

**TOWN OF
CHESTER, NEW HAMPSHIRE
SITE PLAN REVIEW REGULATIONS**

**Comprehensive Revision as of January 5, 2011
Amended June 22, 2011**

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TOWN OF CHESTER SITE PLAN REVIEW REGULATIONS

ARTICLE 1

AUTHORITY AND TITLE

Pursuant to the authority vested in the Planning Board by the voters of the Town of Chester on May 3, 1979, and October 15, 1985, and in accordance with the provisions of RSA 674:43 and 44, New Hampshire Revised Statutes Annotated (RSA), the Planning Board has been empowered to review and approve or disapprove site plans for the development or change or expansion of use of tracts for non-residential uses, or for multi-family dwelling units (three or more units) whether or not such development includes the subdivision or resubdivision of the site.

These regulations shall be known, and may be cited as, the "Town of Chester Site Plan Review Regulations," hereinafter referred to as "Site Plan Review Regulations." The current set of regulations revises and replaces any prior Site Plan Review Regulations, as amended, and takes effect upon adoption by the Board and filing with the Town Clerk of the Town of Chester, in accordance with RSA 675:6. A copy shall also be filed with the New Hampshire Office of State Planning in accordance with RSA 675:9.

ARTICLE 2

PURPOSE AND INTENT

2.1 Purpose and Intent

The purpose of the site plan review procedure as detailed in RSA 674:44 is to protect the public health, safety and welfare; to promote balanced growth; to ensure sound site utilization; to avoid development which may result in adverse environmental impacts; to promote sustainable development and smart growth, to promote pedestrian oriented development, to prevent premature and uncoordinated development of land without adequate provisions for public services and facilities; and to guide the character of development. The site plan review procedure is intended to encourage the developer to create a site plan that emphasizes the four major categories of the Innovative Land Use Planning Techniques (ILUG): prosperity, sustainability, livability and mobility.

As provided by RSA 674:44, these regulations provide the procedures which the board shall follow in reviewing site plans; define the purposes of site plan review; specify the general standards and requirements with which the proposed development shall comply, including appropriate reference to accepted codes and standards for construction; include provisions for guarantees of performance, including bonds or other security; and include provision for waiver of any portion of the regulations in such cases where, in opinion of the Planning Board, strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations.

The site plan review procedure in no way relieves the developer, his/her agent, or any other individual from compliance with the Zoning Ordinances, Subdivision Regulations, or any other ordinance which pertains to the proposed development. No site plan will be finally approved until it complies in all respects with any and all applicable ordinances and regulations of the Town of Chester.

2.2 Conflicting Provisions and Validity

Whenever the regulations made under Planning Board authority differ from those prescribed by any statute, ordinance, or other regulations, that provision which imposes the greater restriction or the highest standard shall govern.

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

ARTICLE 3

DEFINITIONS

3.1 Definitions

The definitions contained in the Town of Chester Zoning Ordinance and in the Subdivision Regulations shall apply to the Site Plan Review Regulations unless a different definition is adopted in these regulations.

3.1.1 Development

Development means construction of a structure or structures or other improvements on a tract of land for any non-residential use or for multi-family dwelling units (which are defined as any structures containing more than two (2) dwelling units), whether or not, such development includes a subdivision or resubdivision of the site.

3.1.2 Reconstruction

The activity of constructing something again.

3.1.3 ILUG

Innovative Land Use Planning Techniques Guide - A Handbook for Sustainable Development, October 2008, compiled by NH DES; NH Association of Regional Planning Commissions; NH OEP and NH Municipal Association and future updates shall be kept on file with the Chester Planning Department.

ARTICLE 4

JURISDICTION

- 4.1 Except as provided in Section 4.2, no person shall commence development, change or expand non-residential or multi-family dwelling use, or clearing land for any such purpose, (except for the purpose of septic system percolation tests), without site plan approval from the Planning Board.
- 4.2 Site plan approval shall not be required for change or expansion of existing non-residential or multi-family dwelling use if the Planning Board, upon request of the applicant, finds that the following criteria are fulfilled:
- (a) The existing use has an approved site plan;
 - (b) The proposed change or expansion will not add more than 7% or 1,500 square feet, whichever is less, to the floor area of the existing structure(s);
 - (c) A proposed change or expansion would not create significant impacts on surrounding property in terms of traffic, parking, storm water run-off, light, noise, odor or vibration, etc; and
 - (d) The site has not received a previous exemption under this section.
- 4.3 No building permit for a non-residential or multi-family dwelling structure shall be issued without site plan approval or an exception granted under Section 4.2.

ARTICLE 5

GENERAL INFORMATION REGARDING THE SITE PLAN REVIEW PROCESS

- 5.1 It is recommended that the applicant read the Town of Chester Zoning Ordinance, Building Code and Subdivision Regulations.
- 5.2 The applicant shall make an application using appropriate forms (See Appendices F & G) provided by the Planning Board and shall comply with the application procedures and any other applicable regulations adopted by the Town of Chester.
- 5.3 In the case where an owner of contiguous land which is located in more than one municipality applies to the Planning Board for site plan review, the proceedings will be done in conformance with the standards outlined in RSA 674:53, Land Affected by Municipal Boundaries.
- 5.4 The applicant shall be required to pay all reasonable costs or fees for special investigative studies, engineering reviews and review of documents, which are particular to the application, in addition to administrative and notification fees as required by the Planning Board, in accordance with RSA 676:4, 1(g).
- 5.5 The Planning Board or its representative may make one or more visual on-site inspections of the land at any stage of the proposal. Inspection shall be conducted at such time when the site is free of snow cover, unless the Planning Board is otherwise satisfied that such inspection is not required.
- 5.6 If a plan is withdrawn prior to hearing notification for the plan, no further action is required by the Planning Board, and the plan will be considered terminated. One copy of any such plan(s) shall be retained for Board files.
- 5.7 The applicant shall be familiar with the Innovative Land Use Planning Techniques Guide (ILUG) and shall consider and utilize the land use techniques from this guide whenever appropriate and possible to ensure adequate environmental protection, smart growth and sustainable development.
- 5.8 The applicant, when preparing for stormwater management, should be guided by the Chester Stormwater Management Plan (Refer to Appendix C).

ARTICLE 6

PROCEDURES FOR SITE PLAN REVIEW

6.1 Pre-application Review Phase

The Planning Board may provide for pre-application review of site plan plats in accordance with RSA 676:4, II, a-c, as follows:

6.1.1 Preliminary Conceptual Consultation Phase

This is an optional phase centered on preliminary planning board review of and comment on the basic concept of the proposal. Such preliminary consultation is intended to facilitate compliance with site plan review requirements during final consideration. Such consultation shall not bind either the applicant or the Board, and statements made by the Planning Board members shall not be the basis for disqualifying said members or invalidating any action eventually taken.

The Board and the applicant may discuss proposals in conceptual form only and in general terms such as the desirability of types of development and proposals under the master plan. Such discussion may occur without the necessity of giving formal public notice as required under RSA 676:4, I(d); however, such discussions may occur only at formal meetings of the Board.

It is recommended that the applicant submit the following information for the preliminary consultation with the Board:

- a) correct names, mailing addresses and zip codes of the owner(s) of record of the property and the applicant (if different), and
- b) a brief description of the proposal.

6.1.2 Design Review Phase

This is an optional phase for nonbinding discussions between the Planning Board and the applicant, beyond conceptual and general discussions, which involve more specific design and engineering details; provided, however, that the design review phase may proceed only after identification of and notice to abutters and the general public as required by RSA 676:4, I(d). Statements made by Planning Board members shall not be basis for disqualifying said members or invalidating any action eventually taken on the application.

When meeting with the Planning Board under the design review phase option, a rough sketch of the site should be provided which shows the following:

- a) location of lot lines;
- b) lot measurements;

- c) streets surrounding site;
- d) endangered habitats and sensitive land areas; and
- e) water wells on abutting lots.

6.1.3 Persons wishing to engage in either conceptual consultation, or the design review pre-application phase shall request an appointment with the Planning Board by contacting the Planning Coordinator.

6.2 Formal Application

6.2.1 Applications for site plan review shall be filed with the Planning Board and shall fulfill all the requirements of these regulations. An application, on forms approved by the Planning Board and available at the Planning Board office, shall be completed by the applicant.

At the request of the Planning Board, the applicant shall meet with the Town's designated expert or agent, before making formal application so that potential problems may be addressed as early as possible in the planning process.

A completed application will be submitted to, and accepted for consideration by the Planning Board only at a public meeting for which notice has been given to the applicant, abutters and the general public.

6.2.2 Incomplete applications shall not be placed on the Planning Board agenda.

6.2.3 The Planning Board at any given time may deem an application complete and schedule same for a public hearing.

6.2.4 All completed applications scheduled for Planning Board hearings shall be accompanied by the following:

6.2.4.1 A letter of intent detailing the scope of the proposed development.

6.2.4.2 A letter of authorization if a representative other than the property owner expects to be in charge of the development proceedings before the Board. This letter must be written by the present owner and state that the owner is in agreement with the development plans being proposed before the Board.

6.2.4.3 On a separate piece of paper, provide the correct names and mailing addresses and zip codes of the applicant and owner(s) of record (if different), and all abutters (including those across the stream or street) as indicated in Town records to be obtained not more than five (5) days before the day of filing.

6.2.4.4 A detailed description of innovative land use techniques to be utilized within the development site and the reason for implementing each.

6.2.5 The applicant shall submit to the Planning Board a complete application for site plan approval, including all supporting exhibits as specified in Articles 7 and 8 of these regulations.

6.2.6 Fees

6.2.6.1 See Schedule of Charges (Article 13).

6.2.6.2 Costs of certified mailings for each landowner abutting the property subject to the proposed Site Plan Review.

6.2.6.3 In the event that the abutters hearing is defaulted for any reason, or additional hearings are required, any and all additional fees shall be paid by the applicant for the new hearing.

6.3 Notification

The Planning Board shall notify the applicant and abutters by certified mail, of the date, time and place of the Planning Board meeting at which the application will be submitted to the Board for formal consideration. According to RSA 676:4(d), notice shall be mailed at least ten (10) days prior to the date of submission. Notice to the general public shall also be given at the same time by posting in two (2) public places and publishing in a local newspaper. The notice shall include a general description of the proposal, the applicant's name, and the location of the property subject to the proposal. For any public hearing on the application, the same notice as required for notice of submission of the application shall be given. If notice of public hearing has been included in any prior notice, additional notice is not required, nor shall additional notice be required of an adjourned session of a hearing properly noticed, if the date, time and place of the adjourned session was made known at the prior hearing.

6.4 Acceptance, Formal Consideration and Public Hearing

6.4.1 At the beginning of the public hearing, the Planning Board shall formally accept for consideration the application for site plan if all requirements have been met. This marks the beginning of the sixty-five (65) day review period (RSA 676:4, l(c)). The Board may apply to the Selectmen for a time extension not to exceed an additional ninety (90) days before acting to approve, conditionally approve, or disapprove an application. An applicant may waive the time requirements for Board action within the time periods specified in these regulations.

In the event an application is found to be incomplete, the Planning Board shall notify the applicant requesting that the necessary documentation be submitted, and inform the applicant that no further consideration of the application can be made until the application is complete.

6.4.2 During the public hearing, the Planning Board will take testimony from the applicant, questions from members of the Planning Board, and questions from any abutters present and any members of the public present with an interest in the proceedings.

6.4.3 Site Inspections

The Planning Board, together with any other appropriate Town agencies or agents, may choose to conduct one or more inspections of the property subject to the proposal. In the event such site inspections are deemed necessary by the Planning Board, the following shall be required:

6.4.3.1 The Board shall receive permission from the applicant and/or land owner to inspect the property. Inclusion of the public at the site inspection is at the discretion of the applicant/owner.

6.4.3.2 Such a site inspection shall be posted as a meeting of the Board pursuant to the Right-to-Know provisions of RSA 91-A.

6.4.3.3 All applications are conditioned upon the owner/applicant allowing access to the property, to the extent reasonable and necessary for the Planning Board to properly review the application. Denial of access automatically terminates any further consideration of the proposal.

