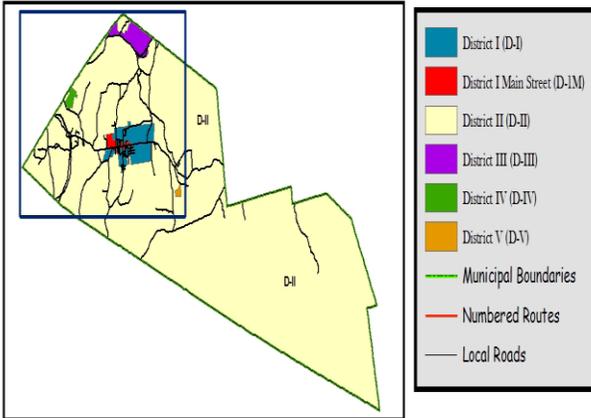
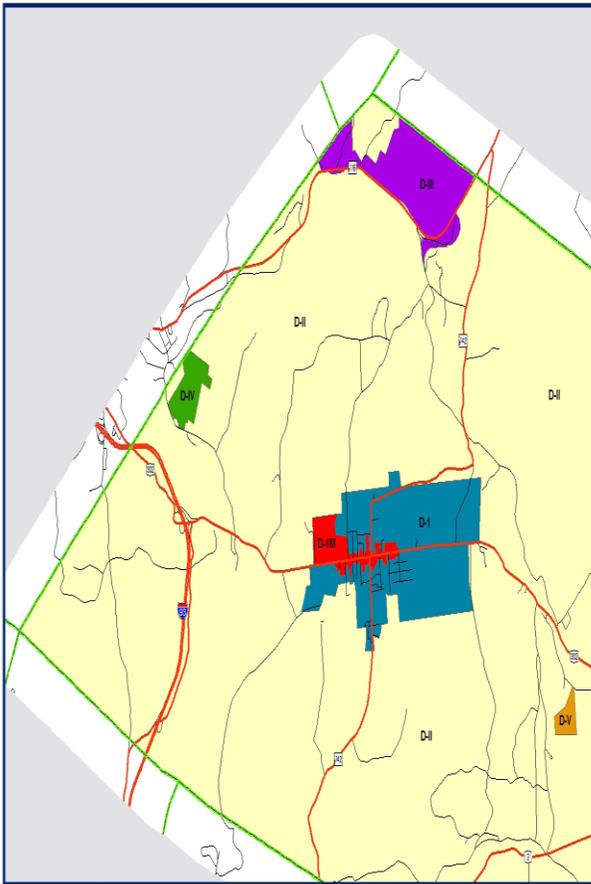


BETHLEHEM

SUBDIVISION REGULATIONS

Bethlehem, New Hampshire
 Zoning Districts
 Amended March 2005



BETHLEHEM SUBDIVISION REGULATIONS

SECTION 1. Authority and Purpose

Pursuant to the authority vested in the Bethlehem Planning Board by the legislative body of the Town of Bethlehem and in accordance with the provisions of RSA 674:35, the Bethlehem Planning Board adopts the following regulations governing the subdivision of land in the Town of Bethlehem, New Hampshire.

These regulations are designed to accomplish the purposes set forth in RSA 674:36 and for the purposes of protecting the health, safety, convenience, economic and general welfare of our citizens.

SECTION 2. Title

These regulations shall be known and cited as the BETHLEHEM SUBDIVISION REGULATIONS.

SECTION 3. Definitions

- 3.01 **Abutter:** “Abutter” means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term “abutter” shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification of a local Planning Board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined by RSA 356-B:3, XIII.
- 3.02 **Applicant:** Shall mean the owner(s) of record of the land to be subdivided, including any subsequent owner(s) of record making any subdivision of such land or any part thereof, or the duly authorized agent of any such owner(s).
- 3.03 **Approval:** Shall mean recognition by the Planning Board, certified by written endorsement on the plat, that the plat meets the requirements of these Regulations and in the judgment of the Board, satisfies all criteria of good planning and design.
- 3.04 **Board:** Shall mean the Planning Board of Bethlehem, New Hampshire.
- 3.05 **Completed Application:** Shall mean the application form and supporting documents, as specified in these Regulations that contains all the information the Planning Board needs to review a subdivision proposal and make an informed decision. All fees and administrative expenses, as indicated in these Regulations, must be included. For submission requirements, see Sections 7, 8, and 9 and the Subdivision Checklist.
- 3.06 **Licensed Land Surveyor:** Shall mean a person who engages in the practice of land surveying and is licensed by the State of New Hampshire under RSA 310-A:53.
- 3.07 **Lot:** The word “lot” shall mean land occupied or to be occupied by a building with or without an accessory building and including such open spaces as are required by the Zoning Ordinance of the municipality, and having its principal frontage upon a public street or officially approved place. The word “lot” includes the word “plot” or “parcel”.

- 3.08 **Lot Line Adjustment:** Shall mean the exchange of abutting land among two or more owners, which does not increase the number of owners or the number of lots.
- 3.09 **Lot Line Adjustment, Minor:** A subdivision proposal which involves lot line adjustments or boundary agreements which do not create buildable lots.
- 3.10 **Plat:** Shall mean the map, drawing or chart on which the plan of subdivision is presented to the Bethlehem Planning Board for approval, and which, if approved, will be submitted to the Register of Deeds of Grafton County for recording.
- 3.11 **Preapplication Review:** Shall mean the two optional steps, Preliminary Conceptual Consultation and Design Review that an applicant may follow prior to filing a completed application.
- 3.12 **Street:** A public way established by or maintained under public authority, or a way dedicated to the use of the public and appearing on the official map of the municipality and having a minimum right-of-way of 50' 0".
- 3.13 **Subdivision:** Means 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 to be subdivided. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed subdivision. The grant of an easement in gross to a public utility for the purpose of placing and maintaining overhead and underground facilities necessary for its transmission or distribution network such as poles, wires, cable, conduit, manholes, repeaters supporting apparatus, including any unmanned structure which is less than 200 square feet, shall not be construed as a subdivision under this title, and shall not be deemed to create any new division of land for any other purpose.
- 3.14 **Subdivision Major:** Means a subdivision of four (4) or more lots, or one which involves the creation of new streets and/or utilities, regardless of the number of lots.
- 3.15 **Subdivision, Minor:** Means a subdivision of land into not more than three (3) lots for building development purposes, with no potential for re-subdivision on an existing street; or one which does not involve the creation of new streets and/or utilities.
- 3.16 **Subdivisions, Major:** Any subdivision proposal which does not meet the definition of a **Minor Subdivision**.

