Stratford New Hampshire

Subdivision Regulations

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Stratford Subdivision Regulations

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Authority:

Pursuant to the authority vested in the Stratford Planning Board (Board) by the voters of the Town of Stratford, New Hampshire, and in accordance with the provisions of Chapter 674, Sections 35-42, NH Revised Statutes Annotated, the Board adopts the following regulations governing the subdivision of land in the Town of Stratford, New Hampshire (Town). These regulations shall apply to subdivisions [RSA 672:14], mergers [RSA 674:39-a], and lot line adjustments [RSA 672:14].

Purpose:

The purposes of these regulations, in accordance with the Town Master Plan, are: (1) to promote the harmonious development of a resilient and environmentally sound community for current and future residents; (2) to provide uniform procedures and standards for the Board and subdivision applicants; (3) to provide against any scattered or premature subdivision of land that could involve danger or injury to health, safety, prosperity, or the natural environment including, but not limited to, by reason of inadequate availability of potable water supply, sewerage, drainage, transportation, schools, fire protection or other such services, or that could necessitate the excessive expenditure of public funds for the supply of such services [RSA 674:36].

Procedures:

Applications

The Board recommends that the applicant utilize at least one of the following two reviews before filing a final application for subdivision.

Preliminary Conceptual Consultation Phase:

Prior to submitting a subdivision application, an applicant may request a meeting with the Board for an informal conceptual discussion. Such discussions shall be held without formal public notice, but only at a regular business meeting of the Board. At that meeting, only unsurveyed sketches showing a general overview of the proposal are permitted. This conceptual discussion shall neither bind the applicant nor the Board [RSA 676:4 II (a)]. It shall be limited to discussions of the proposed development in general terms.

Design Review Phase

This phase is also optional and is made available by the Board in order to save expense and unnecessary changes later on. A design review phase shall bind neither the applicant nor the Board.

The applicant may request that the Board review preliminary plans for a proposed subdivision. Requests for review of preliminary plans shall be made to the Board only at a regularly scheduled business meeting prior to the business meeting when the review will take place. Three (3) copies of a preliminary map and a subdivision application shall be submitted to the Board and should show substantially the same information as the final map. However, dimensions may be approximate and data may be tentative. The preliminary map should be sufficiently clear to establish the basis of, and to clarify the design requirements for, the subdivision final map. Maps shall be at a scale of 1:1200 unless an exception is granted by the Board. The Board shall give public notice [RSA 676:4, I (d)], at the applicant's expense, to abutters; holders of conservation, preservation, or agricultural preservation easements; and the general public of the preliminary review [RSA 676:4 II (b)]. The Board shall accept testimony in person or in writing from the applicant, any abutter, or any other person.

Final Application:

Following the submission of a subdivision final application, the Board shall review the application for completeness at its next scheduled business meeting for which the required notice can be provided. If the application is determined to be complete, the Board shall by affirmative motion accept the application as complete relative to the jurisdiction of the Board [RSA 676:4 i(b)] and begin formal consideration of the application. If the Board finds the application to be incomplete, the applicant shall be notified of the deficiencies in writing. The Board may reject an application with no further action based upon failure to supply information required by the regulations, failure to meet reasonable deadlines established by the Board, or failure to pay cost of notice or other fees required by the Board. An application shall not be considered incomplete solely because it is dependent upon the submission of an application to, or the issuance of permits or approvals from, other state or federal bodies.

The Board will approve, conditionally approve, or disapprove the final subdivision map within 65 days after formal acceptance of the application as complete [RSA 676:4, I(b)(i)]. A conditional approval shall become final without further public hearing upon certification to the Board of compliance with any and all conditions imposed, provided that such conditions are as stated in RSA 676:4 I (i). All other conditions require a public hearing.

The Board may apply to the Select Board for an extension not to exceed an additional 90 days before acting to approve or disapprove a subdivision map [RSA 676:4, C(f). The applicant may waive the requirement for Board action within the time periods specified in RSA 676:4 and consent to such extension as may be mutually agreeable.

