

# TOWN OF FARMINGTON LAND SUBDIVISION REGULATIONS

## TABLE OF CONTENTS

<b>Section 1:</b>	<b>Authority</b>	Page 1
<b>Section 2:</b>	<b>Definitions</b>	Page 2
<b>Section 3:</b>	<b>Application Procedure</b>	Page 5
	3.01 Initial Phase	Page 5
	3.02 Fee Schedule	Page 6
	3.03 Application, Preliminary Layout	Page 6
	3.04 Application, Final Plat	Page 6
	3.05 Public Hearing	Page 6
	3.06 Action by the Board	Page 7
	3.07 Failure to Act	Page 7
	3.08 Filing with Registry of Deeds	Page 7
	3.09 Official Map	Page 7
	3.10 Acceptance of Streets and Open Space	Page 7
	3.11 Termination of Final Approval	Page 8
	3.12 Termination of Conditional Approval	Page 8
<b>Section 4:</b>	<b>Plan Requirements</b>	Page 8
	4.01 Compliance with Regulations	Page 8
	4.02 Character of Land for Subdivision	Page 8
	4.03 Reverse Strips	Page 8
	4.04 Lot Layout	Page 8
	4.05 Preservation of Existing Features	Page 10
	4.06 Initial Phase	Page 10
	4.07 Soils Data	Page 11
	4.08 Preliminary Layout	Page 11
	4.09 Final Plat	Page 12
	4.10 Minor Subdivision	Page 14
	4.11 Legal Data Required	Page 14
	4.12 Performance Bond	Page 14
	4.13 Completion of Roads and Utilities	Page 15
	4.14 Open Space	Page 16
	4.15 Development of Open Space	Page 16
	4.16 Street Design	Page 16
	4.17 Classification of Streets	Page 17
	4.18 Street Improvements	Page 20
	4.19 Sidewalks	Page 20
	4.20 Utilities and Drainage	Page 24
	4.21 Flood Hazard Area	Page 25
	4.22 Parking	Page 26

<b>Section 5:</b>	<b>Administration and Enforcement</b>	Page 26
	5.01 Modifications	Page 26
	5.02 Approvals	Page 26
	5.03 Acceptance of Streets	Page 26
	5.04 Other Regulations	Page 27
	5.05 Enforcement	Page 27
	5.06 Penalties	Page 27
	5.07 Appeals	Page 27
	5.08 Validity	Page 27
	5.09 Savings Clause	Page 27
<b>Section 6:</b>	<b>Submission of Application Materials</b>	Page 27
<b>Section 7:</b>	<b>Submission Requirements for Preliminary Layout</b>	Page 28
<b>Section 8:</b>	<b>Submission Requirements for Final Plat</b>	Page 30
<b>Section 9:</b>	<b>Fire Protection Regulation</b>	Page 31

**LAND SUBDIVISION REGULATIONS**

**TOWN OF FARMINGTON, N. H.**

Authorized by vote of Town Meeting - November 19, 1975

Adopted - March 31, 1976

Amended - June 27, 1989

Amended - February 12, 1980

Amended - September 11, 1990

Revised - February 24, 1983

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Amended – June 1, 2010

Amended - May 24, 1988

Amended – April 5, 2011

**SECTION I: AUTHORITY**

Pursuant to the authority vested in the Farmington Planning Board by the voters of the Town of Farmington, N. H. and in accordance with the provisions of Chapter 36, Section 19-29, New Hampshire Revised Statutes Annotated, 1955, as amended, the Farmington Planning Board adopts the following regulations governing the subdivision of land in the Town of Farmington, N. H.

**1.01**

The purpose of these regulations is to provide for the harmonious development of the Town of Farmington and its environs; for the proper arrangement and coordination of streets within subdivisions in relation to other existing or planned streets or with other features of the town; to provide for open spaces of adequate proportions; and for suitably located streets of sufficient width to accommodate existing perspective traffic and to afford light, air and access of fire fighting apparatus and equipment to buildings and be coordinated so as to impose a convenient system.

**1.02**

No subdivision will be approved that would create scattered or premature subdivision of portions of the Town that might create a danger or injury to health, safety or prosperity by reason of lack of water supply, drainage, transportation, schools, fire department or other public services, or necessitate an excessive expenditure of public funds for supply of such service.

**1.03**

In case of major subdivisions the Board may require that suitable amounts of open land be set aside as parks or other recreational purposes of reasonable size for the nature of the subdivision submitted.

**1.04**

No subdivision will be approved if the land upon which it is proposed is of such character that it cannot be used for building purposes without danger to health.

**1.05**

Any proposed subdivision must conform to all rules and regulations of the Town of Farmington and of the State of New Hampshire.

**SECTION 2: DEFINITIONS**

**2.01 Abutter:**

Shall mean the owner of record of a parcel of land which is contiguous, at any point, to the parcel being subdivided or which has frontage of a common road at any point within that portion defined by the perpendicular extensions across the road, from the points of intersection between the edge of the road right-of-way and the property lines of the parcel being subdivided.

**2.02 Approval:**

Shall mean recognition by the Planning Board, certified by written endorsement on the final plat, that the final plat submission meets the requirements of these regulations and satisfies, in the judgment of the Planning Board all criteria of good planning and design.

**2.03 Approval Conditional:**

Shall mean an expression by the Planning Board that the preliminary layout appears to satisfy all requirements established herein for the preliminary layout submission phase. Conditional approval does not constitute, nor should it be construed as, approval, either implied or granted, of the final plat, nor does it bind the Planning Board to approval of the final plat.

**2.03 (a) Buildable Area:**

That portion of a parcel upon which a structure may be erected. The following are not to be included in the buildable area: steep slopes; wetland soils; rock outcrops; floodplains; proposed or existing rights-of-way and utility easements; and state and local required setbacks.

**2.04 Board:**

Shall mean the Planning Board of the Town of Farmington, N. H.

**2.05 Final Plat:**

The final drawing or drawings on which the subdivider's plan of subdivision is indicated, prepared as required under the provisions of Section 4.09 hereof.

**2.06 Health Officer:**

Shall mean the Health Officer of the Town of Farmington, N.H.

**2.07 Preliminary Layout:**

Shall mean a plan prepared as required in Section 4.08 and submitted to the Board prior to preparing the final plat.

**2.08 Street:**

A public way. The word street shall be synonymous with the word road and shall include the entire right-of-way.

**2.09 Street Local:**

A street used primarily to give access to abutting properties.

**2.10 Street Collector:**

A street which, in addition to giving access to abutting properties, serves primarily to carry traffic from local streets to arterial streets and to public and other centers of traffic concentration. A collector street may be further classified as major or minor, depending on average daily traffic count.

**2.11 Street Arterial:**

A street or highway used primarily for heavy and/or through traffic.

**2.12 Street Frontage:**

A marginal roadway parallel and adjacent to a thoroughfare to provide access to abutting properties.

**2.12 Subdivider:**

The owner of record of the land being subdivided, including any subsequent owner of record making any subdivision of such land or any part thereof, or the agent of any such owner.

**2.14 Subdivision:**

The division of a lot, track or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, for sale, rent lease, condominium conveyance or building development. This includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among several owners shall be deemed to be a subdivision. The provision of the New Hampshire Revised Statutes Annotated 36:1, Subsection VIII are incorporated herein by reference and any amendment of the State Statute which is more stringent than the regulation set forth shall be incorporated into said regulation by reference and shall be considered an amendment to said regulation.

**2.15 Subdivision, Minor:**

The subdivision of land into four or fewer lots, with no potential for resubdivision, and requiring no roads, utilities or other municipal improvements.

**2.16 Flood Hazard Areas:**

Shall mean any area of the Town of Farmington shown to be within the designated Flood Hazard Area as defined by the most recent map of such areas in the Town of Farmington, prepared by or for the Federal Insurance Administration relative to the National Flood Insurance program, or any area within the one hundred (100) year flood area.

**2.17 Wetlands:**

Those areas of existing water, river or streams at the 1984 flood stage (the year the Central Street Bridge washed out) and those areas delineated on the U. S. Geological Survey Map as fifteen (15) minutes Alton quad by Blue Lines or Sedgemarks or Swamp Markers.

