity of ownership, access, and the convenient and harmonious development of the land.

Section 4.4.6 Driveways

- Amend Section 4.4.6 Driveways of the Subdivision Regulations to replace the section with a new Section 4.4.6 providing standards for the location and design of driveway access on Town roads.

Section 2.3.8 Decision of the Board

- Amend Section 2.3.8 Decision of the Board of the Subdivision Regulations to replace the section with a new Section 2.3.8 providing for a definition of "Active and Substantial Development" and providing conditions for the vesting of subdivisions and setting time limits for the completion of conditions when a project is approved.

May 17, 2006

Section 4.7 Affordable Senior Housing

- Amendment to the subdivision regulations to add a new Section 4.7 Affordable Senior Housing in accordance with the authorization present in the Affordable Senior Housing, Ordinance Section 5.7 of the Stratham Zoning Ordinances. These regulations are required to administer and regulate the flexibility to provide a more affordable housing option for our senior population. This amendment sets forth the procedure and standards for the issuance of a Conditional Use Permit for Affordable Senior Housing.

March 15, 2006

Section 2.2: Preliminary Consultation

- Amends section 2.2 adding the words "shall be" in place of "is encouraged, but is not" and adds additional wording as to the timing. It also exempts a minor subdivision as set forth in section 2.4 from this requirement.

May 19, 2004

Section 4: Application Procedures & Requirements

- Amend Sub-Sections 4.6.5 (c.) & (d.) Yield Plan and 4.6.5 Innovative Open Space Bonus to address changes required by the changes in the Stratham Zoning Ordinances pertaining to density bonuses which may be granted under the Open Space Cluster regulations and expands the requirements for a viable lot.
- Amend Sub-Section 4.6.2 Application Procedures of the Stratham Subdivision Regulations by replacing said Sub-Section with a three-step process for any applications for a cluster subdivision.
- Amend Section 4.3.4 Table of Minimum Lot Size by Soil Classification to replace the Table with the update as recommended by the Soils Based Lot Sizing manual, dated September 2003, sponsored by the Society of Soil Scientists of Northern New England.
- Amend the Stratham Subdivision Regulations to provide for a specification for the installation of Fire Cisterns within subdivisions as may be required. Add a new Section 4.5.3 Fire Protection Structures.

Section 5: Design & Construction Requirements

- Amend the Stratham Site Review Regulations to provide for a specification for the installation or Fire Cisterns within projects as may be required. Add a new Section 5.11 (b).

May 19, 2004:

Amendments have been placed at end of this section.

December 3, 2003

Board acceptance of the reformatting of the document, with only cosmetic changes.

May 1, 2002:

Section 2.3.1: Submission Period

- Amended advance submittal requirement from 15 to 20 days in (a).
- Added provision regarding 10-day advance submittal for continued applications in (b).

- Added provision that Planning Board review of tardy submittals will be delayed in (c).

Section 2.3.3: Planning Board Responsibilities

- Added provision (b) regarding Town Planner issuing an advisory determination of complete application.

January 31, 2001:

Section 1.5.19: Definitions

- Amended subsection related to "Pork Chop Lots" to reflect previous changes in Section 4.4.2.

Section 4.3.1: Minimum Lot Sizes

- Amended subsection (c) 2 to clarify the necessary lot size for duplex uses when the total number of bedroom exceed 4.

June 21, 2000:

Section 2.12(c): Subdivision Permits & Site Plans

- Removed reference to special exception and add a second paragraph which outlines a waiver procedure

Section 4.4.2: Pork Chop Lot Subdivision

- Amended to clarify the purposes of the pork chop lot subdivision provisions and to address inconsistencies with recently amended dimensional requirements in the zoning ordinance

August 18, 1999:

Section 1.5.19: Definitions

- Amended to add Pork Chop lot definition

Section 2.1.2(c): Subdivision Permits & Site Plans

- Amended to clarify procedure for variances and special exceptions

Section 2.2.3: Limits of Review

- Amended to change communication from Planning Board to Applicant from written to verbal in preliminary consultations.

Section 2.3: Formal Application Review Process

- Amended Section 2.3.2. (c) to require additional plan sets be submitted with an application
- Amended Section 2.3.6 (a) (b) to change the required fees for subdivision application
- Amended Section 2.3.7 to change time requirements for approval per amended RSA 676:4

Section 3.3.4(g): Other Required Exhibits

- Amended to add the word FEDERAL

Section 4.3.1(a): Minimum Lot Sizes

- Amended to delete language concerning cluster subdivisions

Section 4.4: Design Standards

- Amended Section 4.4.1 (a) & (b) to provide pork chop lot with a separate Section 4.4.2 and renumber sections accordingly
- Amended Section 4.4.2 now 3 (a-1) to add further language affecting dead-end streets
- Amended Section 4.4.2 now 3 (l) to change PLANNING BOARD to BOARD OF SELECTMEN
- Amended Section 4.4.3 now 4 to refer to NHDOT standards for curbing

