

**SITE PLAN REVIEW/SUBDIVISION REGULATIONS  
TOWN OF BRISTOL, NEW HAMPSHIRE**

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AMENDED: MAY 28, 2008

## **SUBDIVISION REGULATIONS**

### **TOWN OF BRISTOL, NEW HAMPSHIRE**

#### **SECTION I. AUTHORITY**

Pursuant to the authority vested in the Bristol Planning Board by the voters of the Town of Bristol and in accordance with the provisions of Chapter 674, Sections 35-42 of New Hampshire Planning and Land Use Regulations, as amended, the Bristol Planning Board adopts the following regulations governing the subdivision of land in the Town of Bristol, New Hampshire.

#### **SECTION II. TITLE AND PURPOSE**

2.1 These regulations shall be known and may be cited as “Subdivision Regulations, Town of Bristol, New Hampshire.”

2.2 The purposes shall be to promote the general health and welfare through these regulations for the subdivision of land in the Town of Bristol and to strive toward attainment of the goals of the Comprehensive Master Plan, 2002-2003, including the encouragement and promotion of historic preservation, economic growth and promotion of services to and for all citizens of Bristol.

#### **SECTION III. DEFINITIONS**

##### **3.1 ABUTTER**

Any person whose property adjoins or is directly across the street or stream from the land under consideration. 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 land will be directly affected by the proposal under consideration.

##### **3.2 ACCESSORY BUILDING**

A subordinate building incidental to and on the same lot occupied by main building or use. The term “accessory building” when used in connection with a farm, shall include all buildings customarily used for farm purposes. Accessory buildings are permitted provided setbacks are met and are exempt from minimum lot requirements. Example: garages, wood sheds, tool sheds.

##### **3.3 ACCESSORY USE**

An accessory use is customarily accessory and incidental to principle use. The accessory use shall be permitted on the same premises with the principle use. A use which is minor in character, but which is clearly separate or different from the premise’s “principal use” is not an accessory use.

### **SECTION III. DEFINITIONS (continued):**

#### **3.4 AGRICULTURE**

The production, keeping or maintenance, or sale, lease or personal use, of plants and animals useful to man, including but not limited to: forage and sod crops; grains and seed crops; dairy animals and dairy products, poultry and poultry products; live stock, including beef cattle, sheep, swine, horses, ponies, mules, or goats, or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; fish; trees and forest products; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and green house products; or lands devoted to a soil conservation or forest management program.

#### **3.5 AMUSEMENT**

Establishments engaged in providing entertainment for a fee or admission charge and including such activities as bowling alley, dance hall, gymnasium, tennis center, or other indoor commercial amusement or assembly use. Golf driving range, miniature golf course, water slide, or other outdoor commercial establishments.

#### **3.6 APARTMENT UNIT**

One or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit in a building containing more than two dwelling units.

#### **3.7 APPEAL**

A resort or application to a higher authority, as for sanction, corroboration, or a decision.

#### **3.8 APPLICANT**

Means the owner of record, or his/her agent, duly authorized in writing at the time of application.

#### **3.9 AUTOMOBILE SERVICE STATION**

Any building land area or other premises, or portion thereof, used or intended to be used for the retail dispensing or sales of vehicular fuels; and including as an accessory use the sale and installation of lubricants, tires, batteries and similar accessories.

#### **3.10 AUTOMOTIVE REPAIR SERVICES AND GARAGES**

Establishments primarily engaged in furnishing automotive repair, rental, leasing and parking services to the general public.

#### **3.11 BANK**

An establishment for the custody, loan, exchange, or issue of money.

#### **3.12 BED AND BREAKFAST**

A building intended for the rental of individual rooms to lodgers, providing the first meal of the day in the A. M., for unspecified periods of time.

### **SECTION III. DEFINITIONS (continued):**

#### **3.13 BOARDING HOUSE**

A lodging house at which meals are provided. No individual kitchen facilities provided.

#### **3.14 BOAT STORAGE**

Facility for storing boats, marine equipment and related products either indoor or outdoor.

#### **3.15 BUFFER STRIP**

Land which is maintained in either a natural or landscaped state and is used to screen and/or mitigate the impacts of development on surrounding areas, properties or rights-of-way. Buffer strips may not be used for structures (except for fences), driveways, or parking areas. Buffer strips may or may not conform with setbacks, as specified by these regulations. (Adopted 6/28/2006)

#### **3.16 BUSINESS OFFICE**

Bank, insurance, real estate, or other business or professional office.

#### **3.17 BUILDING PERMIT**

Written permission issued by the proper municipal authority for the construction, repair, alteration or addition to a structure.

#### **3.18 CHILD/DAY CARE CENTER**

A private establishment where tuition, fee or other forms of compensation for the care of the children is charged, and which is licensed or approved to operate as a child care center.

#### **3.19 CHURCH**

A place of worship either indoors or outside, including a parish house and rectory.

#### **3.20 CLASS VI ROAD**

Means a right-of-way which has been either: (1) discontinued and made subject to gates and bars by a Town Meeting vote, or (2) not maintained by the Town for a period of five (5) years or more.

#### **3.21 CLUB**

Private club or lodge including a YMCA or similar facility operating for members or employees only.

#### **3.22 CLUSTER**

A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

### **SECTION III. DEFINITIONS (continued):**

#### **3.23 CLUSTER DEVELOPMENT**

Means a pattern of subdivision development which places dwelling units into compact groupings while providing a network of commonly owned or dedicated open space.

#### **3.24 COMPLETED APPLICATION**

Means an application with all information and accompanying documents required under these regulations and deemed necessary to invoke jurisdiction and allow the Board to proceed with consideration and make an informed decision.

#### **3.25 COMBINED DWELLING AND BUSINESS**

A building in which is combined dwelling units and business use.

#### **3.26 COMMERCIAL DEVELOPMENT**

A development which might include land areas with or without building where products and/or services are offered to the public.

#### **3.27 COMMERCIAL ENTERPRISES**

A place of business which shall include such activities as retail, wholesale, and light assembly work.

#### **3.28 COMMERCIAL DOCKING FACILITY**

A multi-slip docking facility in which slips are rented to boat owners or to persons renting boats for short or long term use.

#### **3.29 COMMUNITY DOCKING FACILITY**

A multi-slip docking facility in which slips are rented or assigned to persons other than the owners of the property to which the docks are attached.

#### **3.30 CONDOMINIUM DOCKING FACILITY**

A multi-slip docking facility in which each boat slip is individually owned.

#### **3.31 CONSTRUCTION DRAWINGS**

Detailed information which may be required by the Board, including but not limited to, grading and drainage plans, street plans, elevation plans and/or utility plans.

#### **3.32 CONSULTANT**

A person who gives expert or professional advice for the purpose of investigative studies as specified by the Board.

#### **3.33 CONTIGUOUS LOTS**

Adjacent or abutting lots which have a common boundary line.

### **SECTION III. DEFINITIONS (continued):**

#### **3.34 DEVELOPER**

The legal or beneficial owner or owners of a lot or of any land included in a proposed development including the holder of an option or contract to purchase, or other persons having enforceable proprietary interests in such land.

#### **3.35 DISTRICT**

A part, zone or geographic area within the municipality within which certain zoning or development regulations apply.

#### **3.36 DRIVEWAY**

A private roadway providing access for vehicles to a parking space, garage, dwelling or other structure.

#### **3.37 DWELLING**

A structure or portion thereof which is used exclusively for human habitation.

#### **3.38 DWELLING MULTIFAMILY**

A building containing more than two dwelling units.

#### **3.39 DWELLING SINGLE FAMILY**

A building containing one dwelling unit.

#### **3.40 DWELLING TWO-FAMILY**

A structure on a single lot containing two dwelling units, each of which is totally separated from the other except for a common stairwell exterior to both dwelling units.

#### **3.41 DWELLING UNIT**

One or more rooms, designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

#### **3.42 DWELLING UNIT-EFFICIENCY**

A dwelling unit consisting of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

#### **3.43 EASEMENT**

A grant of one or more of the property rights by the property owners to and/or for the use by the public, a corporation or another person or entity.

#### **3.44 ENCLOSED OCCUPIED SPACE**

An enclosed structure used for the activities of the occupants.

### **SECTION III. DEFINITIONS (continued):**

#### **3.45 ENGINEER**

A registered engineer or licensed land surveyor licensed by the State of N.H.

#### **3.46 EXPANSION**

Implies an enlargement in size or use from either the inside or outside of an existing perimeter of a structure or operation. This shall include residential, commercial, industrial or any other preexisting entity.

#### **3.47 FARMING**

See Agriculture.

#### **3.48 FILING FEE**

A levy which may be required to accompany any petition submitted to the appropriate board. This fee is in addition to postal notice costs, site inspection fees, and special consultant's fees, if any.

#### **3.49 FINAL PLAT**

The final map of all or a portion of a subdivision or site plan which is presented to the proper review authority for final approval.

#### **3.50 FLOOD**

The temporary overflowing of water onto land which is usually devoid of surface water.

#### **3.51 FLOOD HAZARD AREA**

The flood plain consisting of the floodway and the flood fringe area (See FLOOD PLAIN).

#### **3.52 FLOOD PLAIN**

The channel and the relatively flat area adjoining the channel of a natural stream or river which has been or may be covered by floodwater.

#### **3.53 FORESTRY**

Commercial growing and harvesting of forest products.

#### **3.54 FRONTAGE**

The length of the lot bordering on a town or state road, or a subdivision road approved by the Planning Board, excluding class 6 and limited access highway. If the line is curved or irregular, frontage may be measured along the mean of the front lot line. The shore line of a body of water is not considered as frontage.

#### **3.55 FUNERAL HOMES**

Mortuary, funeral home, or similar use.

### **SECTION III. DEFINITIONS (continued):**

#### **3.56 GREENHOUSE**

Commercial building for growing plants indoors, and including sale of products grown and associated products. A small greenhouse used primarily by the owner, or for heat conservation, is allowed in all zones.

#### **3.57 GROSS FLOOR AREA**

The total horizontal area of all floors of a building between the surrounding walls.

#### **3.58 HALL**

A large public or semi-public room or auditorium for gatherings, entertainments, exhibits, etc.