6.4.4 The Planning Board shall not have the authority to approve an application which does not conform to the Town of Chester Zoning Ordinance.

6.4.5 Within thirty (30) days of receipt the Board shall begin consideration of the accepted application.

6.4.6 Decision

Within sixty-five (65) days of formal acceptance of the plan, or, if the time limits are waived or extended by the Board of Selectmen in accordance with Sections 6.4 and Article 5 above, later, the Planning Board will make a decision on the site plan proposal in one of the following ways:

6.4.6.1 Approval

At a duly noticed public meeting, the Planning Board may act to approve, without conditions.

6.4.6.2 Conditional Approval

The Planning Board may grant conditional approval of a plat or application. Such conditional approval shall become final without further public hearing, upon certification to the Board by its designee or based upon evidence submitted to the Planning Board by the applicant, satisfaction of the conditions imposed. Final approval of a plat or application may occur in the foregoing manner only when the conditions are:

- a) Minor plan changes, whether or not imposed by the Board as a result of a 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 Planning Board; or
- c) Conditions with regard to the applicant's possession of permits or approvals granted by other boards or agencies, provided said permits or approvals themselves do not require a change to a plat submitted to the Planning Board or to any other conditions imposed by the Planning Board.

6.4.6.3 Disapproval

If the Planning Board finds that the application does not fulfill the requirements of these regulations, or fails to comply with other Town or State laws, or will have an adverse impact on surrounding areas or the community, the Planning Board shall disapprove the application.

6.4.6.4 Written Decision

The Planning Board shall issue a final written decision of its action to approve, conditionally approve, or disapprove the completed application. If the application is conditionally approved, the Planning Board shall list the conditions necessary to be met by the applicant prior to final approval.

6.4.7 In accordance with RSA 676:3, if the application is not approved, the Planning Board shall provide the applicant with written reasons for disapproval. The decision shall be placed on file in the Planning Board's office and shall be made available for public inspection within seventy-two (72) hours after the decision is made, and a copy of the decision shall be filed with the Town Clerk.

6.4.8 Approval and conditional approval shall be good for a term of one (1) year from the date granted. The plan will become null and void if active and substantial improvements have not commenced.

6.4.8.1 For the purpose of these regulations, "active and substantial improvements" shall be defined as:

- i. Construction of and/or installation of basic infrastructure to support the development (including all of the following: at least one building foundation wall/footing, roadways, access ways, etc. to a minimum of gravel base; and utilities placed in underground conduit ready for connections to proposed buildings/structures) in accordance with the approved plan; and
- ii. Construction and completion of drainage improvements to service the development in accordance with the approved plans; and
- iii. All erosion control measures (as specified on the approved plans) must be in place and maintained on the site; and
- iv. Items I, ii, iii shall be inspected and approved by the Town of Chester.

6.5 Concurrent and Joint Hearings

The Planning Board may hold a hearing on a site plan review in conjunction with a subdivision hearing if both are required for the same project. A hearing for site plan review on the same project may also be conducted at the same time and place as a hearing before the Zoning Board of Adjustment.

6.6 Recording of the Final Plat

Following approval of the final plat, with the signature of the Planning Board thereof, the Planning Board shall have the original tracing of the approved final plat recorded in the Rockingham County Registry of Deeds within thirty (30) days of having met the Conditions of Approval for Recording. The applicant shall be held liable for all costs associated with the Planning Board's having the plat recorded.

ARTICLE 7

SPECIFIC PLAN REQUIREMENTS

7.1 Specific Plan Requirements

The Plan must be presented to the Planning Board in the following format:

- 7.1.1 The plan must be drawn in original ink on mylar or other material acceptable for recording purposes at the Rockingham County Registry of Deeds.
- 7.1.2 Sheet size which conforms to the requirements of the Registry of Deeds of Rockingham County for filing. These sheet sizes are: 8.5"x11"; 11"x17"; 17"x22"; and 22"x34".
- 7.1.3 Abutters must be indicated on any plan submitted, showing their location in relation to the proposed site plan.
- 7.1.4 Scale should not be more than 1" = 40' (one inch equals forty feet).
- 7.1.5 Proposed site plan name or identifying title.
- 7.1.6 Correct current names of owner(s) of record (and applicant, if different).
- 7.1.7 Date, north arrow and location (locus map).
- 7.1.8 Name, license number, signature(s), and seal of a NH registered land surveyor, soil scientist and engineer, if applicable.
- 7.1.9 Endorsement block for Planning Board approval.
- 7.1.10 All benchmarks shall be placed in reference to a permanent USGS point location.
- 7.1.11 Tax map reference including map and parcel number.
- 7.1.12 The final plan(s) shall include sufficient data acceptable to the Planning Board and the Town Engineer to determine readily the location, bearing and length of the existing street and lot line, and to reproduce such lines upon the ground. All dimensions shall be shown to hundredths of a foot and bearings to at least half a minute.

The final plan(s) shall show the boundaries of the property and the bounds of any public or private streets and easements abutting or pertaining to the proposed site plan. The plan(s) shall be based on a boundary survey with a maximum error of closure of 1 in 10,000 certified by a licensed land surveyor or engineer registered in the State of New Hampshire. Distances shall be to the nearest 100th of a foot and bearings to the nearest 10 seconds.

7.1.13 Match lines when needed.

7.1.14 The Planning Board may require a Community Facilities Impact Study, an Environmental Impact Study and/or additional information that it deems necessary in order to apply and enforce the intent and purposes of these regulations. Such studies shall be undertaken at the expense of the applicant for site plan review and at no cost to the Town of Chester. The firm, individual or agency selected by the applicant to prepare such a study or studies shall obtain the prior approval of the Planning Board.

7.1.15 All abutting land owners, physical features and uses of abutting land within three hundred (300) feet of the site.

7.1.16 The shape, size, height, location and uses of existing and proposed structures located on the site and those existing within three hundred (300) feet of the site.

7.2 Surveyed Site Plan

Five (5) copies of the surveyed site plan shall be submitted upon application, and the plan shall include the following information:

7.2.1 Location of property lines and their dimensions and bearings, boundary extensions, existing buildings, existing and proposed easements, alleys, parks, public open spaces, water courses, flood plains, ponds, vernal pools or standing water, wetlands, rock ledges, and other existing natural or man-made features. Abutting parcel names, together with the foregoing information with respect there to shall be included.

7.2.2 Locations, names and widths of existing and proposed streets, roads and rights-of-way (ROW's) with their grades and profiles and their center lines.

7.2.3 The plan shall show the location of an emergency key box to be available to the police and fire department to insure access to all on-site facilities in the case of emergencies.

7.2.4 Locations of access to existing town roads, as stated in RSA 236:13, Section 5, and copies of permits for such access.

7.2.5 Existing and proposed water mains, sewers, culverts, drains, and proposed connections or alternative means of providing water supply, and disposal of sewage and surface drainage. All utilities, including telephone and electric, shall be underground.

7.2.6 Where the topography is such as to make difficult the inclusion of any facilities mentioned in Subsection 7.2.1 above, within the public area so laid out, the plan shall show the boundaries of proposed permanent easements over or under private property. Such easements shall be not less than ten (10) feet in width and shall have satisfactory access to existing or proposed public way(s).

- 7.2.7 The size and location of all existing public and private utilities and all existing landscaping. This shall include the location and size of existing public utilities that are located off-site, with which connection is planned or located within one hundred (100) feet of the site.
- 7.2.8 The location of all existing wells and septic systems within one hundred (100) feet of the site shall be shown.
- 7.2.9 A vicinity sketch [suggested scale is one (1) inch equals five hundred (500) feet], showing the location of the site in relation to the surrounding public street system. The zoning districts and boundaries for the site and within one thousand (1,000) feet of the site shall be shown.
- 7.2.10 Any additional information requested by the Planning Board at the informal discussion.
- 7.2.11 Topographic Plan of the proposed site shall be submitted which includes the information described below:

The general topography of the proposed site shall be shown by means of elevations of sufficient points on the property to establish and show contour lines at vertical increments of not more than two (2) feet for the entire area proposed development. Areas with slopes greater than 15% shall be delineated on the plan with the delineation shown in the "Legend".

7.3 Stormwater Management and Design

A Stormwater Management Plan (SMP) shall be prepared for any use that will render more than 15% or 10,000 square feet (which ever is greater) of any lot impervious. See Appendix C for details.

7.4 Erosion and Sediment Control Plan

The purpose of the Erosion and Sediment Control Plan is to control soil erosion and sedimentation resulting from site construction and development. A site plan shall include a plan for controlling erosion and sedimentation as provided in Appendix D.

7.5 Septic System Siting Requirements

- 7.5.1 In no case shall the Planning Board grant final approval of a proposed site plan until all state and federal approvals, if necessary, have been received: e.g., N.H. Department of Environmental Services (DES) - Water Supply and Pollution Control Division Subdivision Approval; DES Subsurface Disposal; DES Site Specific; DES Wetlands Board - Dredge and Fill Permit; DES Water Supply Approval; and U.S. Army Corps of Engineers 404 Permit.
- 7.5.2 In areas served by individual on-site sewage disposal systems, it shall be incumbent upon the applicant or his agent to adequately demonstrate that the lots will meet all

current state and local septic system disposal standards. No site plan of land will be approved which cannot meet these standards.

- 7.5.3 The applicant or his agent shall be required to submit all site information, including, but not limited to, percolation tests, test pits, soil, slope, and minimum distance data as may be required by the Town of Chester Zoning Ordinance to determine the suitability of the lot(s) for on-site sewage disposal.
- 7.5.4 The location of and pertinent data on sufficient test pits and percolation tests to show that the regulations can be met on the lot(s). Information shall include at least the following:
 - 7.5.4.1 The location of at least two (2) test pits;
 - 7.5.4.2 One percolation test data;
 - 7.5.4.3 The certification of the test pit inspector witnessing the percolation tests; and
 - 7.5.4.4 An outline of the four thousand (4,000) square foot areas reserved for leach fields which corresponds to test locations.

(Local septic system requirements must be met prior to obtaining approval from the N.H. Water Supply and Pollution Control Division.)

7.6 Legal Documents

Where applicable to a specific site, the following are required in a form approved by Town Counsel:

- 7.6.1 Agreements to convey to the Town land to be used for streets or other public purposes, with transfer of title.
- 7.6.2 Easements and rights-of-way over property to remain in private ownership, including drainage easements.
- 7.6.3 Performance security, as described in Subsection 7.7.

7.7 Performance Security

- 7.7.1 Security shall be in a form and amount, and with surety, and other conditions all satisfactory to the Board to insure for the Town the construction and installation of any required improvements within a period of time not to exceed five (5) years. The time limit of five (5) years for completion from the date of final approval shall be expressed in the security. The security shall remain valid and available until drawn upon by the Town or released in accordance with Subsection 7.7.1.1 and 7.7.1.2 below.

The security shall be in one of the following forms:

7.7.1.1 Performance bond.

7.7.1.2 Irrevocable letter of credit submitted on the standard form approved by the Town. If other than the Town's approved form, the performance agreement shall be reviewed and approved by the Planning Board and Town Counsel as to proper legal form and enforceability. The cost of this review shall be borne by the applicant.

7.7.2 The applicant shall file with the Board a detailed estimate of all costs of required street improvements, drainage structures, utilities, landscaping or other improvements. The Board may have the estimate reviewed by a professional consultant, if deemed necessary. The cost of this review shall be borne by the applicant. The Board, after considering the estimate, and other pertinent information, shall determine the amount of the performance security required.

7.7.3 The Board may further extend the time of three (3) years for completion when the reasons for delay were unforeseeable and beyond the reasonable control of the applicant.

Any such extension shall be in writing and signed by a majority of the Planning Board signifying their concurrence and shall only be granted after ensuring the validity and availability of the security for such extension. Any such extension shall be at the discretion of the Planning Board.

7.7.4 The performance security shall not be released until the Board has certified after inspection that the required improvements have been completed in accordance with the approved plat. A fee, payable by the applicant, may be charged to cover the cost of professional consultation selected by the Board to assist in determining completion of all required work to the construction standards of the Town.