SECTION 4. General Provisions

- 4.01 Before any subdivision is made, before any construction, land clearing or building is begun, before any permit for the erection of any building in such proposed subdivision shall be granted, or before the transfer or sale of any part thereof, and before any subdivision plat may be filed in the office of the Register of Deeds of Grafton County, the owner or authorized agent shall apply in writing to the Board on a form provided by the Board (See Attachment 1) and secure approval of such proposed subdivision in accordance with these regulations.
- 4.02 Land of such character that it cannot, in the judgment of the Board, be safely used for building development purposes because of exceptional danger to health or peril from fire, flood, poor drainage, excessive slope, or other hazardous conditions, shall not be platted for residential,

commercial, or industrial purposes, nor for other uses as may increase danger to life or property, or aggravate the flood hazard. Such land, however, may be used, with approval of the Board, for parks, playgrounds, or other open-space uses. Land with inadequate characteristics or capacity for sanitary sewage disposal shall not be subdivided for residential, commercial, or industrial subdivision purposes unless connected to a municipal sewerage system.

- 4.03 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 department or other public services, or necessitate an excessive expenditure of public funds for the supply of such services shall not be approved.
- 4.04 Land designated for public use may not be subdivided for any other purpose.
- 4.05 The subdivision Plan shall conform to the Bethlehem Master Plan and the Bethlehem Zoning Ordinances.
- 4.06 All proposed subdivisions shall be reviewed by the Board with respect to their effect upon existing community services and facilities including schools and recreation areas. The Board shall advise the Applicant regarding the designation of space for any necessary future community facilities and may make such plat designation a condition precedent to final approval.
- 4.07 The Board may require that a proposed subdivision plan preserve such natural features as trees, streams, watercourses and scenic views. The street and lot layout shall be adapted to the topography. Extensive grading and filling shall be avoided as far as possible.
- 4.08 Street trees, esplanades, and open spaces may be required at the discretion of the Board. When such improvements are required they shall be incorporated in the Final Plan.

No clearing of land, site construction or building is allowed during the Board's preliminary and final subdivision review process.

SECTION 5. Subdivision Procedures

5.01 Preapplication Phases (Optional)

Preliminary Conceptual Consultation

1. The applicant may request a meeting with the Board to discuss a proposal in conceptual form and in general terms. Such Preapplication consultation shall be informal and directed toward:
 - a) Reviewing the basic concepts of the proposal.
 - b) Reviewing the proposal with regard to the master plan and zoning ordinance.
 - c) Explaining the local regulations that may apply to the proposal.
 - d) Determination of the proposal as a major or minor subdivision, and
 - e) Guiding the applicant relative to state and local requirements.
2. The Design Review phase may proceed only after identification of and notice to abutters and the general public as required by Bethlehem Subdivision Regulations section 5.08 and RSA 674:4, I (d).

3. Persons wishing to engage in Design Review, shall submit a “Request for Preapplication Review” (Attachment 2) with the Planning and Zoning Clerk at the Town Offices.
The Board shall assign a prompt but appropriate meeting date. The request shall include:

Design Review Phase

1. Prior to submission of an application for Board action, an applicant may request to meet with the Board for non-binding discussions beyond the conceptual and general, involving more specific design and engineering details of the potential application. The intent of a Design Review submission is to enable the applicant, the Planning Board and support staff to review, discuss and evaluate a proposed subdivision at a time when modification will not result in substantial loss of engineering or surveying costs to the subdivider. It is also intended that the Design Review be an opportunity for the applicant to discover and resolve problems any final plat may have with the Bethlehem Subdivision Regulations. Such Review does not bind either the applicant or the Board.
2. The Design Review phase may proceed only after identification of and notice to abutters and the general public as required by Bethlehem Subdivision Regulations. Such Review does not bind either the applicant or the Board.
3. Persons wishing to engage in Design Review, shall submit a “Request for Preapplication Review” (Attachment 2) with the Planning and Zoning Clerk at the Town Offices.
The Board shall assign a prompt but appropriate meeting date. The request shall include:
 - List of owners and abutters, their tax map and lot numbers and mailing addresses from municipal tax records not more than 5 days before submission;
 - Check to cover filing fees, mailing and advertising costs;
4. Statements made by Board members shall not be the basis for disqualifying said members or invalidating any action eventually taken on the application.
5. The Board shall not accept any submissions by the Application at this time.

5.02 Completed Application (REQUIRED)

1. The Application is solely responsible for submitting a completed application to the Board.
2. A completed application sufficient to invoke jurisdiction of the Board shall be filed with the Planning and Zoning Clerk at the Town Offices at least 15 days prior to the public meeting of the Board at which it is to be submitted 676:4, I (b).
3. A completed application shall be submitted to and accepted by the Board only at a regular Board meeting after due notification has been given as required by RSA 676:4,I(d).
4. A completed application shall consist of all data required in Section 7 – Plat Submission Requirements, Section 8 – Design Standards, and Section 9 – Required Improvements.
5. The complete application shall include all fees herein required by Section 6 (6.01) and (6.02).
6. To ensure completeness, the submitted application will be closely reviewed by a person or group of people designated by the Planning Board. They may make recommendations to the Board.
7. Acceptance that an application is complete will be by affirmative vote of a majority of the Board members present.
8. Before acceptance, the Board may determine that additional information is necessary in order to make an informed decision. The Board can require that additional reports or studies be submitted before it will vote to accept the application as complete.