#### **3.59 HOME OCCUPATION**

Any use conducted entirely within a dwelling or an accessory building which is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, and in connection with which there is not outside storage or display except a permitted sign. A home occupation or professional office shall be permitted as a use if: The home occupation is carried on by a resident member of the family and that not more than the equivalent of one full-time employee other than those who are part of the resident family is employed.

#### **3.60 HOTEL, MOTEL/LODGING FACILITIES**

Motel, hotel, tourist cottages, or similar use intended primarily for transient occupancy. All such uses must meet zone restrictions on dwelling units per acre unless an easement has been granted to the town preventing conversion of the building to unit ownership.

#### **3.61 INN**

A commercial facility for the housing and feeding of transients.

#### **3.62 INDUSTRIAL DEVELOPMENT**

A development which might include land areas with or without buildings, where finished, semi-finished rough or raw materials are processed, fabricated or manufactured.

#### **3.63 LOT**

A designated parcel, tract or area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit.

#### **3.64 LOT SIZE**

Means the total horizontal land area within the boundaries of a lot, exclusive of any land designated for street, reserve strip, open space or other such specially reserved area purposes.

### **SECTION III. DEFINITIONS (continued):**

#### **3.65 MANUFACTURING**

Establishments engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics resins or liquors.

#### **3.66 MANUFACTURING FACILITY**

A facility whose purpose is the making of goods and articles by hand or machinery often on a large scale and with division of labor to produce a product.

#### **3.67 MANUFACTURED HOUSING**

Any structure, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width and thirty (30) body feet or more in length, or when erected on site, is 240 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 heating systems contained therein. Manufactured housing as defined in this section shall not include presite built housing as defined in RSA 674:31-A.

#### **3.68 MANUFACTURED HOUSING PARK**

A site with required improvements and utilities for the long-term parking of manufactured housing which may include services and facilities for the residents.

#### **3.69 MARINA**

Marina means a waterfront facility whose principal use is the provision of publicly available service for the securing, launching, storing, servicing or repairing of water craft. A facility for short-term docking that is ancillary to the other land uses is considered a commercial use and not a marina.

#### **3.70 MEDICAL BUILDING**

A building that contains establishments dispensing health services.

#### **3.71 MEDICAL FACILITY**

Medical doctor, dentist, medical laboratory, chiropractor, or similar medical office or use where there are no overnight facilities for patients.

#### **3.72 MOBILE HOME**

See MANUFACTURED HOUSING.

#### **3.73 NONCONFORMING BUILDING OR STRUCTURE**

One that does not conform to the regulations of the district in which it is located.

### **SECTION III. DEFINITIONS (continued):**

#### **3.74 NONCONFORMING LOT**

A lot, the area, dimensions or location of which was lawful prior to the adoption, revision or amendment of the Zoning Ordinance, but which fails by reason of such adoption, revision or amendment to conform to the present requirements of the zoning district.

#### **3.75 NONCONFORMING USE**

A use or activity which was lawful prior to the adoption, revision or amendment of a Zoning Ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

#### **3.76 NONRESIDENTIAL UNIT**

One (1) room, or rooms connected together, constituting a place from which a business or other enterprise may be conducted.

#### **3.77 NORMAL HIGH WATER**

The limit of flowage rights in a regulated water body. In an unregulated water body normal high water is the high water experienced in an average year. For lakes where dams are owned by the New Hampshire Water Resources Board, information on the level of flowage rights is available from the Board.

#### **3.78 OFFICE**

The buildings, room, or series of rooms in which the affairs of a business, professional person, branch of government, etc. carry out their duties.

#### **3.79 OFFICE BUILDING**

A building used primarily for conducting the affairs of a business, profession, service, industry or government, or like activity, that may include ancillary services for office workers such as a restaurant, coffee shop, newspaper or candy stand.

#### **3.80 OFF-STREET PARKING**

A temporary storage area for a motor vehicle that is directly accessible to an access aisle, and which is not located on a dedicated street right-of-way.

#### **3.81 OPEN SPACE**

Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.

#### **3.82 OUTLET STORE**

Retail sales area on premises for only those products manufactured on premises.

### **SECTION III. DEFINITIONS (continued):**

#### **3.83 PARKING AREA**

Any public or private land area designed and used for parking motor vehicles including parking lots, garages, private driveways and legally designated areas of public streets.

#### **3.84 PARKING FACILITY**

Parking area, parking garage or similar use.

#### **3.85 PARKING LOT**

An off-street, ground level area, usually surfaced and improved, for the temporary storage of motor vehicles.

#### **3.86 PARKING SPACE**

A single vehicle space consisting of 10' x 20' in area unless otherwise designated by the Bristol Planning Board.

#### **3.87 PERFORMANCE & PAYMENT BOND**

Cash, a suitable surety bond, an escrow deposit or a lien on the property as approved by the Bristol Board of Selectmen to secure regulated improvements on subdivided property.

#### **3.88 PERSONAL SERVICE SHOP**

Barber or beauty shop, laundry or dry cleaning shop, shoe repair shop, pharmacy, photographer's studio, printer, rentals, or similar service commercial uses.

#### **3.89 PLAT**

(1) A map representing a tract of land, showing the boundaries and location of individual properties and streets; (2) a map of a subdivision or site plan.

#### **3.90 PRELIMINARY PLAN (LAYOUT)**

A preliminary map indicating the proposed layout of the subdivision or site plan which is submitted to the proper review authority for consideration and preliminary approval.

#### **3.91 PRESITE BUILT HOUSING**

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 property standards and local building codes, for installation, or assembly and installation on the building site. For the purposes of this subdivision, presite built housing shall not include manufactured housing as defined in RSA 674:31.

#### **3.92 PRESITE BUILT HOUSING SALES**

A business whose primary purpose is to sell presite built housing (modular homes) as Defined in RSA 674:31.

### **SECTION III. DEFINITIONS (continued):**

#### **3.93 PRINTING SHOP**

Business producing printed materials.

#### **3.94 PRIVATE DRIVEWAY**

A private roadway providing access for vehicles to a parking space, garage, dwelling or other structure.

#### **3.95 (deleted 5/28/08)**

#### **3.96 PROCESSING**

A series of operations, usually in a continuous and regular action or succession of actions, taking place or carried on in a definite manner.

#### **3.97A RECREATIONAL CAMPING PARK: SHORT-TERM**

A facility which primarily provides sites for the short-term location of recreational vehicles, travel trailers, tent campers, tents, pickup campers or any type of vehicle or structure used for camping. To qualify as a “recreational camping park; short term”, at least 50% of the available sites must be reserved for non-renewable use of two weeks or less. (revised June 13, 2007)

#### **3.97B RECREATIONAL CAMPING PARK: LONG-TERM**

A facility which primarily provides sites for the long-term location of recreational park trailers or other types of recreational vehicles. Any camping park in which less than 50% of the sites are reserved for non-renewable use of two weeks or less will be classified as a “recreational camping park: long-term. (revised June 13, 2007)

#### **3.98 RECREATIONAL FACILITY**

A place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities.

#### **3.98A RECREATIONAL PARK TRAILER**

A recreational vehicle built on a single chassis, mounted on wheels, which may be connected to utilities necessary for the operation of installed fixtures and appliances, and with a gross trailer area not exceeding 400 square feet when in the set-up mode. Vertical multi-level additions such as second stories, lofts or overhead storage with a maximum ceiling height of five feet are not included in the 400 square feet. (revised June 13, 2007)

#### **3.99 REPAIR SHOP**

Business for repair of small appliances, radios, televisions, office equipment or similar use.

### **SECTION III. DEFINITIONS (continued):**

#### **3.100 RESEARCH AND/OR TESTING FACILITIES**

A facility whose purpose is the careful, systematic study and investigation in some field of knowledge, undertaken to discover or establish fact or principles.

#### **3.101 RESERVE STRIP**

An area for which future public use is intended for street connection or for pedestrian ways.

#### **3.102 RESORT**

A facility for transient guests where the primary attraction is generally recreational features or activities.

#### **3.103 RESIDENTIAL DEVELOPMENT**

A development which might include single-family residences either detached or attached; multi-family residences, for rent, lease or sale; hotels, motels, inns or lodging houses; and other developments intended for use for human occupancy, either as temporary or permanent residence.

#### **3.104 RESTAURANT**

Any building, room, space or portion thereof where meals, or sandwiches, or beverages, or ice cream, or other prepared food is sold to the public for consumption on or off the premises. Not to include Restaurant; High-Impact or Restaurant; Take-Out.

#### **3.105 RESTAURANT; HIGH-IMPACT**

Any building, room, space or portion thereof where meals, or sandwiches, or beverages, or ice cream, or other prepared food is sold to the public for consumption on or off the premises and which meets one or more of the following conditions:

- a. Food is customarily served by restaurant employees at the same table or counter at which it is consumed, and seating is provided for more than 180, including both inside and outside seating.
- b. Food is not customarily served by restaurant employees at the same table or counter at which it is consumed, and seating is provided for more than 90, including both inside and outside seating.
- c. Has provisions for selling food directly to consumers in automobiles.
- d. Regularly allows live entertainment, dancing or karaoke.
- e. Is open for business at any time between 11:00 PM and 6:00 AM.

#### **3.106 RESTAURANT; TAKE-OUT**

Any building, room, space or portion thereof where meals, or sandwiches, or beverages, or ice cream, or other prepared food is sold to the public for consumption on or off the premises and which has no interior seating and which meets none of the conditions for Restaurant; High-Impact.

### **SECTION III. DEFINITIONS (continued):**

#### **3.107 RESUBDIVIDE**

The further division of lots or the relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or the alteration of any streets or the establishment of any new streets within any such subdivision, but not including conveyances made so as to combine existing lots by deed or other instrument.

#### **3.108 RETAIL STORAGE**

Storage of merchandise intended to be sold to the public.

#### **3.109 RETAIL STORE**

A store where merchandise is primarily sold for personal use to customers who select and pick up the merchandise there.

#### **3.110 RIGHT-OF-WAY**

(1) A strip of land acquired by reservation, dedication, forced dedication, prescription or condemnation and intended to be occupied or occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer and other similar uses; (2) generally, the right of one to pass over the property of another.