7.7.5 All security shall be held by the Planning Board of the Town of Chester. The Planning Board shall not draw upon or release any security until it is in receipt of a resolution passed by a majority of the Planning Board stating the purpose and amount to be drawn or released. The Planning Board shall enforce such performance security by all appropriate legal and equitable remedies.

7.8 Traffic Impact Analysis

To show evidence that the impending new land use is focused on pedestrian oriented development that maximizes pedestrian-friendly road systems and walk-ways and encourages the use of non-motorized transportation.

7.8.1 Any development proposed to be located on or having an effect on a town or state (Class V or better) road or street shall be reviewed by the Planning Board to ascertain that adequate provisions have been made by the owner or his/her agent for traffic safety. To facilitate this review, the Planning Board may require the applicant to provide the Planning Board with a traffic impact analysis when deemed

necessary by the Planning Board due to the size, location or traffic generating characteristics of the development.

Traffic impact analyses shall address each of the following:

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

7.8.1.2 Pedestrian safety and access.

7.8.1.3 Off-street parking and loading.

7.8.1.4 Emergency vehicle access.

7.8.1.5 Off-site improvements necessitated and to be constructed by the applicant.

7.8.1.6 Connectivity amongst walkways and between adjacent properties through shared access easements.

7.8.2 The Planning Board may retain, at the applicants expense the services of a consultant qualified in traffic planning to review the traffic impact analysis and to ensure that adequate provisions are made in the development plan to reduce or eliminate those impacts.

7.9 Streets and Roads

All public and private roads, streets, and driveways, shall be submitted as specified in Appendix A.

7.10 Parking

Parking shall comply with the Town of Chester Zoning Ordinance as it relates to parking requirements. In the absence of parking regulations, the following parking regulations shall also apply:

7.10.1 Parking Space - defined as an off-street area for vehicular parking.

7.10.2 The following minimum number of parking spaces shall be provided on premises and maintained by the owner/developer of a property for each proposed, new or altered building, or use which may not involve a building or structure.

7.10.2.1 Dwelling or manufactured house - At least two spaces for each dwelling unit.

7.10.2.2 For industrial and manufacturing establishments there shall be at least one and one-half (1.5) parking spaces provided for each employee on the major shift.

7.10.2.3 For commercial retail establishments there shall be a minimum of five parking spaces established plus one parking space for each 400 square feet of selling space.

7.10.2.4 For office establishments there shall be a minimum of one parking space per employee plus an additional 10% of said space reserved for visitor parking.

7.10.3 Parking Lot Requirements

The following requirements shall govern parking lots:

7.10.3.1 Parking Lot - Parking lot shall mean a parking area having ten or more parking spaces.

7.10.3.2 Handicapped Parking - The regulations of the Governor's Commission for the Handicapped, New Hampshire Code of Administrative Rules, Part Han 304 VEHICULAR PARKING, shall apply.

7.10.3.3 No required parking space shall serve more than one use.

7.10.3.4 The minimum width of aisles providing access to parking spaces shall be in accordance with the following schedule:

<u>Angle of Parking</u>	<u>Minimum Aisle Width</u>
Parallel	12 feet
30 degrees	12 feet
45 degrees	13 feet
60 degrees	18 feet
90 degrees	23 feet

7.10.3.5 Parking lots shall have an area designed for handicapped parking and have the proper permanent sign to mark the handicapped space.

7.10.3.6 A minimum of 8 foot wide strips of land shall be provided on at least 3 sides of the parking lot for the storage of plowed snow. The snow storage area may not encroach on the area required for off-street parking spaces or any fire lanes.

7.10.3.7 Off-street parking spaces shall be established no further than 200 feet from residential buildings and 500 feet from industrial or commercial buildings.

7.10.3.8 Parking spaces shall be so arranged as not to cause automobiles to back onto any street.

7.10.3.9 Each parking space shall be a minimum of 9 feet by 20 feet.

7.10.4 Site Plan Review

Parking space requirements not specifically set forth in this Ordinance shall be governed by the Planning Board in the exercise of the authority granted to it pursuant to Site Plan Review Regulations.

7.11 Signs

For specific sign requirements, please refer to the Town of Chester Zoning Ordinance - General Regulations.

7.12 Noise

In accordance with Subsection 4.1 of the Town of Chester Zoning Ordinance, the following standards shall apply for the purpose of regulating noise levels within the Town:

7.12.1 General Noise Provisions

7.12.1.1 It shall be unlawful for the owner, occupant and/or any person causing or permitting sound or noise to project within the boundary of a use district which exceeds the limiting noise level set forth in Table 1 below.

7.12.1.2 Sound or noise projecting from one use district into another use district with a different noise level limit shall not exceed the noise limits at any point of the district into which the noise is projected.

7.12.1.3 The issuance of a building permit shall carry an automatic increase in the noise limit to seventy-five (75) DBA for all activities directly involved with the permitted construction for the hours between 7:00 a.m. and 8:00 p.m. The noise limits for the hours between 8:00 p.m. and 7:00 a.m. shall remain as specified in Table 1 below, unless otherwise specify in the site plan.

7.12.2 Measurement of Noise

7.12.2.1 The measurement of sound or noise shall be made with a sound level meter meeting the standards prescribed by the American National Standards Institute. Said meter shall be set for the A-weighted response scale.

7.12.2.2 The appropriate methodology shall be used in conjunction with a meter in order to best determine that the maximum permissible sound pressure levels for use districts has not exceeded the limiting noise level set forth in Table 1.

- 7.12.2.3 Measurement of sound levels shall be made at the property line of the property on which such noise is generated or perceived, as appropriate, and shall be taken at least four (4) feet from ground level.
- 7.12.2.4 Compliance with the noise limits is to be maintained at the boundary of the property.
- 7.12.2.5 Daytime hours shall be between 7:00 a.m. and 8:00 p.m. Night-time hours shall be between 8:00 p.m. and 7:00 a.m.

TABLE 1

MAXIMUM PERMISSIBLE SOUND PRESSURE LEVELS FOR USE DISTRICTS
(Sound Pressure Level Limits Measured in DB(A)s)

	<u>DAYTIME</u>	<u>NIGHT TIME</u>
Commercial/Industrial Zones (includes professional office structures)		
Commercial Uses	65	55
Residential Uses (Includes multi-family structures)	60	50

7.13 Landscaping and Screening

A landscaping and screening plan shall be required upon application for subdivision or site plan review, excluding minor subdivisions, change of ownership, or when waived by the Planning Board. A landscaping and screening plan shall be required for the entire development. If the development is done in phases, the landscaping shall be implemented in the respective phases. Landscaping shall be in accordance with Appendix E, "Landscaping and Screening Standards."

7.14 Protection of Natural and Historic Features

7.14.1 Each significant natural feature within the site including large or unusual trees, watercourses, natural stone outcroppings, and other scenic features shall be shown on the site plan. Planning Board approval shall be obtained before removal of such features.

7.14.2 Each existing building or manmade structure, including stone fences, shall be shown on the site plan and reviewed by the Planning Board for historic significance. Such features will not be destroyed or removed without Planning Board approval.

7.15 "As Built" Plans

Supplemental information may be required by the Planning Board to update the final plat to reflect "as built" conditions and details. The plan shall show any easements and dedicated roadways. A security bond may be required to guarantee performance of the applicant's obligations as described herein.

7.16 Illumination

All public and private outdoor lighting installed in the Town of Chester shall be in conformance with the requirements found in the Town Zoning Ordinance "Lighting Requirements".

7.17 Energy Efficient Development

7.17.1 Building should be oriented so that passive solar heating and cooling opportunities can be optimized.

7.17.2 Vegetation should be left intact and/or landscaping should be designed to provide structures with shading and cooling during summer months and minimize the obstruction of solar heat penetration during the winter months.

7.17.3 Landscaping should include native plants that can thrive in the New England climate and require little use of fertilizing chemicals.

7.17.4 Energy Star approved building materials should be utilized whenever possible.

7.17.5 Building design features should discourage pest infestation.

7.18 Groundwater Protection

7.18.1 Any application for site plan review which involves the proposed receiving, handling, storing or processing of any regulated substance (as defined in 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 DES for the proposed use shall be submitted to the Town of Chester Health Officer and Chester Fire Department as part of the site plan application. The Applicant shall also show compliance with Article 16 – Groundwater Protection in the Town of Chester Zoning Ordinance.

7.18.2 Site plan 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 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 by the Town Health Officer (or 3rd party consultant of Board's choice and applicant's expense) prior to any Planning Board action.

ARTICLE 8

OFF-SITE IMPROVEMENTS

Pursuant to RSA 674:44, IV, the Board may require special improvements on-or off-site which it deems reasonably necessary or desirable for the conditions or circumstances relative to the particular site plan review. Any such special requirements shall be stated in writing in the minutes of the Board with the reasons therefore. The Planning Board may require either that the applicant construct the improvements in whole or in part, or reimburse the Town or any other party who, at the direction of the Town, constructs the improvements. The applicant's responsibility for such improvements is limited to that portion of the cost of the improvements which bears a rational nexus to the needs created by, and special benefits conferred upon, the site, taking into consideration the Town's ability to pay for such improvements.

ARTICLE 9

ADMINISTRATION AND ENFORCEMENT

9.1 General

9.1.1 These regulations shall be administered by the Planning Board, with the assistance of the Building Inspector, Town Engineer and such other persons as the Board shall designate. It shall be the duty of the Board of Selectmen to enforce the Site Plan Review Regulations. The Selectmen in enforcing these regulations shall act upon complaint or information from the Planning Board, Building Inspector, Town Engineer, or otherwise, and shall, whenever practicable, take such action as the Planning Board or such other officer requests.

9.1.2 An agent so designated by the Planning Board may be charged with the responsibility of inspecting the sites for compliance with the Site Plan Review Regulations.

9.2 Appeals

9.2.1 Any person aggrieved by any decision of the Planning Board concerning a site plan review may appeal said decision to the Superior Court, as provided in RSA 677:15.

9.3 Waiver Procedure

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

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

9.4 Effective Date

These revised regulations are effective as of March 30, 2011, on which day they have been filed with the Town of Chester Town Clerk. In accordance with RSA 675:9, a copy of these regulations and subsequent amendments will be forwarded to the New Hampshire Office of State Planning.

ARTICLE 10

CERTIFICATE OF OCCUPANCY

No site subject to these regulations may be occupied or used unless a Certificate of Occupancy has been issued by the Building Inspector. The Building Inspector shall not issue such certificate of occupancy until these regulations have been complied with and the improvements made or a performance bond provided to the Town of Chester for unfinished improvements.

ARTICLE 11

PHASING AND MAJOR CAPITAL IMPROVEMENT

Some projects may impose sudden demands for services which the Town of Chester could not have been reasonably expected to plan for based on its history of growth.

The applicant should be prepared to describe how the applicant intends to schedule the proposed development plan so as to minimize its impact on the community. Depending upon the type and magnitude of the proposed development, a phasing schedule, consisting of a written agreement, may be required by the Planning Board.

In such cases, a preliminary plan should encompass the entire tract comprising the development, but final calculations, maps, etc. need to be presented for approval one phase at a time. Each phase should be so designed so that all site requirements are met independently for each phase yet to be approved and constructed.

ARTICLE 12

DEVELOPMENTS HAVING REGIONAL IMPACT

All applications shall be reviewed for potential regional impacts. Upon such a finding, the Planning Board shall furnish the Regional Planning Commission(s) and the affected municipalities with copies of the minutes of the meeting at which the determination was made. The copies shall be sent by certified mail within seventy-two (72) hours of the meeting. At least fourteen (14) days prior to the scheduled public hearing, the Board shall notify by certified mail the Regional Planning Commission(s) and the affected municipalities of the date, time and place of the hearing, and of their right to appear, with the status of abutters, to offer testimony concerning the proposal.

APPENDIX "A"

ROAD DESIGN STANDARDS

A.1 Design Standards

All street systems must be designed by a registered professional engineer. All design standards for street systems shall meet the approval of the Town's consulting registered professional engineer. All fees for the professional engineer are to be paid by Applicant.

A.1.1 Street System

The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation to existing or planned streets, to topographical conditions, to public convenience and safety, and their appropriate relation to the proposed use of the land to be served by such streets.