9. When a completed application has been accepted by the Board, the Board shall provide a receipt to the Applicant indicating the date of acceptance which is the start of the 90 day review. (Attachment)
10. An incomplete application submitted by the applicant shall not be accepted for review by the Board. They may be disapproved by the Board without public hearing on the grounds of failure of the applicant to supply information or to pay fees as required by these regulations.

5.03 Minor Subdivision

1. The Applicant may meet the Board for Preapplication conceptual consultation to determine if the proposal qualifies as a Minor Subdivision as defined in Section 3.15. If so, the applicant shall submit a Complete Application as required in Section 5.02.
2. Notice of Submission shall be given and may be combined with the Notice of Public Hearing, if one is to be held.
3. The completed application under this Section may be submitted and approved at one or more Board meetings but no application shall be approved without the full notice of abutters and public. A public hearing shall be held only if requested by the applicant or abutter (s), or if the Board determines to hold a hearing.

5.04 Board Action on Completed Application

1. The Board shall begin consideration of the completed application within 30 days of its formal submission to and acceptance by the Board.
2. The Board shall act to approve, conditionally approve, or disapprove the completed application within to days of its formal submission to and acceptance by the board. (see attachments 5A and 5B)
3. The Board may apply to the Selectmen for an extension not to exceed an additional 90 days before acting to approve, conditionally approve or disapprove an application. An applicant may waive the requirements for Board action within the time periods specified in these regulations and consent to such extension as may be mutually agreeable. RSA 676:4, I (f)
4. Approval of the Plat shall be certified by written endorsement on the Plat and signed and dated by the Chairman of the Planning Board. The Planning Board Clerk shall transmit a copy of the Plat with such approval endorsed in writing thereon to the Grafton County Register of Deeds. The applicant shall be responsible for the payment of all Registry recording fees.
5. If any submitted plat is disapproved, the grounds for such disapproval shall be adequately stated in the records of the Planning Board and in written notice given to the Applicant. (See Attachment 5B)
6. If the Planning Board has not taken action on the completed application within 90 days of its submission and has not obtained an extension, the applicant may obtain from the Board of Selectmen, an order directing the Board to act within fifteen (15) days. Failure of the Board to act on the order shall constitute grounds for the applicant to petition the Superior Court as provided in RSA 676:4, I (c)
7. Before taking action on the Final plan, the Board may delegate one or more of its members, agents or employees to view the site and meet with the Applicant or Agent. The Board may also meet with other parties whose interest may be affected by the proposed subdivision.

5.05 Conditional Approval

The Board may grant conditional approval of an application, but the plat will not be signed or recorded until all of the conditions have been met. A further hearing is not required when such conditions:

1. Are administrative in nature
2. Involve no discretionary judgment on the part of the Board, or
3. Involve the applicant's possession of permits and approvals granted by other boards or agencies, such as the Department of Transportation, The Wetlands Board or Water Supply and Pollution Control Division.

A further public hearing will be required to demonstrate compliance with the terms of all other conditions pursuant to RSA 676:4, I (I)

5.06 Public Hearing

Prior to the approval of a subdivision, a public hearing shall be held as required by RSA:4, I(d) with notice given to the Applicant, abutters, and the public.

A public hearing shall not be required when the Board is considering or acting upon:

1. Lot line adjustments which do not create buildable lots, except that notice to abutters shall be given prior to approval of the application and any abutter may be heard on the application upon request; or
2. Disapprovals of applications based upon failure of the applicant to supply information required by the regulations, including abutters identification; or failure to meet reasonable deadlines established by the Board; or failure to pay costs of notice or other fees required by the Board.

5.07 Notice

1. Notice of Design Review Phase (See Attachment 4a) or submission of a Completed Application (See Attachment 4b) shall be given by the Board to the abutters and the Applicant by certified mail, mailed at least 910) days prior to the submission.
2. The public will be given notice at the same time, by posting at the Town Hall Bulletin Board, at the Main Street Post Office Bulleting Board and in the Littleton Courier or the Caledonian Record.
3. The notice shall give the date, time, and place of the Planning Board meeting at which the Application or other item(s) will be formally submitted to the Board. It shall also include a general description of the proposal which is to be considered, and shall identify the Applicant (s) and the location of the proposal. (See Attachment 4b)
4. If the notice for the public hearing was included in the Notice of Submission of Completed Application for Subdivision or in any prior notice, additional notice of the public hearing is not required. Additional notice is not required of an adjourned session of a hearing provided that the date, time and place of the adjourned session were made known at the prior meeting.

SECTION 6. Fees

- 6.01 Application and abutters fees as shown on the fee schedule in the form of a check made payable to the Town of Bethlehem shall accompany the application. Any and all costs in excess of the above-mentioned fees incurred by the Town in the review of the subdivision shall be paid by the applicant.

- 6.02 All costs of notices, whether mailed, posted, or published, shall be paid in advance by the Applicant. Failure to pay costs shall constitute valid grounds for the Board to terminate further consideration of the application and to disapprove the Plat without a public hearing.
- 6.03 Pursuant to RSA 676:4, I(g) it shall be the responsibility of the Applicant, if the Board deems it necessary, to pay reasonable fees for special investigative studies, environmental assessments, legal review of documents, administrative expenses and other matters which may be required to make an informed decision on a particular application. These fees and costs must be paid before the Board certifies approval of the application except as required by SECTION 5.03 (3) herein.
- 6.04 To aid the Board in determining if the application is complete the subdivision and lot line adjustment applications undergo a technical review by a person or group of people designated by the Planning Board. If the Board designates that a professional planner do the technical review then the Applicant shall be responsible for all fees associated with this review. The rate shall be \$25.00 per hour after the first 1.5 hours.
- 6.05 The Planning Board shall record all approved subdivision Plats with the Grafton County Register of Deeds. The applicant is responsible for the payment of all recording and other outstanding fees related to the subdivision application before the Board Chairman will sign the final plat.
- 6.06 Failure to pay fees and costs shall constitute valid grounds for the Board to terminate further consideration of the application and/or to disapprove the Plat without a public hearing.

