TOWN OF EAST KINGSTON, NEW HAMPSHIRE

LAND SUBDIVISION REGULATIONS

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          January 18, 1996
          January 16, 1997
          January 30, 1997
          December, 1997
          January, 1998
          October, 1998
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SUBDIVISION REGULATIONS
TOWN OF EAST KINGSTON, N.H.

SECTION I - AUTHORITY

Pursuant to the authority vested in the East Kingston Planning Board by the voters of the Town of East Kingston and in accordance with the provisions of Chapter 36, Sections 19 - 29, N.H. Revised Statutes Annotated, the East Kingston Planning Board adopts the following regulations governing the subdivision of land in the Town of East Kingston, New Hampshire.

Application

Whenever any subdivision is proposed to be made and before any contract for the sale of, or offer to sell, such subdivision or any part thereof shall have been negotiated and before any application for a permit for the erection of structure thereon shall be made, the owner thereof or his agent (agent to be designated by the owner in writing to the Board) shall apply in writing to the Planning Board of the Town of East Kingston for approval of such subdivision. The application shall conform to the specifications contained in these regulations. (Amended 1/99)

Minor lot line adjustments which do not create additional lots or increase the development potential of a lot require subdivision application and approval in the same manner as ordinary subdivisions, except that a public hearing shall not be required. However, notice to abutters shall be given prior to approval and any abutter may be heard on the application upon request. (RSA 676:4, 1 (e)(1)). (Amended 3/02)

SECTION II – TITLE (Added 11/21/02)

These regulations shall be known, and may be cited, as the Town of East Kingston “Subdivision Regulations”, hereinafter referred to as “Subdivision Regulation” or “Regulations”. The current set of Regulations revise and replace any prior Subdivision Regulations, as amended, and take effect upon adoption by the Board, and filing with the Town Clerk of the Town of East Kingston, in accordance with RSA 675:6. A copy shall also be filled with the New Hampshire Office of State Planning (NHOSP) in accordance with RSA 675:9.

SECTION III – PURPOSE AND INTENT (Added 11/21/02)

Consistent with the enabling legislation cited above, the purpose of these Regulations are to ensure that the subdivision of land is consistent with the enumerated purposes of RSA 674:36, as amended, which are incorporated by reference herein, and that all subdivision and development shall be consistent with the following purposes:

A. Subdivision of land and development shall not be “scattered or premature” as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, sewage, transportation, schools or other public services and/or which would require excessive expenditure(s) of public funds for the supply of such services. (See Section V for additional detail)
B. Proposed streets shall be properly arranged and coordinated in relation to other existing or planned streets.

C. Subdivision and development shall be harmonious with the Town and its environs. Developments must contribute to a rational and safe transportation system, provision of appropriate recreational opportunities, and must not be inconsistent with the recommendations of the East Kingston Master Plan.

D. Subdivision of land and development shall be provided with adequate services and utilities.

E. Suitably located streets shall be required of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air, and access for fire-fighting apparatus and equipment to buildings, and be coordinated so as to compose a convenient system. Subdivision of land and development shall promote and not harm the public’s health, safety, and welfare.

F. Subdivision of land shall provide for simple and accurate deed descriptions and maintain Tax Map integrity.

SECTION IV – JURISDICTION (Added 11/21/02)

These provisions shall govern all subdivision of land within the Town of East Kingston. The Board shall require the submission of plans and application and board approval prior to the transfer, sale, lease or rent of lots or any other portion of a subdivision of land; before construction, land clearing or building development is begun; and furthermore, prior to any plat or plan showing the subdivision of land is recorded at the Rockingham County Registry of Deeds.

In all cases, no building permit shall be issued by the Building Inspector for the construction of any building on land subject to these regulations, until final approval is granted by the Board, and no certificate of occupancy shall be issued until the terms and conditions of the Board’s subdivision approval have been fulfilled.

SECTION V – DEFINITIONS

A. AVERAGE AREA means the total acreage of the property, exclusive of very poorly drained soils, divided by the total number of proposed lots. (Added 12/16/99)

B. BEDROCK within 18 inches of the soil surface meets the definition either of lithic or paralithic material. At least 75 percent of delineated areas must meet this definition with no more than 15 percent of the area having soil properties more limiting (i.e., hydric conditions). (Site-Specific Soil Mapping Standards for New Hampshire and Vermont, SSSNNE Special Publication No. 3, June, 1999, pp 6-7). (Added 12/19/99)

C. BOARD means the Planning Board of the Town of East Kingston.

D. ENGINEER means the duly designated engineer of the Town of East Kingston or if there is no such official, the planning consultant or official assigned by the East Kingston Planning Board.
E. INDURATED means a rock or soil hardened or consolidated by pressure, cementation, or heat. (Dictionary of Geological Terms, Bates and Jackson, 1984). (Added 12/16/99)

F. LIMITING PHYSICAL FEATURES means rock outcrops, steep slopes > 35%, soils with bedrock within 18 inches of the soil surface, and very poorly drained areas. (Adopted 11/99)

G. LITHIC MATERIAL means unaltered material that is continuous, coherent, and indurated. The material qualifies for an “R” designation as a master layer (USDA Soil Survey Manual, 1993, pg. 121). Plant and tree roots cannot enter except in cracks. Hand digging with a spade is impractical. Some lithic material can be ripped with heavy power equipment. The material must be in a strongly cemented or more cemented rupture-resistance class. Granite, quartzite, and indurated limestone or sandstone are examples. (Keys to Soil Taxonomy, Eighth Edition, 1998, pg.32). (Added 12/16/99)

H. NON-LIMITING means the area, exclusive of very poorly drained soils, rock outcrops, bedrock within 18 inches of the soil surface, and soils with steep slopes greater than 35 percent. (Adopted 11/99)

I. PARALITHIC MATERIAL means a relatively unaltered material that has an extremely weakly cemented to moderately cemented rupture-resistance class. The material qualifies for a “Cr” designation as a subordinate distinction within a master soil layer (USDA Soil Survey Manual, 1993, pg.124). Cementation or bulk density are such that the plant and tree roots cannot enter except in cracks. The material can be hand dug with a spade with much difficulty. Commonly these materials consist of weathered or weakly consolidated bedrock. (Keys to Soil Taxonomy, Eighth Edition, 1993, pg.32). This further defines one of the taxonomic terms used to define bedrock. (Added 12/16/99)

J. PEDON means a description of a small three-dimensional area of soil that is typical of the soil series in the county. (Added 12/16/99)

K. PLAT means the final map, drawing or chart on which the subdivider’s plan of subdivision is presented to the East Kingston Planning Board for approval, and which, if approved, will be submitted to the Register of Deeds of Rockingham County for recording.

L. SOILS SURFACE refers to the top of the first mineral layer.

M. STREET means and includes street, avenue, boulevard, road, or highway and does not mean driveway or right-of-ways.

N. SUBDIVIDER means an individual, firm, association, syndicate, partnership, corporation, trust, or any other legal entity (or agent therefore) that undertakes the activities governed by these regulations. Inasmuch as the subdivision plat is merely a necessary means to the end of assuring a satisfactory development, the term "subdivider" is intended to include the term "builder," "developer," "contractor," or any other such person participating in developing the whole or any part of a subdivision, even though the persons involved in successive stages of the subdivision may vary.
O. **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 subdivided. The division of a parcel of land held in common and subsequently divided into parts among the several owners, shall be deemed a subdivision under this chapter.

