

**TOWN OF NEW BOSTON, NEW HAMPSHIRE**

**SUBDIVISION REGULATIONS**

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Amended August 5, 1986  
Amended June 25, 1996  
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**SECTION I                    AUTHORITY**

Pursuant to the authority vested in the New Boston Planning Board by the voters of the Town of New Boston by vote of the Town Meeting, March 12, 1968, and in accordance with the provisions of Chapter 674, Sections 35 - 42, New Hampshire RSA 1983, the New Boston Planning Board adopts the following regulations governing the subdivision of land in the Town of New Boston, New Hampshire. (Section amended 6/25/02.)

**SECTION I-A                PURPOSE**

These regulations are designed to accomplish the purpose set forth in RSA 674:36 and for the purpose of protecting the health, safety, and general welfare of the Town of New Boston and to provide for the harmonious development of the municipality and its environment. (Section added 6/25/02.)

**SECTION II                TITLE**

These regulations shall be known and cited as the "Subdivision Regulations of the Town of New Boston, New Hampshire." (Section added 6/25/02.)

**SECTION III                DEFINITIONS** (Section amended generally 6/25/02.)

- III-A**            **ABUTTER** shall have the meaning provided for in RSA 672:3, as said section may, from time to time, be amended. (Amended 3/23/10.)
  
- III-B**            **BACKLOT** shall mean a lot using backland, thereby, being behind a road frontage lot. A backlot shall have fifty feet (50') of road frontage, and maintain a corridor of 50' in width, minimally, extending to the main body of the lot.
  
- III-C**            **BOARD** means the Planning Board of the Town of New Boston.
  
- III-D**            **CERTIFICATION** means a signed, written acknowledgement by the Planning Board or such professional as the Board may designate, such as a surveyor, engineer, soil scientist, or any other professional, which states compliance with an applicable ordinance, regulation, or standard. Certification shall be accompanied by the applicable seal, if any, of the professional's license.
  
- III-E**            **CERTIFIED SOIL SCIENTIST** means a person qualified in soil classification and mapping who is licensed and certified by the State of New Hampshire Joint Board of Licensure and Certification.
  
- III-F**            **CERTIFIED WETLAND SCIENTIST** means a person qualified in wetland delineation and mapping who is licensed and certified

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by the State of New Hampshire Joint Board of Licensure and Certification.

**III-G DEVELOPMENT OF REGIONAL IMPACT** means any proposal before the Planning Board which, in the determination of the Board, could reasonably be expected to impact on a neighboring municipality, because of factors such as, but not limited to, the following:

1. The relative size or number of dwelling units as compared with existing stock.
2. The proximity of the development to the borders of a neighboring community.
3. Transportation networks.
4. Anticipated emissions such as light, noise, smoke, odors, or particles.
5. The proximity of the development to aquifers or surface waters which transcend municipal boundaries.
6. Shared facilities such as schools and solid waste disposal facilities.

(See RSA 36:55.)

**III-H DISTURBED AREA** means an area where ground cover is disturbed or removed leaving the land subject to accelerated erosion by development.

**III-I ENGINEER** means a Professional Engineer duly certified for the field in which he is working and licensed in the State of New Hampshire, or means the Consulting Engineer of the Town of New Boston.

**III-J ENVIRONMENTAL IMPACT ANALYSIS** means a statement of the effect of proposed development, and other major private or governmental actions, on the environment. (See Section IX-G.)

**III-K EROSION** means the detachment and movement of soil or rock fragments by water, wind, ice or gravity.

**III-L FISCAL IMPACT ANALYSIS** means an analysis of the costs and revenues associated with a specific development application. (See Section IX-H.)

**III-M INSPECTION AGENT** means the duly designated Planning Consultant or Official assigned by the Board.

**III-N LOT** means a parcel of land capable of being occupied, as permitted by the Town of New Boston's Zoning Ordinance, by one or more principal structures or uses and their accessory structures or uses and as shown and identified as such on a plat.

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**III-O**        **OWNER** means an individual, firm, association, syndicate, partnership, or corporation that have sufficient proprietary interest to seek development of land, who shall be required to provide adequate documentation to establish such interest.

**III-P**        **ROADWAY** means the road surface between shoulders.

**III-Q**        **STREET:** see Town of New Boston Zoning Ordinance for definition, as same may be from time to time amended.

**III-R**        **SUBDIVIDER** means the owner of record in the Hillsborough County Registry of Deeds or the authorized agent of the owner of record of a subdivision or proposed subdivision.

**III-S**        **SUBDIVISION** means:

1.     the division of the lot, tract, or parcel of land into 2 or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.
2.     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 these regulations.
3.     The grant of an easement in gross to a public utility for the purpose of placing and maintaining overhead and underground facilities necessary for its transmission or distribution network, such as poles, wires, cable, conduit, manholes, repeaters and supporting apparatus, including an unstaffed structure which is less than 500 square feet, shall not be construed as a subdivision under these regulations, and shall not be deemed to create any new division of land for any other purpose. (See RSA 672:14.)
4.     The rent, lease, development or grant of an easement to a person for the purpose of placing and maintaining a wireless communication facility shall not be construed as a subdivision under these regulations and shall not be deemed to create any new division of land for any other purpose. This does not affect other local zoning, site plan or regulatory authority over wireless communication facilities.

This definition is as provided in RSA 672:14, as the same may be from time to time amended. (Amended June 28, 2011.)

**III-T**        **SUBDIVISION - MINOR:** A minor subdivision shall be:  
(1) a division of land into 3 or fewer lots, with no potential for resubdivision and requiring no new roads, utilities, or other municipal improvements, or,  
(2) minor lot line adjustments or boundary agreements which do not create buildable lots.

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**III-U**        **SURVEYOR** means a person engaged in the business of surveying land and who is licensed for same in the State of New Hampshire.

**III-V**        **UTILITIES:** for the purpose of these regulations, utilities means private utilities such as fire protection systems, community wells, septic systems, and so on, unless otherwise stated.

**III-W**        **WETLANDS:** see Town of New Boston Zoning Ordinance for definition, as same may be from time to time amended.

**SECTION IV            PROCEDURE**

**IV-A**        **APPLICATION**        (Section amended generally 6/25/02.)

1. Whenever a subdivision as defined herein and covered by these regulations is proposed to be made, and before any conveyance of such subdivision or any part thereof is made, the owner of the land involved or his agent shall make application for approval in writing to the Board on a form provided by the Board. This form shall include a cover sheet that consists of a certification by the applicant that the application being submitted is a completed application as provided for in Section IV-F, or, that the application is a preliminary subdivision application for review under the provisions of Section IV-E. The completed application shall be accompanied by all supporting information and supporting plans and documentation required herein, and by the fees established by the Board for the notification of the owner, applicant, abutters, holders of conservation, preservation and agricultural preservation restrictions, the nearest upstream dam owner, the NH Department of Environmental Services Dam Bureau, as necessary, and every licensed professional whose seal appears on the plans, and the general public, and for the review and processing of the proposal. All such fees shall be payable to the Town of New Boston. (Amended 3/23/10.)

**IV-B**        **PRE-APPLICATION REVIEW**        (Section amended generally 6/25/02.)

1. Preliminary Conceptual Consultation. Prior to the formal submission of a subdivision layout, the applicant is encouraged to meet with the Board to review the basic concept of the proposal and to consider the Board's suggestions which might be of assistance later on in resolving problems with meeting town requirements during final plat consideration. Preliminary consultation and review shall not bind either the subdivider or the Board.

The Board and the applicant may discuss proposals in conceptual form and in general terms only, such as desirability of types of development and proposals under the Master Plan. Such discussion may occur without the necessity of giving formal notice to the

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public and abutters, but such discussion may occur only at formal meetings of the Board.

2. Design Review Phase. The Board may engage in non-binding discussions with the applicant beyond conceptual and general discussions which involve more specific design and engineering details. Design review requires the submission of an application form and preliminary plans as described in Section IV-E. Design review may proceed only after identification of, and notice to, the owner, applicant, abutters, holders of conservation, preservation and agricultural preservation restrictions and every licensed professional whose seal appears on the plans, and the general public as required by RSA 676:4,I,(d).
3. Preliminary conceptual consultation and design review shall be separate and apart from formal consideration, and the time limits for acting under RSA 676:4,I,(c),(1) shall not apply until formal application is submitted under Section IV-F hereof.

**IV-C MINOR SUBDIVISION** (Section amended generally 6/25/02.)

1. The applicant may first meet with the Board for preliminary conceptual consultation and/or design review of the proposal as discussed in Section IV-B to discuss if it qualifies as a minor subdivision as defined in these regulations. For a minor subdivision, the applicant shall submit:
  - a. A completed application, as required in Section IV-F, and
  - b. A final plat as provided in Section VII.
2. Notice of submission shall be given as provided in Section IV-J and may be combined with the notice of public hearing.
3. a) Applications requiring a hearing:  
For divisions of land into 3 or fewer lots, with no potential for resubdivision and requiring no new roads, utilities, or other municipal improvements, a public hearing, duly noticed as in Section IV-J, shall be held.  
Note: The term "utilities" is not to be construed to include such residential services as electric or telephone services under this definition. (See Section III-V, these regulations.)  
  
b) Applications not requiring a hearing unless requested:  
For minor lot line adjustments, annexations, or boundary agreements which do not create buildable lots, a public hearing, duly noticed as in Section IV-J, shall be held only if requested by the applicant or abutters, or if the Board determines to hold a public hearing. All applications submitted under this section shall be reviewed and may be approved at one or more Planning Board meetings and notice shall be given as in Section IV-J.

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**IV-D VOLUNTARY MERGER** (Section added 6/25/02.)

1. Any applicant owning two (2) or more contiguous pre-existing approved or subdivided lots who wishes to consolidate them for municipal regulations and taxation purposes may do so by applying to the Planning Board as follows:
  - a) A notice of the merger sufficient to identify the relevant parcels shall be submitted to the Planning Board for endorsement in writing. Said notice of merger shall be recorded with the Hillsborough County Registry of Deeds.
  - b) No new survey plat need be recorded.
  - c) No public hearing or notice shall be required.
  - d) Provided that such merger does not create a violation of the current ordinances and regulations of the Town, all such requests shall be approved by the Board.
  - e) A copy of the approved notice of merger shall be forwarded to the Town's assessing official(s).

This section is not intended to be the exclusive means of accomplishing merger and, thus, nothing in this section is intended to affect any other legally available or operative mechanism that would accomplish a similar merger.

**IV-E PRELIMINARY APPLICATION - DESIGN REVIEW** (Section amended generally 6/25/02.)

1. The applicant may submit a preliminary plan to the Office of the Planning Board/Planning Department not less than 15 days before any regular meeting of the Board, held on the second and fourth Tuesdays of the month. This optional step may aid both the applicant and the Board in reviewing the proposal, and is to be encouraged in order to avoid errors which may incur additional expense and delay. The preliminary plan shall be prepared as required in Section VI, and be accompanied by an application form, completed in accordance with Section IV-F, 2.a., and a completed Preliminary Layout Checklist.
2. Procedure on preliminary subdivision applications shall include notification of the various town departments, planning board members and other boards and commissions of the proposal. Such departments, boards and commissions shall have a maximum of 30 days within which to submit their written comments to the Board. For this purpose, the applicant will be required to submit:
  - a) four (4) copies of the preliminary plan.
  - b) eight legible (8) 11" x 17" copies of the preliminary plan.  
(Amended October 28, 2008.)
  - c) one (1) copy of the preliminary plan at the scale of the New Boston tax maps, i.e. 1"=400', showing lot lines and road layout only. (Section added June 12, 2007.)
  - d) three (3) copies of the preliminary road profile, if the plan includes the development of a new road.
  - e) two (2) copies of a soils map, as defined and described in the Wetland Conservation District of the Town's Zoning

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Ordinance, and in accordance with the Site Specific Soils Mapping Standards, as described in Section V-T.

- f) three (3) copies of a Certified Erosion and Sediment Control Plan or an Individual Pre-Engineered Stormwater Management Plan as required in Section V-U. (Amended March 14, 2006 & June 12, 2007.)

**Note: Plans or other documents that include a copyright notation shall expressly exempt the Town of New Boston from such copyright restrictions and shall allow copying of said plans or other documents as needed by the Town to perform the functions set forth in these Subdivision Regulations.** (Note added October 28, 2008.)

3. The Board, upon receipt of an application for development, shall review it promptly and determine whether or not the development, if approved, could reasonably be construed as having the potential for regional impact. (See definition Section III.) Doubt concerning regional impact shall be resolved in a determination that the development has a potential regional impact, and notice as provided in Section IV-J, 3, shall be given to the regional planning commission and the affected municipality.
4. If the applicant intends to submit a final plat on only a portion of the total land to be subdivided, the preliminary plan submission shall cover the entire area of the tract and shall indicate the approximate outline and sequence of those portions of the tract for which final plats will be submitted.
5. Before taking action on the preliminary plan, the Board may discuss the plan at work sessions with the applicant. During or after such discussion, the Board shall communicate to the applicant specific suggestions and/or requirements that must be met to assist in resolving problems prior to the submission of a completed application.
6. Notice of the submission of a preliminary plan shall be given as provided in Section IV-J.
7. Notice of work session(s) shall be sent to the applicant and abutters by first class mail only, as provided in Section IV-J.
8. The time limits specified in RSA 676:4 for consideration and action on the application as well as the public hearing requirements shall not apply to a preliminary plan submission.
9. The Board may, at a public hearing or work session on the preliminary application, determine that the design review process has ended and shall inform the applicant in writing within 10 days of such determination. (Added June 28, 2011.)
10. No construction, building or improvements shall occur on any lands

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included in the preliminary plan submission until final or conditional approval of a completed application has been granted.  
(Amended June 28, 2011.)

**IV-F COMPLETED APPLICATION** (Section amended generally 6/25/02.)

1. A completed application sufficient to invoke jurisdiction of the Board must include sufficient information to allow the Board to proceed with consideration and to make an informed decision.
2. The following shall be required for, and constitute, a completed application: (Amended June 28, 2011.)
  - a. An application for subdivision approval properly filled out and executed by the applicant. In the event that the applicant is not the owner of record, the owner of record must also sign the application form in the space provided. The application shall be filed with the Office of the Planning Board/Planning Department in accordance with Section IV-G.
  - b. An abutters list providing the names and mailing addresses of the applicant; owner (if different from applicant); all abutters as indicated in town records, the Hillsborough County Registry of Deeds, etc., holders of conservation, preservation or agricultural preservation restrictions, the nearest upstream dam owner, the NH Department of Environmental Services Dam Bureau, as necessary, compiled not more than five (5) days before the date of delivery of the application; and, the name and address of every licensed professional whose seal appears on the plan.
  - c. A check payable to the Town of New Boston to cover filing fees, mailing, advertising, recording, and other reasonable costs as provided in Section IV-M.
  - d. Four (4) paper print copies of the final plat prepared in accordance with and accompanied by the information required in Section VII, to be drawn at a scale of no smaller than one hundred feet to the inch (1"=100').
  - e. Eight (8) legible 11" x 17" copies of the final plat as described in d) above. (Section amended October 28, 2008.)
  - f. One copy of the final plat at the scale of the New Boston tax maps, i.e. 1"=400', showing lot lines and road layout only. (Section added June 12, 2007.)
  - g. Three (3) paper print copies of the road profiles and cross sections at 50' intervals, if applicable, prepared in accordance to the standards for road construction as described in Section IX-B, to be drawn at a vertical scale of ten feet to the inch (1"=10') and a horizontal scale of fifty feet to the inch (1"=50').
  - h. Three (3) paper print copies of the Stormwater Management and Erosion Control Plan, if applicable, in accordance with the standard specified in Section V-U,C,1. (Amended March 14, 2006 and March 23, 2010.)

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- i. Three (3) paper print copies of a soil map for the entire area under consideration for subdivision approval, in accordance with the Site Specific Soils Mapping Standards described in Section V-T.
- j. A statement of intent with regard to fire fighting water supply, if required by the Board under Section V-F. (Amended 3/23/10.)

**Note: Plans or other documents that include a copyright notation shall expressly exempt the Town of New Boston from such copyright restrictions and shall allow copying of said plans or other documents as needed by the Town to perform the functions set forth in these Subdivision Regulations.** (Note added October 28, 2008.)

3. ADDITIONAL REQUIREMENTS FOR FINAL PLANS (Added 3/23/10.)

The following items shall be submitted, unless waived, upon request and for cause, before final approval of the application can be granted:

- a. Three (3) paper print copies of the Individual Pre-Engineered Stormwater Management and Erosion Control Plans, if applicable, in accordance with the standards specified in Section V-U,C,2.
- b. Four (4) paper print copies of the proposed fire fighting water supply system design plan, if required by the Board under Section V-F, and if the applicant chooses to install a cistern. Should the applicant decided to install sprinkler systems, as noted in Section V-F, a Declaration of Covenants and Restrictions and deed language noting this stipulation shall be submitted as part of the completed application. These documents shall be reviewed by the legal counsel of the Town to ensure their acceptability and accuracy, the cost of which review shall be borne by the applicant.
- c. Warranty Deed for the transfer to the Town of any areas for dedication, conveyance, grants of easement, etc., such as for new roads and utilities, shall be submitted to reflect the areas as plotted on the final plat. Documentation shall also be submitted that will assure the Town that all encumbrances, liens, etc., have been released regarding the area to be transferred. Deeds and related documentation shall be reviewed by the legal counsel of the Town to ensure its acceptability and accuracy, the cost of which review shall be borne by the applicant.
- d. Bond and security proposal(s) for any improvements as provided for in Section VIII.
- e. Approval from the Board of Selectmen and Fire Wards of any proposed new street names.