SECTION 7 Plat Submission Requirements

7.01 Completed Application.

1 original mylar and 4 blueprint copies of the Plat shall be submitted on one or more 24’x 36” sheet (s)

The Plat shall be prepared and certified by a land surveyor registered in the State of New Hampshire. The certification shall appear on the plat in the following form:

“I hereby certify that this plan is based on deed research and an actual field survey and has a maximum error of closure 1 part in 10,000 on all property lines bordering the subject property.”

Date: _____

Licensed Land Surveyor SEAL

The plat shall be accompanied by:

- 1. A list of the names, addresses and tax map and lot numbers of the owner(s) and all abutters, as shown in the Town records not more than 5 days before the day of filing.
- 2. Payment to cover all filing fees, mailing ad advertising (see Section 6)
- 3. A copy of the Subdivision Application Checklist with all the appropriate categories in the applicant column checked off.

4. Additional reports or studies, as may be required by the Board (including but not limited to: traffic, school, fiscal and environmental impact analysis and legal reviews) to allow the Board to make an informed and educated decision concerning the proposal.

The plat shall include:

5. Proposed subdivision name or identifying title;
6. Name(s) and address(es) of the owner(s);
7. Graphic scale, north arrow and date of plat preparation;
8. A locus plat which centrally located the site under consideration and clearly identifies streets nearest the proposed subdivision;
9. A boundary survey of the entire lot showing bearings to the nearest minute and distances to nearest 0.01 feet on all property lines. A note shall state the deed and plan source(s) of such information. In the case of irregular boundaries, such as brooks, and in the case of non-tangential curves, the bearing and distance of tie lines and long chords, respectively shall be shown;
10. Acreage and tax map-parcel number of the site proposed to be subdivided, and the acreage, square footage and tax map-parcel number of each proposed parcel (shown at the property locations on the plat);
11. Ownership and location of abutting properties. Show where the boundary line of abutting properties abuts the site to be subdivided.
12. Zoning on and adjacent to the site. A zoning district line abutting a parcel proposed to be subdivided shall be clearly shown;
13. The location, length, width and changes in direction (with bearings and distances) of all existing and proposed rights-of-ways. The name(s) of all existing or proposed streets shall appear within the street right-of-way lines;
14. The location, length width and changes in direction (with bearings and distances) of all existing and proposed easements;
15. Location of all monuments existing and/or proposed. The type of monument shall be clearly indicated and whether it preexists, is to be set. See Section 8.02;
16. The location of all existing and proposed structures (including building lines), well and septic system sites, utility poles, tree lines of wooded areas, rock outcroppings, excavation and “borrow” pits, and other significant features;
17. The type and location of all existing and proposed surface water drainage;
18. The location of all existing and/or proposed utilities-water, gas, electricity, or other;
19. Within the Water and Sewer District – the type and location of all existing and/or proposed sanitary sewers showing their sizes, profiles and cross-sections; or, in areas outside the water and

sewer district – logs of test pits and percolation tests shall be provided as a separate document to the Board with their locations shown on the plan;

20. Existing and proposed topographic contour boundaries, at a maximum ten foot contour interval;
21. Soil groups and their limits according to Grafton County Soil Conservation Service. Soil group limits may be adjusted to conform with topography. Class 5 and 6 soil grouping shall be clearly labeled “poorly draining” or “very poorly draining” at their platted locations;
22. A soils/minimum lot size chart shall appear on the plat or on a submitted document (see Appendix B for example). The chart shall state the minimum lot size from the Bethlehem Zoning Ordinance and also show for each proposed lot:
 - a) The name of each individual soil group;
 - b) The square footages of each individual soil group;
 - c) The individual soil group minimum lot sizes set by W.S.P.C.D. Subsurface Regulations at WS 1004.03;
 - d) The minimum lot size per W.S.P.C.D. Subsurface Regulations (WS 1000 series);
 - e) A tabulation of on-site soil group square footages demonstrating that the proposed lot(s) meet or exceed W.S.P.C.D. Subsurface Regulations.
23. For all lots 5 acres or less in size located in areas outside of the Water and Sewer District, the Board shall require a written approval for subdivision from the Water Supply and Pollution Control Division. The W.S.P.C.D. subdivision approval number shall appear as a note on the Final Plan;
24. Proposed public or public access areas, if any;
25. Minimum building setback lines required by the Bethlehem Zoning Ordinances shall be drawn on all proposed new lots and other sites.
26. The following statement, reflecting the intent of Bethlehem Zoning Ordinance General Provision 14 (concerning minimum green space buffer setback lines) shall be cited as a note on all submitted plats:

“Excepting curbs/driveways, a green area shall enclose the entire lot perimeter. Its minimum width shall be 15 feet except where the green area abuts a public R.O.W. where it shall have minimum width of 30 feet.”
27. Location, size, planting and landscaping of such parks, esplanades other open spaces as may be proposed by the applicant or required by the Board.

SECTION 8. Design Standards

8.01 Drainage Standards

1. Where a subdivision is traversed by a watercourse, drainage-way, or where the Board feels that surface water drainage to be created by the subdivision should be controlled for the protection of the subdivision and owners of property abutting it, there shall be provided an easement or drainage rights-of-way and culverts, catch basins, or other means of channeling surface water

within such subdivision and over the property of owners abutting upon it of such nature, width, and location as the Board deems adequate;

2. Any natural drainage-ways and their easements shall be so incorporated that no flooding will occur and all storm water can be disposed of properly. (IV-A:6) ¹/₄ Adequate storm water drainage systems, independent of sanitary sewer systems, shall be provided that take into account potential runoff from the upstream drainage area and the effect upon existing downstream facilities. The minimum design criteria for all systems shall be 10-year storm and shall be constructed in accordance with standard engineering practices. The Board requires that storm water runoff from the property shall be at or less than predevelopment rates. ¹/₂

8.02 Monuments

1. Permanent monuments shall be set at all corners and angle points of the subdivision boundaries, and at all street intersections and points of curve. (IV-A: Design Standards, Monuments 1)

(Permanent reference monuments of stone or concrete (4" x 4" x 36" minimum with rebar set in center) shall be set at all rounding and angle points in the street lines. In addition, every lot has at least one front corner marked by a stone or concrete bound. All other lot corners shall be marked by a 1' diameter iron pipe or other material acceptable to the Board.)