**SECTION VI - PROCEDURE  (Deleted 10/98)**

A. Any action(s) taken under these regulations requires documented proof of the action(s), including verification in writing by the entity, board, or person. This written document shall be addressed to the entity, board, or person requiring said proof and signed by a duly authorized person of the entity, and on the entity’s letterhead. The written document shall clearly state the action(s) taken, as well as the result(s) achieved from said action(s). *(Added 11/16/06)*

**SECTION VII - GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND**

The subdivider shall observe the following general requirements and principles of land subdivisions:

A. Lots shall be formed to meet reasonable standards of design and procedures for subdivision, in order to further the orderly layout and use of land to ensure proper legal descriptions and monumenting of subdivided land, and promote clarity of ownership. *(Added 11/21/02)*

Subdivision design should reflect the basic elements of sound development to preserve the character of the land and lots that are practicable and easily identifiable by property owners and town officials. To the maximum extent possible, all newly created lots shall be rectangular in nature. At no point shall any lot be narrower than one hundred twenty-five feet (125’). *(Added 11/21/02)*

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

C. No street or highway right-of-way shall be less than 50 feet in width (Amended 1/96) and may be required to be more if a greater street width is warranted in the opinion of the Board. The apportioning of the street widths among roadway, sidewalks, and possible grass strips shall be subject to the approval of the Board. Reference should be made to the typical roadway section included herein.

D. Dead-end or cul-de-sac streets shall not exceed 1,000 feet in length measured from the intersection with existing road to the end of said street (including the diameter of the cul-de-sac). All such streets shall be equipped with a turn-around roadway at the closed end in accordance with Appendix D.

E. In no case shall a single access street, from an existing State or Town road, serve more than 20 units. *(Amended 5/89)* Elderly housing developments are exempt from this requirement. *(Amended 1/18/01)*
F. Each building lot shall have its own driveway accessing onto a street or highway according to State and Town regulations. Driveways shall be set back at least ten feet from abutting property lines. (Adopted 12/97) In order to prevent driveway runoff from entering the roadway, a negative 2% slope from an existing or proposed Town road shall be provided before driveway slope begins. (Amended 1/96)

G. Reserve strips of land which, in the opinion of the Planning Board, show an intent on the part of the subdivider to control access to land dedicated or to be dedicated to public use shall not be permitted.

H. Where the Planning Board judges it necessary, the applicant shall provide 50 foot right-of-ways to adjacent parcels to provide access or for possible future connections. (Amended 1/96)

I. Intersecting property lines at street intersections shall be joined by a curve of at least 20 foot radius.

J. Grades of all streets shall conform in general to the terrain and shall, so far as practicable, not exceed 5% for minor streets and 3% for major streets unless the Board for good cause shown allows a greater grade. No street shall have a grade of less than \( \frac{1}{2} \) of 1%.

K. Land of such character that it cannot be used for building purposes because of exceptional danger to health or peril from fire, flood, or other menace shall not be not platted for residential occupancy or commercial use. (Adopted prior to 5/76) (Amended 9/06)

L. Steep slopes are described in the East Kingston Master Plan Natural Resources Chapter Section 7. SLOPE (1995, and as amended). All development, and its associated infrastructure requirements, is prohibited on slopes of 15% or greater. The construction of roadways is prohibited on slopes 10% or greater. (Added 9/06)

M. Areas set aside for parks and playgrounds to be dedicated or to be reserved for the common use of all property owners by covenant in the deed, whether or not required by the Board, shall be of reasonable size and character for neighborhood playgrounds or other recreational use.

N. 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 name of existing streets within the Town of East Kingston.

O. In areas not currently served by public sewer systems, it shall be the responsibility of the subdivider or his agent 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 drain field). Such information shall consist of the report of the health officer regarding seepage and other tests he may require and approval for subdivision must be obtained from New Hampshire Department of Environmental Services Water Division. The subdivider or his agent shall be required to provide the necessary equipment and labor for the making of these tests. (Amended 12/18/03)

P. Pavement and drainage facilities, curbs and sidewalks, when required, shall be installed and constructed in accordance with the standard specifications of the Town of East Kingston and in all cases must be constructed under the supervision of the Engineer.
Q. Before approval of a subdivision by the Planning Board, there shall be filed a bond by the subdivider in an amount sufficient to cover the cost of the preparation of the streets and the extension of public water and sewer lines if available. This bond shall be approved as to form and sureties by the legal counsel of the Town of East Kingston and conditioned on the completion of such improvement within five years of the date of bond.

All fees and charges due the Town in connection with the subdivision or lot line adjustment including, but not limited to, reviews and inspection by Town Counsel, Town Engineer, Rockingham Planning Commission Senior Planner, Fire Department, Building Inspector, and administrative costs incurred by the Town on the applicant’s behalf, shall be fully discharged by the applicant. If the subdivision or lot line adjustment is approved by the Planning Board, the applicant may then apply for a building permit. No building permit shall be issued until all fees and charges incurred to date are paid in full by the applicant, and final approval of the subdivision or lot line adjustment by the Planning Board is granted. (Added 12/18/03)

Fees and charges incurred by either the Town or from another agency after a subdivision or lot line adjustment approval, recording with the Rockingham County Registry of Deeds, and/or issuance of a building permit shall be borne by the applicant, and discharged upon receipt of an invoice describing the fees or charges. (Added 12/18/03)

R. The proposed subdivision shall conform to the Zoning Ordinance of the Town of East Kingston. Where strict conformity to the Subdivision Regulations would cause undue hardship or injustice to the owner of the land, a subdivision plan substantially in conformity with Regulations may be approved by the Board provided that the spirit of the Regulations and public convenience and welfare will not be adversely affected.

S. Adequate fire protection shall be provided for all subdivisions, subject to review and approval of the Town Fire Chief or his Deputy. Measures may include, but shall not be limited to cisterns, fire ponds, and dry hydrants. (Added 12/87)

A home sprinkler system may be permitted as an alternative fire protection requirement, provided it is approved by the Fire Department and the Planning Board. (Added 3/10/09)

1. Any subdivision creating two (2) new lots* shall be exempt from the requirement to provide fire protection so long as the following conditions are met:

   a. The new lots are intended for residential development. Commercial and light industrial uses of any newly created lots, as well as lots of record, shall comply with current fire protection requirements as described by ordinance and regulation.

   b. The final subdivision plan and individual lot deeds shall be recorded with the following note (or substantially similar language that has been approved by the Planning Board):

       “ANY FURTHER SUBDIVISION OF EITHER OF THE TWO, NEWLY CREATED LOTS SHALL NECESSITATE THE INSTALLATION OF AN APPROVED FIRE PROTECTION SOURCE IN ACCORDANCE WITH CURRENT ORDINANCE AND REGULATION REQUIREMENTS.”
Note: A single lot of any size subdivided into two lots constitutes two (2) new lots for purposes
of this regulation, regardless of the individual lot acreages resulting there from. (Amended 8/06)

T. Fire Protection Requirements  (Added 11/13/08)
(Replaces Fire Pond Hydrant Installation and Cistern Requirements)

All subdivisions shall construct a suitable water supply for fire protection by means of fire
ponds or fire cisterns or fire wells, with associated dry hydrants, that provide a minimum of
30,000 gallons of usable water, capable of drafting at a continuous rate of 1,000 gallons per
minutes; located within a truck travel distance of 2,600 feet of the front entrance of the farthest
dwelling unit of the subdivision.