The approval of a final map shall be attested on the original Mylar and 3 paper copies of the map by the signatures of a legal majority of the members of the Board. In case of disapproval of any application or plan submitted to the Board, the grounds for such disapproval shall be adequately stated in the records of the Board. The recording of a map without the approval required by these regulations is void.

Submission Requirements for Final Application

The final application shall be filed with the Board on the appropriate form only at a regularly scheduled business meeting prior to the business meeting when review of the final application will take place.

Refundable and non-refundable application fees are a required part of the completed application. Additional reasonable fees may be imposed by the Board to cover the costs of special investigative studies, review of documents, and other matters which may be required by particular applications [RSA 676:4, I(g)]. Throughout the application process the Board may consult with engineers, architects, soil scientists, attorneys, planners, Town officials, or others, at the expense of the applicant. The following items, if applicable, are to be submitted with the final application and, as indicated below, be included on the proposed subdivision map:

- Payment for all application fees in accordance with the Board's current fee schedule.
- Notarized authorization(s) from the owner(s) of the lot proposed for subdivision if the applicant is not the sole owner.
- Copies of the deeds and all easements and deed restrictions for the lot or lots proposed for subdivision.
- All abutter names and addresses of record, taken from Town records not more than 5 days before the day of filing the application with the Board.
- Names and addresses of all easement holders, including, but not limited to, conservation, preservation, or agricultural preservation restrictions.
- Any required Town, State, or Federal permits that have been received at the time of application.
- Plans for stormwater management and erosion control.
- Plans for roads.
- Engineering reports for roads, sewage and stormwater management, potable water supply, erosion control, and any other reports or studies deemed necessary by the Board to make an informed decision. The Board reserves the right to request such information at any time prior to approval.
- One mylar original subdivision map that satisfies all requirements of RSA 478:1-a, the Coös County Registry of Deeds and, where not in conflict, the below listed requirements for paper copies.

- Three paper copies of the subdivision map, equal to the mylar in size, that clearly define the proposed subdivision and include the following:
- Name of the subdivision.
- Owner(s) name(s) and address(es) and, if not the owner, the applicant name and address.
- Address(es), license number(s), and seal(s) of all surveyors and engineers whose names appear on the map.
- Plan date and all revision dates.
- A scale bar, which shall be 1:1200 unless approved otherwise by the Board.
- Locus map that clearly shows the location of the proposed subdivision within the town.
- North Arrow
- Signature block for the Board with lines for five signatures.
- All current lots identified with tax map numbers, lot numbers, and owner names.
- All current easements identified with holders' names.
- All proposed lot and easement boundaries including bearings, horizontal distances, and the location of permanent monuments; curved boundary lines shall show radii, deltas, and horizontal arc lengths.
- Location of existing and proposed buildings and other structures.
- Location of all areas designated for public use.
- Non-buildable lots must be so labeled.
- Locations, dimensions, and descriptions of all existing or proposed roads, easements, and rights-of-way with names and classifications.
- Final profiles and cross sections of all roads and driveway entrances showing existing and proposed grades.
- Sight distances at intersections.
- Location, width, and design of proposed driveway entrances.
- Existing and proposed surface drainage culverts, drains and areas subject to flooding.

- Base flood elevation data.
- Existing and proposed topographic contours based on current USGS topographical data in 5 foot or less intervals.
- Slopes greater than 25%.
- Location of all existing and proposed utilities.
- Location of all existing and proposed water sources.
- Location and description of natural features, including, but not limited to, rock ledges, wetlands, permanent and seasonal water courses, and tree lines.
- Soils and wetlands delineation; soil conditions must be identified per NRCS soil types and soil boundaries.
- Location of all existing and/or proposed sanitary sewers showing size, profile and cross section or location of percolation tests and test results; certification of official witnessing the tests.
- Locations of proposed and existing potable water wells showing protective well radii appropriate for the respective design flows for each well. No protected area around a potable water well shall cross any lot boundary line.
- Any special conditions or other requirements made at the Board's discretion must be shown.
- All surveys, control points, and boundary information shall be based on the current NH State Grid Coordinate System and be prepared according to the standards of the N.H. Land Surveyors Association and the Coös County Registry of Deeds.