2. Monuments shall be stone or concrete with a one-inch diameter metal pipe or rod at least two feet long set in the center, located in the ground as final grade level, and indicated on the Final Plat. (IV-A: Design Standards, Monuments 2)

8.03 Sidewalks

1. Sidewalks shall be installed at the expense of the Subdivider where the subdivision abuts or fronts onto a major street, and at such locations as the Board may deem necessary for pedestrian safety. (Rewritten from IV-A: Design Standards, Sidewalks 16)

8.04 Street Systems

1. Any proposed subdivision shall be so designated that every lot has access to a public, private or dedicated street. (IV-A:4)
2. The design of streets shall provide for proper continuation of streets from adjacent subdivisions and built up areas and proper projection of streets into adjacent subdivided and open spaces. (IV-A: Design Standards, Streets 5)
3. No street shall have a right-of-way width of less than 50 feet regardless of other provisions in this or other ordinances. (IV-A: Design Standard, Streets 6)
4. The following shall serve as a guide in determining the need for widths of streets in excess of 50 feet:

Local residential streets	50'0" R.O.W.
Collector streets	60'0" R.O.W.
Arterial streets	80'0" (plus) R.O.W.

(See attached table for recommended pavements types and widths)
(IV-A: Design Standards, Streets 7)

5. Grades of all streets shall be reasonable minimum but shall not be less than 1% or more than 8% unless specifically approved by the Board. (IV-A: Design Standards, Streets 8)
6. Streets shall intersect at right angles where possible but under no circumstances at an angle of less than 60 degrees. (IV-A: Design Standards, Street 9)
7. "T" intersections formed on opposite sides of the same collector street shall no be closer than 200 feet center line to center line. (IV-A: Design Standards, Streets 10)
8. Street lines at intersections hall be cut back to provide for curb radii of not less than 25 feet. (IV-A: Design Standards Streets 11)
9. Street intersections and curves shall be so designed as to permit adequate visibility for both pedestrians and vehicular traffic. Curves in general shall have a minimum centerline radius of 100 feet. (IV-A: Design Standards, Streets 12)
10. A dead-end street cul-de-sac shall not generally exceed 600 feet in length and shall be provided with a suitable turn around at the closed end. When a turning circle is used, it shall have a minimum outside radius of 65 feet. The closed end shall be either circular, T-shaped, or hammerhead design with the width and pavement type to be determined by the Board. (IV-A: Design Standards 13)
11. All roadways shall be constructed in accordance with the standard specifications for road and bridge construction, geometric design standard for rural roads as published by the State of New Hampshire Highway Department (See Appendix C).
12. No gravel roads shall be allowed. (IV-A: Design Standards, Streets 15)
13. Sight distances at intersections and at changes in grade shall be designed to be consistent with acceptable engineering standards. Sight distance calculations may be required when deemed necessary by the Board.
14. The centerline of all proposed streets shall show the stationing of the preliminary profiles.
15. No streets shall be constructed with a curvature of less than a 230 foot radius.
16. **Gravel Base:** All streets shall be constructed with a minimum of 12 inches of gravel per New Hampshire Standard Specifications, 1983, Section 304.
17. **Asphalt Surface:** The asphalt surface may be a Bituminous Surface Treatment or Hot Bituminous Pavement. The minimum width should be 20 feet for up to 300 vehicles per day, 22 feet for 300 to 600 vehicles per day and 24 feet for over 600 vehicles.
18. **Gravel Shoulders:** A four foot gravel shoulder, equal to the base course depth, shall be constructed adjacent to all 20, 22 and 24 foot asphalt surfaces.
19. **Bridges:** On stream crossings of 10 feet or more span, the structure shall be designed to HS-20 loading (AASHTO Specifications). The minimum road way width shall be 24 feet.

8.05 Street Signs

1. Streets, which join or are in alignment with streets of abutting or neighboring properties shall bear the same name. Names of new streets shall not duplicate nor bear phonetic resemblance to the names of existing streets within the municipality. (IV-A: Design Standards, Street Signs 3) The Applicant shall check the proposed street name with a list kept with the Planning Board Secretary to ensure that the proposed name is not an exact or phonetic duplicate. (Rewritten from IV-B:2(f))
2. Street name signs shall be furnished and installed by the subdivider. The type, size, and location shall be to the approval of the Board. (IV-A: Design Standards, Street Signs 4)

8.06 Utility System

1. The size, type and location of public utilities such as streetlights, electricity, telephones, gas lines, fire hydrants, etc., shall be approved by the Board and installed in accordance with local practice. (IV-A: 10)

2. Utilities shall be installed underground except as otherwise approved by the Board. (IV-A:11)
3. Appropriate on-site easements shall be required for all utilities required by an applicants subdivision design.

8.07 Water Supply and Sewage Disposal Systems

1. The subdivider shall file a bond in an amount sufficient to cover the cost of the preparation and extension of public water and/or public sewerage, if available. The bond shall be approved as to form and sureties by the legal counsel of the Town of Bethlehem and conditioned on the completion of such improvements within five years of the date of bond. (IV-A: Design Standards, Water Supply and Sewage Disposal 17)
2. In the areas not served by public water and sewer systems, it shall be the responsibility of the subdivider to prove that the area of each lot is adequate to permit the installation of individual on-lot water and sewage systems. (IV-A: Design Standards, Water Supply and Sewage Disposal 18)
3. The well and septic system shall be designed and installed in accordance with the standards of the N.H. Water Supply and Pollution Control Division. (IV-A: Design Standards, Water Supply and Sewage Disposal 19)
4. The applicant shall install sanitary sewers in any subdivision located within or near the Water and Sewer District of the Town (if required by the Board and/or the Water and Sewer District Commissioners). Such sanitary sewers shall be located within street rights-of –way unless topography dictates otherwise. When located in easements on private property, the subdivider shall deed access to the Town Water And Sewer District and shall identify the sanitary sewer easements on the Final Plan. The width and location of such easements shall receive the approval of the Water and Sewer District Commissioners. All plans and profiles associated with Water and Sewer District sanitary sewer lines shall receive the approval of the Water and Sewer District Commissioners before final Board approval.
5. Where a subdivision is traversed by a future sewer line there shall be provided an easement within such subdivision and over the property of owners abutting upon it of such nature, width, and location as the Board deems adequate. (IV-A: Design Standards, Water Supply and Sewage Disposal 20)