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- f. Nine (9) copies of the traffic, fiscal and/or environmental studies.
- g. Driveway Permit(s) issued by the Town or State for all lots in the subdivision. If the proposed subdivision involves construction of a road, driveway permits for lots accessing onto the new development road shall be submitted when the road construction is at sub-grade, in accordance with the Town of New Boston Driveway Regulations. (Added June 28, 2011.)
- h. State Subdivision Approval for all lots under five (5) acres in size. (Added June 28, 2011.)
- i. Road Entry Permit(s), if applicable, issued by the State or Town. (Added June 28, 2011.)
- j. Any and all other approvals and/or permits from local or state agencies, as required, including, but not limited to, State of New Hampshire Wetland Bureau Dredge & Fill Permit, and, State of New Hampshire Alteration of Terrain (AoT) Permit as governed by RSA 485-A:17, submission of such approval to the Board to include a set of the plans approved by the State under that permitting process. (Added June 28, 2011.)

**4. DIGITAL PLAT FILING REQUIREMENTS** (Amended 3/23/10.)

Digital plat data is required of all applicants filing for major subdivision approval. The data shall be presented in AUTOCAD, .DXF or .DWG format and may be submitted on CD or DVD to the Town of New Boston Office of the Planning Board/Planning Department. Each disk shall be labeled with the applicant's name and the tax map and lot numbers written thereon. The data shall be a line drawing of all parcel boundaries and of the outline of all buildings on the property.

Although not required, state plane coordinates should be provided on two corners of the property being subdivided. The requested datum is NAD'83.

Applicants without AUTOCAD software shall furnish the data in .DXF format that is compatible with AUTOCAD software.

Those applicants without computer assisted drafting capability shall be assessed a fee of \$150.00 per plan sheet to cover the costs of converting hard copy plans to the computer based tax map.

- 5. If the Planning Board requires the review of material by an outside consultant, or the creation and submission of special studies, the cost of same shall be borne by the applicant.

**IV-G FILING AND SUBMISSION OF COMPLETED APPLICATION** (Section amended generally 6/25/02.)

- 1. The completed application shall be filed with the Office of the Planning Board/Planning Department at least 15 days prior to a

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scheduled public meeting of the Board, as provided for in Section IV.

2. The completed application shall be formally submitted to and accepted by the Board only at a regularly scheduled public meeting after due notification to the owner, applicant, abutters, holders of conservation, preservation and agricultural preservation restrictions, the nearest upstream dam owner, the NH Department of Environmental Services Dam Bureau, as necessary, and, every licensed professional whose seal appears on the plans, and the general public of the date the completed application will be submitted to and heard by the Board. (Amended 3/23/10.)
3. The Board shall reject all applications not properly completed and shall render a written decision pursuant to RSA 676:3 describing the information, procedure or other requirement necessary for the application to be complete. In addition to notifying the applicant, the decision shall be placed on file in the Office of the Planning Board/Planning Dept. and made available for public inspection within 5 business days after the decision is made. (Amended 3/23/10.)
4. An application shall not be considered incomplete solely because it is dependent upon the issuance of permits or approvals from other governmental bodies; however, the Planning Board may condition approval upon the receipt of such permits or approvals in accordance with Section IV-I,2, below. (Added June 28, 2011.)
5. Applications may be disapproved by the Board without a public hearing on grounds of failure of the applicant to supply any information, pay fees, or meet any reasonable deadlines required by these regulations or the Board. A Notice of Denial as addressed in Part 3 of this Section shall be provided indicating the reason(s) for disapproval.

**IV-H BOARD ACTION ON COMPLETED APPLICATION** (Section amended generally 6/25/02.)

1. The Board shall, at the next regular meeting or within 30 days of its delivery to the Office of the Planning Board/Planning Department for which notice can be given in accordance with Section IV-J, determine if the submitted application is complete according to the Subdivision Regulations, and shall vote upon its acceptance. The Board shall act to approve, conditionally approve or disapprove the completed application and final plat within 65 days after the determination of the completeness of the application, subject to extension or waiver as provided for in accordance with RSA 676:4,I(f), as amended.
2. If the Planning Board has not obtained an extension as provided in Section IV-H,1 above, and has not taken action to approve, conditionally approve or disapprove the completed application

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within 65 days of the determination of its completeness, the applicant may obtain from the Selectmen an order directing the Board to act within 30 days. If the Board does not act on the application within that 30 day time period, then within 40 days of the issuance of the order, the Selectmen shall certify on the applicant's application that the plat is approved, pursuant to RSA 676:4,I,(c),(1), unless within those 40 days the Selectmen have identified in writing some specific subdivision regulation or zoning or other ordinance provision with which the application does not comply. Such a certification, citing RSA 676:4,I,(c),(1), shall constitute final approval for all purposes including filing and recording under RSA 674:37 and 676:18, and court review under RSA 677:15. Failure of the Selectmen to issue an order to the Planning Board, or to certify approval of the plat upon the Board's failure to comply with the order shall entitle the applicant to petition the Hillsborough County Superior Court as provided in RSA 676:4,I,(c),(2).

3. No construction, building or improvements shall occur on any lands included in the final plan submission until final or conditional approval of a completed application has been granted.
4. Approval of the final plat shall be certified by written endorsement on the final plat and signed by the Chairman and Secretary of the Planning Board, in the form designated in Section VII-A. The Office of the Planning Board/Planning Department shall transmit a mylar of the final plat, with such approval endorsed in writing thereon, to the Register of Deeds of Hillsborough County. The subdivider shall be responsible for the payment of all recording fees.
5. In the case of disapproval of any plat submitted, the grounds for such disapproval shall be adequately stated in the records of the Planning Board.
6. In the event that conditions precedent or subsequent are a condition of final approval, either the final plat will not be signed or recorded, or if a bond or other security has been submitted and the plat has been recorded, no bonds or other security shall be released until all conditions precedent or subsequent have been met, and, if required under Section IV-I, a compliance hearing is held.
7. Notwithstanding any final approval, no occupancy permits shall be issued until satisfactory completion of all conditions precedent and/or subsequent is confirmed by the Board, except upon such terms as the Planning Board may have authorized as part of its decision approving the plan, and, failure to satisfy conditions required may constitute grounds for revocation of approval, as provided in Section IV-L.

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**IV-I PUBLIC HEARINGS** (Section amended generally 6/25/02.)

1. Before the final plat is approved or disapproved, a public hearing shall be held as required by RSA 676:4,I,(e) and notice to the owner, applicant, abutters, holders of conservation, preservation and agricultural preservation restrictions, the nearest upstream dam owner, the NH Department of Environmental Services Dam Bureau, as necessary, and every licensed professional whose seal appears on the plans, and the general public shall be given in accordance with Section IV-J. A public hearing may not be required for minor subdivisions as provided in Section IV-C. (Amended 3/23/10.)

2. If the Board places a condition precedent on the approval (one to be fulfilled before construction can commence, such as obtaining an easement, posting a bond, etc.) such approval shall become final without further public hearing being required, upon evidence submitted by the applicant of the satisfactory compliance with the conditions imposed. This may occur only when the conditions precedent are:

- a) Minor plan changes whether or not imposed by the Board as a result of public hearing, compliance with which is administrative and which does not involve discretionary judgment; or,
- b) Conditions which are in themselves administrative and which involve no discretionary judgment on the part of the Board; or,
- c) Conditions with regard to the applicant's possession of permits and approvals granted by other boards or agencies, including State and federal permits.

Such conditions may include a statement notifying the applicant that an approval is conditional upon the receipt of State or federal permits relating to a project, however, the Planning board may not refuse to process an application solely for lack of said permits.

All conditions not specified in this section as minor, administrative, or relating to issuance of other approvals shall require a noticed public hearing at which affected parties will have an opportunity to review and comment on the developer's compliance with the condition(s) precedent. Notice shall be provided as in Section IV-J. (Amended June 28, 2011.)

3. If the Board imposes a condition(s) subsequent, such as the completion of on-site or off-site improvements before the subdivision is considered to be completed, an additional noticed public hearing shall be held at which interested parties and town officials will have an opportunity to review and comment on the developer's compliance with the condition(s) subsequent before any bonds are released. In the event that the condition(s) subsequent are a condition of final approval, the final plat will not be signed or recorded, or, no bonds or security shall be released, until all condition(s) subsequent have been met and a compliance hearing held, with notice as provided in Section IV-J. The final

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plat may be signed and recorded prior to the completion of condition(s) subsequent if the Board determines that the bond or other security provided is adequate to ensure compliance with any such conditions.

4. WORK SESSIONS

Should an application before the Board under the preliminary conceptual consultation or design review regulations require further discussion than that held at the initial noticed preliminary hearing, said discussion shall be held at a work session at a regular meeting of the Board, but notice shall be sent by first class mail only.

**IV-J NOTICES** (Section amended generally 6/25/02.)

1. Notice of the submission of a preliminary plan or a completed application shall be given by the Board to the owner, applicant, abutters, holders of conservation, preservation and agricultural preservation restrictions, the nearest upstream dam owner, the NH Department of Environmental Services Dam Bureau, as necessary, and every licensed professional whose seal appears on the plans by certified mail at least ten (10) days prior to the submission, and to the general public at the same time by posting in at least 2 public places in the town. The notice shall give the date, time and place of the Board meeting at which the preliminary plan, completed application or other item(s) will be formally submitted to the Board, and shall include a general description of the proposal which is the subject of the application or of the item to be considered and shall identify the applicant and the location of the proposed subdivision. (Amended 3/23/10.)
2. For any public hearing on a completed application, the same notices as required for notice of submission of the completed application shall be given. If the notice of public hearing has been included in the notice of submission or any prior notice, additional notice of the public hearing is not required. Additional notice shall not be required of an adjourned session of a hearing if the date, time and place of the adjourned session was made known at the prior hearing.
3. Upon determination that a proposed development has a potential regional impact, the Planning Board shall afford the regional planning commission and the affected municipalities the status of abutters as defined in Section III-A, for the limited purposes of providing notice and giving testimony. At least fourteen (14) days prior to public hearing, the Planning Board shall notify, by certified mail, all affected municipalities through its planning board, if any, or local governing body and the regional planning commission of the date, time, and place of the hearing and their right to testify concerning the development.
4. Notices for work sessions shall be sent by first class mail only.

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**IV-K ISSUANCE OF DECISION** (Section added 6/25/02.)

1. The Planning Board shall issue a final written decision which either approves, conditionally approves, or disapproves the application. If the application is not approved, the Board shall provide the applicant with written reasons for the disapproval. Decisions regarding incomplete applications shall be made as provided in Section IV-G,3.
2. The Planning Board's decision shall be placed on file in the Office of the Planning Board/Planning Department and shall be made available for public inspection within 5 business days after the vote to approve, conditionally approve or disapprove the application is made. A copy of the decision shall be made available to the applicant. The final written decision, including all conditions of approval, shall be recorded with or on the plat.  
(Amended 3/23/10.)
3. Within 5 business days of reaching a decision regarding a development of regional impact, the Planning Board shall, by certified mail, furnish the regional planning commission and the affected municipalities with copies of the minutes of the meeting at which the decision was made. (Section amended June 12, 2007 and March 23, 2010.)
4. Pursuant to RSA 674:39, every subdivision plat approved by the Planning Board and recorded in the Hillsborough County Registry of Deeds shall be exempt from all subsequent changes in the subdivision regulations, and other ordinances of the Town, except those regulations and ordinances which expressly protect public health standards, such as water quality and sewage treatment requirements, for a period of four (4) years after the date of recording; provided, however, that once substantial completion of the improvements as shown on the plat have occurred in compliance with the approved plat, or the terms of said approval, or unless otherwise stipulated by the Planning Board, the rights of the owner or his successor in interest shall vest and no subsequent changes in the subdivision regulations or zoning ordinance shall operate to affect such improvements, providing that:
  - a) active and substantial development or building has begun on the site by the owner or his successor in interest in accordance with the approved plat within 12 months after the date of approval, and, if a bond or other security 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;
  - b) the development remains in full compliance with the specified public health regulations and ordinances;
  - c) at the time of approval and recording, the plan conforms to the subdivision regulations and zoning ordinance then in effect at the site of such plat.
  - d) As part of its approval of a plat or plan, the Planning Board may, with due regard to the scope and details of a particular

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project, specify the threshold level of work which shall constitute "active and substantial development or building" for purposes of fulfilling paragraph a) of this section, or may, for good cause extend the 12-month period set forth in paragraph a).

5. Notwithstanding any final approval, no occupancy permits shall be issued by the Building Inspector/Code Enforcement Official until satisfactory completion of all conditions precedent and/or subsequent is confirmed by the Board, except upon such terms as the Planning Board may have authorized as part of its decision approving the plan, and, failure to satisfy conditions required may constitute grounds for revocation of approval, as provided in Section IV-L.
6. Any and all agreements and conditions of final approval shall be part of the Board's Notice of Decision, a copy of which shall be acknowledged by the subdivider's signature under the following statement: "The subdivider shall acknowledge receipt of the Notice of Decision and acceptance of all provisions set forth therein and shall return a signed copy of same to the Board for its records. Until such acknowledgement and acceptance has been filed with the Board, no further action shall be taken with regard to the final plat. Failure to acknowledge receipt of the Notice of Decision and acceptance within ninety (90) days of the Board's mailing will cause its approval to lapse."

**IV-L                    REVOCATION OF SUBDIVISION (OR PORTION THEREOF)**      (Section added  
6/25/02.)

The Board hereby includes the provisions of State of N.H. RSA 676:4-a "Revocation of Recorded Approval".

**IV-M                    FEES**      (Section amended generally 6/25/02.)

1. A preliminary application for design review or a completed application shall be accompanied by the appropriate filing fee(s) as listed in the New Boston Planning Board's Rules of Procedure. (Amended June 28, 2011.)
2. All costs of notices, whether mailed or posted, shall be paid in advance by the applicant. Failure to pay costs shall constitute valid grounds for the Board to terminate further consideration and to disapprove the plat without a public hearing.
3. The Board may require special investigative studies, environmental assessments, a legal review of documents, administrative expenses, and other matters necessary to make an informed decision, provided that the review and consultation does not substantially replicate a review and consultation obtained by the Zoning Board of Adjustment. The cost of such studies and investigations shall be paid by the

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applicant prior to the service or study being provided. (Amended June 28, 2011.)

**IV-N APPLICATION FORMS AND CHECKLISTS** (Section added 6/25/02.)

The subdivision application forms and checklists for the Town of New Boston can be found in the New Boston Planning Board's Rules of Procedure.

**SECTION V GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND** (Section amended generally 6/25/02.)

The subdivider shall observe the following general requirements and principles of land subdivision. (See RSA 674:36,II.)

- V-A** The plan shall conform with the Master Plan, Zoning Ordinance, the Official Map, if and when one is adopted, the Floodplain Development Ordinance and any other pertinent state or local laws or regulations.
- V-B** These regulations should not be interpreted as discouraging potential developers from using modern land development techniques as described in the Town of New Boston's Zoning Ordinance, and including, but not limited to, cluster or open space developments, conservation subdivisions, and so on. Any subdivider wishing to employ such techniques shall make a request, in writing, to the Board which, if it concurs with the request, may ask the subdivider to submit a development plan for consideration. The request by the subdivider will constitute a waiver of the time limits as established elsewhere in these regulations. The proposal shall be considered in accordance with existing professional standards, equivalent to those recommended by the American Society of Planning Officials. In no case shall a plan under this section be approved without a public hearing, having at least fifteen (15) days notice, and posting in at least three (3) public places in New Boston. Notice of hearing shall be sent to the subdivider and abutters by registered or certified mail with return receipt requested. All proposals submitted in accordance with this section must comply with any relevant requirements of the Town of New Boston's Zoning Ordinance.
- V-C** In reviewing and approving a proposed subdivision the Board may make recommendations to the subdivider relating to earth movement and retention of natural cover in order to preserve the natural beauty of New Boston and its environment.
- V-D** Minimum areas of lots may be prescribed to conform with the Town of New Boston's Zoning Ordinance and to assure such additional area as may be needed for each lot for on-site sanitary facilities. Setback lines relative to yard dimensions specified in the Town's Zoning Ordinance shall be shown on all lots, as well as the 200' squares regulating minimum road frontage requirements.

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**V-E** A proposal for the subdivision of land that would involve danger and injury to health, safety or prosperity; or the use of which would necessitate an excessive expenditure of public funds for the supply of services; or the development of which would interfere with the harmonious development of the municipality and its environment, shall not be approved by the Board until appropriate measures have been taken to eliminate such hazards, including, but not limited to, those listed below:

- a) Lack of adequate water supply for fire fighting purposes;
- b) Inadequacy of off-site access roads to accommodate existing and prospective traffic;
- c) Lack of adequate water supply for residential or domestic purposes;
- d) Potential drainage problems, both on- and off-site. No natural drainage way shall be obstructed unless adequate means are taken to provide for the run-off, and the proper state and local permits are in place.
- e) The need for excessive expenditure of public funds for services such as water supply, drainage, transportation, schools, or other public services.

Any special studies required to determine whether or not a proposal includes these potential threats shall be submitted, as noted in Section IV-F, before final approval of the application can be granted, unless waived, upon request and for cause. (Amended 3/23/10 & 6/28/11.)