Determination of Regional Impact:

Upon receipt of an application for subdivision, the Board shall determine whether or not the subdivision could reasonably be construed as having the potential for impact beyond the boundaries of Stratford [RSA 36:56]. This regional impact could result from a number of factors, including, but not limited to, the following:

- relative size, or number of lots, or dwelling units compared with existing stock;
- transportation networks;
- proximity to the borders of a neighboring community;
- anticipated emissions such as light, noise, smoke, odors or particles;
- proximity to aquifers or surface waters which transcend municipal boundaries;
- shared facilities such as schools and solid waste disposal facilities.

The Board may reference the North Country Council's most recent regional impact guidelines. If the Board finds that regional impact is uncertain, the Board shall assume that a regional impact will result. Upon determination that a proposed development has a potential regional impact, the Board shall afford the regional planning commission and the affected municipalities the status of abutters [RSA 672:3] for the limited purpose of providing notice and giving testimony [RSA 672:3]. Not more than 5 business days after reaching a decision regarding that a development is of regional impact, the Board shall, by certified mail, furnish the regional planning commission and the affected municipalities with copies of the minutes of the meeting at which the decision was made. The Board shall, at the same time, submit an initial set of plans to the regional planning commission, the cost of which shall be borne by the applicant. At least fourteen (14) days prior to the public hearing, the Board shall notify, by certified mail, all affected municipalities and the regional planning commission of the date, time and place of the hearing and the right to testify [RSA 36:57].

Consent to On-Site Inspection:

By filing a final application, the applicant consents to on-site inspection of the property by individual Board members and agents at reasonable times and in a reasonable manner. Such consent also includes permission for a duly noticed public meeting of the Board, as it may deem necessary, open to attendance by abutters, the public, and other interested parties. The Board may also require that lot corners, the centerlines of proposed roads, the perimeters of wetlands, the locations of other natural features, and the locations of such other features as may be deemed to need identification be staked or flagged prior to such inspection.

The on-site visit and final action on the final application may be postponed until no later than May 20th following the acceptance of the application if, in the reasonable opinion of the Board, winter conditions prohibit making a proper inspection and evaluation of the site.

Should the applicant refuse any on-site inspection, the board may deny the application without prejudice. This does not exclude the applicant from submitting any subdivision application in the future.

Voluntary Merger:

Any two (2) or more contiguous lots may be voluntarily merged with the approval of the Board. The Board shall approve such requests if they comply with the requirements of RSA 674:39-a, and do not create a violation of current Town ordinances or regulations. Applications shall be submitted during a regularly scheduled business meeting of the Board. An application for a voluntary merger shall not require notice to the general public or a public hearing. Submission of the final application and approval may take place at the same meeting. A notice of the merger, endorsed in writing by the Board, shall be filed for recording in the Coös County Registry of Deeds, and a copy mailed to the town's assessing officials. No such merged lot shall thereafter be separately transferred without subdivision approval.

If there is a mortgage on any of the lots, the applicant shall give written notice to each mortgage holder at the time of application. The written consent of each mortgage holder shall be required as a condition of approval of the merger and shall be recorded with the notice of the merger. The town will not be liable for any deficiency in the notice to mortgage holders.

Merger approval must be signed by the Planning Board by April 1st to take effect during that tax year.