“Useable water” shall be defined as the amount of water from the water supply source capable
of being drafted through its associated dry hydrant at all times of the year and all weather
conditions such as, but not limited to: drought conditions and ice formation. Useable water
shall be calculated after subtracting three (3) feet from the bottom of the water supply source
for strainer installation, silt buildup, and whirlpool action due to low water level and three (3)
feet from the top to account for severe winter conditions such as ice. Fire cisterns may reduce
these limits if engineering design, approved by the Fire Chief, provide adequate drafting
capabilities.

A suitable water supply shall be installed in accordance with NFPA 1142 Standard on Water
Supplies for Suburban and Rural Fire Fighting and:

1. All installers of suitable water supply sources:
   a. Shall provide the Fire Department with two (2) copies of engineered plans,
      affixed with the registered Engineer’s stamp, which shall contain elevators, total
      water capacity, usable water volume as defined above, and detailed hydrant,
      piping and other appliance installation and a third stamped copy approved by
      signature of the Fire Chief shall be provided to the Planning Board,
   b. Shall not begin construction of said suitable water supply until said plans are
      approved by the Fire Chief and Planning Board,
   c. Shall be responsible for the complete filling and maintenance of the suitable
      water supply until the Fire Chief has accepted the installation,
   d. Shall provide an asphalt approach twelve (12) feet wide and forty (40) feet long
      parallel to the roadway sufficient enough to bear East Kingston Fire Department
      (EKPD) fire apparatus and so located for easy access to dry hydrants and fill
      piping,
   e. Shall install two (2) 3-foot high and 3-inch diameter concrete filled steel posts
      located two (2) feet in front of all hydrants, six (6) feet apart, one on each side
      of said hydrant, and placed in a twelve (12) inch diameter by twenty-four (24)
      inch deep concrete anchor, and painted with a color approved by the Fire Chief
      for visibility.
f. Shall not allow more than a 90-degree angle along any portion of any piping assembly flowing water nor allow more than a combined 180-degree angle throughout the entire length of any piping assembly;

2. All dry hydrant suction piping:

a. Shall be six (6) inch American Society for Testing and Materials (ASTM) Schedule 40 steel,

b. Shall have a six (6) inch female swivel connector compatible with EKFD threads and male plug mounted 30 inches in height above finished grade,

c. Shall not exceed a ten (10) foot vertical lift of water for fire ponds and fire wells or shall not exceed a fourteen (14) foot vertical lift of water for fire cisterns,

d. Shall have all horizontal piping slope slightly uphill toward the pumper connection,

e. Shall have a thirty (30) inch diameter poured concrete collar, thirty-six (36) inches deep from finished grade and braces or other support structures as needed,

f. Shall be so located for easy access for fire apparatus;

3. All fill piping:

a. Shall be four (4) inch American Society for Testing and Materials (ASTM) Schedule 40 steel or Schedule 40 PVC with circumferentially glued joints,

b. Shall have a four (4) inch Storx style connector compatible with EKPD threads and cap mounted 36 inches in height above finished grade,

c. Shall be so located for easy access for fire apparatus;

4. All vent piping:

a. Shall be capable of allowing a minimum of a 1,000 gallon per minute draft without damaging any tank, piping or other equipment,

b. Shall be sixty (60) inches in height above finished grade,

c. Shall terminate with the use of elbows or "T" connectors and associated screening, if necessary, so as to prevent unwanted material or animals from entering said vent;

5. All fire cisterns and fire wells shall provide a means of visually measuring water levels during all weather conditions approved by the Fire Chief, such as, but not limit to:
a. A lockable “manhole” which shall be easily accessible, or
b. A gauge that shall be easily viewable from the dry hydrant;

6. All fire cisterns and fire wells:
   a. Shall be constructed of materials that are non-corrosive in normal water systems not to groundwater,
   b. Shall be anchored to prevent rising or movement,
   c. Shall be inspected and approved by the Fire Chief prior to backfilling;

7. All fire cisterns:
   a. Shall be buried completely below frost line, a minimum of four (4) feet,
   b. Shall install strainers six (6) inches above the bottom of the tank to preclude obstruction due to sediment and debris,
   c. Shall anchor all strainers and piping by means of poured concrete pads, braces and/or other support structures as needed and approved by the Fire Chief;

8. All fire ponds and fire wells:
   a. Shall install all strainers completely below frost line, a minimum of four (4) feet,
   b. Shall install strainers twenty-four (24) inches above the pond or well bottom sufficiently to preclude obstruction due to silt or vegetation buildup.
   c. Shall anchor all strainers and piping by means of poured concrete pads, braces and/or other support structures as needed and approved by the Fire Chief;

Any subdivision in which the front entrance of the furthest dwelling unit of the subdivision is located within a truck travel distance of 2,600 feet of any existing suitable water supply in current used by the Fire Department may request an alternative fire protection requirement which shall consist of installation of a sprinkler system for each dwelling unit, inspected and approved by the Fire Chief, which meets the requirements of NFPA 13 Standard for the Installation of Sprinkler Systems, NFPA 13D Standard for the Installation of Sprinkler Systems in One- and Two- Family Dwellings and Manufactured Homes, or NFPA 13 Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height, respectively noting that at the time of adoption of this regulation, the height limit of buildings in East Kingston is thirty-five feet.

The design and plans for the installation of a sprinkler system shall be incorporated as part of the dwelling unit’s printed construction plans. No construction of an alternative fire protection requirement shall begin prior to the approval of the Fire Chief and the Planning Board. *(Amended 10/16/08)*
SECTION VIII - THE PRELIMINARY LAYOUT

Subdividers shall file with the Board five (5) copies of a preliminary layout at a scale of not more than 100 feet to the inch showing or accompanied by the following information:

A. The importance of a clear statement of the Town’s policy in regard to the extension of streets and utilities to serve new subdivisions cannot be over stressed.

1. Proposed subdivision name; name and address of owner of record; subdivider and designer; date; north point and scale.

2. Names of owners of record of abutting properties, abutting subdivision names, streets, easements, building lines, alleys, parks and public open spaces and similar facts regarding abutting property.

3. Location of property lines and their approximate dimensions; existing easements, buildings, water courses, ponds or standing water, rock ledges and other essential features.

4. Existing water mains, sewers, culverts, drains and proposed connections or alternative means of providing water supply and disposal of sewerage and surface drainage.

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

6. Where the topography is such as to make difficult the inclusion of any facilities mentioned above, within the public area so laid out, the preliminary layout shall show the boundaries of proposed permanent easements over or under private property. Such easements shall be not less than 10 feet in width and shall have satisfactory access to existing or proposed public ways.

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

8. Preliminary designs of any bridges or culverts which may be required.

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

10. The location for and pertinent data on at least two (2) test pits, 50 feet apart, and of at least one (1) percolation test to show that the requirements in SECTION VII – GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND, paragraph U, have
been met on each lot created by the subdivision. Information shall include at least the following: the location of the test pits, an outline of the 4,000 contiguous square foot area reserved for the leach field, percolation test data, the certification of the Town Agent witnessing the test pits. (Adopted 1/98)

SECTION IX - SOILS AND WETLAND DATA REQUIREMENTS  (Amended 12/16/99)

A. Level 1 – Delineation of Wetlands and Surface Waters: for All Subdivision Applications. Information on wetlands and surface waters shall be provided on the plan with identification and delineation of the resources in accordance with the definitions and standards specified in Steps A and B of this section. The written documentation specified in Step C shall be included on the plan and be certified by the stamp of a qualified professional.

Step A: Wetlands are to be identified and delineated according to the following standards and/or methodologies:


Chapters Wt 100-800 of the NH Code of Administrative Rules, April 21, 1997.