**V-F** Fire Fighting Water Supply Systems (e.g. cisterns, sprinkler systems, etc.)

1. An acceptable fire fighting water supply system (e.g. cistern, sprinkler system, etc.) shall be installed on land subdivided into five (5) or more lots, that is not already protected by an approved fire fighting water supply system. The type of system to be used shall be chosen by the applicant and agreed to by the Planning Board following recommendation by the Fire Wards. Please refer to Section IX-I and IX-J, below.

A cistern shall:

- a) be within 2,200 feet truck travel distance to the nearest lot line of the furthest lot being proposed;
- b) have a minimum usable capacity of 30,000 gallons of water;
- c) be available year round;
- d) have an acceptable dry hydrant accessible from a town maintained road; and,
- e) comply with the requirements set forth in sub-section IX-I below.

A sprinkler system shall:

- a) comply with the requirements set forth in the Town of New Boston Building Code, Chapter NB-6.0;

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- b) comply with the requirements set forth in sub-section IX-I below.
  2. Land shall be deemed to be subdivided into five (5) or more lots pursuant to sub-section V-F,1 above if:
    - a) the pending application seeks to subdivide five (5) or more lots; or,
    - b) the pending application seeks to subdivide fewer than five (5) lots and the originating parcel (as the parcel existed in 1978 when the tax maps were first developed) has been previously subdivided into a number of lots which when added to the number of lots sought to be subdivided in the pending application total five (5) or more.
  3. Notwithstanding the provisions of sub-sections V-F,1, and 2, above, the Board may require the installation of a fire fighting water supply system (e.g. cistern, sprinkler system, etc.) for any subdivision that the Board determines involves unusual danger or injury to health, safety or prosperity by reason of a lack of an acceptable fire fighting water supply system (e.g. cistern, sprinkler system, etc.). In the event of such a requirement, the Board shall seek a recommendation from the Board of Fire Wards to establish what kind of system may be acceptable.
  4. Notwithstanding the provisions of sub-sections V-F, 1, and 2, above, when the New Boston Board of Fire Wards deems that, due to specific conditions, there is sufficient threat to life or property, it may recommend to the Planning Board that additional fire protection measures be provided, even if sprinkler systems are proposed.
- V-G** Streets shall be logically related to the topography so as to produce useable lots, reasonable grades and safe intersections in appropriate relation to the proposed use of the land to be served by such streets. Where practicable, lots shall be graded toward the ditch line of the streets. Where not practicable, adequate provisions shall be made to control the drainage of such lot by an adequate stormwater system, subject to the approval of the Road Agent, and/or the Town's consulting engineer.
- V-H** The arrangement of streets in the subdivision shall provide for the continuation of the principal streets in adjoining subdivisions, or for their proper projection when adjoining property is not subdivided.
- V-I** All lots platted for residential development shall front upon an existing public street as defined in the New Boston Zoning Ordinance, or upon a proposed street as shown on a subdivision plat to be approved by the Planning Board. This shall also apply to backlots, which shall have fifty feet (50') of said frontage.
- V-J** Center-lines of parallel two-way streets shall not be closer than three hundred and fifty feet (350') to each other.

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- V-K** Intersecting property lines at a street intersection shall be joined by a curve of at least twenty foot (20') radius.
- V-L** Streets shall be laid out to intersect as nearly as possible at right angles. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum off-set of one hundred and twenty-five feet (125') between their center lines.
- V-M** Planning Board approval of a subdivision plat with a street shown thereon does not constitute acceptance of that street as a town road. Said acceptance is a separate process governed by the Board of Selectmen.
- V-N** Reserve strips of land which, in the opinion of the Board, show intent on the part of the subdivider to control access to land dedicated to or to be dedicated to public uses shall not be permitted.
- V-O** Subdivision plats, including, preliminary plats or layouts shall show the boundaries of proposed permanent easements for utilities over or on the property wherever topography permits, and the total width of such easements shall not be less than twenty feet (20'). Such easements shall have access to existing or proposed public ways. Water courses proposed for public control shall have a permanent easement of not less than twenty feet (20').
- V-P** Areas set aside for parks and playgrounds to be dedicated or to be reserved for the common use of all property owners by a covenant in the deed, whether or not required by the Board, shall be of reasonable size and character for neighborhood playgrounds or other recreational use.
- V-Q** Names of new streets shall be approved by the Board of Selectmen in accordance with Warrant Article #10 from 2001. Final approval of street names by the Board of Selectmen and Fire Wards must be submitted to the Planning Board as part of the final application. Names of new streets shall not duplicate nor bear phonetic resemblance to the names of existing streets within the Town of New Boston and shall be subject to the final approval of the Board of Fire Wards and Board of Selectmen. Streets which join or are in alignment with streets abutting on neighboring properties shall bear the same name.
- V-R** Lots shall be laid out and graded to eliminate flood or stagnant water pools. No water shall be permitted to run into the roadway, but shall be directed into catch basins, if available, or otherwise into ditches, and shall be piped underground in a metal, concrete, or plastic (SPE) pipe of not less than twelve inches (12") in diameter, or such size as may be deemed necessary by the Road Agent.

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**V-S** New Development Roads (Section added 6/25/02.)

1. When an applicant is proposing a new development road, the following will be required in the order listed:
  - a) "New Road Entry Permit" from the Town or State is applied for and issued by the appropriate agency.
  - b) New road name is applied for in accordance with Section V-Q. (Section amended 8/10/04.)
  - c) Three (3) copies of road profiles and cross sections at fifty foot (50') intervals, prepared by an engineer in accordance with Section IX-B are submitted to the Planning Board.
  - d) The site is flagged and marked for centerline stations, approximate front lot corners and driveway locations.
  - e) The Planning Board and Road Agent, and other town boards, commissions or agencies, as appropriate, perform an on-site inspection of the marked site.
  - f) The road plans and profiles and cross sections shall be forwarded to the Town's consulting engineer for their review and approval. The cost of said review shall be borne by the applicant, the funds for which shall be deposited with the Town prior to the commencement of the review. An estimated charge of \$3,500 for the review shall be submitted to the Office of the Planning Board/Planning Department with the design plans to begin the review. Any additional costs above the \$3,500 estimate will be paid by the applicant upon receipt of a written estimate for the additional charges to be submitted by the town's consulting engineer. (Section amended June 12, 2007.)
  - g) Security for the new road construction shall be in accordance with Section VIII. (Amended 3/23/10.)
  - h) In accordance with Section IV-F "Completed Application", a warranty deed shall be submitted, with related documentation, for the roadway area to be transferred to the Town upon completion of the construction and acceptance as a Class V road. The deed and related documentation shall be reviewed by the legal counsel of the Town, and once approved by the legal counsel of the Town, the deed shall be executed and held in escrow until the improvements are completed and accepted, at which time it shall be recorded with the Hillsborough County Registry of Deeds in order to transfer title to the Town. (Amended 3/23/10.)
  - i) The applicant shall submit to the Planning Board, for review by the Town Engineer, a detailed "as-built" plan of the subdivision in accordance with Section IX-B, 10 herein. (Section amended June 12, 2007, October 28, 2008 and March 23, 2010.)

**V-T** The Planning Board of the Town of New Boston hereby adopts Site Specific Soil Mapping Standards for New Hampshire and Vermont as part of its subdivision regulations in accordance with RSA 674:35-36, to assure that the land indicated on plats submitted to the

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Planning Board is of such character that it can be used for building purposes without danger to public health, safety or welfare, and to protect ground water quality for purposes of public health and safety.

- a) Any subdivision plan which creates lots smaller than five (5) acres shall provide soil maps and information in accordance with Site Specific Soil Mapping Standards for New Hampshire and Vermont, Version 2.0, Society of Soil Scientists of Northern New England, January 1999, Special Publication No. 3, as amended.
- b) Site Specific Soil Maps shall be prepared and stamped by a Certified Soil Scientist. (Amended 3/23/10.)

**V-U STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL REGULATIONS**  
(Section added 6/25/02 and amended generally 3/14/06 and 6/12/07.)

**A. GENERAL**

1. The purpose of this Regulation is to control runoff and soil erosion and sedimentation resulting from site construction and development. Subdivision and site plans shall include plans for managing stormwater and controlling erosion and sedimentation as provided herein.

**B. DEFINITIONS**

The following definitions apply to this Stormwater Management and Erosion and Sediment Control Regulation:

1. Best Management Practice (BMP): A proven or accepted structural, non-structural, or vegetative measure the application of which reduces erosion, sediment, or peak storm discharge, or improves the quality of stormwater runoff.
2. Critical Areas: Disturbed areas of any size located within 75 feet of a stream, bog, water body, very poorly drained soils or 50 feet of poorly drained soils; disturbed areas exceeding 2,000 square feet in highly erodible soils; disturbed areas exceeding 20,000 square feet in any soil type; creation of impermeable surfaces exceeding 10,000 square feet; disturbed areas within 20 feet of a side lot line or, disturbed areas containing slopes in excess of 15 percent covering 1,000 square feet or more.
3. Development: Any construction or land alteration or grading activities other than for gravel operations, agricultural and forestry practices.
4. Disturbed Area: An area where the natural vegetation has been removed exposing the underlying soil.
5. Erosion: The detachment and movement of soil or rock fragments by water, wind, ice or gravity.
6. Highly Erodible Soils: Any soil with an erodibility class (K factor) greater than or equal to 0.43 in any layer as found in Table 3-1 of the "Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire.", or any soil that has a history of high erosion as seen on site. (In New Boston the following soils

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- have been identified as highly erodible: Belgrade, Binghamville, and Saco-variant.)
7. Individual Stormwater Management Plan (ISWMP): An individual stormwater management plan created for one proposed lot in order to demonstrate that the lot is viable and can be responsibly developed. The ISWMP demonstrates one option for responsible development of the lot and is not exclusively binding upon the eventual developer.
  8. Pre-Engineered Individual Stormwater Management Plan (PEISWMP): An individual stormwater management plan that may or may not be the final ISWMP for the lot but which proves the buildability of the lot for the purposes of subdivision.
  9. Project Area: The area within the subdivision or site plan boundaries.
  10. Sediment: Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.
  11. Stabilized: When the soil erosion rate approaches that of undisturbed soils. Soils which are disturbed will be considered protected when covered by a healthy, mature growth of grass or a good covering of hay or straw mulch (2 tons/acre). Mulch is only a temporary measure; ultimately, the site needs vegetation.
  12. Stormwater Management Plan (SWMP): A stormwater management plan created for a tract of land being developed or subdivided that involves construction or reconstruction of a street or road and/or the subdivision of more than three building lots.
  13. Stormwater Runoff: The water from precipitation that is not absorbed, evaporated, or otherwise stored within the contributing drainage area.
  14. Stream: Areas of flowing water occurring for sufficient time to develop and maintain defined channels, but may not flow during dry portions of the year. Includes, but is not limited to, all perennial and intermittent streams located on U.S. Geological Survey maps.
  15. Suitable Building Envelope: An area of at least 0.5 acres of contiguous land that is all at least 75 feet from very poorly drained soils, at least 20 feet from all side lot lines and does not include any slopes in excess of 15%. All suitable building areas on a lot should be delineated and shown as one or more suitable building envelopes.

**NOTE: "Stormwater Management and Erosion Control Plan", "Stormwater Management and Erosion and Sediment Control Plan" and "Stormwater Management Plan" are used interchangeably throughout this regulation and shall mean the same plan prepared in accordance with these regulations.**

C. APPLICABILITY

1. The applicant shall submit a stormwater management and erosion control plan to the Planning Board for any tract of land being

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developed or subdivided, where one or more of the following conditions are proposed:

- a. Construction or reconstruction of a street or road.
  - b. A subdivision of more than three building lots.
2. The applicant shall submit an individual stormwater management and erosion control plan to the Planning Board for any lot being developed or subdivided, where one or more of the following conditions are proposed:
- a. Disturbed critical areas.
  - b. Creation of critical areas.
3. If a stormwater management plan or an individual stormwater management plan is required as part of the subdivision application as noted in Sections 1 & 2 above, it must be re-submitted as part of the application for a building permit. Pre-engineered individual stormwater management plans submitted at the time of subdivision can be resubmitted as final individual stormwater management plans provided the builder plans to comply with them as designed.
4. If an individual stormwater management plan is not required at the time of subdivision because a suitable building envelope of at least 0.5 acres is shown on the lots, but there are critical areas on the lots, the following notes shall be added to the subdivision plans:

"An 'Individual Stormwater Management Plan' (ISWMP) to be submitted prior to the issuance of a building permit, will be required for land disturbance or development in 'Critical Areas' (both those designated hereon or created during development). For building permits requiring an ISWMP, Certificates of Occupancy will only be issued after receipt of a 'Stormwater Management Plan Adherence Statement' as specified in the New Boston Subdivision Regulations."

"Deeds for each lot shall have the following statement: 'The property herein described is subject to the following condition as described in the recorded subdivision plan referenced above: A Stormwater Management Plan will be required prior to the issuance of a building permit if any land is to be disturbed in designated or created Critical Areas.'."

5. An individual stormwater management plan required to be submitted at the time of building permit application as noted in Section 4 above shall be prepared in accordance with these regulations.

**D. MINIMUM REQUIREMENTS**

1. The Planning Board may waive the requirement for all or part of a stormwater management and erosion and sediment control

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- plan if it determines that a plan is unnecessary because of the size, character, or natural conditions of a site.
2. All requests for waivers and action thereon shall be made in writing by the applicant, and shall be accompanied by supporting technical documentation to demonstrate minimal environmental impact. Such documentation shall include the designation of a suitable building envelope as defined in B.15 of this section. (Amended June 28, 2011.)
  3. The following minimum requirements apply to all projects, regardless of size. Please note that the additional requirements of Section F, Completed Application Requirements, may also apply unless the Planning Board deems the minimum requirements in this section to be satisfactory. (Section amended May 27, 2008.)
    - a. Site drawing of existing and proposed conditions:
      - (i) Locus map (at a scale of 1" = 2,000') showing property boundaries (Amended 3/23/10.)
      - (ii) North arrow, scale (1"=50' preferred), date
      - (iii) Property lines
      - (iv) Easements
      - (v) Structures, utilities, roads and other paved areas
      - (vi) Topographic contours at intervals not exceeding 2 feet and indicating slopes in excess of 15%
      - (vii) Critical areas and any designated Suitable Building Envelopes,
      - (viii) Surface water and wetlands, drainage patterns, and watershed boundaries
      - (ix) Vegetation
      - (x) Soils information for design purposes or for determining highly erodible soils shall be determined from a National Cooperative Soil Survey (NCSS) soil series map.
      - (xi) Temporary and permanent stormwater management and erosion and sediment control BMPs
      - (xii) Areas and timing of soil disturbance
      - (xiii) A schedule for the inspection and maintenance of all BMPs.
  4. Narrative section including discussion of each measure, its purpose, construction sequence, and installation timing as they apply to the site.
  5. Professional Certification: The stormwater management plan must be designed and stamped by a professional engineer who has certified that he or she has the requisite experience and certifications to meet SWMP design requirements, including expertise in site grading, site drainage, erosion control, hydrology, and soils. It must include the following text:  
"I hereby certify that this plan has been prepared by me, a professional engineer with more than 2 years of experience in grading, drainage, hydrology and erosion and sediment control, and that this plan meets the standard SWMP design requirements.

\_\_\_\_\_ name, \_\_\_\_\_ date, \_\_\_\_\_ seal."

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6. Owner Certification: The plan must be signed by the owner and site contractor agreeing to abide by the plan.
7. Notice: A note that the professional engineer accepts the responsibility to monitor the site work and sign off on the plan with a statement that "the site work has adhered to the SWMP", and a note that "No Certificate of Occupancy will be issued without the 'SWMP adherence statement' issued in writing".

E. DESIGN STANDARDS

1. The following standards shall be applied in planning for stormwater management and erosion and sediment control:
  - a. All measures in the plan shall meet, as a minimum, the Best Management Practices set forth in the "New Hampshire Stormwater Management Manual", New Hampshire Department of Environmental Services, Volumes 1 - 3, December 2008, as amended, a copy of which is available in the Office of the Planning Board/Planning Dept. (Amended 3/23/10.)
  - b. Whenever practical, natural vegetation shall be retained, protected or supplemented. The stripping of vegetation shall be done in a manner that minimizes soil erosion.
  - c. Appropriate erosion and sediment control measures shall be installed prior to soil disturbance.
  - d. The area of disturbance shall be kept to a minimum. Disturbed areas remaining idle for more than 30 days shall be stabilized.
  - e. Measures shall be taken to control erosion within the project area. Sediment in runoff water shall be trapped and retained within the project area using approved measures. Wetland areas and surface waters shall be protected from sediment.
  - f. Off-site surface water and runoff from undisturbed areas shall be diverted away from disturbed areas where feasible or carried non-erosively through the project area. The integrity of downstream drainage systems shall be maintained.
  - g. Measures shall be taken to control the post-development peak rate of runoff so that it does not exceed pre-development runoff for the 2-year frequency 24-hour duration storm event and for additional storm event frequencies as specified in the design criteria of the "New Hampshire Stormwater Management Manual", New Hampshire Department of Environmental Services, Volumes 1 - 3, December 2008, as amended. (Amended 3/23/10.)
  - h. Drainage facilities shall be designed using the ten (10) year storm return frequency. Appropriate facilities shall be provided to mitigate the post development peak rate of runoff so that it does not exceed the pre-development peak rate of runoff. Applicants are encouraged to use innovative stormwater management

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techniques to retain stormwater onsite and reintroduce it to the groundwater. (Section added May 27, 2008.)

