

TOWN OF ALEXANDRIA
NEW HAMPSHIRE

SUBDIVISION REGULATIONS

FEBRUARY 2015

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SUBDIVISION REGULATIONS
TOWN OF ALEXANDRIA, NEW HAMPSHIRE

SECTION I. AUTHORITY, PURPOSE, AND INTERPRETATION

1.1 AUTHORITY

Pursuant to the authority vested in the Alexandria Planning Board by the voters of the Town of Alexandria at the annual town meeting held on March 16, 1989, and in accordance with the provisions of Chapter 674, et.seq., New Hampshire Revised Statutes Annotated, 1986, as amended, the Alexandria Planning Board adopts, pursuant to RSA 675.6, et.seq., as amended, the following regulations governing the subdivision of land in the Town of Alexandria, New Hampshire.

1.2 GENERAL DECLARATIONS OF PURPOSE (RSA 672:11)

- A. Planning and related regulations have been, are, and should continue to be the responsibility of the Town of Alexandria.
- B. Subdivision and related regulations are legislative tools which enable the Town of Alexandria to meet more effectively the demands of its evolving and growing community.
- C. Proper regulations enhance the public health, safety and general welfare and encourage the appropriate and wise use of lands.
- D. Proper regulations encourage energy efficient patterns of development and use of renewable forms of energy and energy conservation.
- E. Agriculture makes vital and significant contributions to the food supply, economy, environment, and aesthetic features of the State of New Hampshire and the Town of Alexandria. The tradition of using the land resources for agricultural production is an essential factor in providing for the favorable quality of life in the State and the Town. Natural features, terrain, and the pattern of geography of the State and the Town frequently place agricultural land in proximity to other forms of development and commonly in small parcels. Agricultural activities are a beneficial and worthwhile feature of the Town of Alexandria landscape and should not be discouraged or eliminated by the use of state or local planning.
- F. The citizens of the Town of Alexandria should be actively involved in directing the growth of their community.

- G. The Town of Alexandria should provide a workable framework for the fair and reasonable treatment of individuals, businesses and all persons.

1.3 SPECIFIC DECLARATIONS OF PURPOSE OF SUBDIVISION REGULATIONS (RSA 674:36 et.seq.)

- A. Provide against such scattered or premature subdivision of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire protection, or other public services, or necessitate the excessive expenditure of public funds for the supply of such services.
- B. Provide for the harmonious development of the municipality and its environs;
- C. Require the proper arrangement and coordination of streets within subdivisions in relation to other existing or planned streets or with features of the official map of the municipality;
- D. Provide for open spaces of adequate proportions;
- E. Require suitably located streets of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air and access for firefighting apparatus and equipment to buildings, and be coordinated so as to compose a convenient system;
- F. Require, in proper cases, that plats showing new streets or a narrowing or widening of such streets submitted to the Planning Board for approval shall show a park or parks suitably located for playground or other recreational purposes;
- G. Require that proposed parks shall be of reasonable size for neighborhood playgrounds or other recreational uses;
- H. Require that the land indicated on plats submitted to the Planning Board shall be of such character that it can be used for building purposes without danger to health;
- I. Prescribe minimum areas of lots so as to assure on-site sanitary facilities; and
- J. Include provisions which will tend to create conditions favorable to health, safety, convenience, and prosperity.

1.4 INTERPRETATION

Interpretation and application of these regulations shall be within the best judgment of the Planning Board.

SECTION II. DEFINITIONS

The intent of this section is to define words and phrases as used in these regulations and as used by the Alexandria Planning Board; however, where there is a direct and substantial conflict between words and phrases defined herein and words and phrases defined at RSA 672:2-14, as amended, the Planning Board may consult for guidance but need not be bound by the statutory definitions.

- 2.1 Abutter means any person whose property is located in Alexandria or adjoining towns and adjoins or is directly across the street or stream from the land under consideration by the Planning Board. For purposes of receiving testimony only, and not for purposes of notification, the term “abutter” shall include any person who is able to demonstrate that his/her land will be directly affected by any proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII.
- 2.2 Applicant means the owner of record, or his/her agent, duly authorized in writing at the time of application.
- 2.3 Approval shall mean recognition by the Planning Board, certified by written endorsement on the plat, that the final plat submission meets the requirements of these regulations and satisfies, in the judgment of the Planning Board, all criteria of good planning and design.
- 2.4 Approval, Conditional shall mean an expression by the Planning Board that the preliminary layout appears to satisfy all the requirements established herein for the preliminary layout submission phase. Conditional approval does not constitute, nor should it be construed as, approval, either implied or granted, of the final plat, nor does it bind the Planning Board to approval of the final plat.
- 2.5 Construction Drawings means detailed information which may be required by the Planning Board, including but not limited to grading and drainage plans and/or utility plans.
- 2.6 Consultant means a qualified person to perform special investigative studies as specified by the Planning Board.
- 2.7 Contiguous Lots means adjacent or abutting lots which have a common boundary line.
- 2.8 Developer means the individual, partnership, or corporation which will be responsible to make all improvements and possibly for the sale or transfer of lots and/or dwelling units.
- 2.9 Driveway means an area located on a lot, tract, or parcel of land and built for access to a garage or off-street parking space, serving not more than two (2) dwelling units or two (2) lots.

- 2.10 Dwelling Unit means a structure or part thereof with living and sleeping accommodations intended for use and/or occupancy by a single family or household.
- 2.11 Easement means the authorization by a property owner for the use by another, and for a specified purpose, of any designated part of this property.
- 2.12 Engineer means the designated duly registered professional civil or sanitary engineer, as required by the New Hampshire licensing laws.
- 2.13 Filing Fee means a levy which may be required to accompany any petition submitted to the Planning Board. This fee is in addition to postal notice costs, site inspection fees, and special consultant's fees.
- 2.14 Final Plat means the final map, drawing, or chart on which the subdivider's plan of subdivision is presented to the Planning Board for approval and which, if approved, will be submitted to the Register of Deeds of Grafton County for recording.
- 2.15 Flood Hazard means those areas identified as hazardous and as a "special flood hazard" by the Federal Insurance Administration of the United States Department of Housing and Urban Development.
- 2.16 Floodplain means a land area adjoining a river, stream, watercourse, or lake which is likely to be flooded. Those areas containing soils formed in thick alluvial deposits are delineated by the United States Department of Agriculture Soil Conservation Service.
- 2.17 Frontage means the side of a lot abutting an improved public street or a Class V road or better, the front lot line. See RSA 674:40,41.
- 2.18 Group Development means camping grounds, clubs, including recreational clubs and fraternal lodges, or organizations which are intended for use generally on an individual or family basis.
- 2.19 Lot means a parcel of land or any part thereof. A lot shall have boundaries identical with those recorded with the Register of Deeds. See RSA 674:24.
- 2.20 Lot Size means the total horizontal land areas within the boundaries of a lot, exclusive of any land designated for street, reserve strip, open space, or other such specially reserved area purposes.
- 2.21 Manufactured Housing means any structure, transportable in one or more sections, which in the traveling mode, is 8 body feet or more in width and 40 body feet or more in length, or when erected on site, is 320 square feet or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating and electrical

