

# **Town of Winchester Subdivision Regulations**

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## **Section 1: Authority & Purpose**

Pursuant to the authority vested in the Winchester Planning Board by the legislative body of the Town of Winchester on March 7, 1972 and in accordance with the provisions of RSA 674:35 of the State of New Hampshire Revised Statutes Annotated, and as amended, the Winchester Planning Board adopts the following regulations governing subdivision of land in the Town of Winchester, New Hampshire. The Town of Winchester's Access Management Regulations (Driveway) are an addendum to the Subdivision Regulations and shall apply to all subdivision applications.

The purpose of these regulations is to provide for the orderly present and future development of the Town of Winchester by promoting public health, safety, convenience and welfare of its residents.

These regulations apply to Planning Board review process of all subdivisions as defined by RSA 672: 14 and minor lot line adjustments or boundary agreements. They do not apply to voluntary mergers as defined in RSA 674:39-A.

## **Section II: Definitions**

In addition to the Access Management Regulations, Winchester Zoning Ordinance, Site Plan Review Regulation and Regulation Governing Sedimentation & Erosion Control and Stormwater Management Regulations definitions, the following definitions shall apply to the Subdivision Regulations.

**Abutter:** Any person whose property adjoins or is directly across the street, stream, or RR bed from the land under consideration by the local land use board; and any affected communities and regional planning commissions in the event of the proposal having regional impact. In the case of a mobile home park the corporation or owner will be notified as well as any direct abutting mobile homes. Any other form of collective ownership such as a condominium the term abutter means the officers of the collective or association.

**Applicant:** The persons or entity applying for subdivision. This person(s) must have written authority to do so from the owner of the property.

**Application, Submitted:** Shall mean information submitted to the Planning Board by the applicant, which may or may not be complete enough to warrant acceptance by the board.

**Application, Complete:** Means a final plat and all accompanying materials and fees as required by these regulations and would warrant acceptance by the board as complete.

**Approval:** Means recognition by the Planning Board and certified by written endorsement on the plat, that the plat meets the requirements of these regulations and in judgment of the board satisfies all criteria.

**Approval with Conditions:** Means that generally the board has approved the plat, but further conditions need to be met before official signing & recording of the plat. i.e.

Driveway permit, correction of names, etc. These items are administrative by nature.

Board: Means the Planning Board of Winchester.

Bond/Performance Guarantee: A posting of a security in an amount sufficient to assure completion of construction of streets, public utilities, facilities and reclamation.

Class V Road: Minimum level of a Town Maintained Road

Class VI Road: Non-Town Maintained. May be subject to gates and bars.

Certified Soil Scientist: Shall mean a person who by reason of special knowledge and experience is qualified to practice soil science and who has been duly certified by the Board of Natural Scientists under RSA 31 O-A:75.

Complete Application: Means sufficient information is included to allow the Board to proceed with consideration and make an informed decision.

Conditional Approval: The application is approved subject to; but a hearing of compliance is required for final approval.

Developer: Means person proposing the development of subject property.

Development: Means any construction or grading activities on real estate for other than agricultural and silvicultural (tree care and harvesting) practices.

Easement: Means the authorization by a property owner for the use by another and for a specific purpose, of any designated part of his/her property.

Engineer: Shall mean a person of knowledge and experience who is qualified to be an Engineer and is certified by the State of New Hampshire.

Frontage: Means the side(s) of the lot abutting a street or body of water and is used to satisfy the frontage required.

Licensed Land Surveyor: Shall mean a person who engages in the practice of land surveying and is licensed by the State of New Hampshire.

Lot(Building): A parcel of land capable of being occupied that is of sufficient size to meet the minimum requirements for use, building coverage and area.

Lot of record: Means a parcel of land, which the description has been recorded in the Cheshire County Registry of Deeds.

Lot Line Adjustment: Means adjustments to the boundary between adjoining properties, where no new lots are created.