- A.1.1.1 Proposed streets shall conform, as far as practicable, to such master or study plan as may have been adopted, in whole or in part, by the Planning Board.
- A.1.1.2 The center of a cul-de-sac shall remain open, be landscaped so as to prevent run-off from entering the town's right-of-way and when deemed necessary by the Town's consulting engineer, have an interior drainage system.
- A.1.1.3 The arrangement of streets in a subdivision shall provide for the continuation of the principal streets in adjoining areas or to their proper projection when adjoining land shall have been subdivided.
- A.1.1.4 Streets in the subdivision shall be so designed that, in the opinion of the Planning Board, they will provide safe vehicular travel while discouraging movement of through traffic.
- A.1.1.5 Where a subdivision abuts or contains an existing or planned arterial street, the Planning Board may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service streets, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- A.1.1.6 Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the Planning Board may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts, or for commercial or industrial purposes in appropriate districts. Such distances shall be

determined with due regard for approach grades and future grade separations.

A.1.2 Street Standards

The Planning Board may require the reservation of a sixty (60) foot easement connecting the new street with an external boundary to provide a continuation of the where future subdivision is possible. This future street will allow for safe future traffic circulation. In a case where the subdivision would land lock hitherto accessible land, the sixty (60) foot reserve strip may be required by the Planning Board. All easements proposed under this regulation must be deeded to the Town to facilitate their future use.

A.1.3 Street Intersections

Street intersections with center line offset of less than two hundred (200) feet shall not be permitted.

A.1.4 Angles at Street Intersections

Streets shall be designed to intersect as nearly as possible at right angles and no street shall intersect any other street at less than seventy (70) degrees. The center lines of no more than two (2) accepted rights-of-way shall intersect at any one point.

A.1.5 Property Lines at Intersections

Property lines at intersections shall be rounded with a minimum radius of twenty (20) feet or of a greater radius where the Planning Board may deem it necessary.

A.1.6 Street Monuments

Street monuments shall be replaced at all block corners, angle appoints, points of curves in streets, and at such intermediate points as shall be required by the appropriate Town official. The monuments shall be of granite or cement, not less than four (4) inches across the top. Cement monuments shall be reinforced with an iron rod of at least 3/4" diameter. All monuments are to be set at least four (4) feet into the ground.

Where the distance between concrete or granite bounds is greater than four hundred (400) feet, the Planning Board requires iron pipes to be set at intervals of two hundred (200) feet.

A.1.7 Half-Streets Prohibited

Half-streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations, and where the Planning Board finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided.

Wherever a half-street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract.

A.1.8 Street Names

Streets which join or are in alignment with streets of abutting properties shall bear the same name. Names of new streets shall not duplicate or bear phonetic resemblance to the names of existing streets within the Town of Chester. All proposed street names require approval by the Road Naming Advisory Committee and the Board of Selectmen.

A.1.9 Street Signs

Street name signs shall conform to the quality, design and manner of erection of official Town street-name signs. Street name signs and all other signs shall be erected prior to issuance of the Building Permit(s).

A.1.10 Street Grades

Street grades shall conform to those specified in the Table of Geometric Standards in these regulations. Grades of all streets shall conform in general to the terrain.

A.1.11 Table of Geometric & Other Standards for Streets

<u>ITEM</u>	<u>STANDARD</u>
a) Minimum width of R.O.W.	60'
b) Minimum width of pavement	24'
c) Minimum grade	0.50%
d) Maximum grade	10%
e) Maximum grade at intersections	2% within 75' of all intersecting roads
f) Minimum angle of intersections	70 degrees
g) Minimum center-line radii on curves	300'
h) Minimum tangent length between reverse curves	200'
i) Road base (minimum)	24"
Sub base (sand)	8"
(bank-run gravel)	8"
Upper Base (crushed gravel)	8"
(Road base shall be installed by the developer prior to the issuance of building permits.)	
j) Pavement Thickness	

	Binder	2.5 inches
	Wearing	1.5 inches
k)	Road crown (maximum)	¼" per foot
l)	Width of shoulders	5'
	(Shoulders to be cleared the 5' and constructed as road base.)	
m)	Cul-de-sac streets and Loop streets	
	Maximum length for loop and cul-de-sac streets shall be 1800 feet. Measurement shall include the total running length of the street including the loop and/or cul-de-sac. Measurement of total running length shall start at the last intersection with a Class V or better road which provides more than one access route for emergency vehicles. The length of pre-existing streets must be included in the running length measurement where they too are accessed by that same last multiple access intersection.	
	1. Width of R.O.W.	60'
	2. Length (maximum)	1800'
	3. Diameter of turn-around at enclosed end;	
	i) property line (minimum)	210'
	ii) open center, entire diameter pavement to pavement	120'
	iii) Minimum pavement width	24'
	4. Access into turn around shall be offset	
n)	Stopping sight distance	250'

A.2 Private Way for Open Space Subdivision

A.2.1 The purpose of this regulation is to:

- a.) Enhance the safety and welfare of residents served by private ways.
- b.) Clarify the respective rights and responsibilities of builders and residents of open space subdivisions with respect to private ways and of the Town of Chester.
- c.) Provide access to lots over a private way rather than by individual private ways on each lot.

- d.) Preserve, protect and enhance environmentally sensitive land that might otherwise be cleared, excavated, filled and/or covered with impervious surface.
- e.) Reduce increased runoff from impervious surfaces that would adversely impact nearby streams, wetlands and public and private drainage control structures.
- f.) Encourage the protection and preservation of significant natural and roadside vistas.

A.2.2 Definition

Private Way – A form of access in an open space subdivision extending from a street and serving to provide common vehicular access to more than one (1) but not more than six (6) dwelling units. The private way shall lie entirely within the lots being served and shall be built in accordance with standards set forth in Section 4.5.3. Private ways shall not be considered for acceptance as a publicly approved (Town) street.

A.2.3 Scope

Private ways may be allowed by means of plan approval from the Planning Board for residential uses. All lots associated with the use of a private way must provide off-street parking in accordance with the Town of Chester criteria. The Town of Chester shall not be required to provide any services in connection with a private way including without limitation construction, reconstruction, maintenance, snow plowing, school bus pick-up, or police patrols along a private way.

A.2.4 Private Way Standards

The Planning Board may authorize the use of private ways to provide access to open space subdivisions. The following conditions must be met and shall be shown on the plan submitted (for approval). The Board, based on site configuration(s), may require additional conditions.

A.2.5 Dimensions:

- a.) The width of the right of way shall be a minimum of thirty-five (35) feet.
- b.) The width of the private way surface shall be eighteen (18) feet. The common drive shall have three (3) feet gravel shoulders on each side.
- c.) The private way shall not exceed 450 feet in length to the farthest unit.
- d.) The slope or grade of a common drive shall in no place exceed 8% if unpaved or 10% if paved.

- e.) The common drive shall intersect a public way at an angle of not less than 80 degrees.
- f.) Alignment and sight distances should be sufficient to support a designed speed of fifteen (15) mph and the minimum roadway curvature at the point of the private way intersection shall be sufficient for an emergency vehicle to negotiate, generally no less than a radius of 50 feet.
- g.) The private way shall be capable of providing access for emergency vehicles (WB50).
- h.) The private way shall lie entirely within the lots being served.

A.2.6 Construction:

- a.) A private way shall be constructed and paved, as current subdivision standards require. Inspections and approvals (at accepted construction stages) shall be completed in accordance with an approved plan design.
- b.) Drainage shall be adequate to dispose of surface runoff. Culverts and drainage control structures shall be installed if deemed necessary by the Planning Board.
- c.) Any utilities contained within the private way shall be considered privately owned and maintained.

A.2.7 Alignment and Design:

- a.) The private way, at its intersection with the street, must provide a leveling-off area with a slope no greater than 2% for the first 20 feet and a slope no greater than 5% for the next 30 feet.
- b.) There shall be a minimum of 100 feet between entrances of any two private ways onto any road.
- c.) The private way shall enter a roadway at a point separated by at least 100 feet from an intersection. On a state highway, the private way shall enter the roadway at a point separated by at least 100 feet from any other private way, curb cut or intersection, except when NHDOT requirements are more stringent.
- d.) The private way shall have adequate sight distance at its intersection with the public roadway and shall not create traffic (or pedestrian) safety hazards to its users or the public.
- e.) The private way shall provide the only vehicular egress/access to the lots being serviced by it, and this shall be so stated in the deeds, association documents and on the plan to the subject lots.

- f.) Street Numbers and Identification – Permanent signage, sufficiently readable from the road to serve the purpose of identification by emergency personnel, indicating the street number address assigned to each lot served by the private way shall be installed within 10 feet of the intersection of the private way to the roadway, as well as within 10 feet of the intersection of an individual lot (drive) to the private way. This requirement is in addition to those for individual homes or businesses and may be expanded upon the request of the fire chief, police chief and/or the road agent.
 - g.) Private way design shall, to the greatest extent possible: 1) minimize adverse impact to environmentally damaging access to lots characterized by slopes or ledges; 3) result in the preservation of rural character through reduction of allowable access ways; 4) retain existing vegetation and topography.
 - h.) A neighborhood collection (NHBCU) unit, located in a pull-off area within the right-of-way, shall be constructed to the satisfaction of the US Postal Service and shown on the application plans.
- A.2.8 No private way shall be extended or connected to any other way other than the approved point of intersection with the street-providing frontage to the development.
- A.2.9 All lots to be served by a private way must meet the requirements of a lot, and dimensional requirements, as defined in the Zoning Ordinance, including but not limited to, set back, dimensions of front, side, and rear yards, as measured in relation to the street (serving as the legal frontage for the lots), and shall be the same as would be required for those lots had they not shared a private way.
- A.2.10 The landowners of all residences served by a private way shall be granted a right-of-way. Such right-of-way shall be recorded at the Registry of Deeds within thirty (30) days of approval by the Planning Board, together with a statement of covenants as follows:
- a.) Private ways shall at no time be used to satisfy zoning frontage requirements. Each lot served shall be lot frontage on a street, which serves to satisfy lot frontage requirements.
 - b.) The private way shall at no time become the responsibility of the Town of Chester.
 - c.) Each landowner served by the private way shall be jointly and severally responsible and liable for the repair and maintenance of all portions of the private way, and utilities contained within, to which more than one landowner holds a Right-of-Way. Specific responsibilities shall be stipulated in a covenant included in the deed for each property served by the private way.
 - d.) A covenant shall be entered into between the owner or developer the utility company(s) and the Town in a form acceptable to the Planning Board, which binds current and future owners of each lot served by the private way,

prohibiting the sale of lots and erection of buildings except for lots approved and/or prior to the adaptation of this Regulation, until such time as the private way has been constructed and inspected at accepted construction stages in accordance with an approved plan design. A draft covenant shall be submitted for approval with the special permit application and shall include but not limited to specific standards for maintenance and repair of the private way and drainage system, provision for allocating financial responsibility, and a procedure for resolution of disagreements. If the permit is granted, said covenant shall be recorded at the Registry of Deeds and shall be made part of every deed to each lot served by the private way.

e.) A private way shall not be approved until the utility design approval(s) and agreement(s), a declaration of covenants, easements and restrictions (for the use and maintenance of the private way) has been approved by the Town.

A.2.11 The Planning Board may require a performance bond or other security for the completion of the private way. Such security shall be posted prior to construction of the private way. The private way shall be completed, inspected by the Planning Board or its designee, and the security released prior to the issuance of occupancy permits for the lots served by the private way.