systems contained therein. Manufactured housing as defined in this section shall not include presite built housing as defined in RSA 674:31-a.

- 2.22 Manufactured Housing Park means any parcel of land under single or common ownership or control which is designated to accommodate two (2) or more manufactured houses.
- 2.23 Open Space means the area of a lot unoccupied by building, unobstructed to the sky by man-made objects, not devoted to streets, driveways, off-street parking or loading, and suitable for recreations, gardens, or household service activities. Open space shall be expressed as a percentage of the total lot area.
- 2.24 Performance and Payment Bonds means cash, a suitable surety bond, or an escrow deposit as approved by the Planning Board to secure regulated improvements on subdivided property.
- 2.25 Planning Board means the Planning Board of the Town of Alexandria, New Hampshire.
- 2.26 Plat means a map, plan, drawing, or chart on which a subdivision of land is shown.
- 2.27 Presite Built Housing means any structure designed primarily for residential occupancy which is wholly or in substantial part made, fabricated, formed or assembled in off-site manufacturing facilities in conformance with the United States Department of Housing and Urban Development minimum standards and local building codes, for installation, or assembly and installation, on the building site. For the purpose of this subdivision, presite building shall not include manufactured housing as defined in RSA 674:31.
- 2.28 Preliminary Layout means a plan prepared as required by these regulations and incorporating all information requested by the Planning Board. The preliminary plan shall include all necessary information for local, county, regional, state or federal agencies whose review is required by law and/or these regulations.
- 2.29 Private Way means a deeded private right-of-way serving as access to more than two (2) adjacent lots with roadway constructed to be adequate for fire and other emergency vehicles.
- 2.30 Reserve Strip means any area for which future public use is intended for street connections or pedestrian ways.
- 2.31 Residential Development means a development of dwelling units for rent, lease, or sale intended for human occupancy, either as a temporary or permanent residence.
- 2.32 Resubdivision means any change in a plat or an approved or recorded subdivision.
- 2.33 Right-of-way means a legal right of passage over another person's ground.
- 2.34 Roadway means road construction between the shoulder breaks.

- 2.35 Sewage Disposal System means a system adequate to permit the installation and operation of an approved sewerage disposal plan on the plat for individual, multiple, or group sewage disposal.
- 2.36 Street means a state highway or a town highway, street, road, avenue, and/or any other way which exists for vehicular travel, exclusive of a driveway serving not more than one (1) lot and Class VI highways. See RSA 672:13.
- 2.37 Subdivider means the owner of the land to be subdivided, or any agent of such owner, and any subsequent owner of record making any subdivision of such land thereof.
- 2.38 Subdivision means the division of a lot, tract, or parcel of land into two (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. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision. A proposal to create or provide space for two (2) or more manufactured houses or condominiums shall be considered a subdivision. See RSA 672:14.
- 2.39 Subdivision—Minor means the subdivision of land into three (3) or fewer lots, with no potential for resubdivision, with frontage of each new lot on an existing street and requiring no new utilities or other municipal improvements.
- 2.40 Surveyor means a duly designated licensed land surveyor as required by the New Hampshire licensing laws.
- 2.41 Waiver means a special approval by the Planning Board granted when a plan is substantially in conformity with current regulations and strict conformity to approved regulations may cause undue hardship or injustice, in the opinion of the Board, to the owner of the land, provided that the regulations, public convenience, and welfare will not be adversely affected.
- 2.42 Water Body means a lake, pond, or river which is available for use by two (2) or more abutting landowners or the general public.
- 2.43 Waterfront Property means a lot or parcel of land from which direct access may be gained to a water body.
- 2.44 Wetlands means those areas identified and delineated as poorly drained or very poorly drained soils by the Grafton County Soils Survey.

SECTION III. GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND

No subdivision shall be made, and no land in any subdivision shall be sold or leased, and no street or utility construction shall be started, until a subdivision plat, prepared in accordance with the requirements of these regulations, has been approved by the Planning Board.

The applicant/subdivider shall observe the following general requirements and principles of land subdivision:

3.1 GENERAL GUIDELINES

- A. A proposed subdivision shall conform with the Alexandria Master Plan **and its appendices (including the Natural Resources Inventory, Energy Plan and Highway Inventory)**, the official map, and all applicable town and state ordinances.
- B. The applicant/subdivider shall give due regard to the preservation and protection of existing features such as trees, scenic points, brooks, streams, water bodies, other natural areas, and historic landmarks in order to preserve the natural environment.
- C. Land of such character that it cannot be safely used for building development purposes because of danger to health or peril from fire, flood hazard, poor drainage, poor soil conditions, excessive slope, or other hazardous conditions shall not be platted, unless a design solution acceptable to the Planning Board can be presented.
- D. The Planning Board may, after adequate investigation, withhold approval of a lot where there is a question of suitability of said lot for its intended use.
- E. The Planning Board may disapprove any scattered or premature subdivision of land which would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire protection, or other public services or which would necessitate the excessive expenditure of public funds for the supply of such services.

3.2 RECREATION AREAS

- A. The Planning Board may require a subdivision to provide one or more recreation areas.
- B. Subdivisions which represent a continuation of an earlier subdivision may also be required to meet these standards for recreation land.
- C. The applicant/subdivider shall provide for the maintenance of recreation land in a manner suitable to the Planning Board.