- i. Stormwater management basins and roadway cross culverts shall be evaluated using the fifty (50) year storm return frequency to check flood impacts and demonstrate that downstream properties will not be adversely affected. (Section added May 27, 2008.)
- j. Drainage swales with a slope of five (5) percent or greater shall be adequately protected against soil erosion. Permanent rip rap armor or erosion control matting shall be designed by a Professional Engineer. (Section added May 27, 2008.)
- k. When segments of closed drainage are required, drainage structures (catch basins or drain manholes) shall not be spaced greater than three hundred (300) feet apart. Drainage structures shall be required at all changes in grade, changes in alignment and intersections of multiple pipes. (Section added May 27, 2008.)
- l. Underdrains shall be required where a) the roadway is in a 4-foot cut; and, b) in all ledge cuts. The design engineer shall specify underdrain locations on the plan. The Highway Department reserves the right for the Road Agent or designated representative to require additional underdrain based on field conditions encountered during construction. (Section added May 27, 2008.)
- m. Underdrains shall outlet into a headwall or drainage structure. (Section added May 27, 2008.)
- n. Priority should be given to preserving natural drainage systems including perennial and intermittent streams, wetlands, swales, and drainage ditches for conveyance of runoff leaving the project area. (Section amended May 27, 2008.)
- o. All temporary erosion and sediment control measures shall be removed after final site stabilization. Trapped sediment and other disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized within 30 days unless conditions dictate otherwise. (Section amended May 27, 2008.)
- p. All stormwater management basins shall be constructed with an outlet structure which conforms to the "New Boston Typical Stormwater Management Basin Outlet Structure" detail provided herein. (Added 3/23/10.)
- q. Access roads shall be provided to drainage structures that will require Town maintenance. Access roads shall be 10' wide, with a 12" crushed gravel base (NHDOT 304.3), shall not exceed 10%, and shall have all appropriate easements for Town use and maintenance. (Section added June 28, 2011.)

**F. COMPLETED APPLICATION REQUIREMENTS**

1. The Planning Board shall require each of the following in the final plan unless the project is deemed of sufficiently

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minimal impact to qualify for the minimum requirements specified in Sub-Section D of this Regulation.

- a. Construction drawings
  - (1) Existing and proposed conditions:
    - (i) Locus map (at a scale of 1" = 2,000') showing property boundaries (Amended 3/23/10.)
    - (ii) North arrow, scale (1"=50' preferred), date
    - (iii) Property lines
    - (iv) Structures, roads, utilities, earth stockpiles, staging areas, equipment storage, and stump disposal
    - (v) Topographic contours at 2-foot intervals indicating slopes in excess of 15%
    - (vi) Critical areas and any designated Suitable Building Envelopes
    - (vii) Within the project area, and within 400 feet of the project boundary, surface waters, wetlands, drainage patterns and watershed boundaries
    - (viii) Vegetation
    - (ix) Extent of the 100-year flood plain boundaries, as published or determined
    - (x) Soils information for design purposes from a National Cooperative Soil Survey (NCSS) soil series map, or a Site Specific Soil Map of the site, prepared in accordance with Section V-U of the Subdivision Regulations. Highly erodible soils shall be determined by soil series.
    - (xi) Easements
    - (xii) Areas of soil disturbance
    - (xiii) Areas of cut and fill
    - (xiv) Areas of poorly and very poorly drained soils, including any portion to be disturbed or filled
    - (xv) Location of all structural, non-structural, and vegetative stormwater management and erosion and sediment control BMPs
    - (xvi) Identification of all permanent control BMPs
    - (xvii) Tabulated sequence of construction
  - b. Other plan requirements:
    - (1) Construction schedule
    - (2) Earth movement schedule
    - (3) A proposed schedule for the inspection and maintenance of all BMPs
    - (4) Description of temporary and permanent vegetative BMPs, including seeding specifications
    - (5) Description of all structural and non-structural BMPs with detailed drawings and placement of each, as appropriate
2. Report section, including:
  - a. Design calculations for all temporary and permanent structural control BMPs
  - b. A proposed schedule for the inspection and maintenance of all BMPs

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- c. Identification of all permanent control measures and responsibility for continued maintenance
- d. A drainage report with calculations showing the volume, peak discharge, and velocity of present and future runoff. For an Individual Stormwater Management Plan where less than 20,000 s.f. of impervious surface is proposed, the drainage report can be limited to engineered drainage calculations demonstrating adequacy of proposed flow sensitive structures such as culverts. (Section amended June 12, 2007.)
- e. When detention structures are planned to reduce future condition peak discharge, the soil cover complex method shall be used to compute the runoff volume and peak discharge for designing the structure. The design will conform to the criteria outlined for those types of structures given in the "Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire".
- f. Following plan approval, should site conditions change from those assumed by the design engineer during plan preparation, in the opinion of the Planning Board or its designee, (for example, if extensive logging takes place which leaves less forested area than initially was presented), new design calculations shall be required and a new Stormwater Management Plan or Individual Stormwater Management Plan will be required to be submitted and approved by the Town's consulting engineer, prior to issuance of a building permit. (Section added May 27, 2008.)

G. RESPONSIBILITY FOR INSTALLATION/CONSTRUCTION

- 1. The applicant shall bear final responsibility for the installation, construction, inspection and disposition of all stormwater management and erosion and sediment control measures required by this Regulation.
- 2a. For a stormwater management plan required for construction or reconstruction of a street or road according to Section C,1,a, above, the Planning Board will require a bond or other security in accordance with acceptable bonding methods as described in section VIII of this regulation and in an amount and with surety conditions satisfactory to the Board, providing for the actual construction and installation of such measures within a period specified by the Planning Board and expressed in the bond and surety. The bond shall be calculated using the "Town of New Boston, New Hampshire Subdivision/Site Plan Improvements Guarantee Worksheet".
- 2b. For an individual stormwater management plan required according to Section C,1,b, above, i.e. not involving construction or reconstruction of a street or road, and/or for an individual stormwater management plan required according to Section C,2,a or b, above, the following bonding requirements will apply. In either case the surety

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conditions shall be satisfactory to the Planning Board, providing for the actual construction and installation of such. The bond shall be calculated using the "Town of New Boston, New Hampshire Stormwater Management Plan Improvement Guarantee Worksheet".

- i) the applicant may choose to submit the bond or other security at the time of subdivision; or,
  - ii) the applicant, their heirs, successors or assigns, may elect to submit the bond or other security at the time a building permit is applied for. If the time of application for a building permit is later than 2 years from the approval of the subdivision the bond amount shall be recalculated using the current "Town of New Boston, New Hampshire Stormwater Management Plan Improvement Guarantee Worksheet". At no time may a Stormwater Management Plan Improvement Guarantee Worksheet that is older than 2 years be used as the basis for the bond or other security to be submitted.
  - iii) In either case the bond or other security shall be held by the Planning Board in accordance with Section VIII of these regulations.
3. Site development shall not begin before the stormwater management and erosion and sediment control plan receives conditional approval. Best Management Practices shall be installed as designed and scheduled as a condition of final approval of the plan.

**H. PLAN REVIEW AND APPROVAL**

1. The Planning Board may call for an outside technical review of any stormwater management plan that is prepared under this Regulation. Such review shall be required for any stormwater management plan submitted for construction or reconstruction of a street or road in accordance with Section C,1,a, above. Any such technical review shall be conducted by the Town's Consulting Engineer or other qualified professional consultant, as determined to be appropriate by the Planning Board, at the expense of the applicant.
2. The Planning Board shall indicate approval of the stormwater management and erosion and sediment control plan, as filed, if it complies with the requirements and objectives of this Regulation. Such approval shall be a component of subdivision or site plan approval. If disapproved, a list of plan deficiencies and the procedure for filing a revised plan will be given to the applicant.

**I. MAINTENANCE AND INSPECTION**

1. A narrative description of on-going maintenance requirements for water quality protection measures required by stormwater management and erosion and sediment control plans after final Planning Board approval shall be recorded on the deed to the property on which such measures are located. The description

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- so prepared shall comply with the requirements of RSA 478:4-a.
2. The Planning Board may require routine inspections to verify on-going maintenance of water quality protection measures. Such inspections shall be performed by the Planning Board or its designated agent at reasonable times to the landowner. The need for said inspections shall be identified as part of the Planning Board's approval of the stormwater management and erosion and sediment control plan. (Section amended May 27, 2008.)
  3. If permission to inspect is denied by the landowner, the Planning Board shall secure an administrative inspection warrant from the district or superior court under RSA 595-B.
  4. The Planning Board may require a fee for routine inspections of water quality protection measures. The fee shall be paid by the owner of the property. A fee schedule shall be established by the Planning Board which represents the cost of performing an inspection of various types of water quality protection measures. The procedure for the adoption of the fee schedule shall be as provided in RSA 676:1.
  5. In order to receive a certificate of occupancy, a "SWMP adherence statement" must be filled out and stamped by a professional engineer who has certified that he or she has the requisite experience and certifications to meet SWMP design requirements, including expertise in site grading, site drainage, erosion control, hydrology, and soils or by a person specified by the board. The form must indicate that the professional has inspected the affected area(s), and that the SWMP has been adhered to.
  6. In order to release the performance bond, the requirements of I.5 must be met and the qualified professional must attest that the affected area(s) have been adequately, and verifiably stabilized. This does not apply to a Stormwater Management Plan to be monitored by the town's consulting engineer. The Building Inspector shall forward a copy of the "Stormwater Management Plan Adherence Statement" to the Planning Board in order for the Board to release the performance bond. The Planning Board may disagree with the findings of any inspector and require that the board or their designee perform an independent inspection prior to the release of the performance bond.

STORMWATER MANAGEMENT PLAN ADHERENCE STATEMENT

I hereby certify that I \_\_\_\_\_ (PRINT NAME), a professional engineer with more than 2 years of experience in site grading, site drainage, erosion control, hydrology and soils, have inspected the affected areas as shown on the Stormwater Management Plan or Individual Stormwater Management Plan for

\_\_\_\_\_  
(PRINT APPLICANT'S NAME)

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Tax Map/Lot # \_\_\_\_\_, located on

\_\_\_\_\_ (PRINT ROAD NAME), and hereby certify that the Stormwater Management Plan or Individual Stormwater Management Plan has been adhered to and that the affected areas have been adequately and verifiably stabilized.

\_\_\_\_\_  
Signed and Sealed

\_\_\_\_\_  
Date

**V-V** Septic Systems - perc tests and test pits (Section added 6/25/02 and amended 3/23/10.)

Where private individual sewage disposal systems are proposed, the subdivider shall submit soil test information with the preliminary layout and final plat. Test pit information is to be supplied to the Planning Board on all lots, regardless of size, as part of the preliminary information to be submitted, and all test pits are to meet NH Department of Environmental Services, Subsurface Systems Bureau, standards, or the following standards for lots over five (5) acres in size:

1. Location
  - a) the pit is to be dug at the proposed leaching site;
  - b) the pit is to be 75' from very poorly drained soils or 50' from poorly drained soils;
  - c) the pit is to be 10' from any property line;
  - d) the pit is to be 75' from any well unless such well is to be filled in prior to operational approval.
2. Depth
  - a) the test pit is to be of sufficient depth to satisfy the requirements of Section V-V.
3. Logging
  - a) each test pit is to be logged by a licensed septic designer in the State of New Hampshire;
  - b) the following items are to appear in the log:
    - i) depth of pit;
    - ii) depth to Estimated Seasonal High Water Table (E.S.H.W.T.);
    - iii) depth to ledge;
    - iv) depth to impermeable substratum;
    - v) soils texture and color;
    - vi) date of test pit and perc tests.
  - c) each test pit is to be flagged, numbered and located on the plan.
4. Ledge
  - a) if ledge is encountered at 4' or less, then two additional pits are to be dug down slope to prove that a receiving layer exists;
  - b) no lots shall be considered for subdivision unless there is a minimum 3' receiving layer above ledge, unless such lot has an approval for construction by the Department

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of Environmental Services prior to Town of New Boston Planning Board approval.

5. E.S.H.W.T.
  - a) bed bottom to be 48" above E.S.H.W.T.
6. Receiving Area
  - a) the receiving area for each lot is to be 4,000 square feet. The area is to be denoted on the subdivision plan; the area must meet all the setbacks as required in 1 above; geometry of such receiving area to be capable of supporting a leachfield.
  - b) receiving area must be a minimum of 18" to E.S.H.W.T.
7. Percolation Tests
  - a) one perc test is to be done on each lot in the proposed leaching area;
  - b) see N.H. D.E.S. Requirements for procedure.
8. Inspections
  - a) the Planning Board, or its agent, may elect to inspect test pits.

V-W Groundwater Protection (Section added 3/23/10.)

1. Any application for subdivision review which involves the proposed receiving, handling, storing or processing of any regulated substance (as defined by RSA 339-A:2) shall disclose this information as part of the application submission. Copies of all appropriate state permits as required by the NH Department of Environmental Services for the proposed use shall be submitted to the Town of New Boston Health Officer and New Boston Fire Department as part of the subdivision application.
2. Subdivision applications which involve property contaminated by hazardous or toxic materials (as defined by RSA 339-A:2) shall disclose such information as part of the application. If the Planning Board finds that a potential health risk or an environmental threat exists from a previous use or existing use of the site, then the Planning Board shall require that any environmental assessment that has been completed and submitted to the NH Department of Environmental Services shall be submitted to and reviewed by the Town Health Officer (or third party consultant of the Board's choice and at the applicant's expense) prior to any Planning Board action.

**SECTION VI**                      **PRELIMINARY PLAN LAYOUT**                      (Section amended generally 6/25/02.)

The preliminary plan layout shall be submitted in the number of copies as specified in Section IV-E. Dimensions may be approximate and the data may be tentative. A preferred scale is fifty feet to the inch (1" = 50'), and a vertical scale of not more than forty feet to the inch (1" = 40') is to be used. The plan should show, or be accompanied by

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such forms of, the following information as the Board may deem applicable:

- VI-A** The names, addresses and deed references to the ownership title of the proposed subdivision, the owner(s) of record, subdivider, if other than the owner, abutters, holders of conservation, preservation or agricultural preservation restrictions, the nearest upstream dam owner, the NH Department of Environmental Services Dam Bureau, as necessary; and the names and addresses of every licensed professional whose seal appears on the plan. (Amended 3/23/10.)
- VI-B** Date of plan and revisions; north point; graphic and written scale; and, locus map showing the site location, north point and main traffic arteries.
- VI-C** Subdivisions and buildings 100 feet away; roads and drives 200 feet away; parks or public open spaces.
- VI-D**
1. Existing and proposed location of property lines and their approximate dimensions;
  2. Existing easements;
  3. Existing buildings;
  4. Water courses, ponds and standing water, wetlands, rock ledges, acreage breakdown of the types of wetlands on the lots and setback distances in accordance with the Wetlands Conservation and Stream Corridor District of the Zoning Ordinance. (Section amended June 12, 2007.)
  5. Zoning district(s), setbacks, 200 foot squares, designated suitable building envelopes; (Amended March 14, 2006.)
  6. Topographic contours at 5' intervals; and,
  7. Location of existing and proposed water mains, sewers, culverts, drains, and other private and public utilities, and proposed connections or alternative means of providing water supply and disposal of sewage and surface drainage.
- VI-E**
1. Location of each percolation test hole and test pit.
  2. Test pit information log in accordance with Section V-V. (Amended 3/23/10.)
- VI-F** Location, name, width and administrative classification of proposed and existing streets and highways bounding, approaching, or within four hundred (400) feet of a lot line; and profiles of proposed streets with elevations at intervals of fifty feet (50') to indicate the existing topography and proposed grades; and typical cross sections. Plans shall be submitted in the number of copies as specified in Section IV-E.
- VI-G** Where the topography is such as to make difficult the inclusion of any facilities mentioned above within the public area as laid out, the preliminary layout shall show the boundaries of proposed permanent easements over or under private property. Such easements shall conform to the requirements as set forth in Section V-0 and

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shall be dimensioned so as to allow delineation on the ground.  
(Amended June 28, 2011.)

**VI-H** Location of all parcels of land to be dedicated to public use and the conditions of such dedication, and a copy of such restrictions as are intended to cover part or all of the tract.

**VI-I** Preliminary design of any bridges or culverts which may be required.

**VI-J** Location, design, details of installation and other pertinent information as required in Section V-U for submission of a Certified Soil Erosion and Sediment Control Plan, in the number of copies as specified in Section IV-E. This shall include a note on the plan stating AN "INDIVIDUAL STORMWATER MANAGEMENT PLAN" (I.S.W.M.P), TO BE SUBMITTED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT, WILL BE REQUIRED FOR LAND DISTURBANCE OR DEVELOPMENT IN "CRITICAL AREAS" (BOTH THOSE DESIGNATED HEREON OR CREATED DURING DEVELOPMENT). FOR BUILDING PERMITS REQUIRING AN I.S.W.M.P., CERTIFICATES OF OCCUPANCY WILL ONLY BE ISSUED AFTER RECEIPT OF A "CERTIFICATE OF COMPLIANCE" AS SPECIFIED IN THE NEW BOSTON SUBDIVISION REGULATIONS." (Amended March 14, 2006.)