A.2.12 EXAMPLES

See

FIGURE NO. 1
TOWN OF CHESTER, NEW HAMPSHIRE
TYPICAL ROADWAY CROSS-SECTION

FIGURE NO. 2
TOWN OF CHESTER, NEW HAMPSHIRE
TYPICAL CUL-DE-SAC

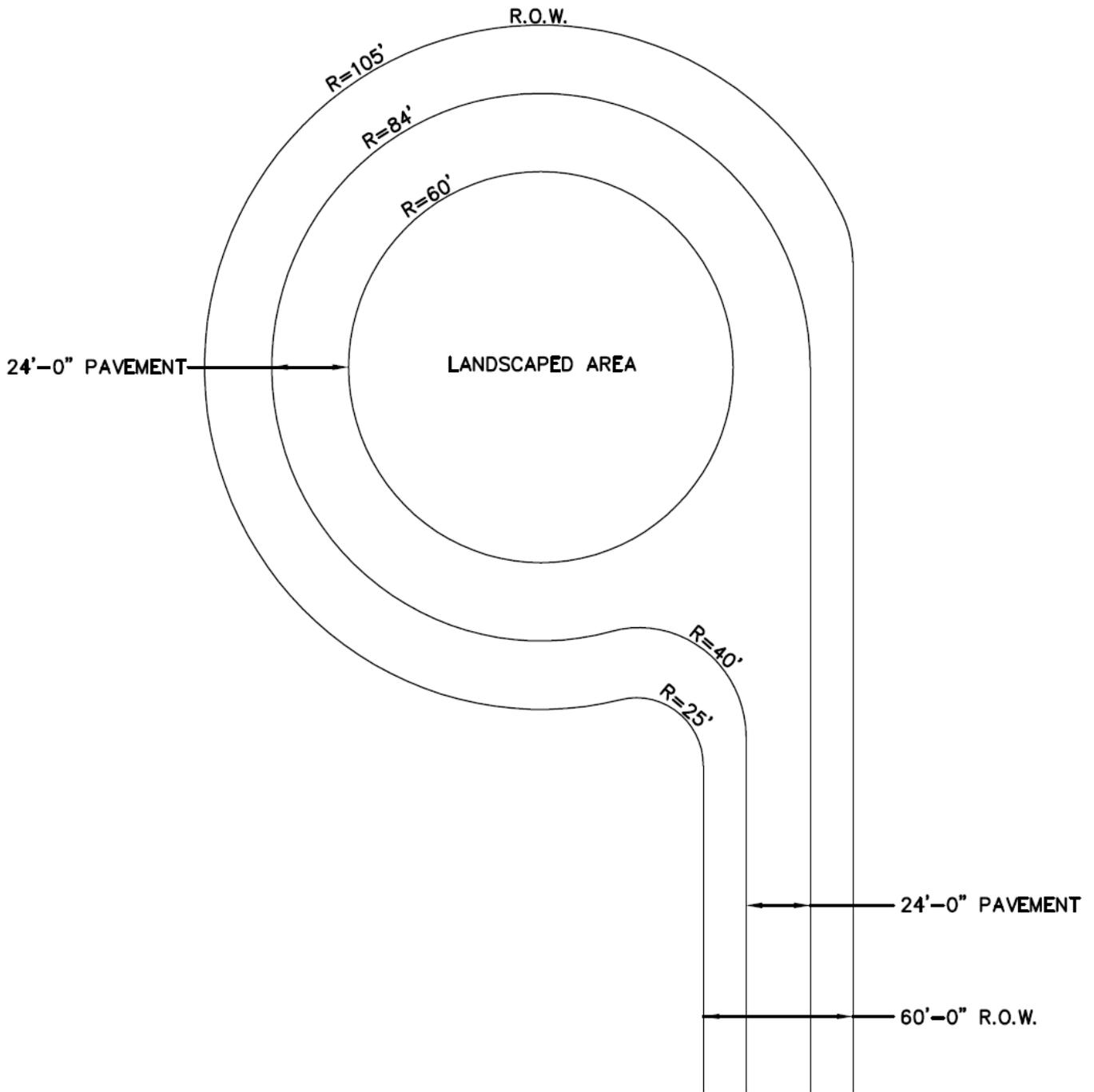


FIGURE NO. 2
TOWN OF CHESTER, NEW HAMPSHIRE
TYPICAL CUL-DE-SAC
 NOT TO SCALE

A.3 Street Construction

- A.3.1 Right-of-Way Preparation: Before any clearing has started on the right-of-way, the center line of the new street shall be staked and sidestaked at 50 foot intervals. Limits of clearing shall be marked by stakes or flagging. Distances from the center line shall be obtained from the cross sections. The stakes shall be maintained throughout the roadway construction.
- A.3.2 Before grading is started, the right-of-way area directly dedicated to the construction of the roadway and shoulders shall be cleared of all stumps, roots, brush, and other objectionable material. All ledge, large boulders, and tree stumps shall be removed from this area.
- A.3.3 Tree stumps and other organic materials shall be removed below the subgrade of the roadway. Rocks and boulders shall also be removed to a depth of two feet below the subgrade of the roadway. On soils which are not suitable for roadways, the subsoil shall be removed from the street site to a depth of two feet below the subgrade and replaced with material meeting the specifications for gravel aggregate sub-base below.
- A.3.4 Base: A gravel base shall be placed on a previously prepared subgrade of acceptable well-draining granular soil. The sub base shall consist of eight inches of sand and eight inches of well-compacted bank run gravel covered with a minimum of eight inches of equally well-compacted crushed bank run gravel. The bank run gravel base and the crushed bank run gravel base under the pavement shall conform to Section 304 of the Standard Specifications for Road and Bridge Construction (latest edition) by the State of New Hampshire Department of Transportation.
- A.3.5 Pavement: Paving shall be hot bituminous pavement and shall be placed in two courses. The courses shall consist of a 2 1/2 inch binder course and 1 1/2 inch wearing course. The bituminous pavement shall be batched and placed in accordance with Section 401 of the Standard Specifications for Road and Bridge Construction (latest edition) by the State of New Hampshire Department of Transportation.
- A.3.6 As-Built Plans: At the completion of construction, as-built plans of all improvements must be submitted with certification by a registered engineer and/or registered land surveyor printed thereon that all installations are as shown. These as-built plans will show true locations of catch basins, headers, underground utility locations and depths (telephone and electric), drain man holes, and any other pertinent information. As-built plans shall be one mylar and three copies.
- A.3.7 Street Standards: The Planning Board may require the reservation of a fifty foot easement connecting the new street with an external boundary to provide a continuation of the street where future development is possible. This future street will allow for safe future traffic circulation. In a case where the subdivision would land lock hitherto accessible land, the fifty foot reserve strip may be required by the

Planning Board. All easements proposed under this regulation must be deeded to the Town to facilitate their future use.

If the development involves the construction of a roadway, all monumentation shall be in place before fifty percent (50%) of the surety held for the road construction is released; and if the development does not involve the construction of a roadway, all monumentation shall be in place prior to the signing of the development plan by the Planning Board Chairman; and once in place, a form certifying that the monumentation has been accurately installed shall be filed with the Planning Board by the subdivider. The form shall contain the signature and seal of the licensed land surveyor that certified the placement of the monumentation.

Where the distance between concrete or granite bounds is greater than four hundred (400) feet, the Planning Board requires iron pipes to be set at intervals of two hundred (200) feet.

APPENDIX "B"

CISTERN STANDARDS

B.1 Purpose

The purpose of these regulations is to assure that there is water for fire fighting purposes at locations and at such times that it might be needed. Where public hydrants or other suitable water sources are not available, cisterns are utilized as this source of water supply.

B.2 Design, Installation and Maintenance Process

- B.2.1 The number, location and size of all cisterns shall be recommended by the Fire Department. Any cistern that is installed prior to the approval of the Fire Department or installed in the wrong location shall be excavated, removed and reinstalled in the proper location. Qualified personnel shall do the work, and the complete cost of this work shall be borne by the developer/contractor.
- B.2.2 The cistern, its installation, and configuration shall be designed and certified by a licensed civil engineer. The plan shall have an engineer's stamp.
- B.2.3 A mechanical permit, from the Building Department, is required for the installation of all cisterns.
- B.2.4 All cisterns are required to be in place and be fully operational, to the satisfaction of the Fire Department, prior to any combustible materials being stored on site.
 - B.2.4.1 The tank shall be filled by the developer/contractor a minimum of 30 days prior to the cistern being found to be operational.
 - B.2.4.2 A recordable, executed easement deed with warranty covenants for cistern use and maintenance access is required prior to the cistern being found to be operational.
- B.2.5 After the system has been found to be operational, the developer/ contractor shall provide a 45-day leak test period. Any refilling, repair, maintenance or replacement of the cistern during this period shall be the responsibility of the developer/contractor. The Fire Department shall be notified upon the filling of the cistern and shall be provided with a copy of the daily and weekly inspection sheets for the system, recorded on a form supplied by the Fire Department.
- B.2.6 The developer/contractor shall provide maintenance funding, in an amount set by the Board of Selectmen, for maintenance, repair, replacement or upgrading of cistern systems.

B.2.7 After a successful 45-day test period and receipt of maintenance funding, the Town will accept the cisterns and their related deeds.

B.3 Design Standards

B.3.1 The system shall be located near the roadway with an all weather access surface. In heavily traveled, populated areas, the cistern may be required to be set back from the roadway with a Fire Department located and approved apron provided to allow fire apparatus to set up out off of the immediate road surface.

B.3.2 The easement shall provide sufficient space on all 4 sides for any possible future excavation and tank replacement. The Fire Department shall, therefore, require a minimum of a 10-foot easement on all sides of the cistern for maintenance and possible tank removal. All easement dimensions shall be approved by the Fire Department.

B.3.3 The cistern shall be made of concrete and shall have a minimum capacity of 30,000 gallons of available water for fire suppression operations. The exact capacity of the required tank shall be determined by the Fire Department.

B.3.4 The cistern system must be capable of delivering at least 1,000 gallons of water per minute.

B.3.5 The cistern shall be protected from freezing.

B.3.6 The draft pipe shall be located a maximum of 5 feet from the access area's finished grade.

B.3.7 The draft pipe shall be reduced to provide a 4½-inch NST connection on a horizontal pipe. The connection shall be capped with a brass (lugged) cap. The taper shall not allow air bubbles to form in the draft pipe.

B.3.8 The center of the draft pipe connection shall be 36 inches from the finished grade.

B.3.9 A lockable access cover must be provided for all cisterns. It is recommended that a Halliday Products type cover be used. The cover shall be hinged and lockable. A current Halliday model S1R2424 cover would be an example of an acceptable cover.

B.3.10 A vent pipe (3 inch minimum) must be supplied with a fixed screen to protect from small animals and insects from getting inside the pipe.

B.3.11 The cistern fill pipe shall be a minimum of 4 inches with a 4-inch Stortz connection. The connection shall be capped with a matched Stortz end cap that is attached to a tether chain.

B.3.12 All exterior piping shall be painted with a rust inhibitor and be painted red.

B.3.13 The draft pipe shall be supplied with an anti-vortex plate. The plate shall be 16-inch x 16-inch minimum and attached to the bottom of the cistern tank. The plate shall be supported a minimum of 6 inches from the floor of the cistern tank.

B.3.14 Protection from vehicle traffic shall be required for all cisterns. A series of 4-inch round concrete filled steel bollards shall be located along the all road-side sides of the cistern and 8 feet down each side adjacent to the road-side(s). The bollards shall be placed at the road-side corners and at 4 feet on center.

B.4 Cistern Size As Relates To Building Size

The approved and installed cistern's size is directly related to, and will therefore determine, the maximum building size for which a building permit may be granted. This maximum building size shall be indicated on the plan and recorded as a restricted covenant on the property.

APPENDIX "C"

STORM WATER MANAGEMENT PLAN

C.1 Low Impact Development

C.1.1 Low impact development, which uses hydrology as an integral part of its design, may be required. Low impact design, being dependent upon system maintenance, is most suitable in larger developments where a maintenance agreement, and its enforcement, is practical.

Open Space Subdivisions: Requires a site analysis to determine which areas conform with the Purpose and Objectives of Article 6 Open Space Subdivision and Subsection 6.8.4 Conservation Area Design in the Town of Chester Zoning Ordinance and are best for development, where to minimize clearing in order to protect mature trees, and where to minimize road frontage and its associated impervious area.

Site Plans: Low impact development site plans also seek to minimize impervious area, by designing with minimum pavement widths and avoiding excess parking, as well as by multiple story buildings and parking garages, both of which utilize less coverage for a greater floor area. Low impact design, being dependent upon system maintenance, is most suitable in larger developments where a maintenance agreement, and its enforcement, is practical.