Owner: Legal owner of record of said lot.

Plat: Means map, drawing or chart, on which the plan of subdivision is presented to the board for approval, and which, will be submitted to the Cheshire County Registry of Deeds.

Pre-application review: This is the optional step of consultation the applicant may follow prior to filing a completed application.

Public Hearing: Means a meeting, notice of which must be given per RSA 676:4,I(d), at which the public is allowed to offer testimony.

Public Meeting: Means a meeting of the Planning Board as required per RSA 673:10. Notice must be posted at least 24 hours in advance and the meeting must be open to the public, although participation by the public is at the discretion of the board.

Right-of-way: Means a strip of land for which a legal right of passage has been granted by the landowner.

Setback: The distance between a building, structure or passage to the nearest property line, wetland, well or septic system.

Septic System: An on site waste disposal system including the leachfield.

Street: Means a publicly approved road maintained for vehicular travel or a road that appears on a subdivision plat approved by the Planning Board. This includes the entire right-of-way.

Subdivision: Per RSA672:14. Means the division of the lot, tract, or parcel of land into 2 or more lots, plats, sites, or other division of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

II. The division of a parcel of land held in common and subsequently divided into parts among several owners shall be deemed a subdivision under this title.

III. The grant of an easement in gross to a public utility for the purpose of placing and maintaining overhead and underground facilities necessary for its transmission or distribution network such as poles, wires, cable, conduit, manholes, repeaters and supporting apparatus, including any unstaffed structure which is less than 500 square feet, shall not be construed as a subdivision under this title, and shall not be deemed to create any new division of land for any other purpose.

IV. The rent, lease, development, or grant of an easement to a person for the purpose of placing and maintaining a wireless communications facility shall not be construed as a subdivision under this title, and shall not be deemed to create any new division of land for any other purpose. For purposes of this paragraph, "wireless communication

facilities” means any towers, poles, antennas, or other unstaffed structure of less than 500 square feet intended for use in connection with licensed transmission or receipt of radio or television signals, or any other licensed spectrum-based transmissions or receptions. This paragraph shall not be deemed to affect other local zoning, site plan, or regulatory authority over wireless communications facilities.

Subdivision, Major: A subdivision creating 4 or more lots or one, which involves the creation of new streets and or utilities.

Subdivision, Minor: A subdivision creating no more than three lots for building development purposes, with no potential for resubdivision on an existing street, or one which does not involve the creation of new streets.

Subdivision Technical: (Boundary Line Adjustment) A subdivision of land into two lots for the purpose of conveying one such lot directly to an abutting landowner. The parcel to be conveyed does not constitute a separate building lot, however, said parcel may be used for building development in conjunction with contiguous land owned by the abutter.

Wetland: As per RSA 482-A:2, (X), means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

### **Section III: General Standards**

Land judged by the Planning Board to be unsafe for building development because of exceptional danger to health or peril from fire, flood, poor drainage, excessive slope, diminish environmental quality of land or other hazardous conditions will not be allowed subdivision for residential, commercial or industrial purposes.

Land judged by the Planning Board to have inadequate characteristics or capacity for Sanitary sewage disposal shall not be subdivided for residential, commercial or industrial subdivision purposes.

#### **Premature or Scattered Development:**

The Planning Board shall not approve scattered or premature subdivision of land or subdivisions which would involve danger or injury to health, safety or prosperity by reason of inadequate community services including, but not limited to, education, transportation, fire protection, roads, road maintenance, solid waste disposal, police protection and recreation.

#### **Preservation of Existing Features:**

The subdivider shall identify and take suitable steps as required by the Planning Board to preserve and protect significant features such as trees, scenic points, brooks, rock outcroppings, stone walls, historic landmarks, and other natural resources. Where possible the boundary lines should follow stone walls.