- D. Common open space shall be so defined on the subdivision plan and shall be made subject to a deed restriction which shall thereafter prohibit further subdivision of that open space or the use of it for purposes other than originally designated.

3.3 WATERFRONT

Waterfront subdivision with frontage on any year-round body of water must comply with the regulations for flood hazard areas.

3.4 CLUSTER HOUSING

- A. When cluster housing or multiple dwelling units are proposed, the minimum lot size shall be determined by the Planning Board based upon the character of the land involved. The total area in the subdivision must meet the requirements of Section 6.
- B. The area which has not been built upon shall be consolidated into open space and designed as an integral part of the development. It may be used for recreation, conservation, or park purposes by the owners and occupants of the lots in the cluster development.
- C. Common space shall be so defined on the subdivision plan and shall be made subject to a deed restriction which shall thereafter prohibit further subdivision of that open space or the use of it for purposes other than originally designated.
- D. A statement of adequacy of utility systems for the provision of water service, fire protection, sewer service, and storm drainage shall be provided to the Planning Board.

3.5 FLOOD HAZARD AREAS

- A. All proposals governed by these regulations having lands identified as special flood hazard areas on the current (at the time of application) flood insurance rate map of the Town of Alexandria shall:
 - 1. Include the 100-year flood elevation date (base floor elevation) for proposed subdivision.
 - 2. Provide that all construction including public utilities and facilities, such as sewer, gas, electrical, and water systems will be located, elevated, and constructed to minimize or eliminate flood damage.
 - 3. Provide adequate drainage to reduce exposure to flood hazards.
 - 4. Be consistent with the need to minimize flood damage.

- B. New or replacement water supply systems and/or sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems. The discharge from such systems shall be located so as to avoid impairment of them or contamination from them during flooding.
- C. For proposals which include the alteration or relocation of a watercourse, the subdivider shall submit to the Planning Board and to the Federal Emergency Management Agency evidence of:
 - 1. Notification of the New Hampshire Civil Defense Agency.
 - 2. Application for a dredge and fill permit from the New Hampshire Wetlands Board.
 - 3. Notification of adjacent communities as requested by the Planning Board.
- D. For proposals which include the alteration or relocation of a watercourse, the applicant/subdivider shall submit to the Planning Board certification provided by a registered engineer and/or licensed soil scientist assuring that the flood carrying capacity of the watercourse will be maintained.
- E. 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 of 1972, 33 U.S.C. 1334.

3.6 EASEMENTS

- A. Reserved strips of land which in the opinion of the Planning Board show intent on the part of the subdivider to control access to land dedicated (or to be dedicated) to public use shall not be permitted.
- B. All plats or layouts shall show the boundaries of proposed permanent easements for utilities over or on the property. Such easements shall have satisfactory access to existing or proposed public streets.

3.7 STATE PERMITS

The applicant/subdivider shall provide:

- A. Certification or approval of subdivisions by the New Hampshire Department of Environmental Services plus any stipulations related to approval.

- B. A duplicate copy of all data submitted to the New Hampshire Department of Environmental Services plus any stipulations related to approval.
- C. Driveway permits (or a conditional letter of approval for driveway permits from the New Hampshire Department of Transportation) for any new or altered streets or driveways connecting directly to state highways, and for any proposed lots that will require new or altered driveways from state highways.
- D. Any other required state and federal permits and approvals.

3.8 EROSION CONTROL

Adequate measures to prevent soil erosion shall be taken during road construction and lot clearing. Such measures may include, but are not limited to:

- A. Maintenance of vegetative cover on steep slopes.
- B. Seeding of road shoulders and embankments.
- C. Construction of settlement basins, culverts and temporary dams.

3.9 MONUMENTS

The applicant/subdivider shall install two concrete or cut stone monuments at least thirty-six (36) inches in length and four (4) inches square with suitable center point at each street intersection on the right-of-way line, and iron pin monuments not less than one (1) inch in diameter and thirty-six (36) inches long at all points on boundary lines of lots where there is a change of direction, and at all lot corners. These monuments must have a minimum of twenty-four (24) inches set in the ground.

SECTION IV. SUBDIVISION PROCEDURES AND REQUIREMENTS

4.1 GENERAL REQUIREMENTS

The applicant/subdivider/developer or his/her agent shall secure the approval and provide evidence of bondability to the Planning Board:

- A. Before any construction begins.
- B. Before a building permit may be issued.
- C. Before a lot created by subdivision may be sold.

D. Before a subdivision plat may be filed with the Grafton County Register of Deeds.

4.2 PREAPPLICATION CONSULTATION

As provided in RSA 676:4 (II), as amended, prior to submission of a subdivision application, an applicant/subdivider may meet with the Planning Board and engage in nonbonding discussion in the following manner:

- A. Preliminary Conceptual Consultation (RSA 676:4-(II)(a)) In preparation for the submission of a subdivision application, an applicant/subdivider may appear at a regularly scheduled meeting of the Planning Board to submit a sketch plan and to discuss the proposal in conceptual form only. The Planning Board may make suggestions which pertain to:
 - 1. Conformance with the master plan and the subdivision regulations.
 - 2. Required permits from town, state and federal agencies.
 - 3. Procedures required to obtain final subdivision approval.
- B. Design Review: (RSA 676:4(II)(b)) The Planning Board may discuss specific design and engineering details at a regular or special meeting for which ten (10) days notice is given to abutters and the general public as required by RSA 676:4(D). A request by the subdivider for such a meeting must be accompanied by:
 - 1. A list of names and addresses of abutters.
 - 2. Envelopes or mailing labels (typed or printed) addressed to abutters.
 - 3. A nonrefundable fee of \$125.00 plus the cost of posting and advertising hearings, mailing notices to abutters and deed recording fees.

4.3 SUBDIVISION APPLICATION

- A. A completed application shall be filed with the clerk or the chair of the Planning Board at least twenty-one (21) days prior to the scheduled public meeting of the Board at which the application will be officially submitted. The completed application must contain or be accompanied by:
 - 1. An application form provided by the Planning Board properly filled out.
 - 2. The name and address of the applicant and/or his/her agent.