C.1.2 Bioretention Area: An area intended to capture stormwater runoff from developed areas and to promote infiltration of that runoff into on-site soils.

C.1.3 Bio-retention Usage in Chester:

C.1.3.1 Bio-retention is required for use on private sites and private roads requiring site plan and/or subdivision approval, unless otherwise waived.

C.1.3.2 Bio-retention is not required and not recommended for public roads.

C.1.3.3 Where bio-retention is utilized,

- a. There shall be a maintenance easement giving the town access and the right, but not the obligation, to maintain the system, at the owner's expense.
- b. There shall be a drainage maintenance agreement specifying maintenance procedures and requiring annual report to the Town on maintenance performed.

C.2 Storm Water Management

C.2.1 Definitions:

- C.2.1.1 Erosion: The wearing away of the land surface by the action of wind, water or gravity.
- C.2.1.2 Sediment: Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.
- C.2.1.3 Runoff: The portion of precipitation that makes its way overland toward stream channels or lakes.
- C.2.1.4 Measure: A specific procedure designed to control runoff, erosion or sediment.
- C.2.1.5 The developer shall control runoff, erosion and sediment during and after construction through any measure approved by the Planning Board or Town Engineer. In each instance, the measure or measures shall be suitable to the site and subject to approval by the Planning Board and/or the Town Engineer.

C.2.2 All runoff, erosion and sediment control measures and the design of all drainage structures and systems shall meet the design standards and specifications set forth in these regulations or in the current "Manual on Drainage Design for Highways", published by the New Hampshire Department of Transportation.

C.3 Hydrology / Runoff Calculation Methods

C.3.1 The calculation of runoff is of prime importance to the overall scheme of drainage design. The Town of Chester approves four methods to compute runoff:

1. The Rational Method is primarily used when the drainage area is less than 200 acres. It is also used extensively for on-site design.
2. The NEHL-AWM Method is primarily used when the drainage area is greater than one square mile.
3. The Potter Method is primarily used when the drainage area is between 200 and 1000 acres. This method provides a check on either of the preceding methods.
4. The Soil Conservation Service (SCS) Method is primarily used when the drainage area is greater than 200 acres. The design storm shall be a 10-year or 25 year, 24-hour rainfall of a storm distribution Type III.

C.3.2 The methodology used in computing the runoff for the Rational Method, NEHL-AWM Method and Potter Method is found in the NHDOT Drainage Manual as well as many popular Engineering Texts.

C.3.3 The following four SCS publications, which provide the details on hydrologic analysis using the SCS methods, are widely distributed and used;

1. NEH-4: Hydrology, Section 4, National Engineering Handbook.
2. TP-149: A Method for Estimating Volume and Rate of Runoff in Small Watersheds.
3. TR-20: Computer Program for Project Formulation, Hydrology, Technical Release No. 20.
4. TR-55: Urban Hydrology for Small Watersheds, Technical Release No. 55.

C.4 Drainage Design Criteria

The following design criteria shall apply to proposed drainage systems:

- C.4.1 In proposed new roadways drainage systems must be closed drainage systems. Water is to be channeled into the drainage system through curbing or berms. In rural areas asphalt berms will be allowed. Adequate treatment of the runoff must be provided before the runoff leaves the development site.
- C.4.2 Cross culverts pipes: 25-year storm frequency; check surcharge for a 50-year storm.
- C.4.3 Closed drain system: 25-year storm frequency; check surcharge for a 50-year storm.
- C.4.4 Storm water detention facilities: 50-year storm frequency; check impacts for 100-year storm.
- C.4.5 Storm water retention facilities: 50-year storm frequency; check impact for 100-year storm.
- C.4.6 Box culverts and bridges: 100-year storm frequency, with 1-foot freeboard.
- C.4.7 The Board reserves the right to require that storm drainage systems be designed for less frequent, more intense rainfalls where conditions warrant.

C.5 Drainage Design

- C.5.1 All computations for culvert pipes and drainage systems shall be documented and included in the drainage report. These shall be performed by a registered engineer who shall stamp and sign the drainage report.
- C.5.2 All available records concerning rainfall and floods shall be used in the design of culverts and storm sewers.
- C.5.3 Pipe culverts will be designed as open flow channels. They will either be under inlet or outlet control. The exact control can be found by following the procedure outlined in "Hydraulic Charts for the Selection of Highway Culverts", published by

the Bureau of Public Roads as H.E.C. No. 5. This material can also be found in the NHDOT Drainage Manual.

C.5.4 No surcharging in catch basins or drain manholes allowed for the design storm.

C.5.5 Minimum pipe culvert sizes are as follows:

1. Roadways-18"
2. Driveways-12"

C.5.6 Pipe culverts with a span of 10 feet or more shall be considered as bridges.

C.5.7 It is preferred that culverts be located to fit natural channels in lines and grade.

C.5.8 The minimum grade of culverts shall be 0.4% or able to maintain a velocity of 2 feet per second (fps) while flowing one-third full.

C.5.9 Collars will be designed for culverts whose grades exceed 20%.

C.5.10 When the computed outlet velocity is in the range beyond normal design of 10 fps, additional outlet protection shall be considered.

C.5.11 Pipe velocities in excess of 20 fps at the design flow shall not be allowed unless special energy dissipation devices have been designed.

C.5.12 The maximum headwater depth of flow immediately upstream from a pipe culvert shall be controlled by the following:

1. Damage to adjacent property;
2. Damage to culvert and the roadway;
3. Traffic interruption;
4. Hazard to human life; and,
5. Damage to stream & floodplain environment.

C.5.13 As a guide, the following table may be used under "normal conditions":

<u>Pipe Size</u>	<u>Maximum Allowable Headwater</u>
12"-30"	2 times pipe diameter
36"-48"	1-1/2 times pipe diameter
54" & up	1 times pipe diameter

C.5.14 Minimum cover for culverts, measured between the pipe crown and finished grade, shall be as follows:

1. Paved Roads - 3' for all type of pipe material.

2. Unpaved Roads - 3' for all type of pipe material.

3. Under Driveways -1' for all type of pipe material.

4. Under Grass -2' for all type of pipe material.

C.5.15 Acceptable Pipe Materials for Roadway Culverts include: reinforced concrete; and smooth interior corrugated HDPE (Hi-Q Sure Lok or equal) or SDR-35 PVC pipe, also, for driveway materials CMP is acceptable. PVC and HDPE must be bedded and covered in accordance with the typical detail in the Appendix A.

C.5.16 All culverts shall be constructed with end sections, headers, or stone slope paving as specified below. End sections shall be permitted on all pipes less 48" diameter, except where there is an active stream.

C.5.17 Any drainage structures must be readily accessible by Town forces or an association must be formed to provide for private maintenance of the drainage facilities.

C.5.18 Ditches: (if permitted by Board)

C.5.18.1 A maximum length of 400 feet for a ditch to a catch basin or drop inlet is required. Local conditions may require variations. The DPW Director must approve any variations.

C.5.18.2 In order to keep the ditch self-cleaning, a minimum grade of 0.5% shall be required, except for "Site Specific Swales" as required by R.S.A.

C.5.18.3 Acceptable methods of treatment include matting for erosion control, stone for erosion control, stone fill and rip rap.

C.5.18.4 All ditches steeper than 5% shall be adequately protected against soil erosion. Matting for erosion control or stone linings shall be provided, as determined by an engineering evaluation.

C.5.18.5 Ditches shall be used at the top of back-slopes only when excessive off site runoff damages slopes and/or overtaxes on-site systems.

C.5.19 Subsurface Drainage (Under-drains) shall be provided in all cut sections. The design and materials shall be in accordance with NHDOT Standard Specification Section 605 (6/22/2011)

C.5.20 Detention and Retention Facilities

C.5.20.1 Outlets: Detention ponds shall have an outlet designed to drain the bottom of the pond. The preferred outlet is a "V" notch, in lieu of a pipe. Retention ponds shall be designed to have an overflow structure or level spreader.

C.5.20.2 A 10' wide gravel road, is required for detention pond maintenance and to the last structure of a retention pond system.

C.5.20.3 Detention ponds shall be designed with 1 foot of freeboard for a 50-year storms and shall not intercept the seasonal high ground water table. The 100-year storm must be provided with an appropriate overflow design.

C.5.20.4 Retention ponds shall be designed with 1 foot of freeboard for a 50-year storms and pond bottom shall be 4 feet above the seasonal high water table. The 100-year storm must be provided with an appropriate overflow design.

C.5.21 Underground Detention Systems for Private Sites require 2-4 feet of separation to seasonal high water from bottom of infiltration chambers, as determined by Town Engineer depending on soil type.

APPENDIX "D"

EROSION AND SEDIMENT CONTROL PLAN

D.1 Purpose

The purpose of this Plan is to control soil erosion and sedimentation resulting from site construction and development. Site plans shall include plans for controlling erosion and sedimentation as provided below.

D.2 When Required

The applicant shall submit an erosion and sediment control plan to the Planning Board for any tract of land being developed, where one (1) or more of the following conditions are proposed:

D.2.1 A cumulative disturbed area exceeding ten thousand (10,000) square feet or 15% (which ever is greater) of the lot area will be rendered impervious.

D.2.2 Construction or reconstruction of a road or street.

D.2.3 Critical Areas of Disturbance.

D.3 Definitions

D.3.1 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 storm water runoff.

D.3.2 Critical Areas of Disturbance: Disturbed areas of any size located within 75 feet of a stream, bog, water body, or poorly or very poorly drained soils; disturbed areas exceeding 2,000 square feet in highly erodible soils; or disturbed areas containing slope lengths exceeding 25 feet on slopes greater than 15 percent.

D.3.3 Disturbed Area: An area where the natural vegetation has been removed exposing the underlying soil.

D.3.4 Erosion: The detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

D.3.5 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."

D.3.6 Project Area: The area within the site plan boundaries.

D.3.7 Sediment: Solid material, either mineral or organic, that is in suspension, is transported, or has been moved from its site of origin by erosion.

- D.3.8 Stabilized: When the soil erosion rate approaches that of undisturbed soils. Soils which are disturbed will be considered protected when covered with 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.
- D.3.9 Stormwater Runoff: The water from precipitation that is not absorbed evaporated, or otherwise stored within the contributing drainage area.
- D.3.10 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.

D.4 Design Standards

The following standards shall be applied in planning for erosion and sediment control:

- D.4.1 All erosion and sediment control measures in the plan shall meet, as a minimum, the NH Storm Water Management Manual Volume 3, Best Management Practice (BMPs) set forth in the "Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire, "Rockingham County Conservation District, NH Department of Environmental Services, Soil Conservation Service (now the Natural Resources Conservation Service), August 1992, as amended, a copy of which is available in the Planning Board Office.
- D.4.2 Whenever practical, natural vegetation shall be retained, protected or supplemented. The stripping of vegetation shall be done in a manner that minimizes soil erosion. See table 2 Setbacks and No Clearing Buffer Zones in the Town of Chester Zoning Ordinance.
- D.4.3 Appropriate erosion and sediment control measures shall be installed prior to soil disturbance.
- D.4.4 The area of disturbance shall be kept to a minimum. Disturbed areas remaining idle for more than fifteen (15) days shall be stabilized.
- D.4.5 Measures shall be taken to control erosion and sediment 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.
- D.4.6 Off-site surface water and runoff from undisturbed areas shall be carried non-erosively through the project areas, or diverted away from disturbed areas where feasible. The integrity of downstream drainage facilities and water resources shall be maintained.
- D.4.7 Site runoff from disturbed areas should be adequately treated to prevent the discharge of sediment to nearby streams, wetlands and vernal pools.