## **Section IV: Subdivision Standards**

### **A. Lots:**

1. Areas set aside for parks and playgrounds to be dedicated to the common use of all property owners shall be of reasonable size and character for the neighborhood.
2. Lots shall be laid out and graded to eliminate flood or stagnate water pools. No water shall be permitted to run across a street on the surface, but shall be directed to catch basins and piped underground in a pipe of not less than 15 inches in diameter.

**B. Reserve strips:** Reserve strips of land that show intent on the part of the subdivider to control access to the land dedicated or to be dedicated to public use (such as a road) shall not be permitted.

**C. Fire Protection:** Applications for new subdivisions shall be required to address water supply needs for fire protection. The Fire Chief of Winchester and the board will determine what, if anything is necessary to provide adequate fire protection.

**D. Drainage:** Curbs, sidewalks, culverts and basins, when required, shall be installed and constructed in accordance with the standards of the Town of Winchester Erosion & Sedimentation Control & Stormwater Runoff Management Regulations and will be inspected by the Highway Superintendent or Engineer.

**E. Subdivision is not permitted on a Class VI road. All frontages will be on a Class V or better. Frontage may be on a Private road of Class V construction standards.**

### **F. Water Supply and Sewage Disposal**

All developments shall provide adequate water supply for consumption and fire protection.

1. All developments within 100ft of the Winchester municipal water supply are recommended to connect to the municipal water supply in accordance with the Town of Winchester Municipal Water Regulations.
2. In areas without municipal water, the applicant shall have provisions for on site private water system or a community water system as regulated by the state of NH.

All developments shall provide for state approved private septic systems or connect with the municipal sewer system.

1. All developments within 100ft of the Winchester municipal sewer system shall connect to the municipal supply in accordance with the Town of Winchester Sewer Regulations.
2. In areas without municipal sewer, a state approved private septic system design is required prior to final approval, and the approval number will be indicated on the plan.

**G. Easements:** Where the topography is such as to make it difficult the inclusion of any



utilities or other facilities within the public area so laid out, the proposed layout shall show the boundaries of proposed permanent easement over or under private property. Such easements shall be at least 15 feet in width and shall have satisfactory access to existing or proposed public ways. Watercourses proposed for public control shall have a permanent easement of not less than 25 feet.

#### **Section V: Required Improvements**

A. The developer shall be financially responsible to the Town for all clearing, grading, drainage, graveling, surface pavement, loaming, and seeding within the right-of-way and for the installation of the required improvements. The following improvements shall be installed and constructed by the subdivider to the satisfaction of the Highway Superintendent or Engineer. A surety shall be filed sufficient to cover the cost of these improvements.

B. Monuments constructed of concrete, stone or other approved marker shall be at least four square inches on the top and thirty inches long shall be set at all block corners. Two benchmarks of the same description as the monuments shall be set at opposite ends of the subdivision whose tops are at an even foot in reference to the USGS datum plane.

C. Pipe shall be set at all lot corners. Concrete or granite bounds shall be set at all points of curvature and all points of tangent for surveying purposes.

D. The roadway or traveled way exclusive of grass strip and sidewalk areas shall have a width of at least 20 feet.

E. The width of blocks shall not be less than 200 feet, nor shall the length exceed 1200 feet.

F. All proposed drainage facilities and culverts of not less than 15 inches in diameter shall be installed according to the approved engineered designs. Natural watercourses shall be cleaned and increased in size where necessary to take care of storm runoff. Drainage swales at least three feet in width and eighteen inches deep at its midpoint below center line shall be constructed in the street right-of-way on both sides of the roadway. If the board considers it necessary, storm drainage system shall be designed to handle a storm of two inches per hour for a duration of one hour for the drainage encompassed by the proposed development. These facilities will be inspected by the Highway Superintendent or Engineer. The board will be given a written statement upon completion and acceptance of work performed. As built plans will be submitted by the developer.