**2.18 Boundary Adjustments:**

- A. A conveyance from one owner to an adjoining owner of a parcel of real estate which is contiguous to the previous boundary between those owners shall be considered to be a boundary adjustment not subject to subdivision approval if:
  - 1. The size of the parcel conveyed is less than ten thousand (10,000) square feet, and
  - 2. The conveyance of the parcel does not increase the size of the parcel of the grantee from a size too small to be subdivided to a size large enough to be subdivided: increase the number of lots into which that parcel could be subdivided, or if the size of the parcel from which the property is conveyed be reduced to a nonconforming lot.
- B. The Board may waive the ten thousand (10,000) square foot minimum if the size or nature of the parcel to be conveyed is such that it shall not affect the potential for subdivision of the Grantee as set forth in section **A. 2.** above.
- C. The Planning Board shall levy a fee for Lot Line Revision in the amount of fifty dollars (\$50.00) plus five dollars (\$5.00) per abutter. (Amended June 27, 1989)

## **SECTION 3: APPLICATION PROCEDURE**

### **3.01 Initial Phase:**

The applicant shall request a meeting with the Board to discuss the proposed subdivision and submit the initial information as described in Section 4.06 of these regulations. He shall be guided by the Board as to the need for further meetings and the advisability of entering into the preliminary stage. There is no time limit or application fee for this initial phase.

### **3.02 Fee Schedule:**

In accordance with RSA 676:4,I (g) and RSA 674:44,V, the applicant shall pay fees in accordance with the fee schedule most recently adopted by the Planning Board and available from the Planning Department to compensate the Town for its expenses in processing, noticing and reviewing each application. These fees include:

- A. Application Fee (Check made payable to “Town of Farmington”): This fee is assessed pursuant to RSA 676:4(I)(g) to off-set general administrative expenses associated with the processing of an application.
- B. Notice & Recording Fee (Check made payable to “Town of Farmington”): This fee is assessed pursuant to RSA 673:16 to cover costs of statutory notice requirements, recording of final plans and conditions of approval, and updating town and tax maps with new information as required by the application.
- C. In accordance with RSA 676:4 I (g), the Board shall also require an applicant to reimburse the Town for costs associated with special investigative studies. Such costs may be encountered in the following instances:
  - 1. Time spent for technical review of plans, meetings with the applicant subsequent to application, and other reasonable expenses directly accountable to the particular application. The rate shall reflect the current hourly rate paid by the Town when performed by the Town Planning Department or, in the event services are provided by a Consulting Planner the rate shall be the actual cost to the town for such services. All charges to the applicant shall be supported by a detailed accounting of the services performed.
  - 2. Engineering review of plans, roadway design, drainage and stormwater management, and erosion and sediment control plans by an agent appointed by the Planning Board.
  - 3. Periodic construction inspections and/or tests.
  - 4. Witnessing of test pits by an agent designated by the Planning Board.

5. Legal review of documents associated with the application, including, but not limited to, easement language, deed language, and association documents.
6. Review of traffic impact analysis.
7. Other studies and/or review of studies reasonably required and associated exclusively with the application.

**3.03 Application, Preliminary Layout:**

Application for conditional approval of a preliminary layout shall be submitted to the secretary of the Board by the subdivider or his agent on a form to be supplied by the Board. Such application may be submitted concurrent with any necessary application to other state or local agencies. This application shall be accompanied by all information described in Section 4.08; and by evidence of approval of plans by any state or regional agency whose review is required by law. Such application shall be submitted not less than fifteen (15) days prior to a regular meeting of the Board. The Board shall give conditional approval or approval with modifications only to authorize the preparation of the final plat, or shall disapprove such preliminary layout. The Board shall state in its records any modifications which it will require in the preliminary layout or any reasons for disapproval. A copy of this record shall be sent to the applicant. The Board may hold a public hearing on the preliminary layout if it is deemed desirable.

If the applicant intends to submit a final plat on only a portion of the total land to be subdivided, the preliminary layout 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 subsequent final plats will be submitted.

Conditional approval of a preliminary layout shall be valid for a period of one (1) year from the date of such conditional approval, unless extended in writing by the Board.

**3.04 Application, Final Plat:**

Application for approval of the final plat shall be filed with the secretary of the Board by the subdivider or his agent in writing and shall be accompanied by a fee established for processing payable to the Town of Farmington. The Board shall issue the subdivider a receipt of final plat when submitted as required in Section 4.09. Submitted material shall be complete as described in Section 4.09. The Board shall place the matter on its agenda for consideration within thirty (30) days of receipt.

**3.05 Public Hearing:**

No plat shall be approved or disapproved by the Board without affording a hearing thereon. All abutters shall be notified of said hearings by certified or registered mail not less than ten (10) days before the date fixed therefore. The applicant shall be notified of said hearing by certified or registered mail, with return receipt requested, stating the time and place of such hearing.

**3.06 Action By The Board:**

Within sixty-five (65) days of receipt of all material required in Section 4.09 and 4.11 for the final plat and a determination by the Board that the application is complete according to these regulations, the Board shall approve, or disapprove the final plat unless the Planning Board applies to the Selectmen for, and the Selectmen approve, an extension not to exceed an additional ninety (90) days before acting to approve or disapprove an application [RSA 676:4.I.(c)(1) and RSA 676:4.I.(f)]. The applicant may waive the requirement for Planning Board action within the time periods specified in this paragraph and consent to such extension as may be mutually agreeable.

Reason for the disapproval of a final plat shall be certified by written endorsement on the plat and signed by the Chairman and Secretary of the Board. Final action on minor subdivisions shall be taken by the Board within ninety (90) days.

**3.07 Failure to Act:**

If the Board has not obtained an extension from the Selectmen, as described in Section 3.06, herein, and has not taken action to approve or disapprove the plat and the applicant has not consented to an extension as described in Section 3.06 herein, the applicant may seek an order from the Selectmen directing the Board to act within thirty (30) days, provided however, that the applicant for the Board's approval may waive this requirement and consent to an extension of such period [RSA 676:4.I.(f)].

**3.08 Filing With Registry of Deeds:**

An approved subdivision plat shall be recorded with the Register of Deeds of Strafford County prior to any sale or transfer of land within the subdivision.

**3.09 Official Map:**

If there exists an official map of the Town of Farmington, the recordation of plats which have been approved as provided herein shall without further action modify the official map in accordance therewith. Recordation of an approved subdivision plat shall not constitute acceptance by the Town of any street, easement, or open space shown thereon.

**3.10 Acceptance of Streets and Open Space:**

No street or open space will be accepted by the Town until such time as all improvements have been carried out as shown on the final plat, in accordance with the requirements of these regulations, and subject to any conditions established by the Board at the time of final plat approval.

**3.11 Termination of Final Approval:**

From the date the subdivision is approved, the approval will be good for one (1) year without substantial work being done. A six (6)month extension may be granted upon written request. (Amended January 14, 1992)

**3.12 Termination of Conditional Approval:**

Conditional approvals granted by this Board will expire in ninety (90) days if conditions have not been met. A written request for an extension of ninety (90) days may be submitted which will be reviewed at a regularly scheduled Planning Board Meeting. (Amended January 14, 1992)

**SECTION 4: PLAN REQUIREMENTS**

**4.01 Compliance With Regulations:**

No subdivision of land shall be made, and no land in any subdivision shall be sold or offered for sale or lease, and no street or utility construction shall be started, except as provided in Section 4.13 hereafter, until a final plat, prepared in accordance with the requirements of these regulations, has been approved by the Board, and other required permits have been issued.

**4.02 Character of Land For Subdivision:**

All land to be subdivided shall be, in the judgement of the Board, of such a character that it can be used for building purposes without danger to public health or safety, or to the environment. Land subject to periodic flooding, poor drainage, or other hazardous conditions, shall not ordinarily be subdivided.

Land with inadequate capacity for sanitary sewage disposal shall not be subdivided unless connected to public sewer system. Plats for the subdivision of land shall conform with all regulations of the Board, and other applicable by-laws, ordinances, and regulations at both state and local levels.

**4.03 Reverse Strips:**

No privately owned reserved strip, except an open space area, shall be permitted which controls access to any part of the subdivision or to any other parcel of land from any street, or from any land dedicated to public use, or which may be so dedicated.

**4.04 Lot Layout:**

The purpose of these regulations is to establish criteria to guide lot configuration in order to assure safe, convenient, and prosperous developments for the current owner and all subsequent residents, the provision of adequate access for safety vehicles, provide for clarity of ownership, and to prevent the occurrence of zoning violations caused by poorly configured lots.

Land of such character that it cannot, in the judgment of the Board, be safely used for building development purposes because of exceptional danger to health or peril from fire,

flood, poor drainage, excessive slope, or other hazardous conditions, shall not be platted for residential, commercial, or industrial subdivision, nor for such other uses as may increase danger to life or property, or aggravate the flood hazard.