SECTION 9. Performance Guarantees

9.01 Required Improvements

The following are required improvements:

Monuments, street signs, streets, sidewalks, underground power, water supply, Sewage disposal and storm drainage, except where the Board may waive or vary such improvements in accordance with the provisions of this ordinance (IV-A: 9)

Section 10. Performance Guarantees

10.01 Requirements

1. The applicant shall file with the Planning Board, before the certifies the approved Final Plat, a performance guarantee in an amount sufficient to assure that the full cost of the on-site, and the subdivider's share of all off-site, improvements required by the subdivision shall be met.
2. Improvements shall mean the furnishing, installing, connecting and completing (to the Town's satisfaction) all streets, roads, driveways, parking, drainage, utilities and other necessary improvements required by the Planning Board.
3. The performance guarantee shall be in the form of cash, a certified check, bond or irrevocable letter of credit – all payable to the Town of Bethlehem.
4. The condition and amount of the performance guarantee shall be determined by the Planning Board with the advice of the various municipal Boards, departments and agencies concerned. Cost escalation factors may be applied by the Planning Board to any performance guarantee but shall not exceed 10 percent per year.
5. All on and of-site improvements shall be completed within two (2) years of the date the Planning Board approves and certifies the Subdivision Final Plat.
6. The applicant may seek, in writing, an extension of time (12 months maximum) to the performance guarantee. The Planning Board may, if the applicant demonstrates good cause for such extension (and after consulting with other interested municipal Boards, officials agencies or legal council) recommend to the Board of Selectmen approval of such extension.
7. 7.If the Board finds that the developer has not:
 - a. Installed improvements satisfactorily, or
 - b. Has not completed those improvements within the approved time of completion, or
 - c. Has not maintained those improvements in a satisfactorily condition,

The Board may provide notice to the developer and may take such further action or make such use of the performance guarantee as may be appropriate in the judgment of the Board to complete those improvements.

8. The performance guarantee may be related, in whole or in part, following notice from relevant Town Departments or agencies that required improvements have been installed in a satisfactory manner. Partial performance guarantee released will be considered following receipt and approval of a revised estimate of the cost of the remaining improvements.

SECTION 11. Construction of Subdivision

11.01 Modification of Design

If, at any time before or during the construction of required on or off-site improvements, it is demonstrated to the Board's satisfaction that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the Board may (but shall not be required to) authorize such modifications.

11.02 Notification of Commencement of Improvements

The subdivider shall, at least five (5) days prior to commencing construction of any required on or off-site improvements, notify the Board of Selectmen in writing of the date they propose to commence construction.

11.03 Proper Installation of Improvements

1. The subdivider shall notify the Board of Selectmen in writing when it believes that construction of any improvements have been completed.
2. If the Board of Selectmen determines, upon inspection and testing, that any required on or off-site improvements has not been completed in accordance with the plat or other plans or specifications filed by the applicant and required and approved by the Planning Board the Board of Selectmen shall notify the subdivider in writing of such deficiency.
3. The subdivider shall rectify all deficiencies at their own expense and bear all cost for municipal inspection.
4. If the subdivider does not rectify all deficiencies within sixty (60) days of receipt of such notice, the Board of Selectmen shall notify the subdivider's bonding company or agent of the default and may order all further construction work and sales to stop.

SECTION 12. Administration and Enforcement

12.01 Administration

These regulations shall be administered by the Planning Board

12.02 Enforcement

The enforcement of these regulations is vested with the Board of Selectmen.

12.03 Modification of Subdivision Regulations

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

12.04 Penalties and Fines

Any violations of these regulations shall be subject to a civil fine as provided in RSA 676:17, as amended. The Board of Selectmen is designated as the local authorities to institute appropriate action under the provisions of RSA 676:17.

SECTION 13. Compliance with Other Provisions

Any proposed subdivision shall be in conformity with the provisions of all pertinent State and local codes and ordinances.

SECTION 14. Conflicting Provisions

Where any conflict between these Subdivision Regulations and other Bethlehem codes and ordinances appear stricter provision (s) shall apply.

SECTION 15. Validity

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

SECTION 16 Amendments

1. These regulations may be amended by the Planning Board following a public hearing the proposed change(s), certified by a majority of the Board, will be filed with the municipal clerk.
2. A copy of any amendments to these regulations shall also be filed with the Office of State Planning in Concord, New Hampshire (RSA 675:9).

SECTION 17. Attachments

The following attachments are incorporated into the Subdivision Regulations:

Attachment 1. Application for Subdivision of Land/Checklist

Attachment 2. Request for Preapplication Review

Attachment 3. Receipt of Completed Application

Attachment 4. Notices Submission of Completed Application

Attachment 5. Notice of Decision

- a. Approval
- b. Disapproval

Supersedes: 5/7/03

December 4, 2003

New Hampshire Department of Transportation Suggested Minimum Design Standards for Rural Subdivision Streets

These are suggested minimum design standards to be followed in the absence of local subdivision controls. Every effort should be made to exceed these minimums whenever possible. The circumstance of topography and other physical factors may require an occasional exception to these standards; however, the Selectmen should exercise reasonable judgment before granting such variations.

