

SECTION 9. DESIGN STANDARDS AND REQUIRED IMPROVEMENTS

9.01 Street and Road Standards

- (1) Proposed street patterns shall give due consideration to contours and natural features. Where required by the Board, provision shall be made for the extension of the street pattern to abutting undeveloped property. Every proposed street in a subdivision shall be laid out and constructed as required by these regulations and the Board of Selectmen "Road Design and Construction Standards".
- (2) Where a subdivision abuts an existing street or road with an inadequate alignment, or right-of-way width, the subdivision plat shall include in the street dedication all land needed to meet the standards required by these regulations, and as approved by the Board.
- (3) Permanent dead-end streets shall terminate in a hammerhead or turn-around (See options at Appendix).
- (4) Except where it is impracticable, because of the character of the land, streets shall intersect so that within seventy-five (75) feet of the intersection the street lines are at right angles. No structure or planting shall impair corner visibility.
- (5) The plan of any proposed subdivision shall show all work required to connect and complete the improvements and utilities between the proposed street pattern and any connecting street in an existing subdivision.
- (6) All streets shall be constructed, and all bridges, culverts, drainage structures, storm sewers, gutters, drainage ditches, and other improvements required by the subdivision plat and accompanying documents, shall be installed in conformance with the standards and specifications adopted by the Board and the Board of Selectmen "Road Design and Construction Standards," as may be amended from time to time by the Board of Selectmen.
- (7) The Board may modify the maximum and minimum gradient for short lengths of streets where in its judgment, existing topographic conditions or the preservation of natural features indicate that such modification will result in the best subdivision of the land.
- (8) The Board may modify the required width of right-of-way where in its judgment, the demands of present or future traffic make it desirable or where topographic conditions create need for greater width for grading, or where topographic conditions indicate narrowing is desirable.
- (9) All subdivision plans (concerning access to any roadway in town) shall indicate the location of the driveway, entrance, exit or approach and the safe sight distance for each access point.

9.02 Private Roads and Driveways

Private roads with a minimum right-of-way width of fifty (50) feet may be permitted within a subdivision, in the discretion of the Board, provided the following conditions are met:

- (1) The final plat shall specify in bold type that such a road is private; that the Town of Jackson shall have no obligation to maintain and repair such private road; that the Town of Jackson shall not be obligated to provide any services to the subdivision which require the use of such private road, unless the Town vehicle providing the service is able to pass safely over such private road; that the maintenance and repair of such private road shall be borne by the subdivider or an association of the owners abutting such road or, in default of such obligation by the subdivider or association, by the individual owners; and that the private road shall not become a Town road unless and until it shall meet the road standards of the Town of Jackson then existing.

(2) All private roads and driveways must be constructed to comply with standards set by the State of New Hampshire and the Town of Jackson.

(a) Vehicle access to all lots shall be from a public right of way by a private road or by one or more driveways.

(b) The location and design of private roads and driveways shall minimize traffic hazards

(c) When a proposed private road or driveway is accessed from a State road, the applicant is also responsible for obtaining the approval and necessary permits from NHDOT. The applicant shall submit a copy of the permit with the application for a building permit or land subdivision.

(d) All private roads and driveways shall be designed to accommodate prospective traffic and to meet requirements of the Zoning Ordinance and any additional requirements of the Fire Department.

(e) Construction of driveways across or in steep slope areas (20% or greater) shall not result in excess sedimentation, erosion or the creation of a watercourse, where one did not previously exist, onto neighboring or town property.

(3) The deed to each lot, parcel or tract within the subdivision shall contain the same restrictions set forth in Section 9.02(1) which shall run with the land. A copy of such deed containing the restrictions shall be submitted to the Board prior to approval of the final plat.

(4) A statement of the responsibility for the maintenance and repair of the private road shall be delivered to the Board. In the case of the subdivider such a statement must specify the responsibility in the event of the sale of the development, bankruptcy or other default by it. In the case of the association of the land owners, a copy of the Articles of Association shall be submitted to the Board. Such statement, including the Articles of Association, shall specify that in no event shall the Town have any obligation with respect to such private road unless and until it meets the road standards of the Town of Jackson then existing and the road is accepted by the Town.