The layout of lots shall be in conformance with the following conditions:

- 4.04.01.** Lot dimensions and area shall not be less than the requirements of the Zoning Ordinance.
- 4.04.02.** Lots shall front on an existing or proposed Class V road or better.
- 4.04.03.** No driveway may be laid out such that its curb cut will be closer than one hundred (100) feet to an intersection.
- 4.04.04.** Sidelines of lots shall generally be perpendicular to straight streets and radial to curved streets.
- 4.04.05.** Lots shall be laid out and graded to eliminate flood or stagnant water pools. No water shall be permitted to run across a street on the surface, but shall be directed into catch basins, drainage swales and/or ~~and~~ pipes underground in a pipe of not less than 12 inches in diameter.
- 4.04.06.** Lots shall generally be configured as rectangular or square. Odd-shaped lots or other contorted configurations, including those in which narrow strips are joined to other parcels in order to meet minimum Building Area requirements, are prohibited.
  - In zoning districts requiring a minimum buildable area of 40,000 sq. ft, each lot shall be configured such that a rectangle with minimum dimensions of approximately 350 feet by 115 feet (not to exceed a 3:1 ratio) of Buildable Area, a square of 200 feet by 200 feet of Buildable Area, or a circle with a minimum diameter of 225 feet of Buildable Area can be contained within it.
  - In zoning districts requiring a minimum buildable area of 30,000 sq. ft, each lot shall be configured such that a rectangle with minimum dimensions of approximately 300 feet by 100 feet (not to exceed a 3:1 ratio) of Buildable Area, a square of 175 feet by 175 feet of Buildable Area, or a circle with a minimum diameter of 195 feet of Buildable Area can be contained within it.
- 4.04.07.** The lot length-to-width ratio should generally not exceed four-to-one (4:1).
- 4.04.08.** Double frontage lots shall be avoided wherever possible. If allowed, the driveway access for said lot shall be from the street with the lowest traffic volume.
- 4.04.09.** Corner lots may require extra width sufficient to permit the appropriate setback on each street. Driveway access to such lots shall be from the street with the lowest traffic volume.
- 4.04.10.** Wherever feasible, suitable steps shall be taken to preserve and protect significant existing features such as trees, scenic points, stone walls, rock outcroppings, water bodies, and historic landmarks. Where possible, the boundary line(s) should follow stonewalls or natural features such as surface waters.

**4.04.11** Areas set aside for parks and playgrounds to be dedicated or reserved for the common use of all property owners shall be of reasonable size and character for neighborhood playgrounds or other recreational uses.

Clustered Subdivisions:

**4.04.12.** Clustered subdivisions shall comply with all requirements of Section 3.17 of the Town of Farmington Zoning Ordinance.

Condominiums

**4.04.13.** Condominiums will require both subdivision and site plan approval. Each is considered a separate application, though the applicant may request that the applications are reviewed simultaneously by the Planning Board.

**4.04.14.** The common areas shall be designed as an integral part of the development and used for recreation, conservation or park purposes and be accessible to the owners and occupants of the condominium. The common areas shall be so defined on the subdivision and site plans and shall be made subject to a deed restriction, which shall thereafter prohibit further subdivision of open space or the use of the open space for purposes other than originally designated.

**4.04.15.** The total number of dwelling units shall not exceed the overall density that would be permitted in a conventional subdivision layout or clustered subdivision layout, with all requirements of the Town of Farmington Zoning Ordinance and Subdivision Regulations being satisfied.

**4.05 Preservation of Existing Features:**

Due regard shall be given to the preservation and protection of existing features, trees, scenic points, brooks, streams, rock outcroppings, water bodies, other natural resources, and historic landmarks.

**4.06 Initial Phase:**

Initial phase maps may be drawn in pencil. Data may be tentative but shall be sufficiently clear to show all site conditions. Maps shall be at a scale appropriate to the amount of detail required.

Initial phase submission shall include the following information:

**4.06.01** Site map showing boundary of subdivision area, topography, streams, existing features, foliage lines, existing roads, structures, and adjacent development;

**4.06.02** Site location map showing proposed subdivision in relation to major roads, community facilities, and utilities of the Town;

**4.06.03** Soils data showing results and locations of percolation tests and test pits undertaken in accordance with Section **4.07** of these regulations, unless public sewers are to be used.

The Board may require further detailing of information and additional meetings before advising the subdivider to proceed with preliminary layout and design. All material submitted in the initial phase shall be included with subsequent preliminary layout and final plat.

**4.07 Soils Data:**

Where private individual sewage disposal systems are proposed, the subdivider shall perform soil tests to be submitted as part of the initial phase and also to be included with subsequent submissions of preliminary layout and final plat. The subdivider shall arrange to perform such tests under supervision of the New Hampshire Department of Environmental Services and at locations recommended by its agent, provided that at least one percolation test and one test pit shall be included for each proposed lot. The subdivider shall also provide percolation and test pit data for any residential lot in excess of five (5) acres.

**4.08 Preliminary Layout:**

The preliminary layout may be drawn in pencil, and shall be submitted in three (3) paper print copies. Dimensions may be approximate and the data may be tentative, but the layout shall be sufficiently clear to illustrate all conditions and establish the basis and clarify the design requirements for the subdivision plat. Maps shall be at a scale of not more than one hundred (100) feet to the inch.

The preliminary layout shall contain or be accompanied by the following information:

- A. Name of municipality and subdivision, name and address of the subdivider and designer;
- B. Boundaries and area of the entire parcel, whether or not all land therein is to be subdivided: north point, bar scale, date of the preparation and of any revisions;
- C. Names and addresses of abutting property owners, subdivisions, and buildings within two hundred (200) feet of the parcel to be subdivided, and intersecting roads and driveways within two hundred (200) feet of the subdivision frontage on existing roads;
- D. Locations of all existing buildings;
- E. Existing and proposed street right-of-way lines, widths of streets, proposed names of new streets, existing and proposed lot lines;
- F. Location of existing and proposed easements, deed restrictions, building setback lines, parks and other open space, watercourses, large trees, foliage lines and significant natural and man-made features, water mains, sanitary sewers, storm water drainage lines, drainage structures, and drainage ways;

- G. Existing and proposed plans for telephone, electricity and other utilities;
- H. Municipal boundaries, if any;
- I. A general site location map at a suitable scale, locating exactly the subdivision boundaries and proposed streets in relation to at least two existing intersecting streets;
- J. A statement of the conditions of land as to the suitability for residential developments;
- K. A statement of the work required on existing streets to meet the minimum standards set herein including cost estimates and the method of meeting such costs;
- L. Existing and future subdivisions, if any, in and adjacent to the subject subdivision;
- M. A statement, and contours in sufficient detail, to indicate clearly the method of storm water drainage on and off the subdivision, methods of sanitary sewage disposal and water supply: soils data if required;
- N. Watershed areas and drainage computations;
- O. Preliminary road profiles including cross-sections;
- P. Approval, as prescribed by law, from any other municipal, state, or federal agency which may have jurisdiction.

**4.09 Final Plat:**

The final plat shall be in permanent black ink, on a permanent reproducible linen or polyester film. It shall be submitted in one (1) original and three (3) blue or black line prints of paper. Sheet sizes shall be in accordance with the requirements of the Strafford County Register of Deeds but not smaller than twenty (20) inches by twenty (20) inches. Space shall be reserved on the final plat for endorsement by all appropriate agencies. The final plat shall be consistent with the conditionally approved preliminary layout.

The final plat shall contain the following statement: *"The Subdivision Regulations of the Town of Farmington, N.H. are a part of this plat, and approval of this plat is contingent on completion of all the requirements of said Subdivision Regulations, excepting only any variances or modifications made in writing by the Planning Board and attached hereto."* together with the following information:

- A. Name and seal of engineer or of land surveyor licensed by the State of New Hampshire:

- B.** Final disposition of land into lots, streets, open spaces, drainage courses, and any easements running with the land. The final plat shall be based on a boundary survey with a maximum error of closure of one (1) in ten thousand (10,000) certified by an engineer or surveyor registered in the State of New Hampshire or, as the Board in its discretion may determine a full boundary sketch prepared by a licensed surveyor or engineer on a scale of one inch (1") to one thousand feet (1,000'), accompanied by a survey of the small lots being subdivided from the initial property. Distances shall be to the nearest one hundredth (100<sup>th</sup>) of a foot and bearings to the nearest ten (10) seconds;
- C.** Stations, radii, curve data, and widths of travelled way for proposed streets;
- D.** Lot dimensions, area of each lot in square feet and acres, consecutive numbering of lots;
- E.** Accurate locations of all easements, either on or off the site. A written acknowledgement of the subdivider's responsibility for maintenance and the assumption by him of liability for injuries and damages that may occur on any land to be dedicated for public use, until such land has been legally accepted by the Town;
- F.** Approved names of proposed streets;
- G.** Accurate locations of all monuments to be set at street intersections, points of curvature and tangency of curved streets and angles of lots;

The following information shall be submitted together with the final plat:

- H.** All data required for the preliminary layout submission;
- I.** Existing and proposed contours at five (5) foot intervals;
- J.** Existing and proposed plans for telephone, electricity, and other utilities;
- K.** Proposed methods of sanitary sewage disposal and computations therefor, proposed storm drainage accompanied by a drainage analysis map and computations for the entire watershed area, methods of supplying water;
- L.** Final road profiles and cross sections;
- M.** If the subdivision abuts a state highway, or if a proposed street intersects a state highway, a written statement from the New Hampshire Department of Public Works and Highways approving any proposed driveway or street access with such state highway;

- N. If the subdivision is to be served by public water supply, or by public sewers, a statement from the Water Department or company involved, attesting to the availability of such service.