3. Envelopes and mailing labels (typed or printed) addressed to the owner and to the abutters in the town records.
 4. A nonrefundable filing fee of \$125.00 (which includes the first two lots) plus \$25.00 per lot, condominium, or family unit. The applicant shall also be liable for the expense of consultant services or investigative studies as authorized by New Hampshire RSA 676:4,I(g), which may include:
 - a. Engineering drawings, including roadwork, ground and surface water, ledge, steep slope, and drainage must be by licensed, certified water/soil scientist/engineer;
 - b. Legal review of documents; and,
 - c. Other matters which may be required by a particular application.
 5. Sufficient funds to cover the expenses of posting and advertising and mailing notices to abutters.
 6. Three (3) copies of the preliminary subdivision layout with all the information required in 4.4.
 7. Any request for a waiver.
- B. The completed application shall be formally submitted and accepted by the Planning Board only at a scheduled public meeting for which due notification to the applicant, abutters, and the general public has been given.
- C. If the application is accepted by the Planning Board when it is submitted, the Board may immediately hold a public hearing as outlined in 4.5.
- D. An application may be denied by the Planning Board without a public hearing if the applicant:
1. Fails to supply information required.
 2. Fails to pay the costs of notices and fees required.
 3. Fails to meet established deadlines.

Reasons for refusal shall be stated in the minutes or records of the Planning Board.

4.4 PRELIMINARY SUBDIVISION LAYOUT

At the public hearing for subdivision approval, the applicant/subdivider shall provide the Planning Board with three (3) copies of the preliminary subdivision layout having a map scale of no more than one hundred (100) feet per inch. The sheet size in inches shall be 8.5 by 11, 17 by 22, or 22 by 34, with separate sheets numbered and showing their relationship to each other. A margin of at least one (1) inch on each side shall be provided outside of the ruled borderline. The preliminary subdivision layout, any subsequent revisions, and the final subdivision plat shall show or be accompanied by:

- A. The proposed subdivision name or identifying title; the name and address of the owner, the designer, and the subdivider; the name, license number, and the seal of the engineer and/or land surveyor licensed by the State of New Hampshire; the date; a bar scale; a revision block; and a north arrow.
- B. The names of abutting property owners, lot lines within one hundred (100) feet of the parcel to be subdivided, and roads within two hundred (200) feet of the parcel to be subdivided.
- C. Sufficient data to determine (on the ground as well as on the plat) the location, bearing, and length of every street, lot line, and boundary line. The subdivision plat shall be based upon a boundary survey, and it shall be certified by an engineer or surveyor registered in the State of New Hampshire.
- D. The area of the entire parcel to be subdivided; the locations, names and widths of existing and proposed streets; right-of-way lines; lot frontages; lot sizes in square feet and acres; existing and proposed easements and deed restrictions over and under private property; the location of all parcels of land proposed to be dedicated to public use with conditions of such dedications; notations pertaining to private roads, existing buildings, watercourses, water bars, ponds or other standing water, rock ledges, and other essential features.
- E. Above and below ground utilities map.
- F. A general site location map locating the proposed subdivision boundary in relation to major roads and common facilities.
- G. Surface elevations sufficient in number on the property to indicate the general topography as determined by an engineer (not required for a minor subdivision).
- H. The approximate grades and profiles of all streets with typical cross sections indicating cut and fill, and the location and size of any bridges, culverts, or drains which may be required, including provisions for handling storm drainage.

- I. Copies of all information required by 3.7 from any state agency for approval, including all necessary state approvals and permits, and copies of such private deed restrictions as are intended to cover part or all of the tract.
- J. Information required in 3.5 for flood hazard areas.
- K. Location of all structures.

4.5 PUBLIC HEARING FOR A SUBDIVISION APPLICATION

If the subdivision application is in order, the Planning Board shall hold a public hearing as required by the provisions of RSA 676:4. The Planning Board shall begin formal consideration of the application within thirty (30) days after submission of the completed application. The Planning Board shall act to approve, conditionally approve, or disapprove within ninety (90) days after submission, subject to extension or waiver, which the applicant/subdivider may provide to the Board. Upon failure of the Board to approve, conditionally approve, or disapprove the application, the applicant may obtain from the Selectmen an order directing the Board to act within fifteen (15) days. RSA 676:4(I)©

- A. The applicant/subdivider or his/her agent shall present the preliminary layout.
- B. At or subsequent to the public hearing, the Planning Board may require changes or modifications to the preliminary subdivision layout, and it shall advise the applicant/subdivider or his/her agent what changes, if any, it will require for approval of the final plat.
- C. The Board may require:
 - A. Additional studies by a qualified engineer where deemed appropriate to evaluate subdivision provisions. Approval of the subdivision shall not occur until such engineering fees are paid in full.
 - B. Review by legal counsel and others of documents and other materials relating to the application.

The Planning Board shall determine the scope of such additional studies, and it may determine the persons or firms to be hired for them. The costs of such studies shall be borne by the applicant/subdivider.

- D. At the hearing, the applicant, any abutter or any person with a direct interest in the matter may testify in person or in writing. Other persons may testify subject to Board approval.
- E. The chair of the Planning Board may announce a continuation of the hearing to a specific place, date, and time prior to the next order of business following the scheduled hearing. Such an announcement shall be in lieu of the notification required in 4.5.

4.6 SPECIFICATIONS FOR FINAL SUBDIVISION PLAT

The final subdivision plat shall be submitted in permanent black ink on washable mylar film with three paper prints. It shall have identical dimensions to, and show all of the information required on, the preliminary subdivision layout described in 4.4.

4.7 PERFORMANCE SECURITY

No subdivision plat filed with the Planning Board shall be approved until the applicant/subdivider/developer, as required by the Planning Board, has filed a performance security in the form of either a letter of credit or in the form of cash sufficient to cover the costs of streets and bridges, erosion control measures, draining, engineering reviews, and other subdivision features which may be identified as required for subdivision approval.