9.03 Pedestrian Walks

Where necessary, in the judgment of the Board, rights-of-way for pedestrian travel and access may be required between subdivisions or its parts, or between a subdivision and private property.

9.04 Stormwater Drainage and Erosion/Sediment Control

(1) An adequate surface storm water drainage system for the entire subdivision area shall be provided. Storm drainage shall be carried to existing watercourses, or connect to existing storm drains. If the storm water drainage system creates any additional flow over any adjacent property, the subdivider shall obtain an easement thereof from the adjacent property owner and shall hold the Town harmless from any claims for damage resulting therefrom.

(2) No natural drainage way will be obstructed unless adequate means are taken to provide for the runoff.

(3) No water shall be permitted to run across the street on the surface but shall be directed into catch basins, or otherwise into ditches, and shall be piped underground in a pipe not less than 18 inches in diameter, or such size as may be deemed necessary by the Board in consideration of the characteristics of the runoff potential in the drainage area.

(4) All stormwater management and erosion control measures in the plan shall adhere to the "Erosion and Sediment Control Design Handbook for Developing Areas of New Hampshire", published by the Rockingham County Conservation District, and the "Model Stormwater Management and Erosion Control Regulation", by the NH Association of Conservation

Districts, Water Quality Committee.

(5) Paving or stone shall be provided in ditches where soil or velocity conditions warrant protection from erosion.

(6) Adequate measures to prevent soil erosion shall be taken during road construction and lotclearing. Such measures may include but not be limited to: maintenance of vegetative cover on steep slopes, seeding of road shoulders and embankments, construction of settlement basins and temporary dams.

9.05 Utilities

(1) The subdivider shall install laterals from all utilities in the street right-of-way to the street property line of each building lot.

(2) All such utility system installations shall be at the expense of the subdivider and shall be installed under the supervision of the appropriate Town agency.

9.06 Easements

(1) All subdivisions with frontage on bodies of water shall provide up to 30 foot easements at suitable intervals for access of fire fighting equipment to said bodies of water which shall be used for no other purpose or provide a letter from the Jackson Fire Chief stating that such easement(s) are not necessary. The Town shall have the right to remove obstructions from said easements and to improve them for the purpose intended. In areas remote from access to water, fire ponds, dry hydrants and other fire protection facilities shall be furnished by the subdivider, if deemed necessary by the Board. Such easements and facilities shall be installed according to specifications of the Fire Chief in conformance with appropriate codes and maintained by the developer subject to inspections by the Fire Department.

(2) The Board may require open spaces (not to exceed 15% of the total area of the subdivision) suitably located for recreational purposes and of appropriate area and physical characteristics for this use. Areas set aside for parks and playgrounds to be dedicated or to be reserved for the common use of all property owners by a covenant in the deed whether or not required by the Board, shall be of reasonable size and character for neighborhood playgrounds or other recreational uses.

(3) Utility company easements may contain wording about the right of utility companies to remove all structures or obstructions found within the transmission strip. Consequently, the subdivider should indicate locations of such easements on the submitted plat, and forward to the said utility companies copies of proposed subdivision plans. All such utility system installations shall be shown on the submitted plat.

9.07 Open Space Design

(1) In the case of cluster subdivision, open space shall not be less in area than as provided in the Zoning Ordinance of the Town of Jackson. Areas of open space shall have sufficient legal restrictions recorded in the Town's land records to assure permanence of use as open space. Open space land in private ownership shall be deeded in such a way that will assure operation or maintenance of the land in an orderly manner suitable for the purpose intended.

(2) Due regard shall be given to preservation and protection of existing features, trees, scenic points and other natural and historic resources within the subdivision. Existing trees on lots and open space land shall be preserved wherever feasible, or unless otherwise directed by the Board.