Lot Line Adjustments:

A lot line adjustment may be made with the approval of the Board and shall not create a new buildable lot [674:4 I(e)(1)]. The applicant shall submit a

completed application, including all required fees, and one (1) original Mylar map and three (3) paper copies as above. Applications shall be submitted only during a regularly scheduled business meeting of the Board. An application for a lot line adjustment shall not require notice to the general public or a public hearing, but will require notice to all abutters, holders of conservation, preservation, or agricultural preservation restrictions, or other easement holders. Submission of the final application and approval may take place at the same meeting provided that notice has been given to the abutters and easement holders who may be heard upon request.

Notice:

Notice to the applicant, abutters and the public shall be given as follows: The Board shall notify the abutters and the applicant by certified mail, return receipt requested, of the date upon which the application will be formally submitted to the Board. Notice shall also be provided to holders of conservation, preservation, or agricultural preservation restrictions, and every engineer, architect, land surveyor, or soil scientist whose professional seal appears on the map. For proposals in which any structure or building site will be within 500 feet of the top of the bank of any lake, pond, river or stream, notice shall also be given to the NHDES Dam Bureau pursuant to RSA 676:4 I.(d)(2).

Notice shall be mailed at least 10 days prior to the business meeting when the Board will review the application for completeness. Notice to the general public shall also be given at the same time by posting in at least two public places and publication in a newspaper of general circulation. The notice shall include a general description of the proposal which is the subject of the application and shall identify the applicant and the location of the proposal.

The same notice as required above shall be given for any public hearing on the final application. If notice of a public hearing was included in the notice of submission or any other prior notice, additional notice is not required. No additional notice shall be required for reconvening an adjourned hearing if the date, time and place of reconvening was made known at the prior adjournment.

These standards and requirements are intended to ensure that the interests of the applicant, future property owners, abutters, and the Town are fulfilled by providing consistent guidelines for all parties involved.

Waiver:

Where the Board determines by majority vote that strict conformity to these subdivision regulations would pose an unnecessary hardship to the applicant and a waiver will not be contrary to the spirit and intent of these

regulations, or specific circumstances relative to the subdivision, or if conditions of the land in such subdivision indicate that the waiver will properly carry out the spirit and intent of the regulations, the Board may waive, or modify certain requirements of these regulations [RSA 674:36,II(n)]. The basis for any waiver granted by the Board shall be recorded in the minutes of the Board.

General Considerations:

Every proposed subdivision shall conform to the provisions of all pertinent State and local codes and ordinances as well as these subdivision regulations. If an applicant does not fully understand the regulations, it is the applicant's responsibility to seek the advice and counsel of qualified persons.

No applicant proposing a subdivision that will create lots on which sewage or other waste may be discharged may disturb the land proposed to be subdivided in any way until the final Map has been recorded at the Coös County Registry of Deeds. This does not preclude preliminary surveys, inspections, and testing that may be necessary to evaluate the land and assemble information, providing that the natural state of the land is only minimally disturbed [RSA 485-A:32 I and III].

No lot shall be subdivided, nor is any proposed lot in any subdivision to be sold, leased, transferred, or developed until an applicant has obtained final approval of the subdivision map and the final subdivision map has been recorded at the Coös County Registry of Deeds. Any such transfer or sale shall incur a civil penalty of $1000.00 for each lot so transferred or sold [RSA Chapter 676:16].

The Board may set higher requirements with respect to any regulation if conditions warrant such action in order to prevent a specifically identified hazard to public health, safety or welfare, or if they otherwise conflict with the stated purpose of these regulations or the Town's Master Plan.

Land of such character that it cannot be reasonably used for the erection of buildings in accordance with these regulations and the Town's Master Plan or because of any threat to safety, health, and prosperity of any individual or to the Town will not be accepted as part of a proposed subdivision, but may be used, subject to approval by the Board and other pertinent authorities, for open space purposes. Land that shall be considered unsuitable includes, but is not limited to, wetlands, land susceptible to flooding, slopes greater than 25%, land with unsuitable soils, or land necessary for the protection of drinking water.

The Board may require that a proposed subdivision preserve such features as trees, streams, topography and other natural assets, such as open space.