**4.10 Minor Subdivisions:**

For a minor subdivision, the Board will waive the filing of a preliminary layout. The Board, in its discretion, may require or may waive such items of Section 4.09 that it may deem necessary for any minor subdivision. All state and local approvals shall be obtained as required elsewhere herein, prior to final approval by the Board.

**4.11 Legal Data Required:**

Where applicable to a specific subdivision, the following are required, in form as approved by the Town Attorney, prior to approval for a final plat:

- A. Easements and rights-of-way over private property, providing access to the subdivision:
- B. Rights-to-drain onto or across other property, whether public or private, including a street:
- C. Copy of subdivision restrictions, if any, and a representation that all lots shall be sold subject thereto; and a restrictive covenant from the subdivider to the Town of Farmington setting forth such restrictions to be recorded in the Registry of Deeds prior to final approval. Any exceptions shall be so specified.
- D. Performance bond, described in Section 4.12 hereafter and the certification of completion of streets, public utilities, and other municipal improvements, as described in Section 4.13 hereafter.

**4.12 Performance Bond:**

Except in the case of a subdivision in which each lot is on an existing improved town road, no subdivision final plat shall be approved until the subdivider shall have filed with the Board an engineer's estimate of costs of streets, public improvements, drainage structures, and other utilities together with maps, plans and supporting data accompanied by either:

- A. A surety bond issued by a surety company authorized to do business in New Hampshire, to be filed with the Selectmen in form and amount satisfactory to them; or
- B. Cash, or savings bank book properly endorsed to the Town, in an amount to be determined by the Selectmen, and deposited with them.

The amount of the performance bond shall include fees for the inspection of improvements by the appropriate town agents or such qualified persons, i.e.: engineers, soil scientists or other persons whom the Board has designated to review the project.

In the case of electric lines or other utilities to be installed by a public utility company or municipal department, a statement shall be received in writing from such public utility company or municipal department that the work will be done within a reasonable time and without expense to the town and that such utilities shall be placed underground if this has been agreed.

Each bond shall state by its terms that the institution issuing the bond shall notify the town in writing (of pending expiration) sixty (60) days prior to the bonds expiration date. Such notice shall be directed to the Board of Selectmen with a carbon copy to the clerk of the Planning Board.

Each approval of a final plat shall contain a time limit within which streets and public improvements shall be completed, not to exceed three (3) years, unless extended with the owner's consent by the board.

Upon completion of improvements and approval by the appropriate Town Official, surety covering maintenance of roads and improvements for a period of two (2) years from completion may be required in an amount based on the cost of such improvements, as approved by the Selectmen.

The performance guaranty shall not be released until the Selectmen have certified completion of the public utilities and improvements in substantial accordance with the requirements, and deeds covering land to be used for public purposes, easements and right-of-way over property to remain in private ownership, and right-to-drain onto or across private property are submitted in a form satisfactory to the Town Attorney. All recording fees shall be borne by the subdivider.

In the event the improvements are not completed and approved within the appropriate time frame, as specified in this regulation, or as set forth in the approval, then the town may execute upon the bond and use the funds to complete the improvements.

**4.13 Completion of Roads and Utilities:**

Notwithstanding the provisions of Section 4.12, a subdivider must complete the construction of streets, public utilities, and other municipal improvements prior to final plat approval.

All construction shall be in full accordance with the final plat:

Upon completion of streets, public utilities, and other municipal improvements, the subdivider shall obtain certification from the Selectmen or other Town agents or Commissions as applicable that all improvements are completed and constructed in accordance with the appropriate standards;

That all inspection fees incident to the above certification shall be born by the subdivider including any special fees for inspection of work or review of plans required by the subdivision that the Board may deem appropriate. The cost of such services will be billed to the applicant.

That the final plat shall be disapproved by the Board until such certification is obtained.

**4.14 Open Space:**

The Board may, where it deems essential, require that the plat show one or more sites of character, size, shape and location suitable to be used as community open space or park, in area not to exceed 15 percent (15%) of the total area of the subdivision.

Such area of open space, whether privately or publicly owned shall have a sufficient legal restriction recorded in the Town land records to assure permanent use of open space. Open space land in private ownership shall be deeded in such a way that will assure operation or maintenance of the land in an orderly manner suitable for the purpose intended. This provision shall not be applied to minor subdivisions.

**4.15 Development of Open Space:**

There shall be no depositing, dumping or storage of wastes, or other natural or man-made material, supplies, or equipment, on any subdivision land designated as open space. No work, removal, or filling shall be done, nor shall the existing natural characteristics of open space land be altered from the original conditions, until a site plan, prepared by a competent person, shall have been approved by the Board.

**4.16 Street Design:**

Proposed streets shall be in harmony and conformance with existing streets. Street patterns shall give due considerations to contours and natural features when required by the Board, provisions shall be made for the extension of the street pattern to abutting undeveloped property. Every proposed street in a subdivision shall be laid out and constructed as required by these regulations.

Where a subdivision abuts an existing street with an inadequate alignment, or right-of-way width, the subdivision final plat shall include in the street dedication all land needed to meet the standards established by these regulations, and as approved by the Board.

Permanent dead-end streets shall not exceed nine hundred (900) feet in length and shall terminate with a turning circle having a minimum outside curb radius of forty (40) feet.

Temporary dead-end streets, where future extension to another outlet is approved by the Board, or where indicated on the final plat, may exceed nine hundred (900) feet in length. In such cases, the full width of the right-of-way to the subdivision property line shall be dedicated to the Town.

Except where it is impractical, because of the character of the land, streets shall intersect so that within seventy five (75) feet of the intersection the street lines are at right angles, and the grade within one hundred (100) feet does not exceed one percent (1%). No structure or planting shall impart corner visibility.

The plan of any proposed subdivision shall show all work required to connect and complete the improvements and utilities between the proposed street pattern and any connecting street in an existing subdivision.

All streets shall be constructed and all bridges, culverts, drainage structures, storm sewers, gutters, drainage ditches, and other improvements as required by the final plat and any accompanying documents shall be installed in conformance with the standards and specifications adopted by the Selectmen.

**4.17 Classification of Streets:**

New streets in proposed subdivisions shall be determined by the Board. All roads shall meet town standards as set forth by the Board of Selectmen on May 26, 1976. Town Standards for design and construction of streets are as follows:

Design Specifications

- |  |                                |
|--|--------------------------------|
| 1. Right of Way                                  | 50 feet                        |
| 2. Minimum width of pavement                     | 20 feet                        |
| 3. Minimum grade                                 | 5 %                            |
| 4. Maximum grade                                 | 10 %                           |
| 5. Maximum grade at intersections                | 3 % within 50' of intersection |
| 6. Minimum angle of intersection                 | 60 %                           |
| 7. Width of shoulders                            | 3 feet (') minimum             |
| 8. Minimum center-line radii on curves           | 200 feet (')                   |
| 9. Minimum tangent length between reverse Curves | 100 feet (')                   |

- |  |                            |
|--|----------------------------|
| 10. Road base (minimum)  | 22 feet (')                |
| Sub-base-bank gravel   | 18 inches (")              |
| Upper base-crushed gravel  | 4 inches (")               |
| 11. Bituminous Paving (rolled)   | 2 inches (") minimum       |
| 12. Road Crown (minimum)   | 1/4 inch (")/one inch (1") |
| 13. Sidewalks (when required by Planning Board)  |                            |
| Width  | 5 feet (')                 |
| Base course (gravel)   | 8 inches (")               |
| Surface (Course Bituminous hot-top)  | 2 inches (")               |
| 14. Dead-end or cul-de-sac streets   |                            |
| Length, not more than  | 900 feet (')               |
| Radii of turn-around at enclosed and,<br>property line (minimum)   | 40 feet (')                |
| Pavement (minimum)   | 34 feet (')                |
| 15. Property line radii at intersection  | 10 feet (') minimum        |
| 16. Curb radii at intersections  | 25 feet (')                |
| 90 degree intersections  |                            |
| Less than 90 degree intersections  | 30 feet (')                |
| 17. Grades of all streets shall conform in general to the terrain and shall not be less than one-half (1/2) of one percent (1%) nor more than three percent (3%) within fifty (50) feet of any intersection.   |                            |
| 18. All changes in grade shall be connected by vertical curves of such length and radius that clear visibility shall be provided for a distance of two hundred (200) feet.   |                            |
| 19. Intersections of streets shall be at angles as close to ninety (90) degrees as possible and in no case shall two (2) streets intersect at an angle smaller than sixty (60) degrees. To this end where one street approaches another between sixty to ninety (60-90) degrees the former street should be curved approaching the intersection. |                            |
| 20. Cross (four-cornered) street intersections shall be avoided insofar as possible, except as shown on the Comprehensive Plan or at other important traffic intersections. A distance of at least two hundred (200) feet shall be maintained between center lines of offset intersecting streets.   |                            |