**VI-K** Whenever preliminary layouts as submitted cover only a part of the subdivider's entire holding, a sketch of the prospective future street system of the unsubmitted part shall be furnished and the street system of the submitted part will be considered in light of adjustments and connections with the street system of the part not submitted.

**VI-L** Temporary stakes along the center lines of new roads and at approximate road fronting lot corners and driveway locations shall be driven in the ground to facilitate inspection.

**VI-M** Soil information as described and defined in the Wetlands Conservation and Stream Corridor District of the Town's Zoning Ordinance and submitted in the number of copies as specified in Section IV-E. In the event that a wetland will be crossed by a new development road and/or driveway, application for a Conditional Use Permit from the Planning Board shall be submitted for preliminary review under the terms as specified in the Wetlands Conservation District. (Section amended June 12, 2007, and June 28, 2011.)

**VI-N** Source of soils information shall be:

1. The subdivision plan shall provide soil maps and information in accordance with Site Specific Soil Mapping Standards for New Hampshire and Vermont, Version 2.0, Society of Soil Scientists of Northern New England, Publication No. 3, January 1999, as amended.
2. Maps prepared by field examination shall be prepared and stamped by a Certified Soil Scientist.

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3. All costs of preparing soil data shall be borne by the applicant. (Amended June 28, 2011.)

**SECTION VII FINAL PLAT** (Section amended generally 6/25/02.)

**VII-A** The final plat shall be prepared by a surveyor licensed in the State of New Hampshire in permanent black ink, on a permanent reproducible linen or polyester film. It shall be submitted in one (1) original and a minimum of three (3) blue (black) line prints on paper. If State Subdivision Approval from the New Hampshire Department of Environmental Services is required, an additional blue/blackline copy of the final plat shall be submitted for distribution to that agency. If Individual Pre-Engineered Stormwater Management Plans were required for the subdivision, an additional blue/blackline copy of the final plat shall be submitted for distribution to the Building Inspector/Code Enforcement Officer. The overall sheet size shall be in accordance with requirements of the Register of Deeds. A margin of at least one (1) inch shall be provided outside the ruled border lines on three sides and at least two (2) inches along the left side for binding. Adequate space shall be available on the plat for the necessary endorsement by the Board which wording shall read "Approved by the New Boston Planning Board on \_\_\_\_\_. Certified by, \_\_\_\_\_, Chairman, and by \_\_\_\_\_, Secretary." (Amended 3/23/10 & 6/28/11.)

**VII-B** The final plat shall show the proposed subdivision name or identifying title; the names, addresses and deed references to the ownership title of the proposed subdivision, the owner(s) of record, the subdivider, if other than the owner, all abutters as specified in Section IV-F, all holders of conservation, preservation and agricultural preservation restrictions, the nearest upstream dam owner, the NH Department of Environmental Services Dam Bureau, as necessary; and the name, address and seal of every licensed professional whose seal appears on the plan; date of plan, including revision dates; graphic and written scale; locus map showing the subdivision site, north point and main traffic arteries; north point; and, certification by the surveyor that all bounds have been set, in accordance with Section IX-A. (Amended 3/23/10.)

**VII-C** Street lines, building lines, pedestrian ways, lot lines, driveway locations, reservations, the location of fire protection systems (e.g., cisterns), if required or existing, easements, wetland areas, areas to be dedicated to public use and areas the title to which is to be reserved by the developer.

**VII-D** Sufficient data so that the Board may determine readily the location, bearing and length of every street line, lot line, easement line, boundary line and to reproduce such lines upon the ground. All dimensions shall be shown to the nearest hundredth of a foot and bearings to be at least a half a minute. The error of

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closure shall not exceed one to 10,000 and shall be certified by the surveyor registered in the State of New Hampshire. Certification shall verify that an actual field survey has been performed and the method used for the survey. Survey of large areas of remaining acreage which are not being proposed for development may be exempted by the Board, upon request by the applicant.

**VII-E** Lot dimensions, areas in square feet and acres, and consecutive numbering of lots in accordance with the tax map numbering system for the Town of New Boston.

**VII-F** Accurate dimensions and location of all easements, either on or off the site. A written acknowledgement of the subdivider's responsibility for maintenance, and assumption by him of liability for injuries and damages that may occur on any land to be dedicated for public use, until the deed to such land has been legally accepted by the Town and recorded in the Hillsborough County Registry of Deeds.

- VII-G**
1. Subdivisions and buildings 100 feet (100') away.
  2. Roads and drives 200 feet (200') away; existing and proposed streetlines; existing and proposed street right-of-way widths; street names; stations; radii; curve data; pavement widths.
  3. Setback lines; 200' squares; zoning district(s); designated suitable building envelopes; a statement incorporating the requirements of the subdivision regulations. (Amended March 14, 2006.)
  4. Topographic contours at 5' intervals; water courses, ponds and standing water, wetlands, rock ledges; acreage breakdown of the types of wetlands on the lots and setback distances in accordance with the Wetlands Conservation and Stream Corridor District of the Zoning Ordinance; open space with acreage noted. (Section amended June 12, 2007.)
  5. Location of existing and proposed water mains, sewers, culverts, drains, and other utilities, and proposed connections or alternative means of providing water supply and disposal of sewage and surface drainage.

- VII-H**
1. Location of each percolation test hole and test pit.
  2. Approval of subdivision by New Hampshire Department of Environmental Services, Subsurface Systems Bureau, with recorded number, unless subdivision lot is greater than five (5) acres and approval is not required by the Division.
  3. Test pit information log in accordance with Section V-V.
  4. Approval of any encroachment in wetlands as authorized in accordance with a Dredge and Fill Permit issued by the New Hampshire Wetlands Bureau.

**VII-I** Location, name, width and administrative classification of proposed and existing streets and highways bounding, approaching, or within four hundred (400) feet of a lot line and profiles of proposed streets with elevations at intervals of fifty feet (50') to

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indicate the existing topography and proposed grades; and cross sections at intervals of fifty feet (50'), as well as at all proposed culvert inlet and outlet stations. Plans shall be submitted in the number of copies as specified in Section IV-F.

**VII-J** Where the topography is such as to make difficult the inclusion of any facilities mentioned above within the public area as laid out, the final plat shall show the dimensions of the boundaries of proposed permanent easements over or under private property. Such easements shall conform to the requirements as set forth in Section V-O. (Amended June 28, 2011.)

**VII-K** Location of all parcels of land to be dedicated to public use and the conditions of such dedication, and a copy of such restrictions as are intended to cover part or all of the tract.

**VII-L** Location, design, details of installation and other pertinent information as required in Section V-U for submission of a Certified Soil Erosion and Sediment Control Plan, in the number of copies as specified in Section IV-F. This shall include a note on the plan stating AN "INDIVIDUAL STORMWATER MANAGEMENT PLAN" (I.S.W.M.P), TO BE SUBMITTED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT, WILL BE REQUIRED FOR LAND DISTURBANCE OR DEVELOPMENT IN "CRITICAL AREAS" (BOTH THOSE DESIGNATED HEREON OR CREATED DURING DEVELOPMENT). FOR BUILDING PERMITS REQUIRING AN I.S.W.M.P., CERTIFICATES OF OCCUPANCY WILL ONLY BE ISSUED AFTER RECEIPT OF A "CERTIFICATE OF COMPLIANCE" AS SPECIFIED IN THE NEW BOSTON SUBDIVISION REGULATIONS." (Amended March 14, 2006.)

**VII-M** Temporary stakes along the center lines of new roads and at approximate road fronting lot corners and driveway locations shall be driven in the ground to facilitate inspection.

**VII-N** Approval, as prescribed by law, from any other municipal, state or federal agency which may have jurisdiction. See Section IV-F.

**VII-O** The subdivider shall not make any changes whatsoever to the final plat as approved by the Planning Board, unless a revised plat or a plat of resubdivision is submitted to and approved by the Board.

**VII-P** A fee sufficient to cover the cost of filing the plat with the Register of Deeds, Hillsborough County, shall accompany the final plat.

**VII-Q** Soil information as described and defined in the Wetlands Conservation and Stream Corridor District of the Town's Zoning Ordinance and submitted in the number of copies as specified in Section IV-F. In the event that a wetland will be crossed by a new development road and/or driveway, application for a Conditional Use Permit from the Planning Board shall be submitted for preliminary review under the terms as specified in the Wetlands Conservation District. (Section amended June 12, 2007.)

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**VII-R** Source of soils information shall be:

1. The subdivision plan shall provide soil maps and information in accordance with Site Specific Soil Mapping Standards for New Hampshire and Vermont, Society of Soil Scientists of Northern New England, Publication No. 3, January 1999, as amended.
2. Maps prepared by field examination shall be prepared and stamped by a Certified Soil Scientist.
3. All costs of preparing soil data shall be borne by the applicant.

**VII-S 1.** The applicant shall provide the Planning Board with sufficient documentation to demonstrate that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

2. The applicant shall include Base Flood Elevation (BFE) data for all proposals for development greater than 50 lots or 5 acres.
3. The applicant shall submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a determination that:
  - a) all such proposals are consistent with the need to minimize flood damage;
  - b) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and,
  - c) adequate drainage is provided so as to reduce exposure to flood hazards. (Section added 8/10/04.)

**SECTION VIII      PERFORMANCE BOND** (Section amended generally 6/25/02.)

Before final approval of a subdivision by the Board, completion of improvements required by the Board as a condition of approval such as streets, utilities (private), storm drainage, and the extension of public water and sewer lines, etc., which have not been completed, shall be guaranteed by the subdivider by one of the following alternatives:

**VIII-A** Posting of a performance bond or submission of an irrevocable letter of credit, or other security, providing the type and form of the security is acceptable to the Board and approved by the legal counsel of the town, and providing the amount is sufficient to cover the cost of necessary construction, including a cost escalation factor of no more than 10 percent (10%) per year. (See RSA 674:36,III,(b).) All performance bonds shall be calculated using the road bond estimate form of the Town of New Boston.

**VIII-B** Submission of cash or a passbook in an amount sufficient to cover the cost of necessary construction, including a cost escalation factor of no more than 10 percent per year.

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**VIII-C** With any of the options stated above, release of any security shall be conditioned upon completion of the improvements covered thereby within such time as may be agreed upon between the Board and the subdivider, but in any event within five (5) years from the date of the agreement, or within one (1) year from the date of sale of the last lot in the subdivision, whichever is earlier, provided, however, that the subdivider agrees to construct the improvements necessary to service each lot, as sold, within one (1) year from date of sale in lieu of the specified period.

**VIII-D** As phases or portions of the secured improvements or installations are completed and approved by the Planning Board, the Board may partially release said security to the extent reasonably calculated to reflect the value of such completed improvements and installations, as per the Application for Inspection (roads) and the Job Inspection Sheet (utilities). (See RSA 674:36,III,(b).)

**VIII-E** Construction of all the agreed upon improvements, in accordance with the Application for Inspection and the Job Inspection Sheet, prior to final approval of the plat by the Board. No lot shall be sold or built upon prior to this final approval.

**VIII-F** Construction of all the agreed upon road improvements through the binder (base) course of pavement, as per the Application for Inspection, by the subdivider, and posting of an acceptable security of sufficient amount to cover the cost of completing the improvements.

**VIII-G** If a bond or other security is provided, it shall be approved as to form and sureties by the legal counsel of the Town.

**VIII-H** The Town of New Boston shall have the power to enforce any securities being held to secure the construction and installation of improvements and utilities by all appropriate legal and equitable remedies. (See RSA 674:36,III,(b).)

**VIII-I** Prior to the acceptance of the completed road/fire protection system by the Town, an acceptable two year maintenance bond must be submitted by the applicant for the road/fire protection system in the amount of 10% of the performance bond value.

**VIII-J** Prior to acceptance of a completed stormwater management plan, an acceptable performance bond must be submitted by the applicant. The bond will be calculated using the Town of New Boston Stormwater Management Plan Improvements Guarantee Worksheet. (Added March 14, 2006.)

**SECTION IX**

**IMPROVEMENT CONSTRUCTION REQUIREMENTS**  
6/25/02.)

(Section amended generally

The following improvements shall be installed and constructed by

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the subdivider to the satisfaction of the Planning Board and Board of Selectmen and under the supervision of the Road Agent or other designated agent of the Planning Board, as conditions precedent to the approval of the final plat, upon satisfactory completion of which the plat will be signed and recorded. In lieu of the completion of street work and utility installations prior to the final approval of the plat, the subdivider shall file a bond or make other suitable arrangements as contained in Section VIII, prior to approval of the final plat.

**IX-A** Monuments constructed of stone at least four inches (4") square on the top and at least thirty-six inches (36") long shall be set at all road fronting lot corners, so that a minimum of six inches (6") is above the ground. Monuments for lots fronting on a new development road shall be considered as part of the cost for construction, in accordance with Section VIII, and shall be installed and certified by the surveyor, prior to acceptance of the road and release of the security or recording of the final plat. Iron pins or equivalent markers at all rear and other lot corners shall be set and certified by the surveyor, prior to approval of the final plat. Drill holes shall be a minimum of two inches (2") deep, and set with a PK nail. Two bench marks of the same description as the monuments shall be set at opposite ends of the subdivision, whose tops are at an even foot in reference to the U.S.G.S. datum plan where practical, or to an assumed datum where the preceding is not feasible.

**IX-B** The New Boston Planning Board, in its efforts to promote responsible and well planned development for the Town of New Boston, has established objectives and standards with relation to the construction of proposed public right-of-ways:

1. a) In order to maintain acceptable life safety considerations for its citizens and to compose a convenient and coordinated street system, the New Boston Planning Board does not allow for the construction of non-connecting public rights-of-way.
  - i). Exception: If the subdivider has presented information and data to the Board, showing that the connection to an existing town road by any method is not possible, and upon confirmation of the facts by the consulting engineer of the Town, if appropriate, at that time only will the Board consider the construction of a non-connecting public right-of-way (loop or cul-de-sac road) within said subdivision.
- b) Roads shall be designed with regard to existing topography and the suitability of the land.

2. Prior to road construction, the applicant shall submit an amount as determined by the Town's consulting engineer and approved by the Planning Board to cover the cost of construction inspections. An escrow account will be established in the name of the applicant for the express

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purpose of the road construction inspections. The roadway shall be constructed in accordance with the following specifications:

<b>Table of Geometric and Other Standards</b> (Amended generally October 28, 2008.)			
	Primary Roads ADT>1,000	Secondary Roads ≥400ADT≤1,000	Tertiary Roads ADT≤400
a. Minimum R.O.W. width	60'	50'	50'
b. Minimum width of pavement	24'	22'	22'
c. Minimum width of sidewalks as required	4'	4'	4'
	Primary Roads ADT>1,000	Secondary Roads ≥400ADT≤1,000	Tertiary Roads ADT≤400
d. Minimum road grade	1%	1%	1%
e. Maximum road grade	9%	9%	10%
f. Grade 75' from center of intersection to PVC	-3%	-3%	-3%
g. Maximum road grade at driveway entry	8%	8%	8%
h. Minimum angle of intersection	80 degrees	80 degrees	80 degrees
i. Minimum width of gravel shoulders each side of road	4'	4'	2'
j. Minimum centerline radii on curves *Minimum shall be 300' if profile grade is greater than 8%	500'	300'	200'*
k. Minimum tangent length between reverse curves	300'	250'	200'
l. Minimum gravel road base	24"	18"	18"
i. sub-base (bank run) if unfractured, no larger than 6"	18"	12"	12"
ii. upper base (crushed gravel) stone being no larger than 1 1/2"	6"	6"	6"
iii. both layers to be properly compacted by means of a vibratory roller of no less than 27,000 lbs. dynamic force			
iv. testing of compaction to be by a qualified engineer according to 95% ASTM 1557			
m. Minimum bituminous paving	4 1/2"	4 1/2"	4 1/2"
i. base or binder course 3/4" "SUPERPAVE"	3"	3"	3"
ii. finish or wearing	1 1/2"	1 1/2"	1 1/2"

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course 1/2" or 3/8" "SUPERPAVE"			
n. Minimum road crown	2%	2%	2%
o. Shoulder cross slope	4%	4%	4%
p. Dead-end or cul-de-sac streets, if permitted	See typical detail	See typical detail	See typical detail
i. length, not more than *length to be measured from intersection of centerlines of cul-de-sac and existing road to throat of turnaround. Any dead end street or cul-de-sac street constructed in accordance herewith shall not be thereafter considered an "existing road" for purposes of this regulation so that under normal circumstances such dead end roads shall not be capable of being extended. (Section amended 8/10/04 & 6/28/11.)	1,000'	1,000'	1,000'
	Primary Roads ADT>1,000	Secondary Roads ≥400ADT≤1,000	Tertiary Roads ADT≤400
q. Clear Zone - measured from edge of traveled way	10'	8'	6'
r. Design Speed	35 mph	35 mph	35 mph
s. Stopping Sight Distance - measured along center of travel lane	250'	250'	250'
t. Center of roadway to be center of right-of-way.			
u. Right-of-way drainage to cover full R.O.W. width			
v. Culvert headers, guard rail and rip rap (Class A) to be installed at the discretion of the Road Agent.			
w. Shoulder slope beyond the gravel shoulder to be 3 to 1.			
x. Slopes to receive loam and seed to prevent erosion as required.			
y. Backslopes beyond the ditchline are to be 3 to 1, except in ledge cuts.			
z. Underdrain to be installed per detail attached. (Section added 8/10/04.)			
aa. ADT (Average Daily Traffic) is measured in Vehicle Trips per Day.			
ab. All stormwater management basins shall be constructed with an outlet structure which conforms to the "New Boston Typical Stormwater Management Basin Outlet Structure" detail provided herein. (Added 3/23/10.)			
ac. Minimum Centerline Offset for Underground Utility (UGU) Trench, if UGU approved. (Added June 28, 2011.)	28 ½'	23 ½'	23 ½'

3. All proposed drainage facilities, culverts and erosion and sediment controls shall be installed in accordance with the approved plan as required under Section V-U. Natural water courses shall be cleaned and increased in size when necessary to take care of storm run-off. Drainage swales below centerline grade shall be constructed in the street right-of-way on both sides of the paved roadway.