Historical areas and structures shall be preserved. No topsoil shall be removed from the subdivision site.

The Board may require the dedication of land in a subdivision for playgrounds, parks, walking trails, open space, or recreational uses [RSA 674:36 II (d), (f), and (g)]. The land so dedicated shall be a contiguous lot acceptable to the Board and may not be further subdivided.

The benefits and advantages of cluster housing are well understood and shall be encouraged by the Board to foster the more efficient use of land for development.

Lots that are excessively narrow or oddly shaped will not generally be accepted by the Board.

The following National Flood Insurance Requirements for Subdivision and Site Plan Review Regulations shall apply.

For subdivisions and site plans that involve land designated as "Special Flood Hazard Areas" (SFHA) by the National Flood Insurance Program (NFIP):

A. The Planning Board shall review the proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

B. 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).

C. 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:

   (i) all such proposals are consistent with the need to minimize flood damage;

   (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and,

   (iii) adequate drainage is provided so as to reduce exposure to flood hazards.

D. **National Flood Insurance Requirements for Subdivision and Site Plan Review Regulations**

(The language below must be included in the Subdivision Regulations and Site Plan Review Regulations of communities that participate in the National Flood Insurance Program:)

For subdivisions and site plans that involve land designated as "Special Flood Hazard Areas" (SFHA) by the National Flood Insurance Program (NFIP):

(i) 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.

(ii) 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).

(iii) 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:

(i) all such proposals are consistent with the need to minimize flood damage;

(ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and,

(iii) adequate drainage is provided so as to reduce exposure to flood hazards.

Roads:

All proposed subdivisions shall be designed so that every lot has a minimum frontage of 200 feet on a road maintained by the Town or State, or a private road constructed or upgraded according to the specifications outlined in "New Hampshire Department of Transportation Suggested Minimum Design Standards for Rural Subdivision Streets", current version, and the standards contained in these regulations and approved by the Board. No subdivision which requires any future maintenance by the Town of a Class VI Town road shall be approved. The design provisions of RSA 236:13 and 14, "Driveways and other Accesses to the Public Way", shall apply to accesses to all Town roads.

Construction plans for all roads and road accesses within the newly subdivided lots must accompany the subdivision application. A road construction performance bond may be required by the Board.

The applicant shall establish an entity (e.g. homeowners association) having the responsibility and financial substance to ensure adequate all-year maintenance and repair of all proposed roads, or make other such provisions as are satisfactory to the Board. Adequate provisions will include all portions of private roads, driveways, sidewalks, and associated drainage facilities in such fashion that access and drainage facilities do not incur additional Town road maintenance costs. Board approval of a private road does not constitute any future Town acceptance of the road.

Where access is to be provided to multiple lots or sites via a private road, a statement shall be added to the recorded map and included in each deed requiring each lot, unit, or site owner to be responsible for a proportionate share of the total cost to upgrade the private road(s) to Town road standards in the event the Town chooses to conditionally lay out the private road as a Town road [RSA 231:28-33]. The total cost of the upgrades shall include, but is not limited to, construction, engineering, right of way and drainage easements, and relocation of utilities.

If the Board determines that the proposed subdivision will adversely affect existing public facilities such as highways and drainage so as to be inadequate to meet the additional needs created by the proposed subdivision, then the applicant shall pay for such upgrading of the public facilities but only to the extent necessary to protect the public interest [RSA 674:21, V(j)]. If other properties would also benefit from the upgrading of such off-site public improvements, the Board shall determine the amount to be paid by the applicant, taking into consideration the character of the area, the extent that other public and private property will be benefited by the upgrading, and any other factor that the Board deems appropriate to establish a rational connection to the needs created by the subdivision and the amount to be paid by the applicant.

The proposed new lots of a subdivision shall be laid out in such a manner that there is a 50 foot right of way retained to allow the connection of each abutting lot to the proposed subdivision's road network. No road shall have a right-of-way width of less than 50 feet regardless of other provisions in this or other ordinances.