- D.4.8 Measures shall be taken to control the post-development peak rate of runoff so that it does not exceed pre-development runoff for the ten (10), twenty-five (25) and fifty (50) year storm event and for additional storm event frequencies as specified in the design criteria of the "Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire.
- D.4.9 Storm drainage plan of the site shall be designed for a ten (10), twenty-five (25) and fifty (50) year storm and if an existing drainage system to which the site drainage system will be connected is inadequate, provisions shall be made for retention and gradual release of storm water in order to meet the twenty- five (25) year storm demand.
- D.4.10 Land owners will be responsible for maintenance of retention and drainage systems in perpetuity. This obligation shall be noted in the deeds.
- D.4.11 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.
- D.4.12 All temporary erosion and sediment control measures shall be removed after final site stabilization. Permanent stabilization measures should be in place within five (5) days after final grading is completed. Trapped sediment and other disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized within thirty (30) days unless conditions dictate otherwise.
- D.4.13 Provisions shall be made for snow storage during winter months. The snow storage area shall not infringe on roads, walking, parking areas, brooks, ponds and rivers.

D.5 Minimum Requirements

- D.5.1 The Planning Board may waive the requirement for all or part of an erosion and sediment control plan if they determine that a plan is unnecessary because of the size, character, or natural conditions of a site.
- D.5.2 All requests for waivers and action thereon shall be made in writing by the applicant, and shall be accompanied with supporting technical documentation to demonstrate minimal environment impact.
- D.5.3 The following minimum requirements apply to all projects that are not exempt, regardless of size:
- D.5.4 Site drawing of existing and proposed conditions:
- a) Locus map showing property boundaries
 - b) North arrow, scale, date
 - c) Property lines

- d) Easements
- e) Structures, utilities, roads and other paved areas
- f) Topographical contours
- g) Critical areas
- h) Waterways, bodies of water, wetlands, drainage patterns, and watershed boundaries
- i) Vegetation
- j) Soils information for design purposes or for determining highly erodible soils shall be determined from a National Cooperative Soil Survey (NCSS) soil series map. A High Intensity Soil Map of the site, prepared in accordance with SSSNNE Special publication No. 1, can only be used for design purposes and not for determining highly erodible soils.
- k) Temporary and permanent erosion and sediment control BMPs
- l) Areas and timing of soil disturbance
- m) A schedule for the inspection and maintenance of all BMPs

D.5.5 Narrative section including discussion of each measure, its purpose, construction sequence, and installation timing as they apply to the site.

D.6 Completed Application Requirements for Erosion and Sedimentation Control Plan

D.6.1 The Planning Board shall require each of the following in the final plan unless the project is deemed of sufficiently minimal impact to qualify for the minimum requirements specified in Subsection D.5 of these Regulations.

- D.6.1.1 Construction drawing of existing and proposed conditions:
- a) Locus map showing property boundaries
 - b) North arrow, scale, date
 - c) Property lines
 - d) Structures, utilities, roads, earth stockpiles, equipment storage, and stump disposal
 - e) Topographical contours at 2-foot intervals
 - f) Extent of the 100-year flood plain boundaries, if published or determined

- g) Soils information for design purposes from a National Cooperative Soil Survey (NCSS) soil series map, or at the discretion of the Board, High Intensity Soil Map of the site, prepared in accordance with SSSNNE Special Publication No. 1. Highly erodible soils shall be determined by soil series.
- h) Easements
- i) Areas of soil disturbance
- j) Areas of cut and fill
- k) Areas of poorly and very poorly drained soils, including any portion to be disturbed or filled
- l) Location of all structural, non-structural, and vegetative erosion and sedimentation control BMPs
- m) Identification of all permanent control BMPs
- n) Critical areas, stockpile and staging areas
- o) Vegetation
- p) Tabulated sequence of construction
- q) Within the project area, and within 400 feet of the project boundary, surface waters, wetlands, drainage patterns, and watershed boundaries.
- r) Areas with slope > 15% shall be delineated.
- s) Have a legend key for different types of areas, contours, symbols, notations, etc.

D.6.1.2 Other Plan Requirements:

- a) Construction schedule
- b) Earth movement schedule
- c) Description of temporary and permanent vegetative BMPs, including seeding specifications
- d) Description of all structural and non-structural BMPs with detailed drawings of each, as appropriate
- e) A report section, including:

- (1) Design calculations for all temporary and permanent structural control BMPs
- (2) A proposed schedule for the inspection and maintenance of all BMPs
- (3) Identification of all permanent control measures and responsibility for continued maintenance
- (4) A drainage report with calculations showing the volume, peak discharge, and velocity of present and future runoff
- (5) 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."

D.6.2 Responsibility for Installation and Construction

- D.6.2.1 The applicant shall bear final responsibility for the installation, construction, inspection and disposition of all erosion and sediment control measures required by the provisions of these Regulations.
- D.6.2.2 The Planning Board may require a bond or other surety, as described in Subsection D.7 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 or the surety.
- D.6.2.3 Site development shall not begin before the erosion and sediment control plan receives conditional approval. Best Management Practices shall be installed as designed and schedules as condition of final approval of the plan.

D.6.3 Maintenance and Inspection

- D.6.3.1 A narrative description of on-going maintenance requirements for water quality protection measures required by 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. Responsibility for maintenance by subsequent owners of the property on which the permanent measures have been installed shall be included in the deed and run with the land. The description so prepared shall comply with the requirements of RSA 478:4-a. For improvements which require easements on property owned by another, the easement must be recorded at the Rockingham County Registry of Deeds. If the owner fails to adequately maintain such

measures, the Town shall have the authority to perform the required maintenance. The cost of such work shall be borne by the property owner. This information shall also be recorded with the plan.

- D.6.3.2 The Planning Board may require routine inspections to verify on-going maintenance of water quality protection measures. Such inspections shall be performed by the designated agent at reasonable times to the landowner.
- D.6.3.3 If permission to inspect is denied by the landowner, the designated agent shall secure an administrative inspection warrant from the district or superior court under RSA 595-B.
- D.6.3.4 The Board of Selectmen 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 414:9-a.
- D.6.3.5 Extensive open drainage swales and holding basins often become the responsibility of the Town to maintain and constitute a significant expense to taxpayers.
- D.6.3.6 Under conditions of severe topography, contractors have on occasion not been able to construct the highway and the approved open drainage swales within the sixty (60) foot right-of-way, leading to problems of easement acquisition or to property owners holding clear title to part of the swale. In an effort to avoid these or similar problems in the road construction, it is expected that the drainage system engineer will carefully consider the relative fiscal impacts of the proposed system and design a system, which will impose the lowest long-term maintenance costs and will preserve the highest level of water quality that is reasonably attainable. Therefore, the Planning Board reserves the right to judge the adequacy of the drainage system based upon these criteria.

D.6.4 Plan Review and Approval

- D.6.4.1 Technical review of any erosion and sediment control plan prepared under these Regulations shall be conducted by the Rockingham County Conservation District or other qualified professional consultant, as determined to be appropriate by the Planning Board, at the expense of the applicant.
- D.6.4.2 The Planning Board shall indicate approval of the erosion and sediment control plan, as filed, if it complies with the requirements and objectives of these Regulations. Such approval shall be a component of site plan approval. If disapproved, a list of plan

deficiencies and the procedure for filing a revised plan will be given to the applicant.

D.6.5 Other Required Permits

RSA 485-A:17 requires a permit from the New Hampshire Water Supply and Pollution Control Division for "...any person proposing to significantly alter the characteristics of the terrain, in such a manner as to impede natural runoff or create an unnatural runoff...". Regulations require this permit for any project involving more than 100,000 contiguous square feet of disturbance or if such activity occurs in or on the border of the surface waters of the state.

D.6.6 Enforcement

D.6.6.1 Any violation of the requirements of these Regulations shall be subject to the enforcement procedures detailed in RSA 676. The designated agent shall be responsible for the enforcement of the provisions of these Regulations.

D.6.6.2 Written Notice of Violation. A written notice of violation shall be issued to the property owner by registered mail from the designated agent if the agent determines that conditions at the site are in violation of any of the requirements of these Regulations or plans approved under these Regulations and that the violation is not an immediate threat to public health and safety. The notice of violation shall:

D.6.6.2.1 Specify the actions or conditions which violate the requirements of these Regulations or plans approved under these regulations;

D.6.6.2.2 Identify what needs to be done to correct the violation(s);

D.6.6.2.3 Specify a reasonable time frame within which the violation(s) will be corrected; and

D.6.6.2.4 Be provided to the property owner with a copy to be kept in the official records of the Planning Board.

D.6.6.3 Cease and Desist Order. A Cease and Desist Order may be issued to the property owner by the designated agent if the agent determines that conditions at the site are in violation of any of the requirements of these Regulations and the violation is either:

D.6.6.3.1 An immediate threat to the public health or safety; or an abutter's property; or public infrastructure, including but not limited to roads and drainage systems.

D.6.6.3.2 The property owner has failed to take corrective action(s) identified in a written notice of violation issued under Subsection D.6.7.2 of these Regulations within the time frame specified therein.

D.6.7 Waiver Procedure

D.6.7.1 When a proposed subdivision is submitted for approval, the Applicant may request in writing to waive specific requirements of these regulations as they pertain to the subdivision plan. The Applicant shall present reasons in writing why the waiver is needed.

D.6.7.2 The Planning Board may grant a waiver in a special case, so that justice may be done and the public interest secured, provided that such waiver will not have the effect of nullifying the intent and purposes of these regulations; and further provided that the Planning Board shall not approve waivers unless it shall make a written finding based upon the evidence presented to it in each specific case.

APPENDIX "E"

LANDSCAPING AND SCREENING STANDARDS

E.1 Purpose

The purpose of this regulation is to improve the aesthetic qualities of the Town of Chester and to protect and preserve the appearance, character and value of its community.

E.2 Definitions

Unless specifically defined below, words or phrases used in this regulation shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this regulation its most reasonable application.

E.2.1 Ground cover: A low growing plant, other than turf grass, which forms a continuous cover over the ground surface.

E.2.2 Landscape Materials: Any combination of living plant materials and nonbinding materials such as rock, pebbles, sand, fencing, walls, fountains and other decorative materials.

E.2.3 Landscaping: Landscaping shall consist of trees, shrubs, vines, turf, ground cover and other landscaping material which are utilized to enhance the aesthetic and functional qualities of a site.

E.2.4 Plant Materials: Living plants which include trees, shrubs, ground covers, turf and vines which are suitable for ornamental and/or functional use.

E.2.5 Screen: Screening shall consist of fencing constructed of cedar, redwood or other durable wood or masonry walls for the purpose of this regulation, a screen shall be opaque to a height of six (6) feet above the ground surface.

E.2.6 Shrub: A self-supporting wood plant which normally reaches a height of less than (15) feet.

E.2.7 Tree: A self-supporting wood plant which normally reaches a height of more than (15) feet.

E.2.8 Turf: Ground cover composed of one or more species of perennial grass that is grown as a permanent lawn.

E.2.9 Vine: A plant which is typically woody and climbs by supporting itself on some other plant or structure.

E.3 Landscaping and Screening Plan

E.3.1 This plan shall include the following information:

- a. A scale at 1" = 20 to 1" = 50.
- b. North point.
- c. The location and size of all above-grade utilities on site.
- d. The location of all existing and proposed parking.
- e. The location of all existing and proposed buildings.
- f. The location of all existing and proposed screening.
- g. The location, condition, size and quantity of all existing plant materials to be retained, and all proposed landscape materials.
- h. Plant species shall be identified by both common and botanical name, and shown on the plan by indicating their crown spread drawn to scale.
- i. The location and common name of all 12" diameter or larger (at 4.5 feet above ground) trees that are to be removed.
- j. Area of trees retained or removed may be generalized if appropriate to the scale and purpose of the plan. All landscape and screening information may be combined with other submitted plans, in lieu of a separate plan, if appropriate to the proposal's scale and legibility.

E.3.2 Minimum Standard for Landscaping:

- E.3.2.1 The minimum landscaping requirements for all commercial, industrial, institutional and religious development shall be one (1) tree and two (2) shrubs per 5,000 square feet of total lot area.
- E.3.2.2 All portions of the site not covered with impervious material or building shall be landscaped, open areas not covered with other materials shall be covered with turf or ground cover. Ground cover shall be utilized on all slopes in excess of 15%.
- E.3.2.3 Landscaping of parking lot interiors, exclusive of automobile storage and sales lots, shall be required for lots which are more than one aisle in width in all zoning districts. This requirement shall apply to all for which a site plan review is required. The trees and shrubs used to meet the requirements of Paragraph 2.a above may not be counted toward this requirement.
- E.3.2.4 Street shade trees shall be provided, at approximately 40' intervals, along existing and new roads, public and private, in cases where they do not exist. The Board may waive this requirement in naturally wooded areas, or where there is insufficient area or other physical constraint.