G. Slopes and drainage ditches shall be seeded and mulched or otherwise stabilized to prevent erosion.

H. No underground installation shall be covered until inspected by the appropriate official or designee.

I. A timetable for construction shall be submitted with the plan and approved by the board.

#### **SECTION VI: Compliance with Regulations & Ordinances**

All applications shall comply with the Town of Winchester Zoning Ordinance, Site Plan Review Regulations, Access Management Regulations (Driveway), Regulations Governing Sedimentation & Erosion Control and Stormwater Management and any other regulation that may apply to this development.

#### **SECTION VII: Developments of Regional Impact**

The board will promptly upon a receipt of an application for development, determine whether it is or is not a development of regional impact. If the board determines the application is a development of regional impact they then shall follow the procedures set forth in RSA 36:54-57. This includes notifying affected municipalities and the regional planning commission.

Impact criteria shall include, but not be limited to, the following items. These shall in no way be considered exclusive, but rather guidelines for the board to follow in making this determination.

A. Residential development: Proposals for lots or dwellings that would increase the existing housing stock of the town by more than 25%

B. Commercial development/Industrial: Proposals for new or expanded space of 50,000 square feet or more.

C. Other Factors:

1. Proximity to other municipal boundaries.
2. Traffic impacts on the regional network.
3. Potential effect on groundwater, surface water and wetlands that transcend municipal boundaries
4. The potential to disturb or destroy a significant or important natural environment or habitat.
5. The necessity for shared public facilities such as schools or solid waste disposal.
6. Anticipated emissions such as light, noise, smoke, odor or particulates.
7. The potential for accidents that would require evacuation of a large area.
8. The generation and or use of hazard materials.

#### **Section VIII: Procedure**

A. Pre application review/ Conceptual Consultation per RSA 676:4,II(a):

1. Prior to an applicant submitting a formal application for consideration to the board the applicant may request a meeting with the board to discuss the proposal in conceptual form and in general terms.

2. The board and applicant may review the Master Plan, Zoning Ordinance and any pertinent regulations that may apply to this application. The board will give guidance or direction on any local, state or federal requirements.
3. This discussion is informal and the abutters are not required to be notified but the consultation shall only occur at a posted meeting.
4. Preliminary consultation shall not bind the applicant or the board, and statements made by board members shall not be a basis for disqualifying said members or invalidating any action taken.

B. Design Review per RSA 676:4II(b):

1. This review is a more specific design proposal that may include the use of preliminary plans. This is a non binding discussion beyond the conceptual stage which may involve more specific design and engineering details.
2. The abutters and the public are notified as required by RSA 676:4,I(d). The review takes place at a duly noticed meeting of the board.
3. The board may determine at this time if the proposal is a development of regional impact.
4. The applicant may be informed of expenses and any special studies that may be required.
5. Statements made by board members during the design review phase shall not be the basis for disqualifying said members or invalidating any action eventually taken on the application.
6. The minimum requirements of submission will be the minimum plan requirements of sections I-III of the site plan review checklist. A vote shall be called to close the design review process upon completion of discussions with the board and written notice will be provided to the applicant.

C. Formal application submission per RSA 676:4

1. A completed application shall be submitted to the Land Use Office at least 21 days prior to the scheduled public meeting of the board during normal business hours. The Land Use Office shall review the application to make an initial determination of whether or not the application meets submission requirements. Final determination of completeness shall be made by the board at a duly noticed meeting of the board. The application will be date stamped.
2. A complete application shall consist of all data required in the submission requirements.
3. The completed application shall also include all required fees for notices, any administrative service costs or other fees assessed by the board under the provisions of RSA 676:4,I(g).
4. At the next regular meeting for which notice can be posted, or 30 days from the date of delivery, the board will determine whether the application is complete. If the application is not complete, the board will specify in writing what requirements need to be met to warrant a complete application.

5. The board shall act to approve or disapprove the completed application within 65 days of its formal acceptance. If the board cannot render a decision within this time, the board shall follow the procedures set forth in RSA 676:4, I(f) for an extension of time.
6. All submitted applications are subject to site inspections by the board or their designee.
7. A third party review of the application may be required by the board as permitted by RSA 676:4(b).