Grades of all new roads shall not be less than 0.5% or more than 8% unless specifically approved by the Board.

Roads shall intersect at right angles where possible but under no circumstances at an angle of less than 60 degrees. "T" intersections formed on opposite sides of the same collector road shall not be closer than 200

feet center line to center line. The outside travel surface of all intersections shall have a radius of not less than 25 feet.

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 center line radius of 100 feet.

The Board may require that subdivision roads include a grade separated lane for pedestrians and cyclists that, at a minimum, meets State standards.

Any proposed road adjacent to existing lots of record shall not change or degrade any such lot nor cause a reduction in its value.

The Board shall not approve the creation of dead end roads if there is any reasonable opportunity to otherwise lay out roads in a proposed subdivision.

Water, Sewer and Other Utilities:

The applicant shall install utilities in the right-of-way of all subdivision roads and laterals to the property line of each building lot. All such utility system installations shall be at the expense of the applicant and shall be installed in accordance with all applicable State, Local, and utility company regulations.

Any roadway and outdoor lighting installed by the applicant shall be compatible with current Town roadway lighting.

The Board may require the extension of Town water and/or sewer to and within a proposed subdivision that shall be at the expense of the applicant and without cost to the Town where, in the sole judgement of the Board, existing lines are within a reasonable distance of the proposed subdivision.

Any common sewer or common water supply system shall be designed and installed in accordance with New Hampshire State regulations.

If either Town water or Town sewer are not available, it shall be the responsibility of the applicant to provide adequate information to prove that the area of each lot is adequate to permit the installation and operation of an individual sewage disposal system (septic tank and drainage field) and/or an individual potable water system. A report establishing adequacy in accordance with existing State regulations shall be provided. A certified professional shall locate the best location of each private sewerage and potable water system and shall submit a typical design for each system also in accordance with State regulations.

Stormwater Treatment and Erosion Control:

The proposed subdivision shall be designed to minimize and treat stormwater runoff and prevent erosion. The applicant shall submit a stormwater management and erosion control plan when one or more of the following conditions are proposed:

- A cumulative disturbed area exceeding 20,000 square feet.
- Construction of a road.
- A subdivision involving three or more lots, or three or more dwelling units.
- The disturbance of critical areas, such as slopes over 25%, wetlands, seasonal or year-round water courses, fluvial erosion hazard areas, or floodplains.

All stormwater management and erosion control measures in the plan shall adhere to the "New Hampshire Stormwater Manual," current edition, published by NHDES. The applicant shall bear final responsibility for the installation, construction, and establishment of provisions for ongoing maintenance of all stormwater and erosion control measures required by the Board. Final approval will not be granted until the plan and a mechanism for ensuring ongoing maintenance are approved by the Board. Drainage easements may be required where drainage will flow or increase in volume across subdivision lots or abutting properties.

Adequate measures to prevent soil erosion shall be taken during construction. Such measures may include, but are not limited to, maintenance of vegetative cover or slopes, seeding of road shoulders and embankments, construction of settlement basins and temporary dams, and the use of hay bales, silt fences, and other temporary measures. Fractured stone shall be provided in ditches where soil or velocity conditions warrant protection from erosion.

Condominiums:

In addition to the information otherwise required to be filed pursuant to these regulations, an applicant who is seeking approval of a condominium shall also file at the time of an application copies of the Condominium Declaration, the Condominium Bylaws, the Condominium Site Plan, and the Condominium Floor Plan.

Where applicable, the applicant must present evidence of filing of Application for Registration of the condominium with the New Hampshire Attorney General.

Whenever any existing developed property is proposed for conversion to condominium or time sharing ownership, and before any building is altered for this purpose, the owner or his agent shall apply for and secure approval of such proposed subdivision from the Board [RSA 672:14].