Step B: Surface Waters are to be identified and delineated in accordance with RSA 485-A:2,XIV, NH Water Pollution and Waste Disposal and NH Code of Administrative Rules pursuant to 485-A.

Step C: Written documentation. A written statement shall be included on the subdivision plan, certified by the stamp of the Certified Wetland Scientist (CWS) or Permitted Septic Designer (PSD), that all wetlands and surface waters on-site have been delineated in accordance with the standards specified in Steps A and B above.

B. Additional Information Required Based on the Type of Proposal.

1. If the site development calls for structures and/or impervious cover or alteration of an area greater than 100,000 square feet, or 50,000 square feet within the protected shoreland, then the applicant must file a site specific application under NH Code of Administrative Rules Env-Ws 415 and RSA 485-A:17, significant alteration of terrain. Approval of the permit specified in these rules and statute is required by DES.

2. If the project meets at least one of the following three development intensity criteria, the applicant must submit Site Specific Soil Map (SSS Map) information as specified in paragraph D. herein:

The average area is less than two acres in area and is not served by either municipal water or sewer;
The average area is less than one acre in area and is served by municipal water, but not sewer; or

The non-limiting, upland, contiguous area on any proposed lot is less than 20,000 square feet. (Can only be determined after completion of the requirements in paragraph C., Level 2).

C. Level 2 – Confirmation of County Soil Survey Maps and Identification of Limiting Physical Features.

**Step A:** Identification of Soil Complexes With Dramatically Different Characteristics.

If any of the soil map units on the property, as mapped by the NRCS county soil survey, is a complex of soils with dramatically different characteristics that would have an impact on use and management of the property, then the applicant must provide SSSM information as required in subsection X.D, Level 3.

If the soils mapped by the NRCS county soil survey do not include one of these complexes, continue to Step B.

**Step B:** Confirmation of NRCS County Soil Survey Map.

The following information is required to be submitted for confirmation of the NRCS county soil survey:

- A copy of the NRCS county soil survey with the subdivision location and approximate boundaries superimposed on the soil map. The copy of the county soil survey must be provided at the same scale as the original county soil survey. This is important, so that the limitations of the information provided at the same scale of the survey are not misunderstood by the users.

- A representative number of detailed soil profile descriptions to characterize variations in the landscapes for each mapped unit, based on NRCS standards as described in the Field Book for Describing and Sampling Soils: Version 1.1 National Soil Survey Center, NRCS, 1998. These profile descriptions are to be included in a narrative report for the project.

The applicant is required to evaluate and submit detailed soil profile descriptions to document that the conditions on site are adequate to support the proposed use and management of the property. The required standards and/or methodologies are listed below. These sources should be cited directly on the subdivision plan.

If the proposal meets the requirements of Step B, above, Level 2 information is potentially adequate for local review, provided that the NRCS soil survey information is determined to be sufficient for the proposed use and management of the property.
Figure 1. Section 3 Submission Process

LEVEL 1
Delineate Wetlands and Surface Waters

Is project commercial, industrial, multi-family or single-family with public water and sewer?

NO

YES

LEVEL 2
NRCS County Soil Survey:
A. Complex of Soil Series
B. Confirmation of Mapped Soil Series
C. Implications for Use and Management

LEVEL 3
Site Specific Soil Map and Information

Is Level 2 information adequate?

YES

SUBMISSION FOR PLANNING BOARD REVIEW
### Figure 2. Levels of Information for Subdivision and Site Plan Applications

<table>
<thead>
<tr>
<th>LEVEL</th>
<th>TASKS</th>
<th>STANDARDS</th>
<th>QUALIFICATIONS</th>
</tr>
</thead>
</table>
| 1     | **Step A.** Wetlands Delineation | • 1987 US Army Corps of Engineers Wetlands Delineation Manual  
• 2004 Field indicators for Identifying Hydric Soils for New England  
• Defined by RSA 485-A:2, XIV | Certified Wetland Scientist  
or  
Permitted Septic Designer* |
|       | **Step B.** Surface Water Delineation | | |
| 2     | **Step A.** Identification of Dramatically Different Soil Complexes | • Appendix 1 of this document.  
• NRCS Official Series Description Sheets and/or NRCS published map unit descriptions (Steps A-C)  
• Field Book for Describing and Sampling Soils: Vers. 1.1. 1998  
• Site Specific Soil Mapping Standards for NH & VT, 1999  
• Same as Step B | Certified Soil Scientist  
or  
Permitted Septic Designer* |
|       | **Step B.** Confirmation of NRCS Soil County Soil Survey Map | | |
|       | **Step C.** Identification of Limiting Physical Features | | |
| 3     | Site Specific Soil Map, when:  
   a. Average lot size <2 acres, without municipal water and sewer, or  
   b. Average lot size <1 acre, with municipal water, but without municipal sewer, or  
   c. Non-limiting, non-wetland contiguous area <20,000 square feet and without municipal water and sewer, or  
   d. Areas without municipal water and sewer and with soil complexes with dramatically different characteristics | • Site Specific Soil Mapping Standards for NH & VT, 1999 | Certified Soil Scientist |

*Per RSA 310-A:79,IV and NH Code of Administrative Rules Chapters Env-Ws 1000 adopted under RSA 485-A for the purpose of septic system design or subdivision applications.*
Standards


NRCS Official Series Description Sheets and/or published map unit descriptions, USDA/NRCS.

(or the most current revision of these sources)

Methodologies

A minimum of one soil profile description shall be completed per soil map unit within the subdivision plan area, as depicted in the NRCS county soil survey. The soil will be described in sufficient detail, so as to support or refute that identified properties are within, or similar to those of the soil series used to name the map unit.

Soil descriptions must be carried out in areas suspected of having the greatest likelihood of contrasting soil features. Some Map units will require more than one soil description to document soil variability. The map unit purity standards from Site Specific Soil Mapping Standards for New Hampshire and Vermont Version 2.0, Society of Soil Scientists of Northern New England Publication No.3, 1999, will apply.

- The location(s) of the soil profile description(s) used to corroborate the NRCS soils series shall be shown on the plan, with a reference to the description(s) in the narrative report for the project.

- A detailed comparison between each soil profile description and the representative pedon for that soil from the county soil survey shall be included in the detailed narrative for the project. The NRCS Official Series Description Sheets and/or NRCS published map unit descriptions for each mapped unit are to be used as references.

- A written statement that the soil profile description(s) from the site adequately reflect the range of characteristics for the series, as described in the county soil survey. The statement shall indicate that the county soil survey adequately represents soil and landscape characteristics, such that site specific land use decisions can be made without further soil investigations. This statement is to be certified by the stamp of the CSS or PSD. If this statement cannot be made, proceed to subsection X.D, Level 3.

- A narrative report for the project which summarizes the information compiled in Step B. This shall include a determination of whether limiting physical features are present on the parcel and indicate the specific mapped soil units where these occur. If any limiting physical features are identified on-site, then Step C is required.
If the on-site investigations confirm the nature and properties of the soils as reflected by the soil map, consistent with the intended use and intensity of development, a subsection X.C, Level 2 review is potentially adequate for the planning board’s purposed. However, the planning board may, at its discretion, require submission of on-site soils data.

**Step C: Identification of Limiting Physical Features.**

In addition to the information required in Steps A and B, the information specified below is required for identification and documentation of limiting physical features. This can either be done as a stand-alone document or as an amendment or addendum to the narrative prepared under Step B.