D. Fees:

1. The applicant shall be responsible for all fees incurred for the processing of the application and the notification requirements. Failure to pay such costs constitutes valid grounds for the board not to accept the application as complete.
2. All fees are due upon the submission of a formal application or design review application.
3. The fee schedule is available in the application packet.
4. It shall be the responsibility of the applicant to pay any reasonable fees for other services the board deems necessary; legal or engineering review, impact studies, etc conjunction with a subdivision hearing if approval is required from all boards for the same project. Notices will reflect this action.

E. Submission requirements:

A completed application shall consist of the following items unless written requests for a waiver(s) are granted by the Board.

1. A completed application form, accompanied by the following:
  - a. Names and address of all abutters
  - b. Names and addresses of all persons whose name and seal appear on the plat.
  - c. Payment of all fees.
2. Four copies and a Mylar of plat shall be submitted. Space shall be reserved on the plat for all necessary endorsements. Size determined by the Cheshire County Registry of Deeds.
  - a. All title blocks should be located in the lower right hand corner and shall include: type of survey, owner of record, title of plan, name of Town, tax map and lot number, plan date and revision dates.
  - b. All maps will be scaled, show the North arrow and point of beginning.
  - c. A locus plan showing general location of the tract within the Town.
  - d. Name, license number and seal of surveyor.
  - e. Boundary survey including bearings, distances and location of the permanent markers.
  - f. Location and profiles with elevations of existing and proposed water mains, sewers, wells, septic systems, culvers, drains and underground services.
  - g. Names and location of all abutting landowners, subdivisions, streets,

easements, waterways, stonewalls, public places and any other pertinent features.

h. Location of property lines and their dimensions; lot areas in square feet and acreage. Each lot will be numbered according to the Town tax map system. Numbers will be assigned prior to submission of final Mylar.

i. Location of frontage on public right-of-way, location of existing and proposed buildings with setbacks, existing and proposed easements along with width, setback and location of proposed driveways.

j. Deed restrictions or open space to be preserved.

k. Existing and proposed topographic contour boundaries will be marked at five-foot intervals. Soils, slopes, foliage and wetlands will be delineated.

l. Written submission of, or approvals of, state septic, subdivision and driveway approvals.

m. Existing and proposed streets with names, classification, travel surface widths, and right-of-way widths including final road profiles and cross sections. See section 11 for the Town of Winchester standards.

n. Location of perc tests, septic and proposed wells.

o. Base flood elevations and flood hazard areas.

4. Approval for municipal water and sewer connections.

5. State and/or Town driveway permit.

6. Any additional reports or studies deemed necessary by the Board to make an informed decision, including but not limited to: traffic, school, fiscal and environmental impact analysis. The board reserves the right to request this information after an application has been accepted as complete, as well as before acceptance.

#### F. Waivers:

Any portion of these regulations may be waived where, in the opinion of the board, strict conformity would pose an unnecessary hardship to the applicant, and such waiver would not be contrary to the spirit and intent of the regulations. All waivers are to be in writing.

#### G. Notification:

1. Notice of submission, review and public hearing of the application shall be given to abutters, holders of conservation land, holders of preservation or agricultural restrictions and any professionals whose name is stamped on the plans. This notice will be by certified mail and sent at least 10 days prior to action by the board.

2. The public shall be given notice at the same time, by posting in at least two public places and the local newspaper.

3. The notice shall give the date, time and place of the Planning Board meeting at which the application will be formally submitted for acceptance. This notice shall include a general description of the proposal; identify the applicant, and the location of the proposal.

4. If the notice for the public hearing was included in the notice of review for acceptance of the application, an additional notice of public hearing is not required. Also additional notice is not required if continuation of a hearing is duly announced at the meeting and recorded in the minutes.