Performance Bond:

The applicant shall file with the Board a restoration plan, and establish a performance bond in an amount determined by the Board to be at least sufficient to defray all expenses that may be incurred to complete a proposed subdivision, or restore it to its original condition should the applicant fail to complete all required improvements within two (2) years, or if erosion and sedimentation controls during construction are not maintained in accordance with the approved plan, or if the applicant creates unauthorized disturbances, or if the Board determines that the site has been abandoned. This bond shall be issued by a Surety Company acceptable to the Board. The bond shall be established prior to altering the natural state of the land.

The Board may recommend a maximum extension of twelve (12) months to the guaranteed performance period when the applicant can demonstrate, to the satisfaction of the Board and other interested officials or agencies, good cause for such extension.

Before an applicant shall be released from the obligation required by a performance guarantee, the agencies and independent professionals concerned shall certify that all improvements have been satisfactorily completed in accordance with the requirements of the subdivision application.

Appeals:

A Board decision concerning a map or subdivision may be appealed by petition to the Superior Court [RSA 677:15].

Amendments:

These regulations may be amended or rescinded by the Board following a public hearing on the proposed change. The Chair or Secretary of the Board shall transmit a record of any changes to the Coös County Registry of Deeds and to the Stratford Town Clerk.

Severability

In any case where a provision of these regulations is found to be in conflict with a provision of any other ordinance or code of the municipality existing on the effective date of these regulations, the provision which establishes the higher standard for the promotion and protection of health and safety shall prevail.

The invalidity of any section, subsection, paragraph, sentence, clause, phrase or word of these regulations shall not be held to invalidate any other section, subsection, paragraph, sentence, clause, phrase, or word of these regulations and to this end the provisions of these regulations are hereby declared to be severable.

Appendix

Definitions

- Abutter:
  Any owner or owners of record, or holder of a conservation easement on any property that adjoins, is directly across any stream, body of water, public way or is within 60 meters (197 feet) of land under consideration for subdivision; for projects of regional impact, the North Country Council and the municipalities adjoining Stratford; for purposes of submitting testimony, but not requiring notification, the term "abutter" shall include any person or organization able to demonstrate a direct impact from the proposed subdivision.

- Applicant:
  The owner(s) of record, or agent duly authorized in writing, demonstrating an intent to subdivide.

- Board:
  The Town of Stratford Planning Board.

- Buildable Land:
  All land except that which is defined or described as Unsuitable for Subdivision or Building Purposes in these Regulations.

- Cluster Development:
  Development designed to minimize the sprawl and isolation of widely dispersed dwellings, thus promoting community interactions and the preservation of contiguous natural areas.

- Condominium:
  Any multi-unit, group, or clustered development, wherein units are individually owned, but open space and group facilities are held in common ownership. Condominiums shall be considered a subdivision of land as outlined in RSA; 479-A, and reviewed accordingly.

- Final Application:
  The application for subdivision approved by the Board as complete.

- Final Map:
  The mylar copy of the subdivision map as approved by the Board and registered at the Coös County Registry of Deeds.

- Lot line adjustment
  Exchanges of land or the moving of a common boundary between two adjacent lots that does not create a buildable lot.

- Map:
  Any plat, plan, or drawing depicting the layout of a proposed or final subdivision.

- Road:
  Any public or private way used for the transportation of goods and/or people.

- Scattered Development:
  Any development that is significantly isolated from the community and is difficult, dangerous and/or costly for the provision of safety, protection, and other public services.

- Subdivided Lot:
  A lot of sufficient area in its given location that it is suitable and appropriate for residential or commercial development.

- Subdivision:
  Means the division of a lot, tract, or parcel of land into two or more lots, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. Voluntary lot mergers and lot line adjustments are subdivisions. It includes re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The division of a lot of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision under this title. The grant of an easement in gross to a public utility for the purpose of placing and maintaining overhead and underground facilities necessary for its transmission or distribution network such as poles, wires, cable, conduit, manholes, repeaters and supporting apparatus, including any 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.

- Town:
  The Town of Stratford, New Hampshire.