- Delineation of the limiting features, specifically rock outcrops steep slopes > 35%, soils with bedrock within 18 inches of the soil surface, and very poorly drained areas on-site. These features are to be shown on the subdivision plan.

- A detailed description of each limiting physical feature, based on NRCS, in a narrative report for the project, with reference to its location on the subdivision plan. This can either be done as a stand-alone document or as an amendment or addendum to the narrative prepared under Step B.

- A written statement that the limiting physical features identified above would not have a significant impact on use and management of the property. This statement is to be certified by the stamp of the CSS or PSD. If this statement cannot be made, then proceed to subsection X.D, Level 3.

- A written statement to indicate that the county soil survey adequately represents soil and landscape characteristics such that site specific land use decisions can be made without further soil investigations. This statement is to be certified by the stamp of the CSS or PSD. If this statement cannot be made, then proceed to subsection X.D, Level 3.

- A written statement that limiting physical features are present on the parcel(s) and that either (1) a SSS Map (Section VII.D) is required or (2) not required with supporting documentation for this position. This determination is to be certified by the stamp of the CSS or PSD. If this statement cannot be made, then proceed to paragraph D, Level 3, herein.

**D. Level 3 – Site Specific Soil (SSS) Map for Intense Development and for Sites With Limiting Features.**

If required, an applicant shall submit an SSS map prepared in accordance with *Site Specific Soil Mapping Standards for New Hampshire and Vermont Version 2.0*, Society of Soil Scientists of Northern New England Publication No. 3, 1999., this is to be certified by the stamp of the CSS.
SECTION X - THE FINAL PLAT

A. The final plat submitted for approval and subsequent recording shall be submitted on mylar, together with three (3) full-sized copies and an 11 x 17 copy. The size of the sheets shall conform to the requirements of the Registry of Deeds, of Rockingham County, for filing. A margin of at least one inch shall be provided outside ruled border lines on three sides and of at least two inches along the left side for binding. Adequate space shall be available on the map for the necessary endorsement by the proper authorities. The drawings shall be of a scale of not more than 100 feet to the inch.

B. The final plat shall show:

1. Proposed subdivision name or identifying title, the name and address of owner of record and subdivider, and the name, license number and seal of a New Hampshire Registered Land Surveyor, date, scale and north point.

2. Street lines, building lines, pedestrian ways, lot lines, reservations, easements and areas to be dedicated to public use and areas the title to which is reserved by the developer.

3. Sufficient data acceptable to the Engineer to determine readily the location, bearing and length of every street line, lot line, boundary line and to reproduce such lines upon the ground. The final plan shall show the boundaries of the property.

4. Permanent concrete monuments (4”x4”x4”) or granite monuments or acceptable drill holes in stone shall be set at least at all corner points of each proposed lot before the plan is signed. (Amended 9/99)

5. Lots shall be numbered according to the numbering system on the East Kingston Tax Maps. (Added 11/87)

6. Abutter information shall be shown on the final plat; correct names, addressed, and tax map, block, and lot numbers according to Town records not more than five (5) days prior to submission of the application.

7. The location of the nearest fire suppression water source, with the numerical distance measured in linear feet along Town or State roadways to the nearest newly created lot boundary indicated on the plan, and clarified with a compass heading from the lot boundary. (Amended 7/15/04)

8. And any other notations the Planning Board shall deem as necessary. (Added 9/19/08)
SECTION XI - SPECIAL FLOOD HAZARD AREAS

All subdivision proposals and proposals for other developments governed by these Regulations having lands identified as Special Flood Hazard Areas as shown on the Flood Boundary and Floodway maps of the Town of East Kingston, dated 4/02/86 (Amended 12/97) shall meet the following requirements:

A. All such proposals are consistent with the need to minimize flood damage.

B. All public utilities and facilities, such as sewer, gas, electrical and water systems shall be located, elevated and constructed to minimize or eliminate flood damage.

C. Adequate drainage shall be provided so as to reduce exposure to flood hazards.

D. Subdivision proposals and other proposed new developments greater than 50 lots or 5 acres, whichever is less, shall include 100 year flood elevation data.

E. In riverine situations, prior to the alteration or relocation of a watercourse, the applicant for such authorization shall notify the New Hampshire Civil Defense Agency, Wetlands Board, and submit copies of such notification to the Planning Board and the Federal Emergency Management Agency. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Planning Board. Within the altered or relocated portion of any watercourse, the applicant shall submit to the Planning Board certification provided by a registered professional engineer assuring that the flood carrying capacity of the watercourse has been maintained.

F. Where new replacement water and sewer systems (including on-site systems) are proposed in flood-prone areas the applicant shall provide the Planning Board with assurance that new and replacement sanitary sewage systems are designed to minimize or eliminate infiltration of flood waters and on-site waste disposal systems are located to avoid impairment to them or contamination from them during flooding. (Amended 11/87)

SECTION XII - AMENDMENTS

These regulations may be amended or rescinded by the Planning Board in accordance with RSA 675:6 after a public hearing. (Amended 1/98)

SECTION XIII - VALIDITY

If any section or part 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 or part of a section or paragraph of these Regulations.
SECTION XIV - GRANTING OF WAIVERS (Added 11/8/01)

A. General. Where the Board finds that extraordinary hardships, practical difficulties, or unnecessary and unreasonable expense would result from strict compliance with the foregoing regulations or the purposes of these regulations would still be served, it may approve waivers to these regulations. The purpose of granting waivers under provisions of these regulations shall be to insure that an applicant is not unduly burdened as opposed to merely inconvenienced by said regulations. Such waivers will be entertained and acted upon by the Board only at a properly noticed public hearing, or for a lot line adjustment, at a duly noticed public meeting. The Board shall not approve any waiver(s) unless a majority of those present and voting shall find that all of the following apply:

1. The granting of the waiver will not be detrimental to the public safety, health or welfare or injurious to other property and will promote the public interest.

2. The waiver will not, in any manner, vary the provisions of the East Kingston Zoning Ordinance, Master Plan or Official Maps.

3. Such waiver(s) will substantially secure the objectives, standards and requirements of these regulations.

4. A particular and identifiable hardship exists or a specific circumstance warrants the granting of a waiver.

B. Conditions. In approving waivers, the Board may impose such conditions as it deems appropriate to substantially secure the objectives of the standards or requirements of these regulations.

C. Procedures. A petition for any such waiver shall be submitted in writing by the applicant with the application for Board review. The petition shall state fully the grounds for the waiver and all the facts relied upon by the applicant. Failure to submit petition in writing shall require an automatic denial.

SECTION XV - REQUIREMENTS FOR CONSTRUCTION OF ROADS AND STREETS IN THE TOWN OF EAST KINGSTON

Requirements for construction of roads and streets in the Town of East Kingston are as follows:

A. Clearing and Grubbing

1. The entire right of way will be cleared and grubbed and all stumps and debris disposed of outside the Right of Way.

2. Selected shade trees in the Right of Way will be preserved when so indicated by the Engineer.

3. Stone walls and fences will be removed from the Right of Way.
B. Subgrade Preparation

1. The subgrade of the roadbed shall be constructed to the required width, grade and crowned section.

2. In general, slopes will be constructed so that maximum cut slopes will be 2:1 and maximum fill slopes will be 4:1.

3. The subgrade shall be prepared for inspection and approval by the Engineer prior to the placement of any gravel.

   The required cross-section is the typical roadway cross section shown in this regulation. Only the approved cross-section and appropriate subgrade will be approved by the Engineer.