E.3.3 Landscaping for Parking Lot Interior

- E.3.3.1 The minimum requirement for parking lot interior landscape shall be as follows: no less than two and one half percent (2 ½ %) of the total parking lot square footage shall be landscaped. The number of trees used in the parking lot interior shall not be less than one (1) for each two hundred (200) square feet of required parking lot interior landscaping.
- E.3.3.2 Interior landscaped area shall be situated within the lot so as to be surrounded by parking lot pavement on at least (3) sides.
- E.3.3.3 Each landscaped area shall contain at least one (1) tree that is adaptable to the environment of parking areas and the remaining area shall be landscaped using shrubs, ground cover and other suitable landscape material.
- E.3.3.4 Each landscaped area shall be separated from the pavement material by curbing, stone walls or other materials so as to prevent vehicle encroachment.

E.3.4 Minimum Standards for Screening

- E.3.4.1 All exterior trash storage containers shall be screened so that they are not visible from off the property and a permanent masonry or wood frame enclosure shall be provided each such area. A detailed drawing of the enclosure shall be included in the landscape plan.
- E.3.4.2 For all buildings, except single and two family residential structures, in the commercial, professional business and industrial zoning districts, a solid screen fence or wall shall be provided not less than six (6) feet in height, along one side and rear property lines which are common property zoned or used for residential purposes except that such screening shall not extend in front of the building line and shall not be required where such screening exists on the abutting residential property.
- E.3.4.3 In all zoning districts, parking lots shall be screened from single family or duplex residential uses or zones if both of the following criteria are met:
 - a) The parking lot is within 50 feet of the property line, and,
 - b) The residential district is adjacent to the property on which the parking lot is constructed.

E.4 Plant Material

E.4.1 Plant Size Definitions:

- E.4.1.1 Small trees 15'-30' ultimate height
- E.4.1.2 Medium trees 30'-70' ultimate height
- E.4.1.3 Large trees over 70' ultimate height
- E.4.1.4 Dwarf shrub < 4' ultimate height
- E.4.1.5 Small shrub 4'-6' ultimate height
- E.4.1.6 Medium shrub 7'-10' ultimate height
- E.4.1.7 Large shrub over 10' ultimate height

E.4.2 The American Standard for nursery stock, published by the American Association for Nurserymen, is hereby incorporated by reference for the determination of plant standards.

E.4.3 Plant species that are highly susceptible to disease or early demise are prohibited.

E.5 New Plant Material

The following are the minimum plant sizes and conditions to be used in satisfying the requirements of this regulation:

E.5.1 New Plant Material shall be balled and burlapped, except ground cover plants. Container grown stock may be utilized where appropriate.

- E.5.1.1 Small ornamental tree 6'-8' tall,
- E.5.1.2 Shade tree 2 ½ " caliper,
- E.5.1.3 Evergreen tree 4'-5' tall, shrub,
- E.5.1.4 Medium to large 18"-24" tall, shrub,
- E.5.1.5 Dwarf to small 12"-18" tall,
- E.5.1.6 Ground cover 2 ½ " peat pot.

E.5.2 Existing trees that are to be retained to satisfy the requirements of this regulation shall meet the following standards:

- a. Shade trees a minimum of 3 inches in diameter at 4½ feet above grade.
- b. Ornamental trees shall be a minimum of eight (8) feet in height.

- c. Evergreen trees shall be a minimum of six (6) feet in height.
- d. Trees shall be free from mechanical injuries, insect infestations and disease.
- e. Trees shall be protected from injury of roots, trunks and branches during grading and construction. Protective fencing, tree wells, and/or retaining walls shall be utilized to avoid damage and ground compaction, to insure tree vigor upon completion of construction.

E.6 Installation

Landscaping, as required by the provisions of this regulation, shall be installed as approved by the Planning Board before the certificate of occupancy is issued. Plant installation shall be completed within two (2) planting seasons in a twelve (12) month period. For the purpose of this regulation, planting seasons are from March 21 through June 21, and September 21 through November 30. Screening fence(s) shall be installed prior to certificate of occupancy.

E.7 Maintenance

The owner, tenant and their agent, if any, shall be jointly responsible for the maintenance of the landscaping and/or screening in perpetuity. The plant materials shall be kept in a healthy, neat and orderly condition. Plants that are not in sound growing condition, or are dead, shall be removed and replaced with a plant of the same species. Plants and other landscape material and all screening shall be maintained in proper repair, and shall be kept clear of refuse and debris.

E.8 Obstruction of Sight Distance at Intersections

- E.8.1 Landscaping and/or screening materials shall not interfere with the line of sight between a height of two (2) feet and eight (8) feet above the roadway within the triangular area formed by the right-of-way lines and a line connecting them at a point twenty-five feet from their point of intersection.
- E.8.2 Landscaping and/or screening materials shall not interfere with the line of sight within twenty (20) feet of the point of intersection of any number of access or driveways and sidewalks.

E.9 Invasive Species

Plant species prohibited by the NH Department of Environmental Services shall not be used. These include but are not necessarily limited to:

Latin Name	Common Name	Latin Name	Common Name
<i>Acer platanoides</i> *	Norway Maple*	<i>Lonicera bella</i>	Showy Bush Honeysuckle
<i>Ailanthus altissima</i>	Tree of Heaven	<i>Lonicera japonica</i>	Japanese Honeysuckle
<i>Alliaria petiolata</i>	Garlic Mustard	<i>Lonicera morrowii</i>	Morrow's Honeysuckle
<i>Berberis vulgaris</i>	European Barberry	<i>Lonicera tatarica</i>	Tartarian Honeysuckle
<i>Berberis thunbergii</i> *	Japanese Barberry*	<i>Lythrum salicaria</i>	Purple loosestrife
<i>Butomous umbellate</i>	Flowering Rush	<i>Myriophyllum aquaticum</i>	Parrot Feather
<i>Cabomba caroliniana</i>	Fanwort	<i>Myriophyllum heterophyllum</i>	Variable Milfoil
<i>Celastrus orbiculatus</i>	Oriental Bittersweet	<i>Myriophyllum spicatum</i>	European Water-Milfoil
<i>Cynanchum nigrum</i>	Black Swallowwort	<i>Najas minor</i>	European Naiad
<i>Cynanchum rossicum</i>	Pale Swallowwort	<i>Nymphoides peltata</i>	Yellow Floating Heart
<i>Egeria densa</i>	Brazilian elodea	<i>Phragmites australis</i>	Common Reed
<i>Elaeagnus umbellate</i>	Autumn Olive	<i>Polygonum cuspidatum</i>	Japanese Knotweed
<i>Euonymus alatus</i> *	Burning Bush*	<i>Potamogeton prispus</i>	Curly-leaf Pondweed
<i>Heracleum mantegazzianum</i>	Giant Hogweed	<i>Rhamnus carthartica</i>	Common Buckthorn
<i>Hydrilla verticillata</i>	Hydrilla	<i>Rhamnus frangula</i>	Glossy Buckthorn
<i>Hydrocharis morsus-ranae</i>	European Frogbit	<i>Rosa multiflora</i>	Multiflora Rose
<i>Iris pseudacorus</i>	Water flag	<i>Trapa nunans</i>	Water Chestnut
<i>Ligustrum obtusifolium</i>			Plunt-leaved Privet

* Effective date for these species: January 1, 2007.

APPENDIX "F"

APPLICATION FOR SITE PLAN REVIEW

CHESTER PLANNING BOARD

Map # _____ Lot # _____

TO BE COMPLETED BY APPLICANT

1. Owner of Record: _____

Address _____

Telephone Number _____

2. Applicant if different than owner: _____

Address _____

Telephone Number _____

3. List professionals directly involved in the plan preparation:

Name _____

Address _____

Telephone Number _____

Name _____

Address _____

Telephone Number _____

4. List owners with 10% or more interest. Include Deed Reference

Name _____

Address _____

Telephone Number _____

Name _____

Address _____

Telephone Number _____

5. Location of proposed plan:

Road Name _____

6. Attach an abutters list and include the applicant's name. This list should state the names and addresses, as well as their Tax Map and Lot numbers.

7. Attach a sheet with the names and addresses of any additional professionals directly involved in the plan preparation.

8. Provide a written description of your intent for this project. A separate sheet may be used for this purpose. Consult the Regulations and Ordinances, Town of Chester, for more detailed information.

Signature of Owner of Record

Date

Representative of Owner of Record

Date

APPENDIX "G"

SITE PLAN REVIEW CHECKLIST

CHESTER PLANNING BOARD

Map # _____ Lot # _____

A. TO BE COMPLETED BY APPLICANT

1. Owner of record: _____
2. Name of Development: _____
3. Location of Development: _____
4. Is this Development located within the Commercial Zone? Yes _____ No _____
5. If "NO", attach a copy of the "Notice of Decision" from the Zoning Board of Adjustment.

B. INFORMATION SHOWN ON SITE DEVELOPMENT PLAN – EXISTING (mark each item with a "√" (check) when submitted or with an "X" if it does not apply.)

1.	Names, addresses, and Map/Lot numbers for all abutters	
2.	Locus drawn to an adequate scale	
3.	Name of proposed development	
4.	Name and address of the Owner of Record with signature	
5.	Name and address of all licensed professionals involved in the development of the plan. Include seal.	
6.	Title, scale, North arrow, date and surveyor's seal	
7.	Error of Closure statement and signature	
8.	Certificate of Title (Deed Reference)	
9.	Streets and Street Names	
10.	Show all existing features on property	
11.	Services and utilities	
12.	Total acreage and square footage of parcel	
13.	Location and description of all permanent lot boundary markers	

C. SUBMISSION ITEMS – EXISTING (mark each item with a "√" (check) when submitted or with an "X" if it does not apply.)

1.	Supplemental sketch plan	
2.	Photographs	
3.	Test pit locations and results	
4.	Soil types and soil boundaries	

D. INFORMATION SHOWN ON SITE DEVELOPMENT PLAN – PROPOSED (mark each item with a “√” (check) when submitted or with an “X” if it does not apply. Also mark with an “*” (asterisk) those features requiring review by the town’s consulting engineer.)

1.	New grades, topographic contours	
2.	Structures; size, height	
3.	Streets, drives, parking spaces, sidewalks, dimensions and number	
4.	Loading spaces, facilities	
5.	Public and private utilities	
6.	Landscaping; type, size and spacing	
7.	Exterior lighting and signs	
8.	Storm drainage plan, including snow removal plans	
9.	Circulation plan showing vehicular and pedestrian circulation	
10.	Access plan; required public street changes, sight distance	
11.	Dimensions between structures and property lines	
12.	Stamp of NH P.E. or L.L.S.	
13.	Public or common land	

E. SUBMISSION ITEMS – PROPOSED (mark each item with a “√” (check) when submitted or with an “X” if it does not apply. Also mark with an “*” (asterisk) those features requiring review by the town’s consulting engineer.)

1.	Drainage calculations	
2.	Legal descriptions of easements, Condominium Assoc. Documents	
3.	Community facilities impact studies (specify areas of study)	
4.	Environmental Impact Statement (specify areas of study)	
5.	Agreement for land conveyance to Town	
6.	Other (specify)	

F. Approvals (check “√” if required)

<u>Required</u>		<u>Date of Approval</u>
	Local Excavation Permit	
	WSPCC Alteration of Terrain Permit	
	Water Resource Board Approval	
	WSPCC Dredge and Fill Approval	
	WSPCC Approval for Sewage Disposal System – Design	
	WSPCC Approval for Sewage Disposal System – Construction	
	WSPCC Approval for Sewage Disposal System – Operation	
	WSPCC Community Water Supply Approval	

<u>Required</u>		<u>Date of Approval</u>
	WSPCC Underground Storage Tank Notification	
	Department of Transportation Permit	
	Other (specify)	

Signature of Owner of Record

Date

Representative of Owner of Record

Date