- A. This performance security shall be an irrevocable letter of credit in a form approved by the Planning Board and its legal counsel, and it shall be conditioned upon the completion of such improvements within two (2) years of the date of Planning Board meeting approval.
- B. The amount of the performance security shall be based upon a cost estimate by a qualified engineer and shall be approved by the Planning Board prior to the posting of the security. All security shall be in the amount of 100% of the estimated cost and shall be payable to the Town of Alexandria.
- C. In lieu of posting an irrevocable letter of credit, the Planning Board shall provide the applicant/subdivider/developer with the opportunity to deposit cash with the Town of Alexandria in an amount determined by the Planning Board sufficient to cover the cost of completing the improvements. Cash posted to guarantee completion of improvements shall be subject to the time limitation specified by the Planning Board for completion of all improvements.
- D. The applicant/subdivider/developer shall notify the Planning Board when improvements which are guaranteed by a performance security are scheduled for construction and shall make the improvements accessible to town inspection throughout the construction process. The cost of inspections during and after construction shall be the responsibility of the applicant/subdivider/developer.
- E. The performance guarantee shall not be released until the Planning Board has certified completion of the required improvements, or portions thereof, to the Board of Selectmen. A copy of the certification shall be sent to the applicant/subdivider/developer.
- F. Maintenance level performance securities shall be required for all improvements, when in the opinion of the Planning Board or its engineer, that passage of time after final completion of roadway, drainage and other improvements is necessary to determine whether additional maintenance may be necessary. The maintenance level performance

surety shall have a time frame of not less than two (2) years following either the final asphalt coat or following the final application of gravel. The maintenance level performance security shall generally be no less than 10% of the original performance security amount.

The posting of maintenance level performance security shall enable the Board of Selectmen to recommend acceptance of a street completed to the Planning Board's satisfaction prior to the end of the maintenance period.

4.8 DEVELOPMENT AGREEMENT

Pursuant to the Planning Board's statutory authority to attach reasonable conditions to subdivision approvals, the Planning Board may require the applicant to execute a Development Agreement. This Agreement shall detail the terms, conditions, and responsibilities of the applicant and the Town in conjunction with an approved plan.

4.9 FINAL BOARD ACTION

- A. Approval of the subdivision shall be signed by the chair and clerk of the Planning Board. In the absence of either, the Board shall designate another member to sign the plat.
- B. Pending minor changes or conditions which are administrative and involve no discretion or judgment of the receipt of permits and approvals from other boards or agencies, the Planning Board may grant conditional approval without further public hearing, in accordance with RSA 676:4(I)(I).

The applicant/subdivider shall sign and submit three copies of a final subdivision plat for signature by the Planning Board immediately after the Planning Board has voted to approve a plan. The signed plan shall be submitted within one week of the Board's approval, unless the applicant asks for and receives from the Planning Board an extension to a date specific for submitting a signed subdivision plan for the Board's signature.

Immediately after signature of Planning Board approval, the Planning Board shall take possession of the signed subdivision plan for registration at the Grafton County Registry of Deeds.

The Planning Board Clerk or other Planning Board member will either physically deliver or mail to the Grafton County Registry of Deeds (certified receipt requested – in its own map container) with a prepaid self-addressed postcard for notification of registration detailing book number, page number and date of registration. The applicant will be financially responsible for and all registration, mailing, delivery or other fees required to register subdivision documents.

Registry of the subdivision plan must be completed within 28 days of the meeting when approval of the subdivision was granted for the subdivision to be valid.

- C. In the case of disapproval of any subdivision application or plat submitted, the grounds for such disapproval shall be stated in the minutes or records of the Planning Board, and written notice of the reasons for denial shall be given to the subdivision applicant pursuant to RSA 676:3.

SECTION V. MINOR LOT LINE ADJUSTMENT OR BOUNDARY AGREEMENTS (RSA 676:4(i)(e)(1))

5.1 MINOR LOT LINE ADJUSTMENT OR BOUNDARY AGREEMENTS

The Planning Board shall consider as minor lot line adjustments or boundary agreements those alterations of existing or unknown boundary lines between two or more abutters which do not result in the creation of buildable lots. If the adjustments or agreements create buildable lots, they shall be considered proposed subdivisions and subject to the appropriate subdivision requirements.

5.2 PROCEDURE FOR MINOR LOT LINE ADJUSTMENTS OR BOUNDARY AGREEMENTS

The applicant shall submit to the Planning Board an application for minor lot line adjustment or boundary agreement consisting of the following information:

- A. The name of the owners of record subject to the adjustment or agreement;
- B. The location and tax number of lots involved;
- C. A list of all abutters to all lots involved in the adjustment or agreement;
- D. A brief description of the adjustment or agreement;
- E. Sufficient monies to cover the cost of notice to all abutters and the posting of said notice.

At the Planning Board meeting, the applicant shall submit one mylar and three papers of a plat prepared by a land surveyor or engineer licensed in the State of New Hampshire at a scale of not more than one (1) inch equal to one hundred (100) feet in ink, and the sheets shall be numbered in sequence if more than one sheet is used and shall be of such size as is acceptable for filing the office of the Grafton County Register of Deeds by the Planning Board. The applicant will be responsible for all fees relating to recording/registration.

5.3 SPECIFICATIONS

The plat shall contain the following features:

- A. The location of property with respect to surrounding property and streets, the names of all abutters, and the names of adjoining streets.
- B. The location, bearings, to the nearest minute and dimensions of all boundary lines proposed to be expressed in feet and hundredths of a foot, stations, radii, and curve data.
- C. The name, address, and signature of the owner of the land being adjusted and the name, address, and seal of the land surveyor or engineer.
- D. The date of the map, true north point, and magnetic north point, and scale.
- E. The location and type of all proposed and existing monuments.
- F. A vicinity map, showing the location of the property in relation to surrounding streets.
- G. Full legal descriptions of the drainage easements, above and below ground utilities, site easements, rights-of-way, covenants, reservations, or other restrictions shall accompany the plat with notations of each on the plat.
- H. Location of all structures.
- I. Any other data or evidence deemed necessary by the Planning Board.

5.4 DECISION

Upon presentation of the above-mentioned documentation in complete and proper form, the Planning Board shall permit any abutters to be heard on the application upon request pursuant to RSA 676:4(I)(E)(1). The application for adjustment for agreement shall be acted upon at the same meeting unless just cause is shown and an extension of time is necessary by the Planning Board to make a decision.