#### **3.111 SALES ROOM**

A business whose primary purpose is to sell automobiles, trucks, boats, motorcycles, farm equipment, manufactured housing (mobile homes), recreational vehicles or other similar objects and which has outdoor display and storage of the objects. Not to include Presite Built Housing Sales.

#### **3.112 SCHOOL**

Public, or private school, college, or other educational facility either licensed by the State of New Hampshire as an educational institution or one which is accredited by a nationally recognized accreditation association.

#### **3.113 SEATING CAPACITY**

The number of seats that can be filled.

#### **3.114 SELF-SERVICE**

A retail commercial enterprise in which the customers serve themselves and pay a cashier.

#### **3.115 SETBACK**

The distance between the street right-of-way line and the front line of a building or any projection thereof excluding uncovered steps.

### **SECTION III. DEFINITIONS (continued):**

#### **3.116 SETBACK LINE**

That line that is the required minimum distance from the street right-of-way line or any other lot lines that establishes the area within which the principal structure must be erected or placed.

#### **3.117 SEWAGE DISPOSAL SYSTEM**

A system adequate to permit the installation and operation of an approved sewerage disposal plan on the plat for individual, multiple or group sewerage.

#### **3.118 SHOPPING CENTER**

A group of commercial establishments planned, constructed and managed as a total entity with customers and employee parking provided on-site, provision for goods delivery separated from customer access, esthetic considerations and protection from the elements.

#### **3.119 SIGN**

Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

#### **3.120 SIGN, TEMPORARY**

A sign or advertising display constructed of cloth, canvas, fabric, plywood or other light material and designed or intended to be displayed for a short period of time.

#### **3.121 STABLE AND KENNEL**

Facilities for keeping of animals.

#### **3.122 STREET**

Any vehicular way which: (1) is an existing state, or municipal roadway; or (2) is shown upon a plan approved pursuant to law; or (3) is approved by other official action; or (4) is shown on a plat duly filed and recorded in the office of the county recording officer prior to the appointment of a planning board and the grant to such board the power to review plats; and includes the land between the street lines, whether improved or unimproved.

#### **3.123 STRUCTURE**

Anything constructed or erected, including signs, the use of which requires location on the ground or attachment to something having location on the ground. It shall not include a minor installation, such as a fence less than six (6) feet high, mailbox, or flagpole.

#### **3.124 SUBDIVIDE**

To divide land into lots.

### **SECTION III. DEFINITIONS (continued):**

#### **3.125 SUBDIVIDER**

Any person having an interest in land that is the subject of an application for subdivision.

#### **3.126 SUBDIVISION**

The division of a lot, tract or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision.

#### **3.126A SUBDIVISION ROAD**

A road meeting the standards specified in Section 5.10 which provides access to lots in a subdivision and is shown on a subdivision plan approved by the Planning Board.  
(amended 5/28/08)

#### **3.127 STORAGE AREA**

A distinct part or section of a building set aside for the purpose of storing goods.

#### **3.128 STORAGE YARD**

A tract of ground, often enclosed, used for the specific purpose of storing goods.

#### **3.129 SWIMMING AREA**

Best source of information may be from the state marine safety office.

#### **3.130 THEATER**

A movie and/or playhouse.

#### **3.131 TOURIST HOME**

An establishment in a private dwelling that supplies temporary accommodations to overnight guests for a fee.

#### **3.132 VARIANCE**

Permission to depart from the literal requirement of a zoning ordinance.

#### **3.133 (deleted 5/28/08)**

#### **3.134 VETERINARY HOSPITAL**

A place for the boarding or treating of animals, provided that the principal user is a certified veterinarian. Such facility shall not be established within 100 feet of a lot line from an adjacent residential lot line. Any outdoor use area shall be enclosed by a solid wall or fence which effectively screens all noise from adjoining property.

### **SECTION III. DEFINITIONS (continued):**

#### **3.135 WAIVER**

A special approval by the Planning Board granted when, in the judgment of that Board, a plan is substantially in conformity with current regulations and strict conformity to approved regulations may cause undue hardship or injustice to the owner of the land, provided that the spirit of the regulations and public convenience and welfare will not be adversely affected.

#### **3.136 WAREHOUSE AND WHOLESALE MARKETING**

A building for the storage, distribution, or wholesale marketing of materials, merchandise, products or equipment, provided that such use is not hazardous by reason of potential fire, explosion, or radiation.

#### **3.137 WAREHOUSING**

Terminal facilities for handling freight with or without maintenance facilities.

#### **3.138 WATER BODY**

Any natural or artificial collection of water, whether permanent or temporary.

#### **3.139 WATERFRONT**

Frontage on or access to a lake, pond, or river.

#### **3.140 WATERFRONT PROPERTY**

A property that has frontage on a water body.

#### **3.141 WETLANDS**

Areas defined as, but not restricted to, lakes, ponds, rivers, streams, marshes, swamps, and bogs and such areas which are at least in part underlain by poorly drained and very poorly drained soils, as defined by the National Cooperative Soils Survey, for Grafton County, NH, of the National Resource Conservation Service of the U.S. Department of Agriculture (USDA), as it may be amended from time to time. Upon inspection during the growing season, wetlands have visible water at or near ground level, and wetlands have plant species characteristic of one or more of the wetland association types. (See NH Wetlands Bureau Code of Administrative rules for further definitions of these wetland association types and their vegetative components.)

#### **3.142 WHOLESALE TRADE/MARKETING**

Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

## **SECTION IV. EXEMPTIONS FROM SUBDIVISION REGULATIONS**

### **4.1 ADJUSTMENT OF BOUNDARIES**

The sale or exchange of land between owners of adjoining properties for the purpose of minor lot line adjustments or boundary agreements which do not create buildable lots and where the original properties are not reduced in size below the minimum lot size requirement shall be exempted from these regulations, but not RSA 674:37 Recording of Plats.

### **4.2 PARCELS DIVIDED BY STREET**

Any transfer, conveyance or sale of land held in one ownership but previously divided into lots or parcels by an existing street shall not be considered a subdivision for the purposes of these regulations.

### **4.3 CONTIGUOUS LOTS**

Contiguous lots, parcels or tracts of land in the same ownership and described separately on separate deeds and previously approved by the Planning Board shall constitute separate lots. In such cases, subdivision approval shall not be required for the sale of the area described on a separate deed.

Contiguous lots, parcels or tracts of land in the same ownership whether described in one or more deeds shall constitute one lot if not previously approved by the Planning Board. Subdivision approval shall be required for the sale of any portion of such a lot, parcel or tract of land.

The subdivider shall observe the following general requirements and principles of land subdivision.

## **SECTION V. GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND**

The subdivider shall observe the following general requirements and principles of land subdivision.

### **5.1 GENERAL GUIDELINES**

A. A proposed subdivision shall conform with the Comprehensive Town Master Plan, these Subdivision Regulations, the official map and all Town of Bristol Ordinances and any other pertinent State or local laws or regulations.

B. The subdivider shall give due regard to the preservation and protection of existing features: trees, scenic points, brooks, streams, water bodies, other natural areas and historic landmarks in order to preserve the natural environment.

**SECTION V. GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND  
continued:**

C. 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; flood hazard, poor soil Conditions, excessive slope or other hazardous conditions; or necessitate the excessive expenditure of public funds for the supply of such services is prohibited.

NOTE: Steep land (fifteen (15) degrees natural slope or greater over the majority of lots), areas with high water table (within two (2) feet of the surface), flood plains areas with less than three (3) feet of natural soil over impermeable material (percolation rate slower than thirty (30) minutes per inch) are problems of such nature to endanger health, life or property. Such areas shall not be platted unless a design solution acceptable to the Board can be presented.

D. Proposed subdivision which create one or more lots within the 250-foot shoreland Protection zone defined in the Comprehensive Shoreland Protection Act (RSA 483-B) and are not served by municipal sewers must be approved by the New Hampshire Department of Environmental Services (NHDES) prior to submission for approval by the Board.

E. Proposed subdivisions which create one or more lots of less than 5 acres and are not served by municipal sewers must be approved by the New Hampshire Department of Environmental Services (NHDES). NHDES approval must also be obtained for proposed conversion of existing buildings to condominiums where septic systems are, or will be, used.

**5.2 EASEMENTS**

A. Reserve strips of land which, in the opinion of the Board, show intent on the part of the developer or 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 such as for utilities over, under, or on the property. Such easements shall have satisfactory access to existing and/or proposed public streets. Water courses proposed for public control shall have a permanent easement of not less than twenty (20) feet.

C. The Board may require areas of the plat to be set aside for parks and playgrounds to be dedicated or to be reserved for the common use of all property owners by a covenant in the deed. Whether or not required by the Board, these play or recreation areas shall be of reasonable size and character for neighborhood playgrounds or other recreational uses.

**SECTION V. GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND  
continued:**

**5.3 FLOOD HAZARD AREAS**

A. For subdivisions that involve land designated as “Special Flood Hazard Areas” (SFHA) by the National Flood Insurance Program (NFIP):

1. 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.

2. The Planning Board shall require that all proposals for development greater than 50 lots or 5 acres, whichever is the lesser, include Base Flood Elevation (BFE) data within such proposals (i.e. floodplain boundary and 100-year flood elevation).

3. The Planning Board shall require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a Determination that:

- a. all such proposals are consistent with the need to minimize flood damage;
- b. all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and,
- c. adequate drainage is provided so as to reduce exposure to flood hazards.

(revised June 13, 2007)

B. The Board may, if deemed necessary, require new or replacement water supply systems and/or sanitary sewage systems to be designated to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems to be located so as to avoid impairment of them or contamination from them during flooding.

**5.4 MONUMENTS**

A. Monuments constructed of concrete or stone at least four (4) inches by four (4) inches on the top and at least thirty-six (36) inches long shall be set at all lot corners and iron pins or equivalent markers at all lot parts where the bearing of a lot line changes.

B. Two (2) bench marks of the same description as the monument shall be set at opposite ends of the subdivision whose tops are at an even foot in reference to the U.S.G. S. datum plane where practical, or to an assumed datum where the preceding is not feasible.