21. Street lines at intersections shall be cut back to provide for curb radii of not less than twenty five (25) or ninety (90) degree intersections and thirty (30) feet for intersections less than ninety (90) degrees (°).
22. Street intersections and curves shall be so designed as to permit adequate visibility for both pedestrian and vehicular traffic. That portion of any corner lot which is necessary to allow 25 foot sight line between intersecting streets shall be cleared of all growth (except isolated trees) and obstruction above the level three feet higher than the center line of the street. If directed, ground shall be excavated to achieve visibility.
23. A dead-end street or cul-de-sac shall not exceed nine hundred (900) feet in length and shall be provided with a suitable turn-around at the closed end. When a turning circle is used it shall have a minimum outside curb radius of forty (40) feet.
24. All streets shall be provided with adequate drainage facilities to provide for the removal of storm water to prevent flooding of the pavement and erosion of adjacent surface.
25. Side slopes shall not be steeper than three (3) feet horizontal and one (1) foot vertical, graded, loamed (six (6) inches compacted) and seeded as required.
26. Streets shall be rough-graded to the full width of the right-of-way.
27. Street curbs and gutters shall be required on all streets within New Hampshire Public Works and Highway Commission defined urban areas and shall be required at the discretion of the Planning Board in rural areas.
28. Where curb and gutter are not required, stabilized shoulders and proper drainage shall be the responsibility of the subdivider in compliance with the requirements herein and approved by the Road Agent.
29. All roadways within the subdivision shall be constructed according to road specifications herein as overseen by the Road Agent.
30. Sidewalks shall be installed at the expense of the subdivider at such locations as the Planning Board may deem necessary.

The Board may modify the maximum and minimum gradient for short lengths of streets where, in its judgement, existing topographic conditions or the preservation of natural features indicate that such modification will result in the best subdivision of land.

The Board may require greater width of right-of-way where, in its judgement, the demands of present or future traffic make it desirable or where topographic conditions create a need for greater width for grading.

#### **4.18 Street Improvements:**

In rural areas, streets shall have a traveled way of a minimum width as prescribed above according to Town Standards, with shoulder not less than four (4) feet wide. The Board may require a wider traveled way and wider shoulders for Arterial and Collector Streets.

In urban or village areas, the Board may require a greater width of right-of-way and travelled way.

Any existing street which provides either frontage to new lots or access to new streets shall meet the minimum standards established in Section **4.16** for such existing street to conform to minimum standards. The Board may disapprove such subdivision until the Selectmen shall certify that funds for the improvements have been assured.

#### **4.19 Sidewalks:**

- (1) In the interest of safety for all residents and visitors to the Town of Farmington, adequate sidewalks must be provided for all new construction, and rehabilitation of existing construction, required to come before the Planning Board for either Site Plan Review or Subdivision approval.
- (2) Sidewalks shall be installed along sides of all streets, public or private, in accordance with Table 20(I)/4.19 to adequately provide customer and employee access, and connecting all principal commercial buildings to all public or private ways.
- (3) All sidewalks shall be constructed in conformance with the Americans with Disabilities Act (ADA), and all standards contained therein, and Table 20(I)/4.19, whichever is the more stringent standard.
- (4) Where sidewalks are proposed to cross streets, adequate crosswalks shall be installed in conformance with all ADA standards, and/or those standards contained in Table 20(I)/4.19. The Planning Board may require a higher standard than those contained in the ADA requirements, including signalization and lighting, when deemed appropriate by the Board.
- (5) Unless otherwise designated in Table 20(I)/4.19, sidewalks shall be made of concrete, with vertical granite curbing, unless waived by the Planning Board. In the event of a waiver, the minimum standard for sidewalks shall be bituminous concrete with vertical concrete curbing.
- (6) Where permitted by the Planning Board, and if permitted within the Right Of Way, sidewalks may take the form of pedestrian accessways, separated from the roadway by a vegetated buffer. Such accessways shall be either paved or gravel, and shall accommodate pedestrian and other non-motorized means of

- a. In the event that a vegetated swale and separated pedestrian accessway are proposed, the curbing requirements may be waived by the Planning Board.
- (7) When along a private road, sidewalk maintenance shall be the responsibility of the Homeowners Association, or other similar body of ownership. All sidewalks shall be maintained to allow for adequate pedestrian access in all seasons, including snow removal, and shall be repaired, as necessary, to ensure a safe, useable surface for pedestrian access. The above requirements shall be included in a Covenant, Homeowners Association Bylaws, or other similar legal document, acceptable to the Town, and shall run with the land, in perpetuity, unless or until accepted by the Town.
- (8) The Planning Board may, where it deems appropriate for pedestrian circulation and safety, waive a portion of the sidewalk requirements within a site and require that pedestrian accessways be installed adjacent to the site to better accommodate pedestrian safety and access to the site and to connect up with existing or proposed infrastructure adjacent to the site. Such improvements shall be completed by the developer, and may constitute up to 100% of the valuation of the sidewalk waiver within the site.
- (9) Pedestrian Rights Of Way not less than fourteen (14) feet wide may be required by the Planning Board where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities. All sidewalks within a 1.5 mile radius of schools shall be required to follow the guidelines of the Village Center (VC) District detailed in Table 20(I)/4.19, and shall accommodate a fourteen (14) foot Pedestrian Right Of Way, or if a fourteen (14) foot Pedestrian Right Of Way cannot be accommodated, the Pedestrian Right Of Way shall be the widest extent possible, up to Fourteen (14) feet.
- (10) To ensure safe pedestrian accommodations for all school children and parents, for all developments with 1.5 miles of a public school, the Planning Board shall require sidewalk construction to be constructed according to the standards of the Urban Residential (UR) District (below). These standards shall not be waived. Any additional safety features (crosswalks, signalization, guardrails, etc.) shall be required at the discretion of the Planning Board.
- (11) The Planning Board may require a higher standard than those contained in the Americans with Disabilities Act (ADA).

**Table 4.19:**

All sidewalks shall be constructed according to the following minimum standards. Where sidewalk curbing permitted is vertical or sloped granite, the Planning Board shall determine the type of curbing to be used.

**Agricultural Residential (AR) District:**

For residential developments with new interior roads and seven (7) or more dwelling units, sidewalks shall be required to meet the standards of the Rural Residential (RR) District (below). Any requests for waivers from these standards may be considered by the Board on a case-by-case basis. Unless specified by the Planning Board, no sidewalks are required for other types of development in this district.

**Suburban Residential (SR) District:**

- |   |  |
|---|--|
| a. Min. Width:                                | 5 Feet   |
| b. Base Course (Gravel)                       | 8 inches deep  |
| c. Surface (Concrete)                         | 4 inches deep (Reinforced)<br>6 inches deep (Non-Reinforced) |
| Or  |  |
| (Bituminous Concrete):                        | 2 inches deep  |
| d. Curbing Height Above<br>Finish Road Grade: |  |
| (Vertical or Sloped Granite):                 | 6 inches   |
| Or  |  |
| (Concrete)                                    | 6 inches   |

All sidewalks to be installed on at least one (1) side of the street, unless otherwise determined by the Planning Board.

**Rural Residential (RR) District:**

- |   |  |
|---|--|
| a. Min. Width:                                | 5 Feet   |
| b. Base Course (Gravel)                       | 8 inches deep  |
| c. Surface<br>(Concrete)                      | 4 inches deep (Reinforced)<br>6 inches deep (Non-Reinforced) |
| Or  |  |
| (Bituminous Concrete):                        | 2 inches deep  |
| Or  |  |
| (Compacted Gravel):                           | 6 inches deep (Not Encouraged)                               |
| d. Curbing Height Above<br>Finish Road Grade: |  |
| (Vertical or Sloped Granite):                 | 6 inches   |
| Or  |  |
| (Concrete)                                    | 6 inches   |

All sidewalks to be installed on at least one (1) side of the street, unless otherwise determined by the Planning Board.

**Urban Residential (UR) District:**

- a. Min. Width: 6 Feet
- b. Base Course (Gravel) 8 inches deep
- c. Surface  
(Concrete): 4 inches deep (Reinforced)  
6 inches deep (Non-Reinforced)
- d. Curbing Height Above  
Finish Road Grade:  
(Vertical Granite): 6 inches

All sidewalks to be installed on both sides of the street for all internal roadways, unless otherwise determined by the Planning Board.