C. Drainage

1. Adequate cross-pipes and ditches to maintain existing surface drainage shall be constructed.

2. Additional drainage to accommodate conditions caused by or found to exist in new roads as catch basins and cross-pipes at intersections, under-drain where needed, drive pipes and proper drainage of swampy areas shall be constructed.

D. Gravel

1. Width of gravel shall be 34 feet from shoulder to shoulder.

2. Depth of gravel shall be 12 inches except where extreme subsoil conditions require additional amounts in the opinion of the Engineer. Reference should be made to typical roadway section.

3. Gravel shall be good bank run gravel meeting New Hampshire Department of Public Works and Highways specification for gradation.

4. No stone larger than 5 inches shall be placed in a 12 inch depth of gravel.

5. Gravel surface shall be fine graded and compacted to the required grade with grader, roller and hand labor.

E. Crushed Gravel

1. Depth of crushed gravel shall be 6 inches. Reference should be made to typical roadway section and shall conform to New Hampshire Department of Public Works and Highways specifications.

2. Gravel surface shall be fine graded and compacted to the required grade with grader, roller and hand labor.
F. **Surface**

1. Surface shall be 24 feet wide.

2. Finished roadway surface shall be 2½ inches of Type I bituminous concrete and conform to New Hampshire Department of Public Works and Highways specifications. Reference should be made to typical roadway section.

G. **Signs**

1. Sign with name of street conforming to standard of Town of East Kingston shall be erected on required metal post.

H. **General Information**

1. Roads will not be accepted by the Town of East Kingston for at least two years after construction. Repairs to roads in this period will be accomplished by person or persons offering road for acceptance by Town.

2. Decisions and recommendations of the Engineers of the Town of East Kingston relative to any of the requirements and conditions stated shall be final.

SECTION XVI - PROCEDURE FOR OBTAINING APPROVAL FOR SUBDIVISION
(Amended 12/87, 11/02, 5/03)

**Application Costs and Fees:**

**Municipal Review Costs.** The applicant shall be required to reimburse the Town for the cost of having duly appointed agents of the municipality review a submitted plan. Such costs include, but are not limited to:

1. Witnessing of test pits by an agent designated by the Board of Selectmen.

2. Review of roadway design, drainage and storm water management, and erosion and sediment control plans by an agent appointed by the Board of Selectmen.

3. Periodic construction inspections and/or tests including, but not limited to, soil compaction tests, sieve tests, and other applicable, construction-related, reviews shall be submitted by the applicant to the Board of Selectman and Planning Board for review.

4. In accordance with NH RSA 676:4, I.(g), the Planning Board shall require an applicant to reimburse the Town for expenses incurred by the Rockingham Planning Commission Circuit Rider Planner to include, but not limited to,

   a. time spent for technical review of plans;
   b. meetings with the applicant subsequent to application; and
   c. other reasonable expenses directly accountable to the particular application.
The rate charged shall reflect the current hourly rate charged to the Town for this service; however, no fee shall be charged for time spent in meetings during contracted office hours, or contracted night meetings. The amount of this fee will vary according to the particular aspects and complexities of any application. The Circuit Rider shall provide a detailed accounting of the time spent reviewing an application to the Town for purposes of proper billing.

Schedule of Administrative Fees. NH RSA 676:4 provides for certain fees to be charged an applicant. Applicants to the East Kingston Planning Board shall defray administrative costs to include, but not be limited to: (Amended 9/18/08)

The greater of –  
   a. Application fee or  
   b. Fee per newly created lot  
      ▪ Abutter Notification (each)  
      ▪ Newspaper Legal Notice Fee  
      ▪ Recording fee (per trip)  
      ▪ Applicable Registry fee per page  
      ▪ Test pit fee  
      ▪ Any engineering or professional costs  

All fees shall be made payable to Town of East Kingston (see fee schedule)

A. Introduction

1. An approved subdivision is required before an application for a building permit can be issued unless the lot is an existing approved lot or one in existence before the applicable zoning ordinance were enacted.

2. When used along with the Land Subdivision Regulations and the Zoning Regulations of the Town of East Kingston, this procedure will provide assistance in completing the subdivision of your land, by calling out the important (but not the only) points you must consider, and the specific actions you must complete.

3. Creation of a subdivision must include a survey of the entire parcel as well as a survey of the subdivided lots. Acceptance of the final plot plan for recording at the Registry of Deeds will require the signature and seal of a licensed land surveyor. It is, therefore, recommended that contact be made with a licensed surveyor for advice and guidance as well as accomplishment of the final survey and plot plan. The complete parcel survey may be waived by the Planning Board. However, this will only be done for very large, well defined parcels when only one of two lots will be subdivided and a formal vote of the Board to waive the survey has been recorded in the board meeting minutes.

B. Procedure (Amended 6/95 & 10/98)

Application for Subdivision approval (Appendix A) must be submitted and presented along with applicable fees to the Selectmen’s Office during regular office hours at least 21 days prior to the Planning Board’s regularly scheduled monthly meeting. The Board shall, at the next regular meeting or within 30 days following the delivery of the application, for which notice can be given in accordance with RSA 676:4,l(b) determine if a submitted application is complete.
according to the Board’s regulation and shall vote upon its acceptance. If the Board determines that the application is incomplete, according to the board’s regulations, written notification will be provided to the applicant (in accordance with RSA 676:3) which describes the information, procedure, or other requirement necessary for the application to be complete.

Upon determination by the Board that an application is complete according to the Board’s regulations, the Board shall begin formal consideration and shall render a decision on the application within 65 days, subject to extension or waiver as provided in RSA 676:4, I(f).

The Planning Board may grant conditional approval in accordance with RSA 676:4, I(l). The applicant shall have one year to comply with the conditions of approval and to have the plan signed by the Board or its designee. During this first year, the conditionally approved plans are exempt from changes on the zoning ordinances and subdivision regulations. If the conditions are not met within one year, the conditional approval shall lapse, unless granted an extension by the Board before the expiration date. The Board shall have the option of holding a public hearing with notice to abutters, at the expense of the applicant, if it is determined by the Board that conditions have changed appreciably. Conditionally approved plans that are granted extensions shall not be exempt from amendments to the zoning ordinance or subdivision regulations. The Board shall have the authority to deny a request for an extension if the applicant cannot comply with the conditions.

Upon final approval of the application, the Board or its designee shall sign the plat and the Board or its agent shall record it at the Rockingham County Registry of Deeds. Approval of an application does not constitute acceptance by the Town of the dedication of any street, highway, park or other public land.

Pre-application review phases (per RSA 676:4, II) may be undertaken by the applicant and are encouraged. (Amended 12/97)

C. Submission Requirements – Subdivision (Added 11/21/02)

1. Six (6) full sized copies of the engineered plan, ten (10) 11 X 17" copies of all plans, and six copies of road profiles for new streets to a scale of not more than 100 feet to the inch. (Amended 1/18/01, 7/15/04, 9/18/08)

2. Correct names, addresses, and tax map, block, and lot numbers of owners of record of abutting properties, including those across any street or stream, and within 200 feet of the boundary lines of the parcel in question. Abutter information must be that as indicated in Town records not more than five (5) days prior to submission of the application (RSA 676:4, I(b)). The preceding abutter information shall be shown on the final plat. Abutters will be notified by certified mail no less than 10 days before the day of the public hearing. Should additional meetings or delay in scheduled meetings be necessary, additional costs for notification of the abutters will be the responsibility of the subdivider. (Amended 7/15/05)

3. General requirements for the subdivision of land are contained in the Subdivision Regulations.
4. Test pits will be witnessed by the Town Building Inspector, the Health Officer and members of the Planning Board. The date of witnessing will be established by the applicant and the Building Inspector. The report of the test pits should be immediately filed with the Building Inspector who will forward results, with his/her comments, to the State Commission.  (Amended 6/95)

5. A check made out to the Town of East Kingston, NH, per test pit (see fee schedule) must be presented when the date is established for a test pit.  (Amended 9/19/08)

6. Minimum design for septic systems must be based on a three bedroom house.

7. Lots must have minimum frontage of 200 feet on Town Accepted street and contain at least two acres.

8. Lots fronting on state roads require State Driveway Permits. Application for permits may be made to State of N.H. Department of Public Works and Highways. Lots fronting on Town Roads require driveway permits from the Building Inspector.  (Amended 1/30/97)

D. Submission Requirements – Lot Line Adjustment (Added11/21/02)

Note: Lot line adjustments or boundary agreements are those applications that do not result in newly created buildable lots.