SECTION VI. LOT SPECIFICS

6.1 RESPONSIBILITY OF APPLICANT/SUBDIVIDER

It shall be the responsibility of the applicant/subdivider to provide adequate information to the Planning Board to prove that the area of each lot is adequate to permit the installation and operation of an individual sewage disposal system. Such information shall consist of a report showing the results of a series of percolation tests taken in the proposed subdivision in accordance with the New Hampshire Department of Environmental Services. Based on these

tests, the engineer shall locate the best position for each sewage system along with an alternate drain field site and shall submit a typical design for each system also done in accordance with the state regulations.

It shall be the responsibility of the applicant/subdivider to provide adequate information to the Planning Board to prove that the area of each lot is adequate to permit the installation and operation of both individual on-lot water and sewage systems in accordance with the New Hampshire Department of Environmental Services.

The Planning Board shall have the authority to conduct on-site review of the proposed subdivisions and require test pits to be dug on each proposed subdivision lot.

All costs of performing such investigations shall be borne by the applicant/subdivider as required by RSA 676:4I(g).

6.2 MINIMUM LOT SIZE

This requirement is subject to the following qualifications:

- A. Minimum lot size of two (2) acres.
- B. Minimum road frontage of one hundred fifty (150) feet.
- C. Lot line set back minimum fifteen (15) feet on all lot boundaries for any and all building, driveways and other civil engineering.

~~6.3 SHORELINE REQUIREMENT~~

~~Buildings within subdivisions will be a minimum of 250 feet from the high water line of any stream, river or body of water. This area must be left as green/open space and conform to conservation efforts. State permits are required prior to submission to the Planning Board.~~

SECTION VII. ROAD CONSTRUCTION

7.1 EXISTING ROADS WITHIN A SUBDIVISION

Minimum standards for the construction or reconstruction of existing Class VI and private roads and right-of-ways as required for private landowners or private contractors acting on behalf of said landowners. These standards are designed for landowners seeking to reside on land accessed by a Class VI and private road or right-of-way and are designed for subdivisions containing no more than two house lots per landowner. For any subdivision larger than two lots refer to the specifications of New Roads (Section 7.2).

- A. The right-of-way for a Class VI road shall be determined by the Board of Selectmen, either through town records, evidence shown on roadsides or layout. The overall right-of-way for any other type of road shall not be less than fifty (50) feet.
- B. The traveled section of the roadway shall be a minimum of twelve (12) feet in width. Shoulders of one (1) foot in width on each side of the roadway will also be required.
- C. Any unsuitable materials shall be removed from the roadbed before adding gravels.
- D. Gravels will consist of a base layer of 12" of bank run gravel, not to exceed 8" in any dimension. If base gravels are believed to be in place, test pits shall be dug at expense of landowner, in several locations in roadbed. Finish surface shall consist of 6" of 1 1/2" crushed gravel. Materials shall be compacted to a degree acceptable to road construction standards. (The slope of the roadway from the center of the road to one (1) foot beyond the shoulder shall be no less than one-quarter (1/4) inch per foot.)
- E. Installation of proper ditches, culvert pipes of 18" minimum diameter, and other drainage to be determined upon pre-construction review. The type of culvert to be installed shall be upon recommendation of the Road Agent. Existing culverts must be inspected by the Road Agent or authorized agent for deterioration. Any pipes over ten (10) years of age will need to be inspected by an outside source, other than the contractor or landowner. All costs to be covered by the contractor or landowner.
- F. Paving or ledge pack or other suitable material may be required on grades in excess of ten (10) percent and other features may be required if deemed necessary by the Selectmen, Planning Board and Road Agent due up to unusual circumstances. Grades of more than fifteen (15) percent will require special approval.
- G. Dead-end roads shall be provided with a turn-around (cul-de-sac) having an outside roadway of at least one hundred and forty (140) feet and other features (or a hammerhead) as shown in the appendix to allow for reversing of traffic, including maintenance equipment at all times of the year. Islands within a cul-de-sac will not be permitted. In the event the road continues beyond the road improvement, an acceptable turn-around must be provided for emergency vehicles at the end of the improved road.
- H. All roads shall be named without duplication of other road names in the Town of Alexandria, and subject to approval by the Road Agent and Selectmen. Road signs shall be clearly placed and cannot be the same color as town or state signs.
- I. No private road or right-of-way shall have a curvature of less than a two hundred and thirty (230) foot radius.
- J. On stream crossings with a ten (10) foot or more span, the structure shall be designed to HS-20 loading, American Association of State Highway and Transportation Officials (AASHTO).

- K. A road shall intersect at right angles as nearly as possible, and no road shall intersect another at less than sixty (60) degrees.
- L. If the distance along roadway to landowner access point is greater than 800 feet, then construction of pull-off will be required. The pull-off will be constructed of same materials and method specified for the roadway. Pull-off measurements shall be eight (8) feet wide by forty (40) feet long. The pull-off is designed for the passage of two vehicles not for storage or parking.
- M. The distance a landowner shall be required to improve along the roadway will be from the point at which the roadway stops meeting these specifications to the point of access to their land, as determined by the Road Agent and Planning Board at pre-construction review. The Board of Selectmen shall have final ruling authority for these requirements after advice from the Road Agent who shall be granted full supervisory control of these specifications and regulations. Should it occur that these specifications cannot be met, the Road Agent shall promptly advise the Planning Board and Board of Selectmen since such condition may have adverse effect on the issuance of a Building Permit, or other permit requirement.
- N. In order for a road to become town maintained, an affirmative vote of the majority of the body at the annual town meeting is required. Until such a vote, the town will not be responsible for any costs related to construction or maintenance of a Class VI or private road or right-of-way. Roads must be brought up to Class V minimum specifications to be considered for a town maintained road.
- O. A bond for a period of three (3) years will be required to assure no damage to existing town roads. An ongoing maintenance bond should be part of the homeowner's association.
- P. Construction or reconstruction of roadway, drainage facilities, sidewalks, curbs, and all other elements of road construction must be done under supervision of and with approval of the Board of Selectmen, Planning Board and the Road Agent. The Planning Board will give final approval of the roadway when all work is completed.

7.2 NEW ROADS WITHIN SUBDIVISIONS

All new roads constructed in the Town of Alexandria shall subscribe to above regulations where applicable as well as the following. Any subdivision on any Class VI or existing private road or right-of-way for subdivisions of more than two lots per owner, must conform to the following specifications in addition to those above.

- A. Approval of the general development road plan and evidence of bondability shall be required before allowing construction of small integral phases of the plan.