**Village Center (VC) District:**

- a. Min. Width: 6 Feet
- b. Base Course (Gravel) 8 inches deep
- c. Surface  
(Concrete): 4 inches deep (Reinforced)  
6 inches deep (Non-Reinforced)
- d. Curbing Height Above  
Finish Road Grade:  
(Vertical Granite): 6 inches

All sidewalks to be installed on both sides of the street for all internal roadways, unless otherwise determined by the Planning Board.

**Commercial Center (CC) District:**

- a. Min. Width: 6 Feet
- b. Base Course (Gravel) 8 inches deep
- c. Surface  
(Concrete): 4 inches deep (Reinforced)  
6 inches deep (Non-Reinforced)
- d. Curbing Height Above  
Finish Road Grade:  
(Vertical or Sloped Granite): 6 inches  
Or  
(Concrete) 6 inches

All sidewalks to be installed on at least one (1) side of the street, unless otherwise determined by the Planning Board.

**Office Research Business (ORB) District:**

- a. Min. Width: 6 Feet
- b. Base Course (Gravel) 8 inches deep
- c. Surface  
(Concrete) 4 inches deep (Reinforced)  
6 inches deep (Non-Reinforced)
- Or
- (Bituminous Concrete) 2 inches deep
- d. Curbing Height Above  
Finish Road Grade:  
(Vertical or Sloped Granite): 6 inches
- Or
- (Concrete) 6 inches

All sidewalks to be installed on at least one (1) side of the street, unless otherwise determined by the Planning Board.

**Industrial Business (IB) District:**

- a. Min. Width: 6 Feet
- b. Base Course (Gravel) 8 inches deep
- c. Surface  
(Concrete) 4 inches deep (Reinforced)  
6 inches deep (Non-Reinforced)
- Or
- (Bituminous Concrete) 2 inches deep
- d. Curbing Height Above  
Finish Road Grade:  
(Vertical or Sloped Granite): 6 inches
- Or
- (Concrete) 6 inches

All sidewalks to be installed on at least one (1) side of the street, unless otherwise determined by the Planning Board.

**4.20 Utilities and Drainage:**

All subdivisions shall make adequate provisions for water supply, storm water and sanitary sewage disposal, and required utilities and improvements. The Board may require the extension of public water and sewer to and within a proposed subdivision, without cost to the Town, where existing lines are, in the sole judgement of the Board, within a reasonable distance of the proposed subdivision.

The subdivider shall install laterals from all utilities in the street right-of-way to the street property line of each building lot. Any habitable buildings constructed in the subdivision shall have house connections installed and shall have such connections extended inside the building.

All such utility system installations shall be at the expense of the subdivider and shall be installed under the supervision of the appropriate Town Agency.

An adequate surface storm water drainage system for the entire subdivision area shall be provided. Storm drainage shall be carried to existing watercourses, or connect to existing watercourses, or connect to existing storm drains. If the storm water drainage system creates any additional flow over any adjacent property, the subdivider shall obtain an easement harmless from any claims for damage resulting therefrom.

The Board may require the installation of street lighting in subdivisions where it deems necessary.

Where underground utilities are to be furnished from a public source, all necessary mains, branch offsets to each lot, and approved fire hydrants shall be installed by the subdivider, as approved by the corporation of municipal department having jurisdiction, to the satisfaction of the Selectmen and without expense to the Town.

**4.21 Flood Hazard Area:**

The Planning Board shall review the proposed new development to assure 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.*

The Planning Board shall require that all subdivision proposals and other proposed new developments greater than fifty (50) lots or five (5) acres, whichever is lesser, include within such proposals base flood elevation data.

Sufficient evidence (construction drawings, grading and land treatment plans) shall be submitted so as to allow determination that:

1. All such proposals are consistent with the need to minimize flood damage.
  2. All public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage.
  3. Adequate drainage is provided so as to reduce exposure to flood hazards.
- (Adopted 6/28/88)

The Board shall require new or replacement water supply systems and/or sanitary sewage to be designed to minimize or eliminate infiltration of flood water into the systems and discharges from the systems into flood waters, and require on site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding. (Adopted March 31, 1796).

#### **4.22 Parking:**

Two off-street parking spaces shall be provided per dwelling unit for one and two-family dwellings. Parking may be arranged in a stacked layout so that access to one space is over another space(s), provided the parking spaces are assigned to units and the access to one unit's parking space is not obstructed by the parking space of another unit.

Minimum parking space sizes shall be 10 feet wide by 20 feet long. Handicap parking spaces shall be 11 feet wide by 20 feet long and must adjoin a 5-foot access aisle, which may be shared by adjoining handicap parking spaces.

In order to ensure compliance with this section, the CEO shall require a plan showing the physical layout of all required off-street parking areas. Any change in the evidence or conditions upon which the plan is approved shall nullify such approval.

### **SECTION 5: ADMINISTRATION AND ENFORCEMENT**

#### **5.01 Modifications:**

The requirements of the foregoing regulations may be modified when, in the opinion of the Board, specific circumstances surrounding a subdivision, or condition of the land in such subdivision, indicates that such modification will in such subdivision, indicates that such modification will properly carry out the purpose and intent of these regulations.

#### **5.02 Approvals**

Before approving any subdivision plan submitted to it the Board shall find:

- A. That the subdivision plan presented will not create a scattered or premature subdivision plant which would, because of lack of water supply, drainage, transportation, distance from schools or fire protection and other public services require an excessive expenditure of public funds for the supply of such services or to correct problems in water supply of drainage or transportation and traffic which would be created by the said subdivision.
- B. The Board shall further find before approving any subdivision that said subdivision is part of the harmonious development of the Town and shall not create scattered development which would involve difficulty in traffic flow in the Town or be contrary to or in conflict with existing plans for growth and development in the Town as set forth in any permanent or interim Town plan or Permanent or interim ordinance or plan of the Town. Adopted August 9, 1983)

#### **5.03 Acceptance of Streets:**

Nothing herein is intended to modify the requirement of the law with reference to the acceptance to streets by the Town. Nothing herein is intended to modify or control the construction, reconstruction, or extension of roads by the Town.

**5.04 Other Regulations:**

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

**5.05 Enforcement:**

These regulations shall be enforced by the Board or its duly representative.

**5.06 Penalties:**

As provided in **RSA 676:16** *"any owner, or agent of the owner, of any land located within a subdivision in a municipality that has adopted subdivision regulations, who transfer or sell any land before a plat of the said subdivision has been approved by the Planning Board and filed with the appropriate recording official under RSA 674:35,II, shall forfeit and pay a civil penalty of five hundred dollars (\$500.00) for each lot or parcel to be transferred or sold: and the 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."*

**5.07 Appeals:**

As provided in **RSA 677:15**, *"Any person aggrieved by any decision of the Planning Board concerning a plat or subdivision may present to the Superior Court a petition, duly verified, setting forth that such decision is illegal or unreasonable in whole or part and specifying the grounds upon which the same is claimed to be illegal or unreasonable..."*

**5.08 Validity:**

If any section, subsection, or phase of these regulations is found for any reason to be invalid by a court of competent jurisdiction, such decisions shall not affect the validity of the remaining portion of the regulations.

**5.09 Savings Clause:**

The provisions of these subdivision regulations shall not apply to any plan or subdivision duly recorded in the Strafford County Registry of Deeds prior to the adoption and recording of these regulations.

**SECTION 6: SUBMISSION OF APPLICATION MATERIALS.**

All materials to be submitted to the Planning Board for consideration shall be submitted prior to the meeting so that Board members and abutters may have sufficient opportunity to review the application without unnecessarily delaying the proceeding of the meeting. When applicable, a copy of all materials, including updates, shall be provided to the Conservation Commission for their review and comment. The following shall apply:

- A. Application Acceptance. All materials required to constitute a Complete Application shall be submitted to the Town at least 30 days prior to the meeting at which it will be considered for Application Acceptance.

- B. Other Public Hearings. New materials shall be submitted to the Town at least 15 days prior to a meeting when a new public notice is required.
- C. Continued Meetings. When consideration of an application is continued and new or revised information is required, the Board shall specify the deadline for filing this new information. In no case shall it be less than three days prior to the meeting. The deadline shall be stated in the motion to continue the new or revised information shall be submitted to the Planning Department fifteen (15) days prior to the date of the continued hearing.

All applicants shall submit the following as part of their application package:

- Five (5) full size plan sets, one (1) of which shall be color;
- Fourteen (14) copies of the completed and signed Planning Board-approved application form and accompanying checklists;
- Fourteen (14) copies of a project narrative;
- Fourteen (14) 11" x 17" reductions of full plan sets;
- One (1) copy of the certified abutters list on the form approved by the Planning Board;
- Three (3) sets of mailing labels pre-addressed for each abutter;
- Three (3) sets of mailing labels pre-addressed for the applicant, property owner (if different), the agent (if applicable), and each licensed professional stamping/signing the plan set; and
- Payment of fees in full at the time of submission.