**5.5 DOCUMENTATION OF IMPACTS**

A. Pursuant to RSA 674:36, it shall be the responsibility for the developer, if the Board deems it necessary, to provide an accurately documented environmental and economic impact statement. Such statement may require adherence to the Master Plan documentation on drainage, erosion, forest productivity, land use, ground and surface water quality, traffic safety, public services, and any other factors that could impact the short and long-term well-being of the people of Bristol.

**SECTION V. GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND  
continued:**

**5.6 SPECIAL INVESTIGATIVE STUDIES**

A. Pursuant to RSA 676:4 (a), it shall be the responsibility of the developer, if the Board deems it necessary, to pay reasonable fees for the review of documents, the cost of special investigative studies, Board administration fees, hiring of consultants and other matters which may be required by special applications.

**5.7 NOTIFICATION OF PUBLIC HEARINGS**

A. The Board, before considering or taking formal action upon a plat or the completed application, shall hold public hearings as required by the provisions of RSA 676:4E to provide an opportunity for public testimony relative to the consequences of the proposed subdivision.

B. 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, at the hearing.

**5.8 SEWERAGE DISPOSAL**

A. All on-lot sewage disposal systems shall comply with the requirements of the New Hampshire Department of Environmental Services (NHDES) and receive NHDES approval pursuant to RSA 485-A:29,1 (Water Pollution and Waste Disposal/Submission and Approval of Plans and Specifications).

B. Where individual on-lot sewage disposal systems are proposed, it shall be the responsibility of the subdivider or agent to prove that the area of each lot is adequate to permit the installation and proper operation of such systems or that adequate land area is available for group disposal.

**5.9 CLASS VI ROAD IMPROVEMENTS**

A. As provided for in RSA 674:36, any Class VI road (or existing substandard street) which provides access to any lots in a subdivision must be improved by the subdivider to meet the standards set forth in Section 5.10, as a condition precedent to the approval of the final plat.

**5.10 ROAD DESIGN AND CONSTRUCTION**

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

B. No street or highway right-of-way shall be less than fifty (50) feet in width and less than three hundred (300) feet in length and may be required to be more if a greater street width/length is warranted in the opinion of the Board.

**SECTION V. GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND  
continued:**

- C. Grades of all streets shall be not less than one (1) percent nor more than ten (10) percent unless specifically approved by the Board.
- D. Street intersections and curves shall be so designed as to permit adequate visibility for both pedestrian and vehicular traffic. Curves in general shall have a minimum radius of one hundred (100) feet and no interchange shall be acceptable at less than sixty (60) degrees. Property lines on corners shall reserve a twenty (20) foot curve radius.
- E. Except where near-future connections may be possible, dead-ends or cul-de-sacs shall have a circular turn around at the closed end with a minimum radius of sixty (60) feet from the center to the outside edge of the right-of-way. The center portion of the turn around shall be left in its natural state unless prior approval of the Planning Board is obtained. (See Appendix A, Figure 1 for layout requirement).
- F. Driveways entering the proposed road shall cross a culvert having a minimum diameter of fifteen (15) inches placed in the roadway drainage ditch if deemed necessary. No driveway drainage shall enter upon the traveled way.
- G. Existing streets outside the subdivision, but by which there is access to the subdivision, shall, if practical and necessary, be widened, extended or improved in compliance with the standards required by these Regulations at the expense of the subdivider.

No street or cul-de-sac will be recommended for acceptance by the Town unless it meets all the requirements of these Regulations. All streets, cul-de-sacs, and roadways shall be constructed in accordance with the following minimum specifications, and are required to stand at least one (1) year prior to the application of the surface course.

1. The roadway or traveled way, exclusive of grass strip, sidewalk area or drainage ditches, shall have a width of at least twenty-four (24) feet for a through street or twenty (20) feet for a dead-end street. The traveled way shall be centered in the right-of-way. The Planning Board may require a greater width if deemed necessary.
2. All topsoil, loam, clay and stumps and other improper road foundation material must be removed from the limits of the road bed to a depth of at least eighteen (18) inches. Topsoil shall be removed from areas that will be filled. Loam or improper road foundation material must be excavated and replaced with bank-run gravel or broken rock.
3. All roads shall be crowned one-quarter (1/4) inch per foot from the center line with the exception of banked curves.
4. The base course shall consist of bank-run gravel, free from loam or organic matter, to a depth of at least twelve (12) inches uniformly compacted the full width of the traveled way surface.

**SECTION V. GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND  
continued:**

5. The finished course shall consist of crushed bank-run gravel to a minimum depth of three (3) inches.

6. The surface course shall consist of one application of primer (SCI-3 or equivalent) applied at the rate of three quarters (3/4) gallon per square yard and one (1) application of sealant (MC2-4 or equivalent) applied at the rate of one quarter (1/4) gallon per square yard. The surface shall be sanded with clean sharp sand following final coating of oil.

7. Drainage, sanitary and storm facilities, curbs, gutters and sidewalks shall be provided to the extent deemed necessary by the Board. All proposed drainage facilities and culverts with a minimum diameter of fifteen (15) inches shall have adequate erosion protection installed on both ends. Natural water courses shall be cleaned and increased in size, where necessary, to take care of storm runoff. Drainage ditches at least three (3) feet in width and sixteen (16) inches in depth at its midpoint below center line grade shall be constructed in the street right-of-way on both sides of the paved roadway. Cut slopes and fill slopes may not exceed a two to one (2 to 1) grade. (See Appendix A, Figure 2 for typical street section.)

a. All drainage designed shall be as specified in Manual On Drainage Design for Highways, New Hampshire Department of Public Works and Highways.

H. All workmanship and materials shall be as required in “Standard Specifications for Road and Bridge Construction, New Hampshire Department of Transportation, 1990”, as amended.

I. All plans shall comply with RSA 485-A:17 Terrain Alteration regardless of area disturbed, and erosion control and stormwater management shall be as required in “Guidelines For The Preparation Of Site Applications, October, 1991, New Hampshire Department of Environmental Services”.

**5.11 MANUFACTURED HOUSING PARKS**

**A. Location.**

All manufactured housing parks shall be located on a site, graded to insure drainage of surface water, subsurface water and sewage as well as being free of stagnant pools.

**B. Roadways**

1. Roadways shall be well-drained, gravel, hard surfaced or paved and maintained in good condition. All roadways shall be lighted at night.

2. All streets and roadways shall have a minimum surfaced width of twenty (20) feet and parking shall be prohibited on both sides. One-way streets shall be a minimum of twelve (12) feet in width. Parking lanes for parallel parking shall be a minimum of seven (7) feet.

**SECTION V. GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND  
continued:**

C. Space Allocations

1. A minimum of ten thousand (10,000) square feet shall be provided for each manufactured housing space (pad). The lot size may be reduced when a public sewerage disposal system is utilized or when a common use area is provided for off-site disposal of sewerage. A minimum of five thousand (5000) square feet shall be considered a minimum space for any manufactured housing space (pad).

2. There shall be a minimum of twenty (20) feet clearance between each manufactured housing space. No manufactured housing shall be located closer than twenty (20) feet from any building within the park and from any property line bounding the park. When applying this clearance figure, awnings, vestibules, or any attached or detached structure shall be considered an integral part of the manufactured housing.

D. Water Supplies

1. An adequate supply of potable water under at least twenty (20) pounds per square inch pressure shall be provided. All water to be utilized for drinking or culinary purposes shall conform in bacteriological quality to those standards adopted by the New Hampshire Department of Environmental Services.

2. Wells or springs used as a source of water supply shall be located, constructed and protected so as to preclude their pollution by surface drainage or by seepage from sink drains, cesspools or septic tank effluent.

3. There shall be no cross connections or interconnections between a potable and a non-potable water supply.

E. Sewerage

1. All sewerage and other water carried wastes shall be disposed of in the Town sewerage system whenever available. When such a system is not available, all wastes shall be disposed of through an approved sewerage disposal system, meaning an approved system constructed in accordance with plans submitted to and approved by the New Hampshire Department of Environmental Services.

2. The term "sewerage" as employed in these Regulations shall refer to that defined in RSA 149:1.

F. Trash and Garbage Collection

1. Covered garbage and trash containers shall be provided at all places covered by these regulations. Such containers shall not be filled to overflowing or allowed to become a breeding place for insects.

G. Facilities and Maintenance Requirements

1. Each manufactured house shall have water connections, sewerage, and weather proofed ground fault electrical outlets of a rating at least 110 volts and approved by current National Electrical Code.

**SECTION V. GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND  
continued:**

2. Liquefied petroleum gas for cooking purposes must have containers properly connected by iron or copper tubing and be securely fastened in place.

**SECTION VI. GENERAL APPLICATION PROCEDURES**

**6.1 PREAPPLICATION PHASE (Subdivision)**

A. General

Previous to the formal submission of a Completed Subdivision Application, a subdivider, in order to save himself the cost of needless changes at a later date, may appear at a regularly scheduled meeting of the Board to submit a sketch plan and to discuss the proposal in conceptual form only. The Board may make suggestions which might be of assistance to the subdivider in meeting the requirements of a Completed Subdivision Application.

B. Responsibility of Subdivider

The subdivider shall familiarize himself with State and Town Regulations relative to health, buildings, roads and other pertinent data, so that he is aware of the standards with which the proposed subdivision must comply.

C. Planning Board Action

The Planning Board will not take any formal action on such a discussion phase, nor will public notice to abutters be required.

**6.2 GENERAL PROCEDURE**

Whenever a subdivision is proposed and before any construction, land clearing or building development is begun, before any permit for the erection of any building and before any contract or offer for sale, rent, condominium conveyance or lease of lots in the subdivision shall have been negotiated or granted, and before a subdivision plan may be filled in the Office of the Register of Deeds of Grafton County, the owner (s) thereof or his agent shall apply to the Board for approval of such subdivision on a form provided by the Board. Such application shall give the names and mailing addresses of the persons to be notified of any hearing including names and addresses of all abutting property owners. Agents of the owner shall present written authority of their appointment.