1. Copy of deeds of parcels involved in lot line adjustment.

2. Six (6) full-sized copies of the engineered plan and ten (10) 11 x 17” copies of all plans with information as outlined on Lot Line Adjustment Application Checklist (Appendix G).  (Amended 1/18/01, 7/15/04, 9/19/08)

3. Name, mailing address and telephone number of subdivider(s).

4. Name, mailing address and telephone number of owner of record if other than applicant.

5. Location (address) of proposed Lot Line adjustment.

6. Tax Map(s) and Lot Number(s) of affected properties.

7. Name, mailing address and telephone number of surveyor and/or agent.

8. Correct names, addresses, and tax map, block and lot numbers of owners of record of abutting properties (within 200’ of boundary) including those across any street or stream. Abutter information must be that as indicated in Town records not more than five (5) days prior to submission of the application (RSA 676:4.I(b)). The preceding abutter information shall be shown on the final plat. Abutters will be notified by certified mail no less than 10 days before the day of the public hearing. Should additional meetings or delay in schedule meetings be necessary, additional costs for notification of the abutters will be the responsibility of the applicant(s).
9. **NOTE:** No Lot Line Adjustment Hearing shall be scheduled unless the following is submitted to the Town Hall 21 days prior to the date upon which the applicant wishes his/her application to be heard:

   a. This application, correctly completed with the required attachments.

   b. Six (6) full sized and ten (10) 11 x 17” copies of the Final Plan, including all pertinent information as required under section D.2 above. *(Amended 9/18/08)*

   c. Payment of all applicable subdivision fees.

   d. An abutter list with all abutters of the parcel. Abutter notification fees must be paid upon application.

   e. Letter of authorization with signature of all owner(s) of record for all parcels involved.

10. Lot Line Adjustment fees shall include:

   - Application fee
   - Abutter Notification (each)
   - Newspaper Legal Notice Fee
   - Recording fee (per trip)
   - Applicable Registry fee per page
   - Any engineering or professional costs

All fees shall be made payable to Town of East Kingston (see fee schedule) *(Amended 9/18/08)*
APPENDIX A
APPLICATION FOR SUBDIVISION APPROVAL

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 re-subdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

FILE# ___________________________ DATE ___________________________

Owner's Name __________________________ Telephone __________________

Street, Town, State Zip __________________________

Agent's Name __________________________ Telephone __________________

Street, Town, State Zip __________________________

Subdivision Information:

<table>
<thead>
<tr>
<th>Property Location</th>
<th>Map – Block – Lot #</th>
<th>Total acreage</th>
<th># of lots created</th>
</tr>
</thead>
</table>

Tax Map Block Lot Numbers of newly created lots numbered according to East Kingston tax map numbering system

☐ For lots created which are less than 5 acres, please attached a copy of the State Subdivision Approval.

Engineering for Subdivision has been done by:

Name __________________________ Telephone __________________

Street, Town, State Zip __________________________

Names & Addresses of all Abutters including those across streets and streams must accompany this application. This list (within 200 feet of boundary) must be in accordance with Town records and as current as of 5 days prior to submission of application. **Five full-sized copies of the engineered plan, ten 11 x 17” copies of all plans, and five copies of road profiles MUST** accompany this application.

A check made payable to the Town of East Kingston **MUST** accompany this application for the total amount of all fees, including, but not necessarily limited to, Application Fee, Notice to Abutters Fee, and Newspaper Legal Notice Fee (Section XVII refers).

Owner's Signature __________________________ Date __________________

Agent's Signature __________________________ Date __________________ (if applicable)

**NOTE:** Upon the receipt of this application, all fees paid, and copies of plans as outlined above, a Public Hearing will be scheduled.
APPENDIX B
APPLICATION FOR LOT LINE ADJUSTMENT APPROVAL

LOT LINE ADJUSTMENTS do not create additional lots or increase the development potential of a lot.

FILE# ___________________________ DATE ___________________________

Owner’s Name ___________________________ Telephone ___________________________
Street, Town, State Zip ________________________________________________________

Agent’s Name ___________________________ Telephone ___________________________
Street, Town, State Zip ________________________________________________________

Lot Information:

Property Location Map – Block – Lot # Original acreage Proposed acreage

Engineering for Subdivision has been done by:

Name ___________________________ Telephone ___________________________
Street, Town, State Zip ________________________________________________________

☐ For lots created which are less than 5 acres, please attach a copy of the State Subdivision Approval.

Names & Addresses of all Abutters including those across streets and streams must accompany this application. This list (within 200 feet of boundary) must be in accordance with Town records and as current as of 5 days prior to submission of application. Five copies of the engineered plan and ten 11 x 17” copy of all plans MUST accompany this application.

A check made payable to the Town of East Kingston MUST accompany this application for the total amount of all fees, including but not limited necessarily limited to, the appropriate Application Fee, Notice to Abutters Fee, and Newspaper Legal Notice Fee.

Owner’s Signature ___________________________ Date ___________________________

Agent’s Signature ___________________________ Date ___________________________
(if applicable)

NOTE: Upon the receipt of this application, all fees paid, and copies of plans as outlined above, a Public Hearing will be scheduled.
LIST OF ABUTTERS

ABUTTER shall mean all properties located within 200 feet of the proposed parcel’s boundary lines. (Adopted 7/15/99)

<table>
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<tr>
<th>Map, block, lot #</th>
<th>NAME</th>
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APPENDIX D
DESIGN SPECIFICATIONS FOR CUL-DE-SAC STREET
APPENDIX E
SAMPLE LETTER OF CREDIT

Town of East Kingston
Board of Selectmen
24 Depot Road
East Kingston, NH 03827

RE: ________________________________ Subdivision

Dear Town Officials:

By this document the ___________________________ Bank (hereinafter “issuer” hereby issues an
irrevocable letter of credit in the amount of $___________ to the Town of East Kingston on behalf of
__________________________ (hereinafter “developer”). This irrevocable letter of credit is issued to
guaranty completion of all improvements required by the East Kingston Planning Board and Town of East
Kingston Subdivision Regulations in conjunction with a subdivision plan entitled: _____________________
_________________________”, dated ________________, prepared by _______________________
______________________, and approved by the East Kingston Planning Board on ________________
_________________________.

It is understood that the improvements guaranteed by this irrevocable letter of credit include but are not
limited to the following:

1. Construction of ____________ linear feet of roadway along with all associated utilities. Said
roadway being shown on the above referenced plan as _______________________
2.
3.