## **SECTION 7: SUBMISSION REQUIREMENTS FOR PRELIMINARY LAYOUT**

The preliminary layout may be drawn in pencil, and shall be submitted in three (3) paper print copies. Dimensions may be approximate and the data may be tentative, but the layout shall be sufficiently clear to illustrate all conditions and establish the basis and clarify the design requirements for the subdivision plat. Maps shall be at a scale of not more than 100 feet to an inch.

The preliminary layout shall contain or be accompanied by the following information:

1. Name of municipality and subdivision, name and address of the subdivider and designer.
2. Boundaries and area of the entire parcel, whether or not all land therein is to be subdivided: north point, bar scale, date of any revisions.
3. Names and addresses of abutting property owners, subdivisions and buildings within 100 feet of the parcel to be subdivided, and intersecting roads and driveways within 200 feet of the subdivision frontage of existing roads.

4. Locations of all existing buildings.
5. Existing and proposed street right-of-way lines, widths of streets, proposed names of new streets, existing and proposed lot lines.
6. Location of existing and proposed easements, deed restrictions, building setback lines, parks and other open space, water courses, large trees, foliage lines, and significant natural and man-made features, water mains, sanitary sewers, storm drainage lines, drainage structures and drainage ways.
7. Existing and proposed plan for telephone, electricity, and other utilities.
8. Municipal boundaries, if any.
9. A general site location map at a suitable scale, locating exactly the subdivision boundaries and proposed streets in relation to at least two existing intersecting streets.
10. A statement of the conditions of land as to the suitability for residential developments.
11. A statement of the work required on existing streets to meet the minimum standards set herein including cost estimates and the method of meeting such costs.
12. Existing and future subdivisions, if any, in and adjacent to the subject subdivision.
13. A statement, and contours sufficient detail, to indicate clearly the method of storm water drainage on and off the subdivision, methods of sanitary sewage disposal and water supply.
14. Soils data.
15. Watershed areas and drainage computations.
16. Preliminary road profiles, including cross-sections.
17. Is the proposed subdivision in a flood hazard area? YES\_\_\_\_\_ NO\_\_\_\_\_

For a minor subdivision (four or less lots) some of the above may be waived by the Board: if they are, they will be crossed out and initialed by the Chairman and so indicated in the minutes of the meeting.

All items must be completed before any meeting can be scheduled.

**THE BOARD RESERVES THE RIGHT TO MAKE ADDITIONS TO THIS LIST IN THE INTEREST OF BETTER PLANNING FOR THE TOWN OF FARMINGTON.**

**SECTION 8: SUBMISSION REQUIREMENTS FOR FINAL PLAT**

**FINAL PLAT:**

The final plat shall be in permanent black ink, on a permanent reproducible linen or polyester film. It shall be submitted in one (1) original and three (3) blue or black line prints on paper. Sheet sizes shall be in accordance with the requirements of the Strafford County Register of Deeds but not smaller than twenty (20) inches by thirty (30) inches. Space shall be reserved on the final plat for endorsement by all appropriate agencies. The final plat shall be consistent with the conditionally approved preliminary layout.

The final plat shall contain the following statement:

*"The Subdivision Regulations of the Town of Farmington, N. H. are a part of this plat, and approval of this plat is contingent on completion of all the requirements of said Subdivision Regulations, excepting only any variances or modifications made in writing by the Planning Board and attached hereto,"* together with the following information:

1. Name and seal of engineer or of land surveyor, licensed by the State of New Hampshire.
2. Final disposition of land into lots, streets, open spaces, drainage courses and any easements running with the land.
3. The final plat shall be based on a boundary survey with a maximum error of closure of one (1) in ten thousand (10,000) certified by an engineer or surveyor registered in the State of New Hampshire.
4. Distances shall be to the nearest 100<sup>th</sup> of a foot and bearing to the nearest ten (10) seconds.
5. Stations, radii, curve data and widths of travelled way for proposed streets.
6. Lot dimensions, area of each lot in square feet and acres, consecutive numbering of lots.
7. Accurate locations of all easements, either on or off the site.
8. Approved names of proposed streets.

9. Accurate locations of all monuments to be set at street intersections, points of curvature and tangency of curved streets and at angles of lots.
10. The following information shall be submitted together with the final plat:
  - A. All data required for the preliminary layout submission.
  - B. Existing and proposed contours at five (5) - foot intervals.
  - C. Existing and proposed plans for telephone, electricity and other utilities.
  - D. Proposed methods of sanitary sewage disposal and computations therefore: proposed storm drainage accompanied by a drainage analysis map and computations for the entire watershed area: methods of supplying water.
  - E. Final road profiles and cross sections.
11. If the street abuts a state highway, or if as proposed street intersects a state highway, a written statement from the New Hampshire Department of Public Works and Highways approving any proposed driveway or street access with such state highway.
12. If the subdivision is to be served by public water supply, or by public sewers, a statement from the Municipal Department or company involved, attesting to the availability of such service.

## **SECTION 9: FIRE PROTECTION REGULATION**

### **I. Preamble:**

**A. Purpose:** Due to the rural nature of the Town of Farmington and the lack of a community wide municipal water system, it has been necessary to require the provision of fire protection for newly developed areas within the community.

**B. Scope:** Sufficient water is of vital importance in order for the Farmington Fire-Rescue Department to provide effective fire protection services to the Town. The fire protection requirements set forth by the Fire-Rescue Department shall allow developer/agents some options in providing the necessary fire protection and ensuring that there shall be an adequate fire cistern/water supply available to support fire protection operations.

### **II. Definitions:**

**A. Approved:** Accepted by the authority having jurisdiction.

**B. Authority Having Jurisdiction:** The organization, office or individual responsible for “approving” equipment, an installation or procedure. In the context of the regulation the authority having jurisdiction shall be the Planning Board and the Fire-Rescue Department.

**C. Dry Hydrant:** A permanent piping system, normally a drafting source, that provides access to a water source other than a municipal-type water system.

**D. Municipal-Type Water System:** A system having water pipes serving hydrants and designed to furnish, over and above domestic consumption, a minimum flow of 250 gallons per minute and 20 pounds per square inch residual pressure for a 2 hour duration.

**E. Protected Property/Easement:** Property protected by a fire cistern/water supply that is minimally adequate in volume and duration and by a fire department capable of using this fire cistern/water supply to suppress a possible fire within the property.

**F. Vehicle Pad:** A level, hard surfaced area adjacent to a dry hydrant that is large enough and configured so as to allow a fire truck to be connected to the dry hydrant.

**G. Water Supply:** A water supply shall mean a natural body of water that is a man-made or a natural pond that has sufficient water.

**III. Authority:**

**A. Regulation:** Fire-Rescue Regulation per NFPA

**B. Policy:** The standards contained within this document shall be the criteria for the design, construction and location of fire cistern/water supply.

**C. Enforcement Authority:** The enforcement of this standard shall be a shared authority between the Fire-Rescue Department, the Planning Board and the Code Enforcement Office.

**D.** The Planning Board or designee shall have authority for the enforcement of those elements that are specifically related to the design and sufficiency of the fire protection with the recommendations from the Chief of the Fire-Rescue Department.

**E.** The Planning Board or designee shall have authority for those elements of construction and site plan/subdivision plan compliance as well as any bond issues.

**IV. Administration:**

**A.** Any subdivision, which creates 7 lots or more, shall be required to construct/install a fire cistern/water supply of 15,000 gallons.

**B.** The minimum development of any fire cistern/water supply for the purpose of fire protection shall follow this procedure and all applicable NFPA requirements.

**C.** The developer shall provide the Planning Board the design documentation for review as part of the regular site plan/subdivision plan approval process.

**D.** Design Documentation and Review:

**1.** A site plan/subdivision plan shall be provided for review that includes all of the information required by the Planning Board and the information listed below.

**a.** A plan which shows the location of the water source and delineates the protected property or properties within the specified travel distance of 1200 feet. The furthest house shall not be more than 1500 feet from the fire cistern/water supply.

**b.** The location of the proposed hydrant(s) shall be shown.

**c.** A vehicle pad shall be shown if a dry hydrant is being proposed.

**2.** A design package for the type of fire cistern/water supply to be used shall be submitted for review to the Planning Board as part of the site plan/subdivision plan application. All designs and calculations shall be stamped by a New Hampshire Licensed Engineer.

**a.** The design package shall include the following information:

**1.** The design and construction methods to be employed in creating the fire cistern/water supply.

**2.** The calculations used to determine the capacity of the water source.

**3.** The design calculations used to determine the size of the dry hydrant.

**4.** If a water supply is used, data establishing the normal water level and the low level on a 50-year drought shall be supplied.