- Amended Section 4.4.5 now 6 to change NHDPWH to NHDOT
- Amended Section 4.4.9 now 10 to add NHDES to the language
- Removed former Section 4.4.10—On-site Sewage Disposal Systems. See language adopted under Section XX of the Zoning Ordinance
- Removed former Section 4.4.17—House Numbers and Street Names. See Section 4.4.3 (l) & (m)

Section 4.6: Open Space Cluster Subdivision

- Added Open Space Cluster Subdivision Regulations

December 4, 1996:

Section 2.3.6(e): Municipal Review Costs

- Added Section 2.3.6(e)4 (reimbursed for services)

November 17, 1993:

Section 2.3: Formal Application Review Process

- Amend Section 2.3.6, Item (e) with additional language
- Amend Section 2.3.8 with additional language

Section 4.3: Soil-Based Lot Size Determination

- Amended Section 4.3.1, Item (b)-1 with new language
- Amended Section 4.3.1, Item (b)-3 with new language

Section 4.4: Design Standards

- Amended Section 4.4.2, Item (a)-1 with additional language
- Deleted language from Section 4.4.7
- Replaced the existing language of Section 4.4.11
- Deleted Section 4.4.6
- Deleted Table 2 in Addendum A
- Replaced Section 4.4.14 with new language
- Amended Section 4.4.1, Item (b)-1 with additional language
- Amended Section 4.4.2, Items (h), (k) and (o)
- Amended Section 4.4.17
- Amended second sentence of Section 4.4.5

Section 4.5: Construction Standards

- Added a new Item (k) to Section 4.5.1
- Deleted Section 4.5.2
- Deleted Section 4.5.3
- Amended Section 4.5.1, Items (b), (d), (g) and (j)
- Amended Section 4.5.2

Addendum A:

- Amended Section 4-A with additional language
- Amended Figures B, C, and D

Addendum C:

- Replaced Addendum C

August 21, 1991:

Section 2.3: Fees and Charges

- Amended Section 2.3.6 (a)
- Amended Section 2.3.6 (b)

Section 2.3.8: Decision of the Board

- Amended Section 2.3.8 (a) addition to first paragraph

Section 4.3: Soil-Based Lot Size Determination

- Amended Section 4.3.1 (a)
- Amended Section 4.3.1 (c)
- Replaced Table 4.3.4
- Deleted Addendum C

Section 4.4.8: Performance and Maintenance Security

- Replaced Section 4.4.8 with new paragraph

Section 4.4.14: Erosion and Sediment Control

- Replaced the existing language of Section 4.4.14

July 26, 1989:

Section 1.5: Definitions

- Inserted Section 1.5.8 (Dead-end Street)
- Amended Section 1.5.25 now 26 (Street)
- Amended Section 1.5.28 now 29 (Wetlands)

Section 2.1.2: Subdivision Permits and Site Plans

- Added Section 2.1.2.c

Section 3.1.2: Identifying Information

- Added Section 3.1.2(f)

Section 3.3.3: Construction Plan

Amended first, second paragraphs; and Section 3.3.3(a)

Section 4.3.1: Minimum Lot Sizes

- Amended Section 4.3.1(a), first paragraph
- Amended Section 4.3.1(b) 3
- Added Section 4.3.1(b) 4
- Amended Section 4.3.1(c) 1, second paragraph

Section 4.4.2: Streets

- Amended Sections 4.4.2(a) to (h)

Section 4.4.5: Driveways

- Added second paragraph

July 26, 1989: (continued)

Section 4.4.6: Drainage Improvements

- Amended second sentence

Section 4.4: Design Standards

- Added Section 4.4.8 (Performance and Maintenance Security)
- Added Section 4.4.11 (On-site Sewage Disposal Systems)

Section 4.4.12: Flood Hazard Areas

- Added Section 4.4.12(e)

Section 4.4.15: Monuments

- Amended second sentence

Section 4.5.1(e): Street Paving

- Amended second paragraph, second sentence

Section 4.5.2: Storm Water Sewers and Other Drainage Appurtenances

- Amended Section 4.5.2(a)

Section 5: Cluster Developments

- Deleted entire Section 5
- Addendum A to Subdivision Regulations:
- Amended title, Sections II.C; II.F; II.K; V.E; VI.F; Table 1; Table 2, second paragraph
- Amended Typical Road Section (Figure A)
- Amended Figures B, C, D

February 3, 1987:

Adoption of Revamped Subdivision Regulations. The Town of Stratham originally adopted Subdivision Regulations on March 11, 1958.