#### H. Public Hearings:

1. No application shall be approved or denied without a duly noticed public hearing.
2. A public hearing is not required if the board determines the application is incomplete.
3. A public hearing may be continued to additional meetings with proper notice.
4. Whenever the board conditionally approves a site plan, placing a condition or conditions on the approval, all conditions shall be met within a specific period of time, or, if not specified, within one year from the date from the approval. Conditions administrative by nature shall not require another public hearing but any change or decision by the board requires another public hearing. Compliance is determined by the board.

#### I. Joint Hearings:

1. As allowed under RSA676:2, applicants needing approval for a project from two boards may petition for the boards to hold a joint hearing. Procedures for such are listed under the board's rules of procedure.

#### J. Decisions:

After the Planning Board is satisfied that they have heard and addressed all issues with the application then the board is required to make a decision.

1. Approval: The board votes in the majority of affirmative that the application meets all requirements necessary for approval. The plat will be signed and filed in the Land Use Office and recorded in the registry of deeds.
2. Denial: The board votes in the affirmative that the application does not meet all requirements necessary for an approval. The board must clearly state the reasons of the denial in the board's minutes and the decision letter. A decision letter shall be available within 5 business days.
3. An approval with conditions: The board votes in the affirmative that the application has met most requirements but may be still waiting on other board's approvals, local permits, state permits, obtaining a bond easement, etc.
4. RSA676:3 states all conditions shall be detailed in all approvals and written and or filed on all plats.
5. Finals plans are not signed until all conditions are met.

A motion to approve that does not get an affirmative vote by a majority of the board members, does not result in an automatic disapproval of the application. A new motion to

disapprove, including reasons for the action, should be offered and another vote should be taken. Similarly, a motion to disapprove that does not receive a majority vote, does not result in an automatic approval of the application. If a motion is made which results in a tie vote, that motion fails and the board should try rewording the motion that a majority of members can approve.

#### K. Site Visits:

1. An applicant upon submission of an application expressly gives permission for the board to conduct noticed site visits. A denial of a site visit automatically terminates any further consideration of the application.
2. A site visit with a quorum of the board is considered a meeting. This visit shall be noticed as such and minutes shall be taken reflecting the visit.
3. The practice of an applicant directly calling a board member for a visit is discouraged.
4. The board may choose a designee to do a site visit.

#### L. Compliance of Approval:

1. A subdivision approval is valid for one year provided that active and substantial development of the project has begun within one year as defined in the board's written approval as permitted by RSA 674:39.
  1. The applicant or his/her successor shall conform with the standards set forth in the approval to reach what is accepted by the board as substantial completion within the four year exemption period as permitted by RSA 674:39.
  2. All conditional approvals shall have the required document(s) submitted to the board within the set timeframe as approved during the hearing process.
    - a). Copies of all federal, state and local approvals such as driveway permits, fire department approval, water/sewer approvals, Historic, FEMA, DES or any such others the board may require.
    - b). Timeframes of submittals and completion dates shall be adhered to and if not so, the board reserves the right to conduct a hearing on the matter to reconsider the decision and/or stipulations.

#### M. Impact Fees & Exaction Fees:

The Town of Winchester has adopted the use and authority to impose and use impact or exaction fees pursuant to RSA 674:21 and RSA 674:21,V(j).

#### N. Performance Guarantee:

In lieu of completion of required improvements, the applicant may enter into a development agreement with the board specifying the manner in which the improvements are to be completed, pursuant to RSA 674:36III, as amended. The board shall require that a financial surety, in an amount and form to be determined by the board, in the form of an irrevocable letter of credit or a performance bond, be posted by the applicant and held by

the Town until the board determines that all conditions of the subdivision approval and other town ordinances and regulations have been met. The surety may be released in part when the project is substantially completed, at the discretion of the board.