1. **GENERAL STREET PLAN**: Approval of the general development street plan should be required before allowing the construction of small integral phases of the plan.
2. **STREET LAYOUT**: Streets shall be laid out so as to intersect at right angles as nearly as possible and no street shall intersect another at less than 60 degrees. Streets shall be continuous and in alignment with existing streets as far as possible.
3. **DEAD-END STREETS**: Dead-end streets, designed to be so permanently, shall not be longer than 300m (1,000 ft.) and shall be provided with a turn around having an outside roadway diameter of at least 30 m (100 ft.).
4. **STREET NAMES**: All streets shall be named to comply with the provisions of the “Enhanced 911 System” (RSA 106-H:10,I; RSA 106-H:7, VII).
5. **RIGHT-OF-WAY**: The minimum width of right-of-way shall be 15.5 m (50 ft). A greater width may be required for arterial and collector streets.
6. **HIGHWAY RIGHT-OF-WAY BOUNDS**: Highway bounds, of a type approved by the Board of Selectmen, shall be installed at all intersection of streets, at all points of change in direction and at any other points the Board may deem necessary to designate the street lines.
7. **ALIGNMENT**: No streets shall be constructed with a curvature of less than a 30 m (100 ft.) radius.
8. **GRADES**: Street grades, where feasible, shall not exceed 10 percent, nor shall any be less than 0.50 percent. Special care shall be taken to provide flat grades at all intersections.
9. **CONSTRUCTION SUPERVISION**: Construction of the roadway, drainage facilities, sidewalks, curbs and all other elements of the highway must be done under the supervision of and with the approval of the Board of Selectmen.
10. **CLEARING**: The entire area of each street shall be cleared of all stumps, brush, roots, boulders, and like material, and all trees not intended for preservation.
11. **SUBGRADE PREPARATION**: All loam, humus and unsuitable material such as, but not limited to, stumps, vegetation, demolition debris, and structures shall be removed from the roadway and replaced with suitable fill material. All boulders and ledge shall be removed to a uniform cross sectional depth of not less than 300 mm (12 in.) below the subgrade and replaced with sand or gravel.
12. **DRAINAGE**: Surface water shall be disposed of by means of culverts of sufficient capacity at water courses as determined by standard hydraulic design methods and by the construction of

longitudinal storm drainage systems whenever required to relieve water in the ditch sections. Construction shall be in accordance with New Hampshire Standard Specifications, 2002, Sections 603, 604 and 605.

13. **GRAVEL BASE:** All streets shall be constructed with a minimum of 300 mm (12 in.) of gravel per New Hampshire Standard Specifications, 2002, Section 304.
14. **ASPHALT SURFACE:** The asphalt surface may be a Bituminous Surface Treatment, Section 410 or Hot Bituminous Pavement, Section 403 of the New Hampshire Standard Specifications, 2002, as required by the Selectmen. The minimum traveled way width should be 6.0 m (20 ft.) for 51 to 750 vehicles per day, 6.6 m (22 ft.) for 751 to 1,500 vehicles per day and, 7.2 (24 ft.) for roads carrying over 1,501 vehicles. A 13.2 m (44 ft.) wide pavement may be required in areas where on-street parking is expected on both sides of the travel way. Angle parking shall not be allowed.
15. **GRAVEL SURFACE:** In unusual cases of low traffic volumes (up to 50 vehicles per day) where the Selectmen feel an asphalt surface is not required, the total usable roadway width shall be a minimum of 6.6 m (22 ft.). Provision for a wider section should be considered to allow for future upgrading to an asphalt surface as recommended above.
16. **GRAVEL SHOULDERS:** Gravel shoulders, equal to the base course depth, shall be constructed adjacent to all asphalt traveled way surfaces as follows: 51-200 vpd. 0.6 m (2.0 ft.); 201-1,500 vpd. 1.2 m, (4 ft.); over 1,500 vpd. 2.4 – 3.0 m (8-10 ft.).
17. **BRIDGES:** Bridges, as defined by State Law (RSA 234:2), are all structures of 3.048 m (10.0 ft.) or greater clear span, and shall be designed to MS-18 (HS-20) loading (AASHTO Specifications). The minimum roadway width shall be 7.2 m (24 ft.).
18. **SIDEWALKS:** Sidewalks of 50 mm (2 in.) thick asphalt, on a 100 mm (4 in.) gravel base, not less than 1.5 m (5 ft.) in width and no closer than 6.6 m (22 ft.) to the street centerline shall be constructed on one or both sides of the street, as directed by the Board of Selectmen, when in the opinion of the Board such sidewalks are necessary.
19. **WETLANDS:** Any work that requires impacts (fill, dredge, excavation, etc.) on wetlands or other jurisdictional areas (stream banks, undisturbed tidal buffer zones, etc.) requires coordination with the Department of Environmental Services Water Division (271-3503) to ensure that all applicable rules and regulations are adhered to.
20. **EROSION CONTROL:** A Site Specific permit is required from NHDES (271-3503) whenever a project proposes to disturb more than 100,000 square feet of terrain (50,000 sq. ft. if within the protected shoreland), and as of March 10, 2003, construction activity that disturbs 1 or more acre of land needs a Federal storm water permit (contact EPA at 617-918-1615).. Selection and design of erosion control measures may be found in the publication “Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire”, prepared by the Rockingham County Conservation District for the New Hampshire Department of Environmental Services, August 1992 (currently being updated).
21. **ENVIRONMENTAL IMPACTS:** Environmental documentation may also be required to address the natural, socio-economic, and cultural resource impacts. Contact N.H. Department of Environmental Services (271-2975) and N.H. Division of Historic Resources (271-3483) for assistance.
22. **UTILITIES:** Utility poles should be kept close to the right-of-way line, in no case closer than the ditch line and always well back of a curb. Water and sewer mains should be constructed outside the surface area and preferable outside the ditch line.
23. **SAFETY:** Safety is an important factor on all roadway improvements. On development roads it may not be possible or practical to obtain obstacle-free roadsides but every effort should be made to provide clear areas within the maintenance limits. The use of flatter slopes, the use of guardrail where necessary and the use of warnings signs are other safety factors to be considered. These areas are addressed in the publication “Roadside Design Guide” by AASHTO, 2002.
24. **MINIMUM STANDARDS:** The use of more liberal values than these minimum standards is recommended. For additional guidance and design of local development roads and streets,

reference should be made to the American Association of State Highways and Transportation Officials, "Guidelines for Geometric Design of Very Low-Volume Roads" 2001, and "Policy of Geometric Design of Highways and Streets" 2001.