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4. The roadway shall be graded to the final grade in accordance with the profile and cross section submitted in accordance with Section IV-F. (Amended 3/23/10.)
5. Driveways are to be installed after the road base is in place. For driveways in a cut section, a 3% negative grade shall be maintained from the edge of the traveled way to the center of the ditchline and no more than a 3% positive grade from the center of the ditchline to the right-of-way. For driveways in a fill section, a 3% negative grade shall be maintained from the edge of the traveled way to the right-of-way. Only clean water shall be permitted to drain into the Town's ditchline. (Amended June 28, 2011.)
6. No paving shall be permitted between the period of November 1<sup>st</sup> and April 15<sup>th</sup>, annually, without the written permission of the Road Agent. Finish coat of pavement shall be applied no later than September 30<sup>th</sup>, annually. No fill or gravel shall be permitted to be placed over frost.
7. After the binder (base) course of pavement is approved, the subdivider/developer will allow the road to set over one (1) winter, during which period, he will be liable for the road including, but not limited to, winter maintenance. The wearing (finish) course of pavement will be applied no later than one (1) year from the date of application of the binder course, or at the discretion of the Road Agent. Security for same shall be as described in Section VIII.
8. All streets shall be posted "Private" until accepted by the Town. The subdivider shall be responsible for providing and installing any and all standard street signs as approved by the Town for all street intersections.
9. The subdivider shall give the Town, on demand, proper deeds for land or rights-of-way reserved on the plat for streets, drainage, utilities (private), or other purposes, as agreed upon, and in accordance with Section IV-F. (Amended 3/23/10.)
10. AS-BUILT GUIDELINES (Section replaced October 28, 2008.)  
As-Built plans shall be submitted to the Planning Board, for review by the Town Engineer after all infrastructure improvements have been completed and at least the binder course of pavement has been placed. As-built plans submitted to the Town of New Boston shall be prepared in accordance with the following guidelines:
  - 1) Sheet size shall be 22" x 34".
  - 2) A licensed Land Surveyor shall prepare all plans. Plans shall be stamped and signed by the licensed Land Surveyor.

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- 3) The Land Surveyor shall certify on the plan that all required monumentation required by the approved subdivision plan has been set.
- 4) The design engineer shall certify on the plans that the layout of the line and grade of all public improvements is in accordance with the approved construction plans for the subdivision. This certification should be signed and stamped by the design engineer.
- 5) Plans shall be drawn to scale, preferably 1" = 50', or at the same scale as the engineer's drawings. The scale shall be indicated on the plan in written and bar scale format.
- 7) Three (3) copies of the As-built plan shall be provided to the New Boston Planning.
- 8) Upon final approval of the As-built, three (3) paper print copies and one AutoCAD (.DWG or .DXF) drawing compatible with AutoCAD software shall be submitted to the Planning Board.
- 8) In addition to the detailed as-built outlined above, the developer shall be required to submit one copy of the as-built plan at the scale of the New Boston tax maps, 1" = 400', which shows the lot lines and road layout only.
- 9) The plan shall include the following detail as applicable:
  - a. Roadway:
    - i. Roadway horizontal alignment including edges of pavement.
    - ii. Elevations shall be provided at fifty (50) foot intervals along the centerline of the constructed roadway and designate elevations on original roadway profile.
    - iii. Locations of all visible roadway components including but not limited to guardrail, driveway aprons, sidewalks, traffic signs, curbing, retaining walls, etc.
    - iv. 2-foot topography for roadway and slopes.
  - b. Drainage Improvements:
    - i. Roadway cross-culverts (reference to size, type, inverts, and direction of flow)
    - ii. Driveway culverts (reference to size, type, and direction of flow)
    - iii. End Treatments, i.e. headwalls, flared end sections
    - iv. Drainage ditches and swales (reference to lining if applicable, i.e. riprap, pavement)
    - v. Underdrain
    - vi. Drainage Structures (reference to rim and inverts)

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- vii. Stormwater management basins
  - 1) Bottom Elevation
  - 2) Berm Elevation
  - 3) Outlet Structure (reference to rims, inlet inverts, and outlet inverts)
  - 4) Emergency Overflow
  - 5) Stormwater Treatment Measures, i.e. treatment swales, level spreaders
  
- c. Fire Cisterns:
  - i. Paved vehicle pad
  - ii. Tank location
  - iii. Suction line
  - iv. Fill line
  - v. Vent
  - vi. Man-way Access
  - vii. Bollards
  - viii. Perimeter boulders
  - ix. Surface drainage
  - x. Town ROW and/or easements
  
- d. Utilities within the ROW:
  - i. Overhead utilities, i.e. telephone, electric, cable (include all utility poles with reference numbers and associated guy wires)
  - ii. Underground utilities
  - iii. Sewer (private)
  - iv. Water (private)
  - v. All related appurtenances, i.e. conduit, pipeline manholes, stubs, transformer pads, junction boxes, gates, valves, hydrants, etc.
  
- e. Miscellaneous:
  - i. Road Name
  - ii. Date of Plan (including revision dates)
  - iii. North Arrow
  - iv. Property Lines
  - v. Easements
  - vi. Cross reference to Subdivision Approval
  - vii. Stump dump locations (Amended 3/23/10.)
  
- 11. All road design and construction shall be in conformance with the Town of New Boston Subdivision Regulations. However, any subject not covered in the Subdivision Regulations shall be governed by the State of New Hampshire, Department of Transportation, "Standard Specifications for Road and Bridge Construction". Additional information on road design and construction standards can be found in the American Association of State Highway and Transportation Officials (AASHTO), "Policy of Geometric Design of Highways and Streets". (Section added 8/10/04.)

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**IX-C**            IMPROVEMENT CONSTRUCTION INSPECTIONS

The roadway shall be inspected in accordance with the "Application for Inspection" to be provided to the subdivider by the Board at the pre-construction meeting. The Application for Inspection must be signed by the Road Agent, or the Town's consulting engineer/inspector, at each inspection stage giving authorization to proceed to subsequent construction stages. The Application for Inspection must be returned to the Board in order to initiate a final inspection of the 100% completed road project. The final inspection will be performed by the Planning Board, Selectmen, Road Agent and the Town's consulting engineer/inspector. If, at the compliance hearing before the Planning Board, the road is found to be satisfactory, the Planning Board will then recommend to the Board of Selectmen that they accept the road as a Class V road for the Town, if they are so authorized, or to present it for vote of the Town Meeting.

The applicant shall submit to the Planning Board, for review by the Town Engineer, a detailed "as-built" plan of the subdivision in accordance with Section IX-B, 10 herein. (Section amended June 12, 2007 and October 28, 2008.)

**IX-D**            DRIVEWAYS            (Amended 3/23/10.)

1. All driveways shall be constructed per the Town of New Boston Driveway Regulations. (Added 3/23/10.)
2. No driveway entrance, exit or approach to any right-of-way in the Town shall be constructed or substantially altered without first obtaining a driveway permit per the Town of New Boston Driveway Regulations. (Amended 3/23/10.)
3. All driveways shall be shown on the subdivision plans.

**IX-E**            OTHER PROVISIONS

The Board adopts the provisions of RSA 674:40 - 41, "Improvements in Unapproved Streets" and "Erection of Buildings on Streets; Appeals".

**IX-F**            TRAFFIC IMPACT ANALYSIS

1. The review of any commercial, industrial, or residential development located on a town-maintained street conducted by the Planning Board under these regulations shall 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 due to the size, location or traffic-generating characteristics of the development.  
The traffic impact analysis shall address each of the following:
  - a) Traffic circulation and access, including adequacy of adjacent streets and intersections, entrances and exits, traffic flow, sight distances, accident statistics, curb

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cuts, turning lanes, and existing or recommended traffic signalization.

- b) Pedestrian safety and access.
- c) Off-street parking and loading.
- d) Emergency vehicle access.
- e) Off-site improvements necessitated by the development and to be constructed by the developer.

The Planning Board reserves the right to request additional information than that listed above, on a case by case basis.

2. The Board may retain the services of a consultant qualified in traffic planning to review the traffic impact analysis and to ensure that adequate provisions were made in the development plan to reduce or eliminate adverse impacts. The Board may further require, pursuant to RSA 676:4,I,(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.

**IX-G**      ENVIRONMENTAL IMPACT ANALYSIS

The purpose of an environmental impact analysis is to provide the Board with information needed to evaluate the effects of a proposed project upon the environment. The Board may require the developer to provide an environmental impact analysis when deemed necessary due to such things as the topography, location, or other unique characteristics of the development.

The environmental impact analysis shall consist of the following:

- a) An inventory of existing environmental conditions at the project site and in the surrounding area. The inventory should include air and water quality, water supply, hydrology, geology, soil type, topography, vegetation, wildlife, aquatic organisms, ecology, demography, land use, aesthetics, history, and archaeology.
- b) A project description and a list of all licenses, permits, or other approvals required by law or regulation.
- c) The environmental impact analysis shall assess the probable impact of the project on all the inventory items and shall include a listing of adverse environmental impacts that cannot be avoided.
- d) The environmental impact analysis shall also include the steps the applicant proposes to take to minimize adverse environmental impacts during construction and operation and whether there are any alternatives to any part of the project.

The Planning Board reserves the right to request additional information than that listed above, on a case by case basis.

**IX-H**      FISCAL IMPACT ANALYSIS

The purpose of a fiscal impact analysis is to predict both the municipal and educational servicing costs which accrue due to the public service demands of various forms of residential and

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non-residential growth. The Board may require the developer to provide a fiscal impact analysis when deemed necessary due to such things as the size, location or other unique characteristics of the development.

- a) The fiscal impact analysis shall project only the primary costs that will be incurred and the immediate revenues that will be generated.
- b) The fiscal impact analysis shall examine current costs and revenues.
- c) The fiscal impact analysis shall consider public (governmental) costs and revenues.
- d) The fiscal impact analysis shall deal with the cost and revenue implications derived from population and/or employment change.
- e) The fiscal impact analysis shall project costs only to the local jurisdictions in which the population or employment change is taking place.

The Planning Board reserves the right to request additional information than that listed above, on a case by case basis.

**IX-I** FIRE PROTECTION SYSTEMS (Section amended generally 8/10/04 and 6/28/11.)

All proposed fire fighting water supply systems (e.g. cisterns, sprinkler systems, etc.) shall be constructed and/or completely installed, in accordance with designs approved by the New Boston Board of Fire Wards, the Planning Board and the Town's Consulting Engineer, prior to the issuance of any Certificate(s) of Occupancy. The type of system to be used shall be chosen by the applicant and accepted by the Planning Board following recommendation from the Fire Wards.

a) The following procedures shall apply, for cistern design approval:

- 1. Four sets of stamped and signed final design plans for the fire protection system shall be submitted for review and approval by the Town's Consulting Engineer.
- 2. The cost of the review shall be borne by the applicant, the funds for which shall be deposited with the Office of the Planning Board/Planning Department with the submission of the design plans. An initial deposit of \$1,000 shall be provided to initiate the Town's Consulting Engineer's review. Any additional costs above the \$1,000 estimate will be paid by the applicant upon receipt of a written estimate for the additional charges to be submitted by the Town's Consulting Engineer.
- 3. Written approval of the design plans shall be submitted by the Town's Consulting Engineer to the Planning Board prior to issuing subdivision approval.
- 4. Location of the fire protection system, if applicable, shall be recommended by the Board of Fire Wards and approved by the Planning Board prior to issuing subdivision approval.

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5. Upon approval of the design plans and location, if applicable, construction of the fire protection system shall be a condition to subdivision approval, and shall require that:
- a. the applicant shall be responsible for payment of all inspection fees incurred. Inspections shall be performed by the Town's Consulting Engineering firm.
  - b. inspections of the system's construction are mandatory and must be performed in accordance with the "Construction/Installation Inspection Sheets" included in the Fire Protection Cistern Specifications of Section IX-J of these regulations. Other water supply sources for fire protection shall be inspected in accordance with approved inspection schedules.  
The Town's Consulting Engineer shall provide a construction monitoring estimate for the inspection of the cistern installation based on the complexity of the design and site conditions. Expenses will include mileage, postage and other incidentals. The mileage reimbursement shall be at the current contracted rate.
  - c. prior to construction, the applicant shall submit the sum established by the Town's Consulting Engineer to the Office of the Planning Board/Planning Department to cover the cost of the above-noted inspections. An escrow account shall be established in the name of the applicant for the express purpose of the fire protection system construction inspections, except that if the cistern is part of a subdivision that also includes road construction or reconstruction, the cistern inspection money may be combined in the monitoring escrow account for the road. (Section amended June 12, 2007.)
  - d. prior to the start of construction, a Performance Bond shall be provided in the amount of:

$$\frac{\$65,000 \times \text{Present Date ENR Cost Index}}{\$6,462 \text{ (Feb. 2002 ENR Cost Index)}} = \text{Bond Amount}$$

This security for the installation of the fire protection system shall be provided in accordance with Section VIII of these regulations;

- e. a building permit for the fire protection system shall be issued by the Town's Building Inspector;
  - f. construction of the fire protection system in accordance with the approved design plans; approval of same by the Board of Fire Wards; and, acceptance of same by the Planning Board, shall be required prior to the issuance of any Certificate(s) of Occupancy.
6. Any unexpended funds, plus interest accrued, if any, in the escrow account after the construction inspections have been completed shall be returned to the subdivider/ applicant upon final inspection and acceptance of the

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- cistern, and receipt of the final inspection costs invoice for same.
7. In the event that the inspection costs exceed the initial deposit, an additional amount to be determined by the Planning Board shall be required. Construction of the fire protection system shall not be permitted to continue until the amount determined is submitted and final acceptance of the cistern shall be withheld until all outstanding bills are paid.
  8. Prior to acceptance of the completed fire cistern, cistern site and vehicle pad by the town, an acceptable two-year maintenance bond must be submitted by the applicant for the fire cistern in the amount of 10% of the performance bond value.
  9. At the time of acceptance, the applicant shall provide an approved form of conveyance to the Town that has been reviewed by the Planning Board and Town Counsel. Such document, as determined by the Planning Board, shall convey unencumbered fee title of said cistern and necessary appurtenant land or, if agreeable to the Board, perpetual easement rights to the same.
- b) The following procedures shall apply for approval of sprinkler systems for one and two family dwellings and manufactured housing.
1. Sprinkler systems shall be installed, inspected and accepted in accordance with the standards set forth in the Town of New Boston Building Code, Chapter NB-5.0.
  2. A note shall be placed on the final plat indicating that all homes in the subdivision will be serviced by sprinkler systems installed in accordance with the Town of New Boston Building Code, Chapter NB-5.0.
  3. A Declaration of Covenants and Restrictions shall be submitted by the applicant which specifies that all homes in the subdivision will be serviced by sprinklers systems installed in accordance with the Town of New Boston Building Code, Chapter NB-5.0.  
The Declaration of Covenants and Restrictions shall be reviewed by the Planning Board and also by Town Counsel. The cost of Town Counsel's review shall be borne by the applicant.  
The Declaration of Covenants and Restrictions shall be recorded at the Hillsborough County Registry of Deeds as a condition precedent to the approval of the final plat and the applicant shall pay the recording costs.
  4. Deed language shall be submitted by the applicant which indicates that the homes within the subdivision will be serviced by sprinkler systems installed in accordance with the Town of New Boston Building Code, Chapter NB-5.0. The deed language shall be reviewed by Town Counsel, the cost of which review shall be borne by the applicant.

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5. No Certificate of Occupancy shall be issued for a home constructed with a sprinkler system until the system has been inspected, tested and accepted by the Town of New Boston Fire Inspector or their designee, in accordance with the Town of New Boston Building Code, Chapter NB-5.0.

**IX-J**      **FIRE PROTECTION CISTERN SPECIFICATIONS**      (Section amended 6/25/02, 8/10/04, and 6/28/11.)

The Town of New Boston is the ultimate owner (subject to Section IX-I,a)9 above) and the New Boston Fire Department is the only user of any cistern constructed for subdivisions. As a result, the Town and the Fire Department have a clear interest in assuring that work is satisfactory. To that end, inspections will be performed by the Town's Consulting Engineer in accordance with the relevant Construction/Installation Inspection Sheet" and as necessary. Cistern tanks shall be constructed of cast-in-place concrete, fiberglass reinforced plastic, or modular pre-cast concrete units. See relevant specifications for each below.