#### **SECTION IX: Active and Substantial Development and Completion**

In approving any application, the Planning Board may specify the threshold level of work which shall constitute “active and substantial development and building” for the purpose of determining the minimum amount of work required in order to satisfy the provisions of RSA 674:39 pertaining to protection from subsequent amendments to local land use regulations for a period of 4 years. Active and substantial development, in the absence of a specific finding of the board, shall be deemed to have occurred when at least twenty (20%) of the length of the approved on-site road system or six hundred linear feet, whichever is greater, as shown on the entire subdivision plan or approved phase, has been constructed to finish subgrade, all erosion control measures have been installed on any disturbed or cleared land areas on the subdivision plan, and financial guarantees remain on deposit with the town to insure completion of remaining improvements.

Substantial completion of the development or approved phase shall be deemed to have occurred when all roadways shown on the subdivision plan or approved phase have been constructed through binder course of hot bituminous pavement, all utilities have been laid in underground conduit ready for connection to proposed structures, all on site drainage improvements have been completed, and all other on/off site improvements have been determined by the town of Winchester or its agent to be in compliance with the approved subdivision plan or satisfactory financial guarantees remain on deposit with the town to insure completion of such improvements.

#### **SECTION X: Driveways & Streets**

A. Access to public streets will meet the requirements of the Town of Winchester Access Management Regulations (Driveway Regulations). The accesses to Class I, II, or III streets require conformity with the driveway permit standards of the NH Department of Transportation. If there is any conflict in the standards, the stricter standard shall apply.

##### **B: Streets**

1. The arrangement of streets in the subdivision shall provide for the continuation of the principal streets in adjoining subdivisions or for their proper projection when adjoining property is not subdivided, and shall be of a width at least as great as the existing connecting streets.

2. Streets which join or are in alignment with streets of abutting or neighboring properties shall bear the same name. Names of new streets shall not duplicate, not bear phonetic resemblance to the names of existing streets within the Town of Winchester.

3. Streets shall be logically related to the topography so as to produce suitable lots and reasonable grades and shall be in appropriate relation to the proposed uses of



the land to be served by such streets. Where practical, lots shall be graded toward the streets.

4. No street or highway right-of-way shall be less than 50 feet in width and may be required to be more if a greater street width is warranted in the opinion of the board. The apportioning of the street widths among roadway, sidewalks and grass strips shall be subject to the approval of the board and Highway Superintendent.

5. Dead end or cul-de-sac streets shall not in general exceed 1000 feet in length and shall be equipped with turn around roadway at the closed end with a minimum radius of 60 feet from the center to the outside edge of the right-of-way. The layout shall be approved by the Highway superintendent and Fire Chief.

6. Grades of all streets shall conform in general to the terrain and shall, as most practicable, not exceed 5% for arterial and collector streets and 8% for local streets. No street shall have a grade of less than 1 %.

7. Road crowns on all roads shall have a minimum of 1 % slope and a maximum of 3% slope.

8. No horizontal or vertical curve shall have a center line radius of less than 150 feet, except a horizontal curve on a turnaround on a dead end way. For changes in grade exceeding 1 %, a vertical curve shall be provided ensuring a minimum sight distance of 150 feet.

9. A timetable for construction of all streets and drainage shall be submitted with plans and approved by the board.

10. For complete description and requirements for road/street construction see attached appendix.

#### **SECTION XI: Flood Hazard Areas**

A. The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments.

B. The application shall be in compliance with the Town of Winchester Zoning Ordinance, Floodplain Management Ordinance.

C. The board shall require that all subdivision plan proposals greater than 50 lots or 5 acres, whichever is lesser, include base flood elevation (BFE) data with such proposals(ie., floodplain boundary & 100 year flood elevation). Sufficient evidence (construction plans, grading and land treatment plans) shall be submitted so as to allow determination that:

1. All such proposals are consistent with the need to minimize flooding.

2. All public utilities and facilities are located and constructed to minimize or eliminate damage.
3. Adequate drainage is provided so as to reduce exposure to flood hazards.