**6.3 PRELIMINARY LAYOUT**

The subdivider shall submit an application for preliminary layout approval to the Secretary of the Board not less than fifteen (15) days before any regular meeting of the Board.

## **SECTION VI. GENERAL APPLICATION PROCEDURES continued:**

The Board, before taking formal action on preliminary layout, shall discuss the layout with the subdivider or his agent. After such discussion, the Board shall communicate to the developer the specific changes required, if any, which it will require in the preliminary layout in its entirety, but these changes shall be considered as conditional and shall not be entered on the plan at this time.

### **6.4 PRELIMINARY LAYOUT REQUIREMENTS**

The subdivider shall file with the Board two (2) paper copies of the preliminary layout. The map scale shall be not more than one hundred (100) feet to the inch. The sheet size shall be 17" x 22" or 22" x 34" as specified by the Grafton County Register of Deeds, with separate sheets numbered and showing their relationship to one another. A margin of at least one (1) inch shall be provided outside ruled borderlines on all sides. In addition, the applicant shall submit fifteen (20) reduced scale copies with a sheet size of 11" x 17". The plan for the preliminary layout and any subsequent revisions shall show or be accompanied by the following: (revised 6/28/2006) (revised 5/28/08)

- A. Proposed subdivision name; name and address of owner of record; name and address of designer, planner or surveyor; date, north arrow and scale; and vicinity map at scale of 1" = 1000'.
- B. Name and addresses of owners of record of abutting properties, abutting subdivision names, streets, easements, building lines, alleys, parks and public open spaces, and similar facts regarding abutting property.
- C. Location of outside boundaries and area of the entire parcel being subdivided, whether or not all land therein is to be subdivided. Approximate property line dimensions, proposed lots, approximate acreage of each lot and dimension of lot frontage on a public right-of-way; existing easements, buildings, watercourses, ponds or standing water, rock ledges and other essential site features.
- D. Existing water mains, sewers, culverts, drains, electric utilities and proposed connections or alternate means of providing water supply, electric utilities, disposal of sewerage and surface drainage. Location and results of each percolation test hole and information with respect to soil conditions to show that the lots can support both on-site water and waste disposal, if required, without danger of contamination of water supply on such lot or on other property.
- E. Location of existing and proposed easements over and under private property. Proposed easements shall be not less than ten (10) feet in width and shall have satisfactory access to existing or proposed public ways.

## **SECTION VI. GENERAL APPLICATION PROCEDURES continued:**

F. Location, name and widths of existing and proposed streets and highways with their grades and profiles and the elevation of sufficient points on the property to indicate the general topography of the property.

G. Location of all parcels of land proposed to be dedicated to public use and the conditions of such dedication and a copy of such private deed restrictions as are intended to cover part or all of the tract.

H. Preliminary location and size of any bridge, culverts or under drains which may be required.

I. Where the layout submitted covers only part of the subdivider's entire holding, a sketch of the prospective future street system of the unsubmitted part shall be furnished and the street system of the submitted part will be considered in light of adjustments and connections with the street system of the part not submitted.

J. Copies of all information required by any State agency for approval, including all necessary State approval/permits.

### **6.5 REVISION OF PRELIMINARY LAYOUTS**

The Board, before taking action, shall hold a discussion or hearing with the subdivider, and shall hear and confer with other parties whose interest may be affected by the proposed layout. All abutting property owners shall be notified in writing by certified mail, by the Board. The subdivider shall pay all fees and expenses. After such discussion, the Board shall communicate to the developer the specific changes, if any, which it will require in the preliminary plat and the types and amount of construction or improvements it shall require as a condition preceding the approval of the subdivision plat. The Board may disapprove of the preliminary layout in its entirety, but shall state its reasons for such disapproval. Any approval shall be considered only as tentative and shall not be entered on the plat. If the subdivider wishes to develop a subdivision in sections this shall be indicated on the preliminary plat and shall disclose the proposed use of the portions not platted.

### **6.6 SITE INSPECTION**

The Board may conduct a site inspection of the proposed subdivision prior to conditional approval to ascertain the natural condition of the site and to inspect the layout of proposed streets and roads.

## **SECTION VI. GENERAL APPLICATION PROCEDURES continued:**

### **6.7 ABANDONMENT OF PRELIMINARY LAYOUT**

A preliminary layout shall be considered to have been abandoned by the subdivider if he has not submitted a Final Plat for all or a portion of such proposed subdivision within twelve (12) months from the date of submission of the Preliminary Layout. An abandoned layout cannot be revised or is not transferable except as a complete new submission to the Board.

### **6.8 ABUTTER NOTIFICATION**

Whenever any subdivider or his authorized agent request the Planning Board to discuss a subdivision proposal at any Board meeting, he must, prior to submitting his plan to the Board Secretary or Chairman, provide:

- A. At least a fifteen (15) day notice of the meeting request.
- B. A list of all abutters and their mailing addresses.
- C. A check to cover mailing and advertising costs.

### **6.9 FILING FEE**

- A. Application for a subdivision shall be accompanied by applicable fees.
- B. The Board may require a registered engineer or qualified consultant as accepted by the Planning Board to study the project, or subdivision plan including drainage facilities and road construction to assure conformity to the subdivision regulations. Costs shall be paid by the subdivider prior to any action by the Board.

### **6.10 FINAL PLAT PROCEDURE**

A completed application for a Final Plat must be submitted fifteen (15) days prior to a regular Board meeting, at which time the application shall be accepted.

The Town, or its representative, will be responsible for recording the approved subdivision plat (mylar original) with the Grafton County Registrar of Deeds prior to any sale or transfer of land within the subdivision. The subdivider shall be responsible for the payment of the recording and administrative fees.

### **6.11 FINAL PLAT REQUIREMENTS**

The Final Plat submitted for approval and subsequent recording shall be submitted in permanent black ink on a permanent reproducible mylar or similar material. It shall be submitted in one (1) mylar type original and two (2) black or blue line paper printed in the following sheet size: 17" x 22" or 22" x 34". The drawing shall be at a scale of not more than one hundred (100) feet to the inch. In addition, the applicant shall submit fifteen (20) reduced scale copies with a sheet size of 11" x 17". The final plat shall conform with the requirements of RSA 478:1-a and shall show the following: (revised 6/28/2006) (revised 5/28/08)

## **SECTION VI. GENERAL APPLICATION PROCEDURES continued:**

- A. The name of the subdivision; name and address of the subdivider; the seal of a registered engineer or licensed land surveyor licensed by the State of New Hampshire; date; scale and north arrow.
- B. Sufficient data acceptable to the Board to determine readily the location, bearing and length of every street line, lot line, boundary line and to reproduce such lines upon the ground. Reservations for public purposes, including public utilities and drainage easements. The subdivision plat shall be based on a boundary survey certified by an engineer or surveyor licensed in the State of New Hampshire.
- C. Names and addresses of abutting property owners, intersecting roads and driveways within a minimum of two hundred (200) feet, more when deemed necessary by the Board, of the parcel to be subdivided.
- D. Street right-of-way lines, lot frontage on right-of-way, lot lines, lot sizes in square feet and acres, proposed easements, deed restrictions and areas to be dedicated to public use.
- E. A general site location map at a scale of one (1) inch to one thousand (1000) feet locating exactly the proposed subdivision boundary in relation to major roads and community facilities of the town.
- F. If a subdivision is to be served by public water supply or by public sewers, a statement from the municipal department or company involved, stating the availability of such services.

### **6.12 CONSTRUCTION DRAWINGS**

As part of the final plat submission, the subdivider or his agent shall be required by the Board to submit any or all of the following:

#### **A. Subdivision Grading and Drainage Plan**

This plan shall be submitted on a separate sheet or sheets and shall provide the following information for the entire area of the proposed subdivision, unless there is a determination by the Board that a lesser area is sufficient.

1. Basic street and lot layout, with all lots numbered consecutively.
2. Location of all existing and proposed buildings.
3. Contours of existing grade at intervals of not more than five (5) feet.

Intervals less than five (5) feet may be required depending on the character of the topography. Contour lines shall extend a minimum of one hundred (100) feet beyond the subdivision boundary.

#### **SECTION IV. GENERAL APPLICATION PROCEDURES continued:**

4. Final identification, location, elevation, grades and/or contours at intervals of not more than two (2) feet (lesser intervals may be required depending on topography) for the existing and proposed drainage ways, drainage easements, drainage structures and water bodies.

5. Final identification and relative location of proposed soil erosion and sediment control measures and structures.

6. Final drawings and specifications for each proposed erosion and sediment control measure and structure designed in accordance with guidelines acceptable to the Grafton County Conservation District.

7. Final drawings, details and specifications for proposed flood hazard prevention measures and structures and for proposed storm water retention basins.

8. Final slope stabilization details and specifications.

9. A timing schedule indicating the anticipated starting and completion dates of the subdivision and development and the time of exposure of each area prior to the completion of effective soil erosion and sediment control measures.

10. All road construction plans are to be stamped by a professional engineer and shall state that "This design complies with all American Association of State Highway and Transportation Officials standards for 30 MPH designs", unless some other design speed is approved by the Board.

#### **B. Subdivision Street and Utility Plan**

This plan shall be submitted on a separate sheet or sheets and provide the following information:

1. Complete plans and profiles of all proposed streets, including but not limited to:

- a. Horizontal and vertical curve data at the street centerline.
- b. Intersection, turnaround and/or cul-de-sac radii.
- c. Typical sections of proposed streets.

2. Complete plans and profiles of all proposed sanitary and storm sewers, including the following:

- a. Invert elevations, original and finished ground profiles above these sewer and top of manhole elevations.
- b. Profiles and grades of storm sewer lines.
- c. Type of materials and class, used and proposed grades.

3. Location and details of all existing and proposed utilities, including water mains, gas mains, telephone, electric, on and adjacent to the land to be subdivided.

## **SECTION VI. GENERAL APPLICATION PROCEDURES continued:**

### **6.13 PERFORMANCE BOND**

Under RSA 674:36 III (b), the Planning Board shall have the power to demand a performance bond at its discretion. The subdivider shall post a performance bond in an amount sufficient to cover the cost of the preparation and installation of streets, the extension of public water and sewer lines, if available, the installation of storm drains, under drains, monuments, erosion control, structures, etc. This bond shall be approved as to form by the Board of Selectmen and the legal counsel of the Town of Bristol and conditioned on the completion of such improvement within two (2) years of the date of this bond.