- B. All Class V roadbeds must be twenty-four (24) feet in width with a right-of-way not less than fifty (50) feet.
- C. All Class VI two (2) rod roadbeds must be a minimum of eighteen (18) feet width with a minimum right-of-way width of thirty-three (33) feet. All Class VI three (3) rod roadbeds must be a minimum of twenty (20) feet width with a minimum right-of-way width of forty-nine and one-half (49 ½) feet.
- D. The roadbed must be cleared of all trees, stumps, topsoil and twelve (12) inch of larger rocks. Roadbeds will be stripped to a stable sub-base before a minimum of eighteen (18) inches of bank run gravel is applied. All gravel shall be compacted in six (6) inch lifts during the placement of bank run gravel. The top course must be at least twelve (12) inches thick of processed crushed gravel measuring the largest stone at two (2) inches or smaller. All roadbeds must have properly sized ditches, drainage pipes of eighteen (18) inches minimum diameter, bridges and water turn-outs that adequately handle the flow of storm water run-off that the roadway may sustain. All roadbeds will be crowned with at least a half (1/2) inch per foot of slope, for proper roadway drainage. All shoulder work and roadside slopes will be stabilized also. All roadways with a twenty (20) percent or greater slope will not be accepted. All roadside slopes shall be a three to one (3:1) minimum, as required by state specifications. Downhill roadside slopes steeper than three to one (3:1) shall require guard rails. Uphill roadside slopes steeper than three to one (3:1) shall be stabilized to prevent washouts and be setback from road as far as possible to allow snow storage.
- E. Paving, ledge pack or other appropriate material may be required on grades in excess of ten (10) percent and other features may be required if deemed necessary by the Selectmen, Planning Board and Road Agent due to unusual conditions. Grades of more than fifteen (15) percent will require special approval.
- F. Erosion shall be controlled by placing mulch or matting on all surfaces disturbed by construction of the roadway and all other surfaces where there is a danger of eroded material being carried to or from the roadway area.
- G. Utility poles shall be kept close to the right-of-way line, in no case closer than the ditch line and always back of the curb.
- H. Safety is an important factor on all roadway improvements. On development roads, it may not be possible or practical to obtain obstacle-free roadsides, but every effort should be made to provide clear areas within the maintenance limits. The use of flatter slopes, the use of guard rails where necessary, and the use of warning signs are other safety factors to be considered.
- I. At the interface of the new subdivision road with the existing town road, engineered specifics of the connection shall be detailed and discussed with the town Road Agent.

7.2a CHANGES IN ROADWAYS AND DRIVEWAYS

All changes in existing or new roadways and driveways shall require an as built plan upon completion.

7.3 DRIVEWAYS AND OTHER ACCESS TO THE PUBLIC WAY

- A. It shall be unlawful to construct, or alter in any way that substantially affects the size or grade of the driveway, entrance, exit, or approach within the limits of the right-of-way of any town highway that does not conform to the terms and specifications of a written permit issued by the Planning Board for the Town of Alexandria.
- B. Pursuant to this section, a written construction permit application must be obtained from and filed with the Planning Board of the Town of Alexandria by any abutter affected by the provisions of Paragraph A. Before any construction or alteration work is commenced, said permit application shall have been reviewed, and a construction permit issued by said Planning Board. Said permit shall:
 - 1. Describe the location of the driveway, entrance, exit, or approach. The location shall be selected to most adequately protect the safety of the traveling public.
 - 2. Describe any drainage structures, traffic control devices, and channelization islands to be installed by the abutter.
 - 3. Establish grades that adequately protect and promote highway drainage and permit a safe and controlled approach to the highway in all seasons of the year.
 - 4. Include any other terms and specifications necessary for the safety of the traveling public.
 - 5. Driveway access permits expire one year from date of issuance. After that date all applicants will be subject to new permits.
- C. For access to a proposed commercial or industrial enterprise or to a subdivision, all of which for the purposes of this section shall be considered a single parcel of land, even though acquired by more than one conveyance or held nominally by more than one owner:
 - 1. Said permit application shall be accompanied by engineering drawings showing information as set forth in Paragraph B.
 - 2. Unless all-season safe-sight distance of 200 feet in both directions along the highway can be obtained, the Planning Board shall not permit more than one access to a single parcel of land, and this access shall be at that location which the Planning Board determines to be safest. The Planning Board shall not give final approval for use of any additional access until it has been proven to them that the 200-foot all-season safe sight distance has been provided.

3. For the purpose of this section, all-season safe-sight distance is defined as a line which encounters no visual obstruction between two (2) points, each at a height of 3 feet 9 inches above the pavement, and so located as to represent the critical line of sight between the operator of a vehicle using the access and the operator of a vehicle approaching from either direction.

D. No construction permit shall allow:

1. A driveway, entrance, exit, or approach to be constructed shall not serve as access to more than two (2) dwelling units or two (2) lots and be more than 50 feet in width. A driveway, entrance, exit, or approach may be flared beyond a width of 50 feet at its junction with the highway to accommodate the turning radius of vehicles expected to use the particular driveway, entrance, exit or approach.
2. Minimum width to be 20 feet on roadway access.
3. The slopes for driveways may not exceed ten percent (10%).
4. Private Way: A deeded right-of-way shall not serve as access to more than two (2) dwelling units or two (2) lots and shall be fifty (50) feet in width. The roadway shall be constructed to provide adequate access for fire and other emergency vehicles. Should a third access be required on a deeded right-of-way or private way, the roadway then must comply with requirements in Section 7.2 New Roads.

7.4 DRAINAGE EASEMENTS

- A. The subdivider has the legal duty and responsibility to ensure that water that flowed naturally before the roadways were laid out can continue to flow from one side of the roadway to the other.
- B. The subdivider must reserve and retain drainage easements to insure maintenance and repair of drainage structures and assure proper water flow. Those drainage easements must move with the land ownership.
- C. The subdivider or custodial group with deeded rights to roads within subdivisions are expected to assure that all private/public roads within a subdivision are regularly repaired and maintained to allow for year long suitable travel. If the repair and maintenance of private roads within a subdivision lapses and remains unrepaired and maintained for a period of five (5) years, the subdivider is responsible to see that the private roads will be brought up to acceptable road specifications prior to issuance of the building permit by the Selectmen.