#### **SECTION XII: Administration and Enforcement**

These regulations shall be administered by the Winchester Planning Board. Enforcement shall be by the Board of Selectmen or the Code Enforcement Officer. The Building Inspector shall not issue a building permit for construction which requires site plan approval until or unless such planned construction has received site plan approval from the Planning Board.

#### **SECTION XIII: Penalties and Fines**

Any violation of these regulations shall be subject to a fine as provided in RSA 676:15 thru RSA 676:17, as amended.

#### **SECTION XIV: Appeals**

Decisions of the Planning Board on subdivisions are appealable to Superior Court as set forth in RSA 677:15, as amended.

#### **SECTION XV: Revocation of Approval**

An approved subdivision may be revoked by the board in whole or in part, under certain circumstances as set forth in RSA 676:4-a, as amended.

#### **SECTION XVI: Validity**

If any section or part of a section or paragraph of these regulations shall be declared invalid or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other section or part of a section or paragraph of these regulations.

#### **SECTION XVII: Amendments**

These regulations may be amended by a majority vote of the Planning Board after at least one public hearing following a proper notification.

#### **SECTION XVIII: Adoption**

These regulations and any amendments thereto shall take effect upon their adoption, and all other site plan review regulations, or part thereof, inconsistent there with are hereby repealed.

#### **SECTION XIX: Road Construction Appendix**

Subgrade:

All trees and roots shall be stripped to below the base course of pavement and shoulders for the full width of the pavement and shoulders. All soft spots, peat, organic material, spongy soil and other unsuitable materials shall be removed and replaced by material approved by the Board or the Highway Superintendent. The subgrade fill or backfill shall be compacted in lifts not exceeding 12 inches in depth. The subgrade shall be graded in the general cross slope configuration shown on the Typical Roads Section, Exhibit 1.

Boulders and/or ledge shall be removed to a depth of 6 inches below the subgrade level as shown on Exhibit 1. After removal to this depth they shall be covered by fill material approved by the Board or the Highway Superintendent and graded and compacted to subgrade level.

**Base Course:**

Bank-run gravel of good quality shall be spread over the entire width of the proposed pavement and shoulders to a depth of 12 inches, plus 6 inches of crushed gravel. The finished course shall consist of fine gravel, not to exceed 1 1/2 inches in diameter.

**Compaction:**

Roadway subgrade and base courses shall be compacted to 95% of maximum density proctor method in accordance with AASHTO T-99.

**Pavement Materials:**

Base course of two inch~ conforming to Type B of the NHDOT Specifications. Wearing Course conforming to Type F of the NHDOT Specifications.

Wear Course: The board with advice of the Highway Superintendent may allow a gravel or other suitable material wear course for private roads. Consideration to pave or not to pave will be based on size of development, slope of land, location, and potential for future development.

NEW HAMPSHIRE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS  
GEOMETRIC & STRUCTURAL GUIDES FOR LOCAL ROADS AND STREETS

JANUARY 1984

Average Daily Traffic	0 - 50	50 - 200	200 - 750	750 - 1500	1500 & Over
Pavement Width (Feet)	18 min.	20	20	22	24
Shoulder Width (Feet)	2	2	4	4	8 - 10
Center of Road to Ditch Line	15	16	18	19 - 21	Varies
Pavement Type	Gravel	Gravel*	S.T.G.	S.T.G.-H. Bit.	H. Bituminous
Slope of Roadway	$\frac{1}{2}$ " / Ft.	$\frac{1}{2}$ " / Ft.	$\frac{1}{2}$ " / Ft.	$\frac{1}{2}$ " / Ft.	$\frac{1}{2}$ " / Ft.
Base Course Depth	12"	12"	16"	18"	24"

\*Note: Gravel Surface Should be Asphalt Surface Treated Where Steep Grades Occur

TYPICAL CROSS SECTION