The amount of the performance and payment bond shall be based on a registered engineer's, or a qualified consultant's cost estimate of the necessary improvements. The Board may require a review at the subdivider's expense, by a registered engineer or a qualified consultant of the submitted plans and cost estimate. The estimate shall be approved by the Planning Board prior to the subdivider obtaining the performance bond and all bonds shall be in an amount of one hundred (100) percent of the estimated cost.

The performance and payment bond shall not be released until the Board of Selectmen has certified completion of the required improvements in accordance with the plan approved by the Board. No lot shall be sold prior to the approval of the performance bond.

## **SECTION VII. ADMINISTRATION**

### **7.1 NOTICE OF VIOLATIONS**

Upon determination by the Planning Board that a violation of these regulations has occurred, notice shall be given by the Planning Board to the Board of Selectmen recommending appropriate enforcement procedures. The Board of Selectmen after receiving said written notification is responsible for the enforcement of these regulations and shall communicate all decisions to the Planning Board.

### **7.2 ENFORCEMENT OF THE MASTER PLAN AND THE BRISTOL HISTORIC DISTRICT**

Having an established and proved Master Plan, denoting one or more historic districts and other considerations as stated in the Master Plan, the Historic District and the Master Plan encompasses all the authority, powers and duties to enforce such provisions of the Master Plan.

In case of the violation of any ordinance or regulation made under the authority conferred by these and other regulations of an historic district, the Bristol Historic District Commission, in addition to other remedies, may initiate any appropriate action or proceeding to prevent, restrain, retract or abate such violation as required under RSA 674:49 and RSA 674:50.

## **SECTION VII. ADMINISTRATION continued:**

### **7.3 DETERMINATION OF AUTHORITY**

Whenever a local land use ordinance, a Master Plan or other regulations are enacted or adopted which differ from the authority of an existing ordinance or other regulations as enacted or adopted by the Town, State or Federal Government, the provision which imposes the greater restriction or higher standing shall be controlling.

### **7.4 PENALTIES FOR TRANSFERRING LOTS IN UNAPPROVED SUBDIVISIONS**

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 said subdivision has been approved by the Planning Board and filed with the appropriate recording officer under RSA 676:16, shall forfeit and pay a civil penalty of \$500.00 for each lot or parcel so transferred or sold; and, the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The Town may enjoin a transfer of sale which violates the provisions of this section and may recover the penalty imposed by civil action. In any action to recover a penalty, the prevailing party may recover reasonable court costs and attorney's fees as may be ordered by the court.

### **7.5 FINES FOR CONTINUATION OF VIOLATIONS**

Any violation of this title may be made punishable by a fine of not more than \$100.00 for each day that such violation continues after the conviction date; provided, however, that the total fines imposed for any single violation shall not exceed \$500.00.

### **7.6 WAIVER**

Where strict conformity to the Subdivision Regulations would cause undue hardship or injustice to the owner, agent, and/or potential subdivider, a subdivision plan substantially in conformity with regulations may be approved by the Board provided that the spirit of the regulations and public convenience, health and welfare will not be adversely affected.

### **7.7 APPEALS**

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

### **7.8 VALIDITY**

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

## **SECTION VII. ADMINISTRATION continued:**

### **7.9 AMENDMENTS**

These regulations may be amended or rescinded by the Board but only following a public hearing on the proposed changes. The Chairman or Secretary of the Board shall transmit a record of any changes so authorized to the Board of Selectmen, the Town Clerk and to the Registrar of Deeds of Grafton County.

### **7.10 ADOPTION**

These regulations shall become effective after a public hearing, adoption and certification by the Planning Board, and filing with the Town Clerk, Board of Selectmen and the Grafton County Registrar of Deeds.

## **SECTION VIII. SITE PLAN REVIEW REGULATIONS**

### **8.1 AUTHORITY**

Pursuant to the authority vested in the Bristol Planning Board by the voters of the Town of Bristol on March 14, 1989, in accordance with the provision of NH RSA 674:43, the Bristol Planning Board hereby adopts the following regulations for the review of site plans for the development of tracts for nonresidential uses and for multi-family dwelling units, effective December 23, 1989 and as amended.

### **8.2 PURPOSE**

The purpose of these regulations is to implement the vision of the Comprehensive Master Plan as embodied in its guiding principles (see Chapter I Vision of the Master Plan). It is the intent of this ordinance to provide for balanced, responsible and attractive growth by encouraging appropriate land use, providing for harmonious and aesthetically pleasing development, protecting public health and safety, and creating conditions favorable for convenience and prosperity.

This ordinance is intended to insure adherence to sound site utilization principles, including: providing open and green spaces of adequate proportions; requiring proper arrangement and coordination of streets in relation to other existing or planned streets and of sufficient location and width to allow for traffic, adequate light, air, and access by firefighting apparatus; and otherwise employing innovative land use controls consistent with the Master Plan.

### **8.3 JURISDICTION**

- A. Site Plan Review is required for the following:
1. All new construction or enlargement of existing structures for non-residential use, but not including accessory buildings for one or two-unit family residences.
  2. Any new paving or increase in the total paved area on all non-residential properties and multi-family properties. (revised 6/28/2006)
  3. All changes in, or expansion of, the use of non-residential properties except for changes that meet all of the following criteria:

**SECTION VIII. SITE PLAN REVIEW REGULATIONS continued:**

- a. The change in use is from one permitted use to another permitted use within the same zoning district. A use allowed by Variance or Special Exception is not included.
  - b. The gross floor area of the building is unchanged. The area of open or screened porches, porticos or decks is not considered to be part of the gross floor area.
  - c. There is no increase in the parking requirements as defined in Article IV, Section 4..5, B2-B15 of the Zoning Ordinance, or the parking requirements for the new or expanded use are satisfied. (Revised 6/13/07)
  - d. There are no changes in grading, screening of abutting property, or exterior lighting.
4. All new construction and enlargement of multi-family dwellings with more than two units.
  5. Any increase in the number of dwelling units in a structure containing two or more existing dwelling units. (revised 6/28/2006)
  6. Any increase in the number of non-residential allowed uses within an existing non-residential structure.
  7. Any conversion from residential to non-residential use, or the commencement, on an existing residential property, of any new non-residential use which is not accessory to the residential use. (added 6/13/07) (revised 5/28/08)
- B. Minor Site Plan Review
- Any Site Plan Review which involves no expansion of the building or changes to the site and involves no current Zoning Board decisions shall be designated as a Minor Site Plan Review. Proposals which do not meet these criteria may be designated as a Minor Site Plan Review by the Planning Board at a Preliminary Conceptual Consultation when the Board determines that the proposal involves only minor changes and does not require an engineered plan to evaluate. (Revised 6/13/07)
- However such a designation shall not alter the applicant's burden of providing sufficient information to demonstrate compliance with these regulations, and the Board may, at any time during the review process, require such information as it deems necessary to evaluate the application. (revised 5/28/08)
- C. During the Pre-application Consultation (see Section 8.6), the Planning Board may waive part or all of the requirements for Site Plan Review for enlargement or new construction with an area of four hundred (400) square feet or less, or for new paving or an increase in the total paved area of one thousand (1000) square feet or less, upon receipt of a written request by the applicant.

## **SECTION VIII. SITE PLAN REVIEW REGULATIONS continued:**

- D. Waiver means a special approval by the Planning Board granted when, in the judgment of the Board, a plan is substantially in conformity with current regulations and strict conformity to approved regulations may cause undue hardship or injustice to the owner of the land, provided that the spirit of the regulations and public convenience and welfare will not be adversely affected.
- E. No changes or alterations shall be made in an approved site plan, nor shall the project be implemented in any manner which is inconsistent with such approved plan, without the assent of the Planning Board. Upon application of the owner, or his/her designated agent (authorized in writing), the Planning Board shall have the power to modify or amend its approval of the plan. The Board shall hold a public hearing, in accordance with the procedures required by RSA 676:4, before taking action on any proposed changes in the site plan; provided, however, that the Board may, at any public meeting, without a public hearing, approve a minor change which meets all of the following criteria:
1. The proposed change is one which does not alter the manner in which any regulatory standard contained in these Regulations or in the Bristol Zoning Ordinance applies to the proposal;
  2. The proposed change does not alter any aspect of the reasoning which the Board utilized for its decision, or of the effect or implementation of any express condition of approval;
  3. The change is one which would not, by itself, trigger site plan review jurisdiction under Section 8.3 of these Regulations; and
  4. The change is otherwise one which the Board believes does not alter in any respect the impacts of the plan upon abutters or the public, with any doubts concerning such impacts being resolved in favor of holding a fully-noticed public hearing.

(Revised 6/13/07)

### **8.4 COMPLIANCE WITH OTHER REGULATIONS**

The site plan review procedure shall in no way relieve an applicant from compliance with applicable sections of the Driveway Regulations, the Subdivision Regulations, the Zoning Ordinance, and any other regulations or ordinances of the Town of Bristol and the State of New Hampshire.

### **8.5 STANDARDS**

A. The development shall conform to the provisions of Articles as listed in the Zoning Ordinance.

**SECTION VIII. SITE PLAN REVIEW REGULATIONS continued:**

B. The development shall conform, as much as possible, to the natural topography of the site.

C. Outdoor lighting shall be shielded so as not to shine onto abutting properties or onto public highways or streets, and it shall be restricted to that which is necessary for advertising and security of the development.

D. Sidewalks shall be provided for pedestrian traffic between the main entrances of business, housing, or industrial establishments and parking areas and streets.