**E.** Construction Timetables:

**1.** Water supplies that are required by this regulation shall be constructed according to the following timetable:

**a.** Subdivisions – Fire cisterns/water supplies shall be constructed at the beginning phase of the project. No building permits shall be

issued until the fire cistern/water supply is completed and approved.

- b.** Subdivisions – Municipal or community type water system shall be installed at the time the roadways are constructed and prior to the issuance of building permits.
- c.** Commercial – The required fire cistern/water supply of any type shall be completed and operational prior to any occupancy of the building.

**2.** The fire cistern/water supply shall be fully completed and tested prior to being accepted by the Fire Chief and the Planning Board or designee.

**F. Ownership/Responsibility and Bonding:**

**1.** All required fire cistern/water supply developments shall be bonded as part of the overall bonding requirement which shall be recommended by the Planning Board and approved by the Farmington Board of Selectmen.

**2.** Maintenance bonds shall be posted for cisterns and buried tanks and shall be held for a period of 2 years. The bond will be released by the Board of Selectmen upon recommendation by the Planning Board and inspection and approval of the system by the Fire-Rescue Department. The Association shall own and maintain the cistern/water supply unless the roadway and infrastructure is accepted by the Town legislative body.

**3.** The property owner/developer shall provide the Town of Farmington with a written easement that allows for the use of the cistern.

**4.** If the cistern is located within a development that has a Condominium/Homeowners Association form of ownership, the responsibility for maintenance of the cistern shall remain with the Condominium/Homeowners Association.

**G. Inspection and Testing:**

**1.** The fire cistern/water supply shall be inspected by the authority having jurisdiction during its construction/installation. An inspection schedule shall be established for each specific project.

**2.** A successful flow test shall be conducted by the Fire-Rescue Department or their designee prior to approval of the system.

**3.** A NH Licensed engineer shall sign off that the cistern was built to specifications.

## **V. Cistern Standards:**

### **A. General Requirements:**

- 1.** Fire cisterns/water supplies shall be located no more than 1200 feet roadway travel distance from any access driveway on the furthest lot within the development.
- 2.** The design of the fire cistern/water supply shall be designed to be trouble free for a design life expectation of 20 years.
- 3.** The entire fire cistern/water supply shall be rated to highway loading. All appropriate easements to the Town shall be in place prior to construction.
- 4.** All piping shall be American Society for Testing and Material (ASTM) (current edition) International steel pipe or schedule 40 PVC.
- 5.** All connections shall be clean and the appropriate sealing material used according to manufacturer's specifications so as to ensure all joints are airtight.
- 6.** All connections shall be anchored to the cistern to resist movement. Steel piping shall be screwed at the joints. Steel pipe or schedule 40 PVC piping shall be glued at the joints.
- 7.** A separate well, pump, float device and meter (as applicable) shall be connected to said cistern to maintain a full level of water at all times.
- 8.** All hydrant pipe and protective bollards shall be primed with rust inhibiting primer and painted bright red.

### **B. Storage Vessels:**

- 1.** Cisterns/buried tanks are a vital means of providing a water source in areas where natural or manmade ponds are not available. Cisterns are generally site built units, however, manufactured tanks may be used provided the general construction concepts of this section are met.
- 2.** Cisterns shall be designed specifically for the site and soil conditions where it is to be constructed. The plans for the design shall be stamped by a NH Licensed Engineer. The engineer shall sign off that the cistern was built to specifications.
- 3.** A NH Licensed Engineer shall sign off that the cistern was built to specifications.

4. Cisterns shall be designed using the information found in National Fire Protection Association (NFPA) standard #1231, Appendix B, Section B-4, 6, as the basic design criteria.
5. The design of the dry hydrant in the cistern shall comply with Section V of this Regulation.
6. The dry hydrant shall have a minimum delivery capacity of 1,000 gallons per minute (GPM) for  $\frac{3}{4}$  of the capacity of the cistern.
7. The dry hydrant shall be located so as to use a single 10 foot length of suction hose to connect to the fire pump when the apparatus is parked on the vehicle pad.
8. The vehicle pad shall be so located and of sufficient size so as to allow the apparatus to connect to the dry hydrant without blocking a travel lane of the roadway.
9. The dry hydrant suction connection shall be a maximum height of 15 feet above the bottom of the cistern.

**C. Suction Connections:**

1. The suction connection shall be a steel, threaded female connection 4.50 inch diameter, with National Standard Thread (NST) and provided with a suitable cap.
2. The suction piping system shall be 6 inches in diameter and capable of delivering 1,000 GPM, for  $\frac{3}{4}$  of the cisterns rated capacity. Any suction piping that is underground may be steel pipe or schedule 40 PVC.
3. The suction pipe connection shall be between 24 inches and 30 inches above level of the grade where the vehicles wheels shall be located when the cistern is in use.
4. Suction piping shall be supported on the top of the tank and to the bottom of the cistern with a space of 8 inches from the floor of the tank.
5. The bottom of the suction pipe to the pumper connection shall not exceed 14 feet vertical distance.
6. The shoulder and vehicle pad shall be 12 feet wide and 60 feet in length and tapered to meet the roadway. The pull-off shall be built to the Town of Farmington Road and Related Regulations specifications and paved.

7. The pitch of the shoulder and vehicle pad from the edge of the pavement to the pumper suction connection shall be 1% to 6% downgrade.
8. All horizontal suction piping must slope slightly uphill toward the pumper connection.

**D. Filler Connection:**

1. The filler pipe shall be 4 inches in diameter steel pipe or schedule 40 PVC.
2. The filler connection shall have one 4 inch Storz connector with suitable cover attached to a 45 degree downward sweep elbow. The filler connection shall be supported vertically to the cistern.
3. The filler pipe connection shall be 36 inches above the final grade.

**E. Vent Pipe:**

1. The vent pipe shall be 6 inches in diameter.
2. The vent pipe shall terminate not less than 36 inches above the final grade, with the opening to the pipe facing downward.
3. Vent piping shall have screen covers installed to prevent access by wildlife.

**F. Backfilling:**

1. The entire cistern shall be completely piped and inspected prior to any backfilling being accomplished.
2. All backfill materials shall be screened gravel with no stone larger than 1.50 inches and shall be compacted to 95% ASTM 1557.
3. Bedding the cistern shall consist of a minimum of 12 inches of .75 inch to 1.50 inch, crushed stone, and compacted. No fill shall be used under the stone.
4. The cistern shall be designed and installed so it will not float when empty.
5. After backfilling, the cistern shall be protected by either large boulders or steel, concrete filled, pipe bollards no less than 8 inches in diameter set in the ground below frost line or guardrails, protecting all exposed piping from potential vehicular damage.
6. Backfilling over the cistern shall be:

- a. 4 feet of fill; or
  - b. The top and highest 2 feet of the cistern shall be insulated with vermin resistant foam insulation, and 2 feet of fill.
  - c. Backfill shall extend 10 feet beyond the edge of the cistern then have a maximum of a 3:1 slope, loamed and seeded.
7. Cisterns shall be equipped with a 32 inch watertight manhole with a bland cover that will accept a Knox Padlock as specified by the Fire Chief. Access shall be provided to all sections of the tank.
8. The developer/agent is responsible for completely filling the cistern initially. The water level shall not drop more than 1 inch in the first 24 hours initially and not more than 1 inch additionally in 30 days.
9. The developer/agent is responsible to supply and install identification signs as directed by the Fire Chief. This shall include “No Parking” signs according to Town specification.
10. The Certificate of Occupancy shall be withheld until the fire cistern/water supply has been approved and accepted by the Fire-Rescue Department, signed off by the Fire-Rescue Department and certified by a NH Licensed Engineer.

**VI. Alternative Systems:**

**A. Ponds/Lakes:**

A pond or lake, whether it is a manmade or natural, shall meet the specifications as set by the US Department of Agriculture, Soil Conservation Service and those specifications found in Section V of this Regulation. A dry hydrant shall be installed that meets the design standard of this Regulation. All work shall be inspected.

**B. Municipal/Public Water Supplies:**

Extensions of the municipal water service for the Town of Farmington may be allowed if approved by the Board of Selectmen and shall fully meet the design and installation requirements of the Farmington Water Department.

**C. Community Water Systems:**

If a community water system is used within a subdivision to provide the fire suppression water requirement, the system shall be designed and constructed to meet NFPA standard #24 – Standard for the Installation of Private Fire Service Mains. The design and flow capacities of the

complete system shall also meet the criteria of the American Water Works Association for the size subdivision being supplied.

**D.** Residential Sprinkler System to meet applicable NFPA standards.

**E.** Other NFPA-approved protection systems.

**Note:** These specifications and accompanying drawings are subject to change. Be sure to check for revisions of the specifications prior to designing any cistern. The specifications that shall be adhered to are those in place at the time the cistern is approved.