**A. GENERAL**

1. Cisterns shall be located no more than 2,200 feet truck travel distance from the nearest lot line of the furthest lot. The final location of any cistern must be recommended by the Board of Fire Wards and approved by the Planning Board.
2. The Town of New Boston expects the design of a cistern to be reasonable, practical, trouble-free and last a lifetime (50 years). All design and construction information shall be shown on plans.
3. The cistern shall have a minimum usable capacity of 30,000 gallons available through the suction piping system.
4. The suction piping system shall be capable of delivering 1,000 gallons per minute for three-quarters of the cistern capacity.
5. The design of the cistern shall be submitted to the Planning Board, for approval by the Town's Consulting Engineer prior to construction, per Section IX-I,a),1. All plans must be stamped and signed by a professional engineer licensed by the State of New Hampshire.
6. Each fire cistern shall be sited to the particular location by the same registered professional engineer as noted in Item #5.
7. All cistern plans shall be furnished with an Owner and Site Contractor Certification which states that "Cistern construction will be performed in accordance with the approved design plans. In all cases the current Town of New Boston Fire Protection Cistern Specifications shall be considered a part of the approved plans. The owner and contractor understand that in the event of a

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discrepancy between the two documents the Fire Wards and/or the Town's Consulting Engineer will direct the contractor how to proceed.". This certification shall be signed prior to subdivision approval being granted.

8. The entire fire cistern shall be structurally rated for HS-20 loading, unless specifically exempted in writing by the Fire Wards.
9. All drawings herein are for general diagrammatic purposes only. Alternative designs and materials can be proposed, as previously noted; all designs must be submitted to the Planning Board for review and approval by the appropriate agent/agency.
10. It is required that all work be performed in accordance with all applicable safety laws and regulations. Neither the Town nor its agents assume any responsibility relative to construction safety; that is the sole responsibility of the applicants and his agents.
11. All areas disturbed as a result of construction of the fire cistern shall be graded, loamed, seeded, fertilized and mulched. The loam shall be screened and the minimum thickness placed is to be 4 inches. It shall be kept 12 to 18 inches below the top of the manhole ring. Seed mixtures and mulch shall be applied in accordance with the standards as found in the NH Stormwater Management Manual - Volume 3 Construction Phase Erosion & Sediment Controls, as amended.
12. The roadway shoulder and vehicle pad at the fire cistern, from edge of the roadway pavement to the pumper suction connection, shall have a pitch of 3/8" per foot downgrade. There shall be a defined swale (ditchline) where both grades meet, to take runoff away from the site. The vehicle pad at the fire cistern shall be a minimum of 28' deep from edge of existing pavement by 50' wide (SEE DETAIL) and shall have a minimum of 12 inches of crushed gravel which meets NHDOT 304.3.

The vehicle pad gravel material shall be compacted to 95% of the modified proctor of the crushed gravel. The shoulder and pad shall be constructed, and paved with 4 1/2" of bituminous pavement, in accordance with Section IX-B,2,m.

13. Bottom of suction pipe to pumper connection shall not exceed 14 feet vertical distance.
14. All suction and vent piping above the cistern roof slab shall be ASTM Schedule 40 Steel. All above-grade Schedule 40 Steel piping and supports shall be painted in accordance with the following paint system: SHERWIN-WILLIAMS OR EQUAL: Safety Red:

EXTERIOR PIPING: Including vent fill and suction piping

1st Coat: High solids catalyzed epoxy - 6 mil DFT\*

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2nd Coat: High solids Aliphatic - 4 mil DFT

**\*Dry Film Thickness**

Surface preparation and application of the paint shall be in accordance with the manufacturer's requirements.

Below grade Schedule 40 Steel pipe shall be coated with CIM1000 or Elastoshield coating. Suction piping within the cistern tank is to be Schedule 10 Type 304 Stainless Steel.

15. All pipe and hardware within the cistern shall be galvanized steel to prevent corrosion. No subsequent welding or fabrication which compromises the coating of the pipe shall be permitted.
16. The 8 x 5 inch eccentric reducer is available from Boston Pipe and Fittings of Cambridge, MA, or equal.
17. The final suction connection shall be a 4-1/2 inch National Hose Male Thread. A cap shall be provided and both the cap and the adaptor shall be brass.
18. The filler pipe fitting shall be a 4" storz connection installed at a 45 degree angle, directing water downward into cistern. The filler shall be located a minimum of 36 inches, and a maximum of 48 inches, above final grade level.
19. All horizontal suction piping shall slope slightly uphill towards pumper connection.
20. All construction, backfill, and grading material shall be in accordance with proper construction practices.
21. During the construction of the fire cistern, the excavation shall be kept stable and dry. The excavated area shall be dewatered to 2 feet below bottom of footing grade for the entire construction and testing period.
22. Prior to placement of the bedding material, a layer of geotextile separation fabric shall be placed on subgrade that is stable and dry. The fabric is to be MIRAFI 140.N or equal.
23. All cisterns shall be furnished with an MUTCD R7-1, 12" x 18" 'No Parking Any Time' sign with double arrows attached to a #5 steel bar welded above the suction pipe. The steel bar shall be painted in accordance with the above grade piping specifications.
24. Installer is responsible for completely filling cistern with potable water until the cistern is accepted by the Planning Board. Contractor shall promptly refill any water drawn down by the Fire Department as a result of flow testing.

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25. ACCEPTABLE PADLOCK

In order to ensure that all cistern padlocks meet the specifications of the New Boston Fire Department, the contractor shall purchase all locks from the department. Each manway hatch shall be furnished with a lock from the NBFD. Locks will cost \$50/each.

26. Inspections shall be carried out as noted in Section IX-I,a),5.

27. The Developer shall schedule all inspections 48 hours in advance with the Town's Consulting Engineering firm.

28. Prior to the start of construction of the cistern, a preconstruction meeting shall be held at the New Boston Town Hall. The New Boston Planning Department will organize the meeting. The following parties should attend the meeting:

- \* New Boston Planning Dept. representative
- \* New Boston Fire Dept. representative
- \* Town's Consulting Engineer representative
- \* Developer
- \* Contractor (if applicable)

29. Two copies of the attached "Construction/Installation Inspection Sheet" shall be issued at each preconstruction meeting for a fire cistern installation. One copy shall be held by the developer/installer. The other copy shall be held by the Town's consulting engineer.

After a milestone inspection item on the "Construction/Installation Inspection Sheet" has been successfully completed, the Planning Board shall be given a copy of the signed off sheet.

B. CAST-IN-PLACE CONCRETE

1. All cast-in-place concrete utilized as part of the construction of a fire cistern shall meet or exceed the specification requirements listed below:

CONCRETE

- a. All concrete work shall conform to the requirements of the specifications, the latest edition of the ACI Building Code (ACI 318) and ACI 301, Specifications for Structural Concrete for Buildings, and to the International Building Code. In case of conflict, the more stringent requirements shall govern.
- b. All concrete shall be ready-mixed in accordance with ASTM C94.
- c. Vertical construction joints and stops in the concrete work shall be made at mid span. Dowels shall be provided at construction joints of area equal to 0.5% of the vertical concrete area. See specifications. Beveled keyways shall be provided at all construction joints.
- d. At least 48 hours shall elapse before depositing of new concrete against previously placed concrete.

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- e. All concrete shall attain minimum compressive strengths at 28 days age of 4,000 psi. Refer to specifications and ACI 301 for design strengths required for selecting mix proportions.
  - f. The use of calcium chloride is prohibited.
2. All cast-in-place concrete furnished as part of construction of the fire cistern and placed and cured must be in accordance with the most recent applicable ACI publication. Said ACI codes shall include but not be limited to the following:
- ACI 301 Specifications for Structural Concrete for Building
  - ACI 304 Recommended Practices for Measuring, Mixing, Transporting, and Placing Concrete
  - ACI 305 Hot Weather Concreting
  - ACI 306 Cold Weather Concreting
  - ACI 308 Standard Practice of Curing Concrete
  - ACI 309 Standard Practice for Consolidation of Concrete
  - ACI 318 Building Code Requirements for Reinforced Concrete
  - ACI 347 Recommended Practice for Concrete Formwork
3. The tolerances for concrete work is as follows:
- a. Walls - All walls shall be even in appearance. Horizontal and vertical surfaces shall be plumb and/or level to within 1/4" in ten feet.
  - b. Slabs - All slabs shall be even and level with a uniform appearance and have a smooth profile of surface. The surface shall be level to within 1/4" in ten feet.
4. All reinforcing steel used shall meet or exceed the following specification requirements:

REINFORCING

- a. All reinforcing bar details shall conform to the latest ACI Code and detailing manual, except as otherwise specified.
- b. All reinforcing bars shall conform to ASTM A615 Grade 60 except ties and stirrups Grade 40. All welded wire fabric shall conform to ASTM A185 and shall be provided in flat sheets. Laps shall be staggered and shall be 1-1/2 full mesh minimum.
- c. Schedule with the shop drawings all necessary accessories to hold reinforcing securely in position. Minimum requirements shall be: high chairs - 4 feet on centers; slab bolsters - 3'6" on centers; support bars for high chairs - #5.
- d. All bars, except as otherwise noted, shall be continuous and shall be run continuously around corners, lapped at necessary splices, and hooked at discontinuous ends. Laps shall be 30-bar diameter minimum, unless otherwise noted.
- e. The concrete protective covering for main reinforcement shall be, unless shown otherwise:
  - i. Footing bottoms - 3 inches
  - ii. Columns, beams and formed surfaces in direct contact with soil or exposed to the weather (except slabs) - 2 inches

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- iii. Interior faces of walls and slabs exposed to the weather - 1 inch
  - iv. Interior slabs - 3/4 inch
  - f. All concrete, unless specifically noted to be plain concrete, shall be reinforced.
  - g. All reinforcing shall be inspected and approved before concrete is placed.
5. The Developer/Contractor shall, for approval, submit to the Town's Consulting Engineer two (2) copies of the following shop drawings and material certifications two weeks prior to use in construction.

- \* Rebar
- \* Form work and accessories
- \* Concrete design mix
- \* PVC waterstop
- \* Waterproofing coating
- \* Form tie patching
- \* Suction, fill, and vent piping including supports
- \* Backfill materials including structural fill, crushed stone and fabric
- \* Access manhole structure and casting

6. The entire concrete structure of the cistern shall be completed, filled with water, and inspected prior to backfilling.
7. The bedding material for the cistern shall be a 12-inch layer of 1-1/2 inch crushed, washed stone. The bedding material shall be compacted by mechanical means, and shall meet the following gradation requirements:

Sieve Designation	Percent Passing
2"	100
1-1/2"	95-100
1"	35-85
3/8"	20-52
No. 8	0-5

8. All backfill material shall be screened gravel and shall be compacted to 95% of the material modified proctor value. The material shall meet the following gradation requirements:

Sieve Designation	Percent Passing
3"	100
2"	95-100
1"	55-85
No. 4	27-52
No. 200	0-12

9. Filler pipe siamese shall be a minimum of 36 inches, and a maximum of 48 inches, above final backfill grade.

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10. The final suction connection of the suction pipe shall be 20 - 24 inches above the level of the pad where a fire vehicle's wheels are located, which is about ten feet from the cistern suction connection. SEE DETAIL. The cistern design shall include design elevations, i.e. top of base slab, top of roof slab and centerline of suction piping, and any other necessary elevations for construction of the cistern. The design engineer shall set a minimum of two (2) benchmarks on the proposed cistern site for use by the Contractor. The benchmarks shall be protected and maintained throughout the duration of construction.
11. Suction pipe shall be supported to the top of the tank.
12. Cistern shall be designed so that it will not float when empty. This must be stated on the plans.
13. Perimeter of tank at floor/wall joint shall be sealed with continuous 6-inch PVC waterstop. All butt-ends shall be heat welded. All vertical wall joints and horizontal slab joints shall have a continuous 6-inch PVC waterstop.
14. After backfilling, the tank area shall be enclosed with 3ft diameter boulders placed 6ft +/- on center. SEE DETAIL.
15. Backfill over the tank shall be:
  - a. 4 feet of fill; or
  - b. if less than 4 feet, the top and highest 2 feet of sides of cistern insulated with 2" vermin-resistant foam insulation, and minimum 2 feet of fill.
  - c. All backfill shall extend 10 feet beyond the edge of the cistern, then maximum 3:1 slope, loamed and seeded. All fill and loam shall remain 12 to 18 inches below the rim of the manhole.
16. NO EXCEPTIONS PERMITTED: All form ties shall be of a type that permit breaking-off at least one inch below the surface of the concrete with a one-inch diameter PVC cone. In addition, waterstop washers shall be placed halfway along the length. All form ties shall be broken at least one inch below the surface and sealed with a non-shrinking hydraulic cement.
17. A method of positive leak prevention shall be provided. The inside of the cistern walls, and floor, as well as the below-grade Schedule 40 carbon steel piping, shall be waterproofed with a modified urethane industrial membrane system equal to CIM1000 or Elastoshield, that will ensure long-term water tightness of the structure.
18. TESTING

After the tank is broom cleaned and has been inspected, but prior to backfilling, insulation and inspection of the cistern piping, the

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fire cistern shall be leakage tested. The vessel shall be filled with potable water to within 1-inch of the top cover of the manway. The installer should allow 48-hours for the water elevation to stabilize before commencing the 14-day leakage test. The tank level measurements shall be made and recorded by the Town's Consulting Engineer. The installer shall provide the specified lock and key for use by the Town's Consulting Engineer to secure the manway covers. The test is a zero leakage test. If after the fourteen-day test leakage is verified, the tank and/or components shall be repaired to stop the leak. Any repairs made shall be acceptable to the Board of Fire Wards, with a leakage retest. Flow testing shall be conducted by the Fire Department.

C. SINGLE-WALL FIBERGLASS REINFORCED PLASTIC TANK

1. GENERAL

A Acceptable Tank Manufacturer

(1) Manufacturer

Xerxes Corporation, Minneapolis, Minnesota, or approved equal.

(2) Manufacturing Standards:

- i. Manufacturer shall be able to provide documentation that the tank shell has been built to the applicable requirements of Underwriters Laboratories Standard UL 1316 or American Water Works Association (AWWA) D120.
- ii. Tank manufacturer shall be in the business of manufacturing tanks to UL 1316 or AWWA D120 standards.

(3) Materials:

- i. Tank shall be manufactured of 100% resin and glass-fiber reinforcement, with no sand fillers and no exposed glass fibers.

B Submittals

Applicant shall submit to the Planning Board and Board of Fire Wards, four (4) copies of shop drawings for each tank and four (4) copies of manufacturer's literature. Submittal must include:

- Tank Plan
- Tank Section
- Hold-Down Deadmen Details
- Hold-Down Strap Materials and Hardware
- Tank Loading Capacity
- Internal Components
- Warranty
- Tank Weight
- Flange Type and Locations

In addition to the above submittals, a final design plan shall be prepared by the design engineer siting the cistern and detailing the installation specifications.

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Two weeks prior to construction, the Developer/Contractor shall submit two (2) copies of the manufacturer's job specific shop drawings to the Town's Consulting Engineer for approval.

2. PRODUCTS

A Single-Wall Fiberglass Underground Tanks

(1) Product-Storage Requirements:

- i. Tank shall be vented to atmospheric pressure, as the tank is not designed as a pressure vessel.
- ii. Tank shall be designed for maximum product-storage temperature of 150 degrees F.

(2) Loading Conditions: Tank shall meet the following design criteria:

- i. Internal Load: Tank shall withstand a 5-psig air-pressure test with 5:1 safety factor. Installer shall air-test each tank for leakage prior to installation. Maximum test pressure is 5-psig (3-psig for a 10-foot tank).
- ii. Vacuum Test: To verify structural integrity, each tank up through 10-foot diameter shall be vacuum tested by the manufacturer at the factory to 11.5 inches of mercury.
- iii. Surface Loads: Tank shall withstand surface HS-20 axle loads when properly installed according to manufacturer's current installation instructions.
- iv. External Hydrostatic Pressure and Burial Depth: Tank shall be capable of being buried in the ground with a maximum 7 feet of overburden, the excavation fully flooded, and a safety factor of 5:1 against general buckling.
- v. The tank shall support accessory equipment - such as drop tubes, as shown on tank drawings and when installed according to tank manufacturer's recommendations.
- vi. The tank shall be a Xerxes, or equal, 30,000-gallon tank, 10-foot diameter, minimum empty weight of 12,500 pounds, model 10'-30,000, and shall meet the following specifications:

- ASTM D4021-92
- U.L. Listing (Certification Plate on Tank)
- 30,590-Gallon Capacity
- NFPA 30
- 9,400 lbs. Tank Weight

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- vii. The cistern shall be designed so it will not float, with a 1.5 factor of safety.

**B Accessories**

(1) Anchor Straps:

- i. Straps shall be FRP anchor straps as supplied by tank manufacturer.
- ii. Number and location of straps shall be shown on tank drawings.

(2) Manways:

- i. All manways shall be flanged and 30-inch ID, complete with UL-listed gaskets, bolts and covers.
- ii. Location(s) shall be shown on tank drawings.
- iii. Manway extensions shall be FRP.

(3) Gauge Plates:

- i. Gauge plates shall be installed under each service fitting and manway opening.

(4) Manway Hatch:

- i. The manway hatch shall be an aluminum Haliday Hatch, Model HC3636, or equal.

(5) Internal Anti-Vortex Device:

- i. An internal anti-vortex plate shall be factory installed by tank manufacturer.

(6) Fittings:

- i. All pipe fittings shall be constructed of carbon steel and shall have welded joints.
- ii. All standard threaded fittings shall be half-couplings, and of 6-inch or 8-inch diameter. Reducers shall be used for smaller sizes where shown and provided by contractor.
- iii. All NPT flanges shall withstand a minimum of 150 foot-pounds of torque and 1,000 foot-pounds of bending, both with a 2:1 safety factor.