E. Parking and loading and pedestrian safety:

1. Sufficient off-street parking must be provided for the anticipated use to accommodate both employees and customers and must comply with all applicable Zoning and Town Regulations. (revised 6/28/2006)

2. In the Village Commercial and Downtown Commercial Districts, parking shall be located no closer to the street line than the building it serves, unless there are special features peculiar to the lot, such as shape or topography or the proposed use which, in the judgement of the Planning Board, make another parking arrangement more appropriate. In such cases, the owner shall provide screening approved by the Planning Board for all parking areas not in compliance with this regulation. (revised 5/28/08)

3. sufficient off-street loading and/or unloading space must be provided including off street areas for maneuvering of anticipated trucks or other vehicles which shall be designed to ensure the safety of vehicles and pedestrians on the site. Maneuvers for parking and/or loading or unloading spaces must not take place from a public street. All loading/unloading must be in accordance with Zoning and Town Regulations.

F. Access to public streets shall conform to the requirements of the NH Department of Transportation and/or to the Bristol Driveway Regulations.

G. Pollution Control Provisions shall be made to prevent ground and surface water contamination due to on-site storage or use of petroleum products and hazardous substances in compliance with NH RSA 146-C, 147-A, 153, 430, and such other Federal, State and Local statutes, ordinances and regulations as are or may be applicable.

H. Landscaped buffer strips shall be provided to assure that the development of the project conforms at its boundaries with the character of the adjoining land and its uses. These buffer areas shall be of sufficient width to provide privacy and noise protection, but in no case shall the width of such areas be less than the setbacks required by the Zoning Ordinance.

1. Buffer strips between residential and non-residential uses shall contain vegetation and/or a solid fence which will screen non-residential uses from residential during winter months.

## **SECTION VIII. SITE PLAN REVIEW REGULATIONS continued:**

I. Landscape treatment shall consist of natural, undisturbed vegetation or features, or ground cover, shrubs, or trees as appropriate. Where green areas are required by the Planning Board, wood chips or crushed stone may be prohibited.

J. Visual screens of solid fencing or hedges shall hide storage and litter or garbage collection areas from adjoining parking areas, neighboring properties, and public highways.

K. Erosion and Sedimentation plan shall contain the following:

1. make provisions to accommodate the increased run-off caused by changed soils and surface conditions during and after development;
2. identify, and relatively locate, proposed erosion and sediment control measures and structures during and after development;
3. include drawings, details and specifications for proposed flood hazard prevention measures and structures and for proposed storm water retention basins;
4. ensure that stripping of vegetation, regrading or other development will be done in such a way that will minimize soil erosion. Temporary seeding and/or mulching may be required by the Board to protect exposed critical areas during development. Whenever practical, natural vegetation shall be retained, protected and supplemented.

L. Provisions shall be made to prevent erosion and sedimentation caused by change topography and soil and surface conditions during and after construction.

1. During construction, sediment in the run-off water shall be trapped by the use of sediment basins or other acceptable methods until the disturbed area is stabilized. Diversion, sediment retention basins, and other such devices shall be constructed prior to any on-site grading or disturbance of existing surface materials.

M. The land indicated on the plan shall be of such character that it can be used for development purposes without danger or injury to health, safety, or the prosperity of the Town by reason of fires, flooding, water pollution, inadequate streets or walkways, accelerated erosion or other dangers, perils or hazards.

N. Off-site public facilities, including, but not limited to, streets, fire fighting apparatus and road maintenance equipment, shall be adequate to meet any additional burden placed on such public facilities by the proposed use of the site development. Where off-site improvements are deemed necessary by the Board, the Board shall require, as a plan, that the developer provide, in an amount and manner to be determined by the Board, and in conformance with Article XI of the Zoning Ordinance of the Town of Bristol, his share of off-site improvement costs. Where the use will require an excessive or premature expenditure of public funds to improve existing, or to provide new facilities, site development shall not be approved.

## **SECTION VIII. SITE PLAN REVIEW REGULATIONS continued:**

O. For site plans that involve land designated as “Special Flood Hazard Areas” (SFHA) by the National Flood Insurance Program (NFIP):

1. 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.
2. The Planning Board shall require that all proposals for development greater than 50 lots or 5 acres, whichever is the lesser, include Base Flood Elevation (BFE) data within such proposals (i.e. floodplain boundary and 100-year flood elevation).
3. The Planning Board shall require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a determination that:
  - a. all such proposals are consistent with the need to minimize flood damage;
  - b. all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and,
  - c. adequate drainage is provided so as to reduce exposure to flood hazards.

(added June 13, 2007)

### **8.6 PREAPPLICATION CONSULTATION (Site Plan)**

A. The Bristol Planning Board may provide for pre-application or informational review of all Site Plans and Subdivision applications as provided in RSA 676:4.II subject to the following:

**(1) Preliminary Conceptual Consultation Phase.** Preliminary conceptual consultation shall be directed at review of the basic concept of the proposal and suggestions which might be of assistance in resolving problems with meeting requirements during final consideration. Such consultation shall not bind either the applicant or the board and statements made by Planning Board members shall not be the basis for disqualifying said members or invalidating any action taken. Furthermore, applicants are advised that they should not make any substantial financial commitments based on any statements made at any Preliminary Conceptual Consultation Phase hearing.

## **SECTION VIII. SITE PLAN REVIEW REGULATIONS continued:**

The board and the applicant may discuss proposals in conceptual form only and in general terms such as desirability of types of development and proposals under the master plan. Such discussion may occur without the necessity of giving formal public notice (RSA 676:4 subparagraph I(d)). Any pre-application or informational discussion beyond what is deemed general and conceptual shall be considered as a Design Review Phase and said pre-application or informational preliminary discussion shall require public hearing and notification (RSA 676:4 subparagraph I(d)).

**(2) Design Review Phase.** The board or its designee may engage in nonbinding discussions with the applicant beyond conceptual and general discussions which involve more specific design and engineering details; provided however, that the design review phase may proceed only after identification of and notice to abutters, holders of conservation, preservation, or agricultural preservation restrictions, and the general public as required by RSA 676:4 subparagraph I(d). Statements made by Planning Board members shall not be the basis for disqualifying said members or invalidating any action taken.

**(3)** The applicant may elect to forego or engage in pre-application or informational review or either phase (RSA 676:4 subparagraphs (a) and (b)). Pre-application or informational review shall be separate and apart from formal consideration (RSA 676:4 paragraph I), and the time limits for acting under provided under RSA 676:4 subparagraph I(c) shall not apply until formal application is submitted (RSA 676:4 subparagraph I(b)).

### **B. Responsibility of Applicant**

It shall be the responsibility of the Applicant(s) to become familiar with all applicable Federal, State, County and Town regulations affecting any subdivision or site plan. This includes, but is not limited to, subdivision/site plan regulations, zoning ordinances, health and safety regulations, building codes and standards, and road specifications.

### **8.7 APPLICATION PROCEDURES FOR FULL SITE PLAN REVIEW**

The owner of the property, or the designated agent (authorized in writing), shall file a completed application no less than fifteen days prior to a regularly scheduled meeting of the Planning Board. A completed application shall include:

## **SECTION VIII. SITE PLAN REVIEW REGULATIONS continued:**

A properly completed application on a form provided by the Planning Board and including:

1. Names, addresses and telephone numbers of applicant and owner (if other than applicant).
  2. Location of site (Tax Map & Lot #; street address).
  3. Brief description of proposed plan.
  4. Detailed description of the types of services and/or products to be involved in any non-residential use, including hours of operation and any changes of an existing use. (revised 6/28/2006)
  5. Names and addresses of all abutters (legibly printed or typed).
- A. Four copies of the site plan, prepared by a licensed land surveyor, drawn accurately and to scale (1" = 20' preferred), and including:
1. Tax map numbers and those of adjoining properties.
  2. North arrow.
  3. Boundary distances, monuments and bearings.
  4. Existing and proposed contour lines at two (2) foot intervals.
  5. All features located within fifty (50) feet of the lot boundaries including natural features and existing and proposed building outlines showing the location of steps, entries and loading platforms.
  6. Lines of all existing streets within one hundred (100) feet of the lot boundaries.
  7. Wetland delineation by a professional licensed by the State of New Hampshire.
  8. Surface cover including but not limited to wooded, cleared, paved, gravel, standing water, etc.
  9. Proposed landscaping plan.
  10. Zoning Board of Administration decisions.
  11. Any right-of-ways/easements.
- C. Twenty (20) reduced scale copies of the site plan with a sheet size of 11" x 17". (revised 5/28/08)
- D. A copy of all applicable Town, State, County or Federal approvals or permits such as, but not limited to, dredge and fill, wetland alteration, curb cuts, site specific, septic approval, 101 Life Safety Code, etc.

## **SECTION VIII. SITE PLAN REVIEW REGULATIONS continued:**

E. The application fee and sufficient fund to cover the full costs of notifying abutters and advertising the public hearing.

The applicant may request a waiver from any of the items contained in this section. Requests for a waiver must be in writing and include an explanation for the request.

If the application is incomplete, the Planning Board cannot accept it or act on it. Although a completed application is sufficient to invoke the jurisdiction of the Planning Board, the applicant will need to furnish the additional information described in Section 8.8 (or obtain a waiver for specific items from the Planning Board) before a site plan can receive final approval.

The applicant is responsible for all the costs of any special investigations and of the review of documents and other materials which may be required by the application, including all engineering and legal expenses. The Planning Board shall determine the scope of such investigations and reviews, and it shall determine the persons or firms to be hired for the investigations and reviews.

### **8.8 ADDITIONAL REQUIREMENTS FOR FULL SITE PLAN REVIEW**

- A. In addition to the requirements set forth in Section 8.7B, the site plan must contain the following information or meet the following criteria:
1. Title block containing at a minimum:
    - a. Identification of plan, including name(s) or owner(s) and applicant(s), if different.
    - b. Tax map and lot numbers.
    - c. Name(s) or person(s) responsible for preparation of the plan.
    - d. Date of plan preparation.
    - e. Scale of plan.
  2. Location plan.
  3. Abutters listed on the plan.
  4. Waivers being requested listed on the plan.
  5. Zoning district of lot.
  6. Minimum building requirements (for that particular zoning district).
    - Min. lot size =
    - Min. road frontage =
    - Front, rear, and side setback =
  7. Indication of flood zone per NFIP FIRM (National Flood Insurance Program; Flood Insurance Rate Map)(e.g. Is this lot in the 100 year flood plain?)
  8. Present use of lot.
  9. Proposed use for lot.
  10. Purpose of the plan – should include size of buildings and use proposed.
  11. Total area of the parcel in acres and square feet.