- D. The subdivider is responsible for all road completion prior to issuance of the building permit by the Selectmen.
- E. Existing drainage structures on existing town roads be deeded to the Town.

7.5 PENALTY

Any person who violates any provision of this subdivision or the rules and regulations made under authority thereof shall be guilty of a violation if a natural person, or guilty of a misdemeanor if any other person; and in addition, shall be liable for the cost of restoration of the highway to a condition satisfactory to the persons empowered to give such written permission.

SECTION VIII. ADMINISTRATION

8.1 ENFORCEMENT

Upon determination by the Planning Board that a violation of these regulations has occurred, notice shall be given to the Board of Selectmen recommending appropriate enforcement of these regulations. Fines and penalties may be assessed, and legal actions instituted, for violations pursuant to RSA 676:17, as amended.

8.2 PENALTIES

As provided in RSA 676:16, any owner or agent of the owner of any land located within a subdivision who transfers or sells any land before a plat of the subdivision has been approved by the Planning Board and recorded or filed in the office of the Grafton County Register of Deeds shall forfeit and pay a penalty of \$1,000 for each lot or parcel so transferred or sold. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt such transfer or sale or agreement from such penalty.

The execution of a deed which constitutes a subdivision is subject to the foregoing penalty. The town may enjoin such transfer and may recover the said penalty by civil action. In any such action, the prevailing party may recover reasonable court costs and attorney's fees as same may be ordered by court.

8.3 BUILDING PERMITS

No building permit shall be issued for the construction of any building or structure located on any lot or plat subdivided or sold in violation of the provisions of these regulations.

8.4 PREAPPROVAL CONSTRUCTION PROHIBITED

No persons, corporation, or other entity shall do any of the following acts on any lands in the Town of Alexandria until a final plat of that land has been submitted to and approved by the Alexandria Planning Board and recorded with the Grafton County Registry of Deeds:

- A. Cut any trees or vegetation on any land proposed or intended for use as a subdivision;
- B. Remove any stumps, top soil, or other materials from any land proposed or intended for use as a subdivision;
- C. Bury any stumps, top soil, or other yielding materials on any land proposed or intended for use as a subdivision;
- D. Level or otherwise change the grade of any land proposed or intended for use as a subdivision;
- E. Construct any street to service a proposed or intended subdivision;
- F. Install any utilities to service a proposed or intended subdivision.

8.5 WAIVER

When strict conformity to the subdivision regulations would cause undue hardship or injustice, in the opinion of the Board, to the owner of the land, a subdivision plan substantially in conformity with regulations may be approved by the Board provided that the regulations, public convenience, and welfare will not be adversely affected.

8.6 APPEALS

Any person aggrieved by an official action of the Planning Board may appeal to the Superior Court as provided by RSA 677:15.

8.7 VALIDITY

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

8.8 AMENDMENTS

These regulations may be amended or rescinded by the Board but only following a public hearing on the proposed change. The chair or clerk of the Planning Board shall transmit a record of any changes so authorized to the Board of Selectmen, the Town Clerk, and to the New Hampshire Office of Energy and Planning after signature by the Planning Board members and certification by the Alexandria Town Clerk.

Delivery to the New Hampshire Office of Energy and Planning shall be sent by certified return receipt requested US mail. A transmittal page shall be signed as received by both the Board of Selectmen and the Town Clerk.

8.9 EXEMPTIONS

(Per RSA 674:39) Every subdivision plat approved by the Planning Board and properly recorded in the Registry of Deeds and every site plan approved by the Planning Board and properly recorded in the Registry of Deeds, if recording of site plans is required by the Planning Board or by local regulation, shall be exempt from all subsequent changes in subdivision regulations, site plan regulations, impact fee ordinances, and zoning ordinances adopted by the Town, except those regulations which expressly protect public health standards, such as water quality and sewage treatment requirements, for a period of four (4) years after the date of approval; provided that:

- A. Active and substantial (RSA 674:39a) development or building has begun on the site by the owner or the owner's successor in interest in accordance with the approved subdivision plat within 12 months after the date of approval, or in accordance with the terms of the approval, and, if a bond or other security to cover the costs of roads, drains, or sewers is required in connection with such approval, such bond or other security is posted with the town at the time of commencement of such development. Active and substantial:
 - 1. Installation of erosion and sediment control measures around roads, driveways and access points must be completed within one year. Measures may include but are not limited to: detention/retention basins, treatment swales, pipes, under drains and catch basins, etc.
 - 2. Site grading and construction of permanent physical improvements such as main subdivision access (within one year), roadways, and parking lots to a minimum of two inch (2") gravel base must be completed. Approximate date of top coat installation must be included in plan.
 - 3. Approved plans for all the utilities with all locations for underground conduit and transformer sites or surface poles and street light poles as well as public water and sewer lines must be submitted to the Planning Board and completed within one (1) year.
 - 4. The details and completion dates of each phase must be submitted to the Planning Board in writing. As phase or sections within the subdivisions are completed,

each must be reviewed and approved by the road agent or its designated agent as well as the Planning Board.

5. For requested bonds, the bond must be in full effect and payable to the Town of Alexandria until released by the Planning Board. The Planning Board will issue a written notice detailing the end of the bond.
 6. Should the developer require an extension for good cause, the developer will be required to submit written plan with details to the Planning Board for approval. Economic hardship is not good cause.
 7. A stump and brush management plan should be in effect, with a written copy given to the Planning Board. For some instances, notification to the Registry of Deeds is required. For details, consult to NHDES Environmental Solid Waste Fact Sheet – WMD-SW-7.
 8. For single residence development, the completion of site work and approved septic design including but not limited to approved driveway access, swales, pipes, underdrains and catch basins must be submitted to the Planning Board.
- B. Development remains in full compliance with the public health requirements specified in this section; and
- C. At the time of approval and recording, the plat conforms to the subdivision regulations then in effect at the site of such plat. See RSA 674:39.

8.10 RELATIONSHIP BETWEEN STATE AND LOCAL REGULATIONS

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

8.11 ADOPTION

These regulations shall become effective after a public hearing and filing with the Town Clerk, the Board of Selectmen, the Office of Energy and State Planning, and the Grafton County Registry of Deeds.