(3) On land to be used as active recreational open space undesirable growth and debris shall be removed. Where practical, wooded and brook areas shall be left natural; active recreation open spaces shall be graded properly to dispose of surface water, and shall be seeded to prevent

erosion. There shall be no depositing, dumping or storage of waste, or other natural or man-made material, supplies, or equipment, on any subdivision land designated as open space without specific approval of the board.

(4) If allowed in the Zoning Ordinance of the Town of Jackson, a subdivision plat may be designed for cluster or planned unit development, provided all requirements of these and such regulations within the Zoning Ordinance are met. Clustering of housing units may be permitted and is encouraged for the preservation of open space, to promote more efficient use of land and to provide flexibility in subdivision design. Where clustering of multiple dwelling units is permitted, the minimum lot size shall be as determined by the Board as based upon the character of the land involved, the type of housing proposed and other pertinent factors. The total area in the subdivision must still equal the minimum lot size requirements as designated by the Zoning Ordinance of the Town of Jackson. The area which has not been built upon shall be consolidated into an open space. All other requirements of a conventional subdivision layout and all requirements of the Subdivision Regulations will be met.

9.08 Monuments

(1) A permanent control monument shall be installed at the beginning of the subdivision, and shall be referenced to the nearest USGS survey benchmark or other permanent point of reference.

(2) Permanent monuments shall be installed at all other points, where, in the opinion of the Board, such monuments are desirable. All permanent monuments shall be set by a registered land surveyor.

9.09 Flood Plain Land

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

(2) All subdivision proposals and other proposed new developments shall include Base Flood Elevation (BFE) data within such proposals (i.e., flood plain boundary and 100-year flood elevation).

(3) All subdivision proposals for land within the boundaries of the flood hazard area identified by the Federal Flood Insurance Administration for the Town of Jackson, NH, dated July 2, 1979, and any additions, amendments or revisions thereto shall comply with the following provisions:

(a) All proposals shall be consistent with the need to minimize flood damage;

(b) All public utilities and facilities, such as sewer, gas electrical, or water systems shall be located, elevated, and constructed to minimize or eliminate flood hazards;

(c) Adequate drainage shall be provided so as to reduce exposure to flood hazards;

(d) All new or replacement water supply systems and/or sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems shall be located so as to avoid impairment of them or contamination from them during flooding.

9.10 Conversions to Condominiums Or Time Sharing Units

(1) Whenever any existing developed property is proposed for conversion to condominium or time sharing ownership and before any building permit is issued for the alteration of such building, the owner or his agent shall apply for and secure approval of such proposed subdivision from the Board.

- (2) The subdivider shall submit for approval a Completed Application.
- (3) Existing subsurface sewage disposal facilities, as a minimum, shall meet current construction design regulations as set by the New Hampshire Department of Environmental Services. The Board may require, if in its judgment the nature and/or complexity of the proposed conversion and in consideration of the topography and soils within the area, additional requirements to protect the health and welfare of the Town, now and in the future.
- (4) An inspection of the existing sewage disposal system and a detailed diagram showing type, extent, and location of the system, certified by a registered/licensed professional sanitary engineer indicating that the system is adequate for its intended and proposed use shall be furnished to the Board.
- (5) Drinking water supplies from groundwater shall be protected by restricting land use and prohibiting all activity detrimental to water quality and quantity, including sewer, sewage or waste disposal systems, within the protective well radii based upon the average daily demand on the system as required by the Water Supply and Pollution Control Division of the New Hampshire Department of Environmental Services.
- (6) The responsibility for maintenance, operation, replacement and protection of the water supply and sewage disposal systems shall be clearly established as that of the subdivider or association of owners, or in default of such obligation by the subdivider or association, by the individual owners and a statement to this effect shall appear in the condominium or time sharing agreement. The deed to each condominium or time sharing unit shall contain these restrictions which shall run with the land. In the case of the subdivider such statement must specify the responsibility in the event of sale of the development, bankruptcy or other default by it. In the case of an association of land owners, a copy of the Articles of Association shall be submitted to the Board. Such statement of responsibility including Articles of Association, shall specify that in no event shall the town have any obligation for maintenance, operation, replacement or protection of the water supply and sewage disposal systems.