It is agreed and understood by the issuer of this letter of credit that it shall be issued for a period of
__________ months. If all improvements guaranteed by this letter of credit are not completed by
__________ (date) and if a certificate indicating completion of all improvements has not been issued by
the East Kingston Board of Selectmen, then this letter of credit shall be automatically considered to have
been called, and without further action by the Town of East Kingston, of its Board of Selectmen, the
_________________________ Bank shall forthwith forward a check in the amount of $ _____________ to
the Treasurer of the Town of East Kingston. The funds so forwarded to the Town Treasurer shall be used
exclusively for the purpose of completing the improvements which are guaranteed by this letter of credit.
Any funds not needed by the Town to complete improvements required by the subdivision plan referred to
above shall be returned to the ___________________________ Bank.

_________________________ (bank) hereby consents to the jurisdiction of the New Hampshire Court
System for adjudication of any dispute arising from this letter of credit, and agrees that any such litigation
shall be maintained in the Rockingham County Superior Court. The parties agree that this letter of credit
shall be interpreted under New Hampshire law.

Dated ____________________________

_____________________________________
(Signature of Bank Official)

I have ready this letter of credit and agree to its terms

_____________________________________
(Signature of Developer)
APPENDIX F
SUBDIVISION PROPOSAL CHECKLIST

This checklist must be completed by the applicant and submitted with a Subdivision Application.

Applicant(s):________________________________________________ MBL#: _____________________

Proposed Location: ___________________________________________ Fees paid: __________________

Preliminary Discussion Date: __________________________ How many lots being created? ___________

Please check the following:

_____ Licensed Land Surveyor – NH Certified?  Does each lot meet 2 acre & frontage requirement? (200 ft single lot, 240 ft backlot: page 8 zoning regulations)
_____ Cul-de-sac not more than 1000 feet?  Fire protection provisions met? (Sec. VII.S, Sub. Regs.)
_____ Driveway provisions met?  SSSS Mapping Provided? (Sec. X, Sub. Regs.)
(200 ft single lot, 240 ft backlot: page 8 zoning regulations)
_____ 4000K/Septic/Test Pits setbacks met?  Drainage Report necessary? (Art VI, Sec. E-2, Zoning Regs.)
(Art VII, Sec. 6 & 7)  _____ State subdivision approval necessary? (are new lots are least 5 acres?)
_____ Wetland setbacks met?  See RSA 485-A:29 I)
(Art VI, Zoning Ord.)

PLAT CHECKLIST

_____ Applicant’s name and address  Name & Seal of Licensed Land Surveyor
_____ Name & Address of company which prepared the plat  Owner(s) of record, name & address
_____ Municipality which tract is located  Date plan was drawn
_____ Subject parcel’s title reference  Assessor’s parcel number (include full MBL#’s)
   (ie: deed to property)  Scale and graphic bar
_____ North meridian arrow  Vicinity Map
_____ Symbol legend (unless clearly identified on the plat)  Permanent concrete markers shows as required by PB
_____ Location of streets (existing and proposed)  Easements and right-of-ways
_____ Area of parcel(s) expressed in acres  Abutters names, address and MBL#’s
   and square feet  Structures and dwellings on parcel
_____ Driveway shown – existing & proposed  Cemeteries, burial grounds

I/We, the applicant(s) have reviewed the above requirements and believe that my/our subdivision application and plat(s) are complete as outlined in RSA 676:4 and HB334 to invoke the 65-day clock. I/We also acknowledge that should the Planning Board find the application incomplete, I/we will be notified pursuant to RSA 676:4.

APPLICANT’S SIGNATURE  APPLICANT’S SIGNATURE

DATE  DATE
APPENDIX G
(Added 11/21/02)
LOT LINE ADJUSMENT APPLICATION CHECKLIST

Applicant(s):______________________________________________  MBL#: _________________
Proposed Location: ________________________________________  Fees paid: ______________
Preliminary Discussion Date:  __________________________

In order to be complete, a lot line adjustment application shall contain the following information, where applicable:

_____ Copy of deeds of parcels involved in lot line adjustment
_____ Letter of authorization with signatures of all owners of record for all parcels involved
_____ List of abutters and addresses
_____ Five (5) full-sized copies and ten (10) 11 x 17" copies of the plan showing the following, where applicable:
  _____ State Subdivision Approval (if under 5 acres)
  _____ Area of proposed lots (acres & sq. ft.)
  _____ Location of existing & proposed easements or rights-of-way: utility; slope and/or drainage
  _____ Location of existing buildings
  _____ Location of existing & proposed sewer & water lines and utilities
  _____ Name, width, class & location of existing & proposed streets
  _____ Location of water courses, standing water and fire ponds
  _____ Location of ledges, stone walls & other natural features
  _____ Other essential features
  _____ Edges of wetlands and brooks
  _____ Common and dedicated land
  _____ Approval block for Planning Board endorsement
  _____ Monumentation
  _____ Building setback from property lines and from poorly and very poorly drained soils where appropriate
  _____ Access locations to existing Town & State hwys

_____ Title block
_____ Copies of all applicable permits and applications for permits
_____ Certification by the Surveyor
The following items may be required by the Planning Board before final approval is granted:

- Erosion and sediment control plan
- Traffic impact analysis
- Environmental impact studies
- NH Wetlands Bureau Dredge and Fill Permit
- Driveway access permit
- NH Water Division Site Specific Permit (149:8-a)
- Construction and maintenance bonding
- Town Engineer review of proposal
- Miscellaneous engineering studies
- Topographical map (2 ft. intervals) existing and proposed
- Location of test pits and test pit logs
- Site Specific Soils Map overlay with County Soils Map nomenclature (by Qualified Soil Scientist) showing soil types, slopes & calculations
APPENDIX H
ROCKINGHAM COUNTY CONSERVATION DISTRICT
REVIEW AUTHORIZATION

In accordance with RSA 676:4, I(g), the East Kingston Planning Board may required that the following form be signed for subdivision applications, where necessary.

Rockingham County Conservation District
118 North Road
Brentwood, New Hampshire  03833

Dear Mr. Chairman:

The East Kingston Planning Board would like to request the following services for the _____________ _________________ proposal.

*******************************************************
************************************************************
Plan review for compliance with:

_____  Soil Type/Lot Size regulations
_____  Wetlands Ordinance
_____  Erosion and Sediment Control Regulations
_____  Road profiles, grades, elevations, drainage

A report is required by ____________________________
(Date)

Signature _______________________________
(Representing Town of East Kingston)

*********************************************************************************************

CONSENT

I, ________________________________, of ________________________________ agree to a
(Name)  (Representing)

Review of the above proposal, and further agree to be responsible for any charges that may result from this review.

_______________________________________
Signature                                      Date
# APPENDIX I

## CERTIFICATE OF MONUMENTATION

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**Town of East Kingston, New Hampshire**

**CERTIFICATE OF MONUMENTATION**

**SUBDIVIDER’S NAME:**

**MAILING ADDRESS:**

**STREET ADDRESS OF PROPERTY SUBDIVIDED:**

**MBL#:** SURVEYOR OF APPROVED PLAN:

**DATE OF PLANNING BOARD’S APPROVAL:**

**NUMBER OF CONCRETE/GRANITE MARKERS REQUIRED:**

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I hereby certify that the monumentation required on the above referenced subdivision plan has been accurately installed under my supervision and said monumentation complies with the provisions of the East Kingston Subdivision Regulations.

Signature of Surveyor: ____________________ Date: __________

Surveying Company: ____________________ Telephone No. __________

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For Planning Board Use Only

Date of Receipt: ____________________ Received by: ____________________

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24 Depot Road, East Kingston, NH 03827
(603) 642.8406