(7) Internal Piping:

- i. The tank shall be provided from the manufacturer with an 8" diameter FRP suction pipe with a flanged connection at the crown of the tank and a flanged connection to the anti-vortex device.

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C Concrete

- (1) All concrete used for the deadmen, manway pad and bollards shall meet the following specifications:
  - 3,500 psi compressive strength
  - 6%± 1% air entrainment
  - Max. slump 5"
  - Placed in accordance with all applicable NHDOT and ACI specifications

D Sitework

- (1) Dewatering  
The tank excavation shall be dewatered to 2'-0 below the bottom of the excavation until the tank is 100% backfilled and deadmen are in place.
- (2) Erosion Control  
The cistern site shall be protected against any erosion and siltation off the site. The installation shall employ any and all erosion control measures necessary to comply with this requirement.

3. EXECUTION

A. Installation

- (1) Tank shall be installed according to manufacturer's current underground storage tank installation instructions.
- (2) Contractor is responsible to prepare manufacturer's "Tank Installation Checklist - Fiberglass Underground Storage Tanks" during construction to the satisfaction of the Town's Consulting Engineer.

B. Backfill Material

- (1) Pea stone (mix of rounded particles) shall have a minimum diameter of 1/8" and a maximum dimension of 3/4", with a maximum of 2% passing a No. 200 sieve.
- (2) Crushed stone shall be washed crushed stone particles with a mix of angular particles between 1/8" and 1/2" and shall meet ASTM C-33 para. 9.1 requirements, with a maximum of 2% passing a No. 200 sieve.
- (3) No more than 5% of the backfill shall pass a No. 8 sieve.
- (4) Compaction of the backfill shall be every 12" lift; compaction shall be by mechanical means but should be performed with hand-operated equipment, with every effort made to avoid directly contacting the tank with tools and equipment during backfilling procedures.

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- (5) In any location where gravel is placed over crushed stone or pea stone a geotextile separation fabric shall be placed between the two materials to prevent migration of fines into voids of crushed stone. The fabric shall be Mirafi 140-N or equal.

4. WARRANTY

- A. Warranty shall be 50 years by the tank manufacturer.
- B. A copy of the written warranty shall be provided to the Planning Board and Board of Fire Wards for review prior to installation of the fire cistern.
- C. Before the Town accepts the cistern for operation the Contractor shall submit to the Town's Consulting Engineer for review, the manufacturer's shipping paperwork, a copy of the manufacturer's "Installation Manual and Operating Guidelines", and the completed "Tank Installation Checklist - Fiberglass Underground Storage Tanks."

5. TESTING

After the tank has been backfilled and the manway and miscellaneous piping is installed, the fire cistern tank shall be leakage tested. The tank shall be filled with potable water to within 1 inch of the top cover of the manway. The installer may allow the filled tank to sit for one (1) day prior to commencement of the test. The test duration shall be seven (7) calendar days. The tank level measurements shall be made and recorded by the Town's Consulting Engineer. The installer shall provide the specified lock and key for use by the Town's Consulting Engineer to secure the manway cover. The test is a zero leakage test. If after the seven-day test leakage is verified, the tank and/or components shall be repaired to stop the leak. Any repairs made shall be acceptable to the Board of Fire Wards, with a leakage retest. Any repairs made to the tank shall be done with prior written recommendation by the tank's manufacturer.

Flow testing shall be conducted by the Fire Department.

6. MISCELLANEOUS WORK

Any work or specification requirement not included in this section shall come under the purview of the applicable Town of New Boston Fire Cistern Specifications and/or the direction of the Board of Fire Wards.

D. MODULAR PRE-CAST CONCRETE CISTERN

1. GENERAL

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A. Acceptable Tank Manufacturer

- (1) Manufacturer  
Michie Corporation of Henniker, New Hampshire, or approved equal.
- (2) Manufacturing Standards:  
The manufacturer's primary business shall be the manufacturing of pre-cast concrete products.

B. Submittals

- (1) Shop Drawings from Manufacturer stamped by a Professional Engineer licensed in the State of New Hampshire.
- (2) Draft copy of 50-year warranty that will be issued to the Town of New Boston from the manufacturer once installation is complete.
- (3) Buoyancy design calculations stamped by a Professional Engineer licensed in the State of New Hampshire demonstrating the tanks will not float when empty with a 1.5 factor of safety.
- (4) Site Plan Drawings specific to the site where the cistern is being constructed. Said drawings shall be stamped by a Professional Engineer licensed in the State of New Hampshire.

2. PRODUCTS

A. Pre-cast Concrete Tanks

- (1) Product-Storage Requirements:
  - i. Tanks shall be delivered, stored, and installed with care. Any defects and/or damage done onsite shall be cause to reject the pre-cast segment.
  - ii. Tanks shall be offloaded and placed by an appropriately sized crane.
- (2) Tank Design Requirements:
  - i. Tanks shall be designed to be leak free and structurally sound for a period of 50-years.
  - ii. Each tank shall be made from two (2) monolithic pieces, a top and a bottom.
  - iii. All tank joints shall be leak-proof and shall meet or exceed the requirements of Federal

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- Specification SS-S-210, ASTM C-990, AASHTO M-198B, and ASTM Specifications D-71, D-4, D-6, and D-217.
- iv. Tank exterior asphalt coating shall be Seaboard LN-12 or Conceal CS-55.
  - v. All horizontal pipe connections shall be made with flexible sleeve pipe connections.
  - vi. All vertical pipes shall be cast in to the tank top segments during manufacturing.
  - vii. The tank shall be designed to support accessory equipment, such as suction pipe, fill pipe, vent, etc.
  - viii. All concrete shall be 5,000 psi @ 28 days. Cement shall be Type III per ASTM C-150.
  - ix. Reinforcing shall be per ASTM A-615, Grade 60 deformed billet steel with a 1" minimum cover.
  - x. Reinforcing shall meet or exceed requirements of AASHTO HS20-44.
  - xi. The cistern shall be designed so it will not float, with a 1.5 factor of safety.

B. Accessories

(1) Manway Risers:

- i. All manway access points shall be constructed with pre-cast concrete risers which meet AASHTO HS20-44 loading.
- ii. Each tank shall have a manway. Locations shall be shown on tank drawings.
- iii. Manway covers shall be constructed 12 to 18 inches above finish grade.

(2) Manway Hatch:

- i. All manways shall be furnished with a hatch which meets AASHTO HS20-44 loading and which is lockable by padlock.

(3) Internal Anti-Vortex Plate:

- i. An internal anti-vortex plate shall be factory installed by tank manufacturer.

(4) Fittings:

- i. All pipe fittings shall be constructed of carbon steel and shall have welded joints.
- ii. Fill connection shall be a 4" storz and suction connection shall be 4-1/2" National Hose Male Thread.

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(5) Piping:

- i. All piping shall be Schedule 40 steel pipe.
- ii. All above grade piping shall be painted safety red. All below grade piping shall be coated with CIM1000. See Section IX-J,A,14, for details.

C. Site work

(1) Dewatering

The tank excavation shall be dewatered to 2'0" below the bottom of the excavation throughout installation and backfill operations.

(2) Erosion Control

The cistern site shall be protected against any erosion and siltation off the site. The installation shall employ any and all erosion control measures necessary to comply with this requirement.

3. EXECUTION

A. Installation

- (1) Contractor shall excavate site for tanks, prepare bedding, and properly dewater site prior to tanks being delivered to site.
- (2) Tanks and all piping shall be installed under the supervision and with assistance from the manufacturer.

B. Foundation and Backfill Material & Methods

- (1) Prior to placement of the foundation material, a layer of geotextile separation fabric shall be placed on subgrade that is stable and dry. The fabric is to be Mirafi 140-N or equal.
- (2) Foundation material shall be ¾" crushed stone, placed a minimum of 12-inches thick.
- (3) In any location where gravel is placed over crushed stone a geotextile separation fabric shall be placed between the two materials to prevent migration of fines into voids of crushed stone. The fabric shall be Mirafi 140-N or equal.
- (4) Backfill material shall be 1-1/2" bank run gravel. Backfill shall be placed in maximum 12-inch loose lifts. Backfill shall be compacted to 95% of maximum dry density by modified proctor method (ASTM 1557).
- (5) Compaction of backfill shall be by mechanical means, but should be performed with hand-operated equipment. Care

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should be taken to not contact tanks with tools and equipment during backfill procedures.

- (6) All areas between tanks shall be filled to a minimum of 12-inches above crown of interconnection pipe with  $\frac{3}{4}$ " crushed stone. 1-1/2" bank run gravel may be used above this elevation, provided that proper compaction as stated above can be obtained.
- (7) The tanks shall be back-filled prior to filling with water.
- (8) The backfill of the tanks shall be done uniformly around each tank. Differential backfill height on opposite sides of a tank should not exceed 2-feet.

4. **WARRANTY**

A warranty shall be provided by the manufacturer for a period of 50-years.

5. **TESTING**

After the tank has been backfilled and the manway and miscellaneous piping is installed, the fire cistern shall be leakage tested. The vessel shall be filled with potable water to within 1-inch of the top cover of the manway. The installer should allow 48-hours for the water elevation to stabilize before commencing the 14-day leakage test. The tank level measurements shall be made and recorded by the Town's Consulting Engineer. The installer shall provide the specified lock and key for use by the Town's Consulting Engineer to secure the manway covers. The test is a zero leakage test. If after the fourteen-day test leakage is verified, the tank and/or components shall be repaired to stop the leak. Any repairs made shall be acceptable to the Board of Fire Wards, with a leakage retest. Any repairs made to the tank shall be done with prior written recommendation by the tank manufacturer. Flow testing shall be conducted by the Fire Department.

6. **MISCELLANEOUS WORK**

Any work or specification requirement not included in this section shall come under the purview of the applicable Town of New Boston Fire Cistern Specification and/or the direction of the Board of Fire Wards.

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**CAST-IN-PLACE CONCRETE  
CONSTRUCTION INSPECTION SHEET** (Amended 8/10/04 & 6/28/11.)

Inspections shall be conducted and work found acceptable at the following points during construction. The Planning Board's authorized inspection agent shall be notified at least 48 hours before the inspection is required.

	Fire Ward or Agent (Sign & Date)
1) Inspection after excavation and prior to placement of crushed stone base.	
2) Inspection of slab rebar, formwork, and waterstop 24 hours prior to concrete placement.	
3) Inspection during placement of concrete for base slab.	
4) Inspection of wall rebar and interior formwork.	
5) Inspection of wall formwork in place with top slab dowels 24 hours prior to concrete placement.	
6) Inspection during placement of concrete for walls.	
7) Inspection of top slab formwork, rebar and piping sleeves 24 hours prior to concrete placement.	
8) Inspection of top slab concrete placement.	
9) Inspection of form tie cones removed prior to patching.	
10) Inspection of form tie cones patched.	
11) Inspection of interior substrate prior to applying waterproofing.	
12) Inspection of cistern prior to filling. Tank shall be broom clean.	
13) Two-week leak test.	Start                  Finish
14) Inspection of backfilling of cistern and placement of insulation.	
15) Inspection of cistern piping.	

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16) Flow test (approval by Fire Dept.)	
17) Refill with potable water	
18) Inspection of landscaping.	
19) Final inspection.	

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**SINGLE WALL FRP TANK**  
**CISTERN INSTALLATION INSPECTION SHEET** (Added 8/10/04 & 6/28/11.)

Inspections shall be conducted and work found acceptable at the following points during construction. The Fire Department's authorized inspection agent shall be notified at least 48 hours before the inspection is required.

	Fire Ward or Agent (Sign & Date)
1) Observe after excavation and erosion control; prior to placing pea gravel	
2) Observe rebar, formwork of deadmen; prior to placing concrete	
3) Observe fiberglass tank in ground with straps and turnbuckles, attached to anchor	
4) Observe backfilling of cistern and placement of insulation; prior to fill cover	
5) Observe piping and painting; with sonotubes in place	
6) Observe final grading and landscaping	
7) Observe paving/grading	
8) One-week leak test	Start                  Finish
9) Flow test (by Fire Dept.)	
10) Refill tank with potable water	
<b>11) Final inspection</b>	

Design engineer shall certify that construction is acceptable prior to backfilling. This shall be submitted in writing to the Building Inspector, PO Box 250, New Boston, NH 03070.

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**MODULAR PRE-CAST CONCRETE CISTERN  
CISTERN INSTALLATION INSPECTION SHEET** (Added June 28, 2011.)

Inspections shall be conducted and work found acceptable at the following points during construction. The Fire Department's authorized inspection agent shall be notified at least 48 hours before the inspection is required.

	Fire Ward or Agent (Sign & Date)
1) Observe after excavation and erosion control; prior to placing tank bedding	
2) Observe tank bedding being placed	
3) Observe installation of tanks	
4) Observe backfilling of cistern and placement of insulation; prior to fill cover	
5) Observe piping and painting	
6) Observe final grading and landscaping	
7) Observe paving/grading	
8) Fourteen day leak test	Start                  Finish
9) Flow test (by Fire Dept.)	
10) Refill tank with potable water	
11) Final inspection	

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**SECTION X**                    **ADMINISTRATION**      (Section amended 6/25/02.)

The Office of the Planning Board/Planning Department is the agency to which all applications for subdivision approval shall be delivered. The Planning Department staff may consist of a Planning Coordinator, a Planning Board Assistant and Planning Board Clerk whose duties shall be as listed in the job descriptions for those positions on file in the Board of Selectmen's office, and as amended. (Amended 3/23/10.)

For the purposes of administrative review of compliance to conditions of approval as specified in Section IV-I,2, the Planning Coordinator is designated as the person responsible for said administrative review. All other administration of these regulations will be managed by the Planning Board.

**SECTION XI**                    **WAIVERS**                    (Amended 3/23/10.)

The Planning Board may grant a waiver to any portion of the Subdivision Regulations only when the Board finds, by majority vote, that

- 1) strict conformity to the Subdivision Regulations would pose an unnecessary hardship to the applicant and a waiver would not be contrary to the spirit and intent of the regulations, or,
- 2) specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations.

A waiver of any specific requirement shall not be construed as a waiver in full or in part of any other requirement, nor shall such waiver constitute a waiver of requirements on any other subdivision proposal. The basis for any waiver granted by the Planning Board shall be recorded in the minutes.

**SECTION XII**                    **AMENDMENTS**                    (Section amended 6/25/02 & 6/28/11.)

These regulations may be amended or rescinded by the Board, but only following a public hearing on the proposed changes as required by RSA 675:6. A record of any changes, certified by the signatures of a majority of the members of the Board, shall be transmitted to the Town Clerk and the New Hampshire Office of Energy and Planning. (See RSA 675:8 & 9.)

**SECTION XIII**                    **PENALTY**                    (Section amended 6/25/02.)

Any owner, or agent of the owner, of any land located within a subdivision in the Town of New Boston, who transfers or sells any land before a plat of said subdivision has been approved by the Planning Board and filed with the Register of Deeds of Hillsborough County under RSA 674:37, shall forfeit and pay a civil penalty of \$1,000 for each lot or parcel so transferred or sold; and the

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description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The town may enjoin a transfer or sale which violates the provision of RSA 676:16 and may recover the penalty imposed by civil action. In any action to recover a penalty, the prevailing party may recover reasonable court costs and attorney's fees as may be ordered by the Court.

**SECTION XIV            SEPARABILITY**

If any section, provision, portion, clause or phrase of these regulations shall be held to be invalid or unconstitutional by any court or competent authority, such holding shall not affect, impair or invalidate any other section, clause, provision, portion or phrase of this ordinance.

**SECTION XV            APPEALS**      (Section added 6/25/02.)

For purposes of appeals of Planning Board decisions, such decision shall be deemed "final" on the date when the Board takes its last official action on a subdivision; provided that, if an approval is granted with conditions and the subdivider wishes to challenge the Board's authority to require any or all of the conditions, the date on which said condition(s) is/are imposed shall be deemed to be the date of final action. Application of appeal to the Hillsborough County Superior Court shall be made within 30 days of the Board's decision, pursuant to RSA 677:15. Any Planning Board decisions appealable to the board of adjustment shall be appealed pursuant to RSA 676:5.

Adopted March 12, 1968.  
Amended January 1, 1985, re: Town Road Specifications.  
Amended generally August 5, 1986.  
Amended June 25, 1996, re: Fire Fighting Water Supply Systems.  
Amended May 20, 1997, re: Cistern Specifications.  
Procedural amendments October 28, 1997, re: RSA 676:4,I(c)(1).  
Amended March 24, 1998, re: SSSMS.  
Amended July 10, 2001, re: driveway grades.  
General amendments June 25, 2002, see individual sections.  
General amendments August 10, 2004, see individual sections.  
Amended March 14, 2006, re: Steep Slopes and Stormwater Management and Erosion and Sediment Control Plans - see individual sections.  
Amended June 12, 2007, re: Stormwater Management Plans, application requirements, regional impact minutes preparation, engineering plan review fees, setback distances per the Wetlands Conservation and Stream Corridor District and cistern construction inspection escrows.  
Amended May 27, 2008, re: Stormwater Management.  
Amended October 28, 2008, re: Road Standards, As-Built Plan requirements, submission of legible small copies, and copyright.  
General amendments March 23, 2010, see individual sections.  
General amendments June 28, 2011, see individual sections.