PLANNING BOARD

Date _____

TOWN OF BETHLEHEM

PO Box 189

Bethlehem, NH 03574

SUBDIVISION REVIEW CHECKLIST

Owner's Name _____	File # _____
Address _____	Minor _____ Major _____
	Lot Line Adjustment _____
Agent's Name _____	Tax Map & Parcel # _____
Address _____	

Preliminary	Consultation	and	Review	(date	and	comments)
_____	_____		_____	_____		_____

Compliance with Zoning Ordinance and other Town regulations ? _____

Application Steps

Please indicate type of application:

- ___ Preliminary Layout Review for Major Subdivision
- ___ Completed Application for Minor Subdivision
- ___ Completed Application for Major Subdivision
- ___ Lot Line Adjustment or Boundary Agreement
- ___ File 15 days prior to regular board meeting on _____.
- ___ with name (s) and address (es) of applicant;
- ___ with name (s) and address (es) of abutters; and
- ___ check for mailing and advertising costs and application fee.
- ___ copies of Preliminary Layout or Final Plat, as required for particular application (use attached lists to review maps for completeness).
- ___ Submission is complete and 10-day notice sent to abutters, applicant and public on _____.
- ___ Submission is incomplete and applicant so notified on _____.
- ___ Board meets to accept application on _____.
- ___ Board schedules site visit for _____.
- ___ Waived for Preliminary Consultation and Review _____.
- ___ Final Approval with any conditions, bond, or land dedications, given by Board on _____.
- ___ Written notice sent to application, if disapproved.

SUBMISSION REQUIREMENTS

Please check items if present; write N/A, of not applicable; or waived, if not required.

PRELIMINARY LAYOUT; REQUIRED FOR EARLY REVIEW OR A MAJOR SUBDIVISION.

3 Copies of maps at a scale not smaller than 1 inch to 100 feet.

Site Survey Map with:

- name of subdivision
- name and address of owner
- name and address of sub divider
- name and address of surveyor/engineer
- date
- north arrow
- scale
- name and address of abutters
- natural features
- percentage of site in fields and in woods
- property lines
- existing buildings
- historic sites and structures
- existing streets with names or route designations
- floodplain land should include:
 - base flood elevation data
 - floodways (s)
 - flood hazard (100 year) area
- size of site (in acres) with number of acres in Village District and
- topographic contours
- watercourses (year round and seasonal)
- wells/municipal water sources within 150 ft of site
- wetlands
- soils

Site Location Map drawn at a larger scale and shown on the Site Survey or Proposed Subdivision Map with:

- tax map and parcel number
- zoning classification, minimum lot size (s) and frontage (s)
- size of site (in acres)
- existing streets with names and route designations

Proposed Subdivision Plan with:

- buildings to remain

- ___ deed restrictions
- ___ preliminary drainage plan
- ___ easements
- ___ future subdivision proposals (on same site)
- ___ lot lines
- ___ soils and groundwater test pits
- ___ open space
- ___ percolation test locations and data
- ___ approvals and comments (Federal, State and Local)
- ___ preliminary road-cross sections
- ___ preliminary road profiles
- ___ setback lines
- ___ proposed streets/roads with:
 - locations
 - names
 - right-of-way widths
- ___ water mains and other utilities (preliminary)
- ___ overlays or special investigative studies to be required

NOTES:

FINAL PLAT; REQUIRED FOR MINOR AND MAJOR SUBDIVISIONS; SEE NEXT SHEET FOR REQUIREMENTS FOR MINOR LOT LINE ADJUSTMENTS.

3 paper copies and one mylar, no smaller than 24" x 36"

___ all items described in Preliminary Layout, except that the drainage, road plans, water and other utilities shall be final

In addition:

- ___ bearings and distances of entire property and lot lines
- ___ lot areas in square feet or acres
- ___ lots numbered in accordance with town tax map policy

Statements to be shown on the plat:

- ___ Subdivision Regulation compliance
- ___ Street responsibility
- ___ Private Road (could be combined with above)

Documents to be submitted:

- ___ Confidential statement of applicant's financial condition
- ___ Estimate of costs of required improvements
- ___ WSPCC Subdivision Approval
- ___ State driveway permit
- ___ Legal Documents for homeowners' association or other arrangements for property and utility management

Notes:

MAJOR SUBDIVISIONS: 2 MEMBERS OF THE PLANNING BOARD AND 1 SELECTMAN WILL CONDUCT A SITE INSPECTION AND REPORT TO THE BOARD.

FINAL PLAT FOR MINOR LOT LINE ADJUSTMENT OR BOUNDARY AGREEMENT

3 copies and one mylar, no smaller than 24" x 36"

- ____ names and addresses of all owners of land involved
- ____ names and addresses of all abutters
- ____ existing buildings, streets, rights of way, streams and easements
- ____ lot areas and dimensions
- ____ natural features in the vicinity or the affected land
- ____ name, address and seal of surveyor or engineer
- ____ a small location map indicating parcels in relation to major streets and intersections, the tax sheet and parcel numbers and the zoning district.
- ____ Subdivision Regulation compliance statement

The undersigned sub divider understands that the Bethlehem Planning Board must have on file a completed application as outlined in its subdivision regulations fifteen (15) days prior to a regularly scheduled meeting of the Board and that once the Board accepts the completed application at a regularly scheduled meeting, it has ninety (90) days to approve or disapprove the completed application subject to extension or waive as provided in accordance with RSA 36:23.

All applications are conditioned upon the owner allowing access to the property to the Board to the extent reasonable and necessary for getting information to review the application.

Signature of applicant or agent