**SECTION VIII. SITE PLAN REVIEW REGULATIONS continued:**

- 12. Reference to established benchmark based on N.G.V.D. (National Geodetic Vertical Datum) 1929 established by USGS (US Geological Survey) or other Datum acceptable to Planning Board.
- 13. Soil type(s) and boundaries of lot per Grafton County Soil Conservation Service.
- 14. Existing and proposed utilities including but not limited to water lines, wells, sewage lines, utility poles and drainage facilities (including sources of supply, tanks, building drains, pipe sizes, etc.)
- 15. Impervious areas as a % of total lot area. Gravel access drives are to be considered as impervious.
- 16. Parking requirements: e.g. Office: 1 sp/300 s.f. x 3,000 s.f. = 10 spaces).
- 17. Total parking being provided.
- 18. Location of driveways and parking spaces. Dimensions of parking spaces indicated.
- 19. Off-street loading facilities.
- 20. Location of walks, fences and screening.
- 21. Location, size and type of signs.
- 22. Designated outside service, storage and/or display.
- 23. Exterior site lighting, including type, location, intensity, direction, etc.
- 24. Landscaped buffer area (where required).
- 25. Building setback lines.
- 26. 50 foot, 125 foot and 250 foot setback lines from water bodies subject to the requirements of the Shoreland Protection Act, RSA 483-B. (revised 5/28/08)
- 27. Impervious surface area and per cent coverage by impervious surfaces for all lots subject to the requirements of the Shoreland Protection Act, RSA 483-B. (revised 5/28/08)
- 28. Building height.
- 29. Appropriate stamps and signatures of all applicable professionals
- 30. Planning Board approval Block of a size that is at least 2 x 4 inches and similar to, and containing at a minimum, all of the information in the example below:

<b>Approval Block – Planning Board Use Only</b>	
Date of Planning Board	
Approval: _____ *	
Chairman Signature	
_____	
Board Signatures:	
_____	_____
_____	_____

## **SECTION VIII. SITE PLAN REVIEW REGULATIONS continued:**

B. The applicant must also furnish the following documentation:

1. Anticipated completion dates of the proposal and any planned phasing of the project.
2. Drainage calculations based on a 10-year storm event with provisions for a 50-year storm event.
3. Cost estimate and performance bond for any improvements or work in the town's right-of-way.
4. Erosion and sedimentation control plans.
5. Copies of any proposed or existing easements, covenants, deed restrictions, ZBA rulings, or any other similar document pertinent to the site plan.
6. Provisions for snow removal/storage.

C. If deemed necessary by the Board, the applicant may be required to submit documentation such as, but not limited to:

1. Environmental impact study, including but not limited to the impact of noise, dust, odor, etc.
2. Traffic study.
3. Fiscal impact study.
4. Cost estimate and performance bond.

### **8.9 APPLICATION PROCEDURES FOR MINOR SITE PLAN REVIEW**

The owner of the property, or designated agent (authorized in writing), shall file a completed application no less than fifteen days prior to a regularly scheduled meeting of the Planning Board. A completed application shall include:

A. A properly completed application on a form provided by the Planning Board and including:

1. Names, addresses and telephone numbers of applicant and owner (if other than applicant);
2. Location of site (Tax Map & Lot number; street address);
3. Brief description of proposed plan, including current use;
4. Detailed description of the types of services and/or products to be involved in any non-residential use, including hours of operation and any changes of an existing use; (revised 6/28/2006)
5. Names and addresses of all abutters (legibly printed or typed);
6. Four copies of Bristol Tax Map showing lot under consideration and all adjoining properties and zoning district along with twenty (20) reduced scale copies with a sheet size of 8 ½" x 11" or 11" x 17". (revised 5/28/08)
7. North arrow;
8. Previous Zoning Board decisions;

**SECTION VIII. SITE PLAN REVIEW REGULATIONS continued:**

- 9. Written statement with calculations depicting how the parking requirements are being met;
- 10. Any right of way documents or easement documents that pertain to the parcel;
- 11. Copies of any relevant permits or approvals;
- 12. Description of changes in exterior lighting;
- 13. Planning Board approval block added to the tax map of a size that is at least 2 x 4 inches and similar to, and containing at a minimum, all of the information in the example below:

<b>Approval Block – Planning Board Use Only</b>	
Date of Planning Board Approval: _____	
Expiration Date: _____	
Chairman Signature _____	
Board Signatures: _____ _____	

- B. The application fee and sufficient funds to cover the full costs of notifying abutters and advertising the public hearing.

The applicant may request a waiver from any of the items contained in this section. Requests for a waiver must be in writing and include an explanation for the request.

If the application is incomplete, the Planning Board cannot accept it or act on it. Although a completed application is sufficient to invoke the jurisdiction of the Planning Board, the applicant may need to furnish additional information.

**8.10 REVIEW PROCEDURE**

**A. Public Hearing and Notice**

Before considering and taking action on a site plan, the Planning Board shall hold a public hearing on the proposal. The applicant and all abutters shall be notified of the hearing by certified mail at least 15 days before the hearing. A notice of the hearing shall be published in a newspaper of general circulation before the hearing.

**SECTION VIII. SITE PLAN REVIEW REGULATIONS continued:**

1. When, in the opinion of the Building Inspector, a Variance is required for the project by the Zoning Ordinance, the applicant must first obtain the necessary approval from the Zoning Board of Adjustment before the site plan may be approved.

B. A joint hearing for Site Plan Review involving any of the Land Use Boards as pursuant to RSA 676:2 may be held.

C. Relaxation of Standards

After a public hearing, the Planning Board may waive or modify any portion of these regulations when, in the opinion of the Planning Board, strict conformity to the regulations would pose an unnecessary hardship to the applicant, and when the waiver or modification would not be contrary to the spirit and intent of these regulations. In granting such waivers and modifications, the Planning Board may require such conditions as will, in its judgment, secure substantially the objective of these regulations. Request for a waiver should be specified on the application checklist only upon receipt of a written request by the applicant.

D. When subdivision approval is also required for a proposed development, the Planning Board may hold the site plan review hearing in conjunction with the subdivision hearing.

E. Board Action

After the public hearing and such special investigations and review of documents and other matters as may be required by the application, the Planning Board shall act to approve, approve with modifications, or disapprove the proposed site plan.

1. An approved site plan shall be endorsed and signed by the Chairman and Vice Chairman of the Planning Board, or in their absence, by members designated by the Planning Board.

2. If the site plan is approved with modifications, the applicant shall present a revised site plan with the modifications required by the Planning Board for the required endorsement and signatures.

3. A copy of the approved site plan shall be retained by the Planning Board, which shall provide a second copy to the Building Inspector.

4. If the site plan is disapproved, the reasons for the disapproval shall be noted in the records of the Planning Board and in a letter sent to the applicant.

F. Condition of Approval

Every site plan approval shall be upon the condition, whether stated in the Board's decision or not, that the site plan must be implemented in accordance with the plans and specifications on file, and in accordance with all representations made either orally or in writing by an applicant. The Planning Board may impose further conditions and restrictions on any site plan approval. Such additional conditions and restrictions may routinely be imposed when the approved use is broad in nature.

## **SECTION VIII. SITE PLAN REVIEW REGULATIONS continued:**

### **G. Performance Bond**

Under RSA 674:36 III (b), the Planning Board shall have the power to demand a performance bond at its discretion. The subdivider shall post a performance bond in an amount sufficient to cover the cost of the preparation and installation of streets, the extension of public water and sewer lines, if available, the installation of storm drains, under drains, monuments, erosion control, structures, etc. This bond shall be approved as to form by the Board of Selectmen and the legal counsel of the Town of Bristol and conditioned on the completion of such improvement within two (2) years of the date of the bond. The amount of the performance and payment bond shall be based on a registered engineer's or a qualified consultant's cost estimate of the necessary improvements. The Board shall require a review at the subdivider's expense, by a registered engineer or a qualified consultant of the submitted plans and cost estimate. The estimate shall be approved by the Planning Board prior to the subdivider obtaining the performance bond and all bonds shall be in an amount of one hundred (100) percent of the estimated cost. The performance and payment bond shall not be released until the Board of Selectmen has certified completion of the required improvements in accordance with the plan approved by the Board. No lot shall be sold prior to the approval of the performance bond.

### **H. Site Inspection**

The Planning Board, its members or its designated agents, may conduct site inspections while considering the proposed site plan. After the improvements have been completed, the Planning Board or its designated agent shall inspect the site to ascertain compliance with the site plan. The applicant shall pay these costs of any expert inspections and/or tests required as part of this review.

I. Approval of a site plan by the Planning Board shall be valid for one year from the date of approval or for such time as the Board may designate at the time of the approval. Upon written request of the applicant received before the expiration date of site plan approval, the Planning Board may extend the approval for up to one year. Such extensions may be granted more than once.

## **ARTICLE 8.11 ADMINISTRATION**

### **A. Appeals**

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

### **B. Enforcement and Penalties**

Upon determination by the Planning Board that violation of these regulations has occurred, notice recommending appropriate enforcement procedures shall be given to the Board of Selectmen, who are responsible for the enforcement of these regulations.

**SECTION VIII. SITE PLAN REVIEW REGULATIONS continued:**

1. The Town of Bristol may seek injunctive relief under NH RSA 676:15.
2. Whoever shall violate any of these regulations shall be subject to the fines and penalties set forth in NH RSA 676:15 and shall be liable for all legal costs incurred by the Town in enforcing these regulations.

**C. Saving Clause**

If any provision in these regulations shall be held to be invalid for any reason by any court, such holding shall not invalidate any other provision of these regulations.

**D. Adoption and Amendment**

These regulations shall take effect immediately after their adoption by the Planning Board. These regulations may be amended by the Planning Board after an appropriately advertised public hearing.

**ARTICLE 8.12 DEFINITIONS**

As found in SECTION III.

**SUBDIVISION REGULATIONS  
TOWN OF BRISTOL, NEW HAMPSHIRE**

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