

WILTON, NEW HAMPSHIRE

LAND USE LAWS And REGULATIONS

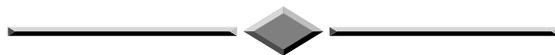


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WILTON, NEW HAMPSHIRE

LAND USE LAWS



***SUBDIVISION REGULATIONS
SECTION B***

AS AMENDED:

**FEBRUARY 18, 1987; NOVEMBER 20, 1991; JULY 21, 1993; APRIL 16, 1997;
MARCH 14, 2000; MARCH 12, 2002; AUGUST 20, 2003; DECEMBER 16, 2009**

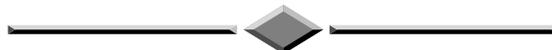


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1.0 AUTHORITY

Pursuant to the authority vested in the Wilton Planning Board by the voters of the Town of Wilton by vote of the Town Meeting, September 11, 1968, and in accordance with the provisions of RSA 674:35 of the New Hampshire Revised Statutes Annotated, as amended, the Wilton Planning Board adopts the following regulations governing the subdivision of land in the Town of Wilton, New Hampshire.

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

2.0 DEFINITIONS

- 2.0.1 Abutter. Any person whose property adjoins or is directly across the street, rights-of-way or stream from the land under consideration by the Board. If an abutting property is under condominium or other collective form of ownership, the officers of the collective or association, as defined in RSA 356-B:3, XXIII, shall receive the formal notification. For purposes of receiving testimony only, and not for the purpose of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration.
- 2.0.2 Applicant. The owner of record of the land to be subdivided or his duly authorized agent.
- 2.0.3 Approval. Recognition by the Board, certified by written endorsement on the plat, that the plat meets the requirements of these regulations and in the judgment of the Board satisfies all criteria of good planning and design.
- 2.0.4 Board. Planning Board for the Town of Wilton.
- 2.0.5 Buffer. An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, fences and/or berms, designed to limit continuously the view of and/or sound from the site to adjacent sites, properties or roads.
- 2.0.6 Certified Soil Scientist. A person who by reason of special knowledge and experience is qualified to practice soil science and who has been duly certified by the board of natural scientists under RSA 310-A:75.
- 2.0.7 Common Drive. The section(s) of a private way over which an easement is granted for a driveway.
- 2.0.8 Completed Application. The application form and all supporting documents containing the information the Board needs to make an informed decision, including all fees and administrative expenses as indicated in these regulations.
- 2.0.9 Consulting Engineer. The duly designated engineer for the Town of Wilton.

WILTON LAND USE LAWS AND REGULATIONS

SECTION B - SUBDIVISION REGULATIONS

- 2.0.10 County Conservation District. The Hillsborough County Conservation District (hereafter HCCD).
- 2.0.11 Designated Representative. The staff planner for the Wilton Planning Board.
- 2.0.12 Development. A planning or construction project involving substantial property improvement and, usually, a change of land use character within the site; the act of using land for building or extractive purposes.
- 2.0.13 Disturbed Area. An area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.
- 2.0.14 Driveway. A paved or unpaved area used for ingress or egress of vehicles, and allowing access from a street to a building or other structure or facility.
- 2.0.15 Dwelling Unit. One or more living or sleeping rooms arranged for the use of one or more individuals living as a single family housekeeping unit, with cooking, living, sanitary and sleeping facilities.
- 2.0.16 Easement. A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose and within which the owner of the property shall not erect any permanent structures.
- 2.0.17 Engineer. The duly designated engineer for the Applicant.
- 2.0.18 Erosion. The detachment and movement of soil or rock fragments by water, wind, ice, or gravity.
- 2.0.19 Frontage. The continuous length of a lot bordering on the public right-of-way providing the principal route of access to a lot, subdivision or other type of development.
- 2.0.20 Grading. Any excavating, grubbing, filling (including hydraulic fill), or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.
- 2.0.21 High Intensity Soil Survey (HISS). A soils map of a parcel of land being considered for development on a perimeter survey, with a minimum scale of one inch (1") equals one hundred feet (100'), where soils are identified and mapped in accordance with the high intensity soils mapping standards as adopted by the Hillsborough County Conservation District. All HISSs must be conducted by a certified soil scientist.
- 2.0.22 Licensed Land Surveyor. A land surveyor who is licensed by the State of New Hampshire under RSA 310-A:53.
- 2.0.23 Lot Consolidation. The elimination of an existing boundary line between two parcels under single ownership.
- 2.0.24 Lot Line Adjustment. The relocation of an existing boundary line.

- 2.0.25 Lot or Parcel. A single area of land defined by metes and bounds or boundary lines as shown in a recorded deed or on a recorded plan.
- 2.0.26 Performance Guarantee. Any security such as a bond, irrevocable letter of credit or other sufficient security that may be accepted by the municipality as a guarantee that the improvements required as part of an approved application for development are satisfactorily completed.
- 2.0.27 Plat. A map, plan, drawing or chart on which the subdivision plan is presented to the Wilton Planning Board for approval, and which, if approved, will be submitted to the Hillsborough County Register of Deeds for recording.
- 2.0.28 Private Way. A driveway which provides access to a minimum of 2 and a maximum of 4 lots and which the Town has no duty to maintain.
- 2.0.29 Road Agent. The duly designated Road Agent for the Town of Wilton.
- 2.0.30 Roadway. The finished road surface designed and prepared for vehicular traffic.
- 2.0.31 Sediment. Solid material, either mineral or organic, in suspension that is transported, or has been moved from its site of origin by erosion.
- 2.0.32 Soil Erosion and Sediment Control Plan. A plan that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.
- 2.0.33 Street. Any street, avenue, boulevard, road, alley, highway and other public way proposed for vehicular traffic including all of the land in the right-of-way.
- 2.0.34 Subdivider. The registered owner, or the authorized agent for the registered owner of a subdivision.
- 2.0.35 Subdivision. The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease condominium conveyance or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision.
- 2.0.36 Subdivision, Major. The subdivision of land into four or more lots for building development purposes.
- 2.0.37 Subdivision, Minor. The subdivision of land into not more than three lots with no potential for resubdivision that fronts on an existing street and requires no new streets, utilities, or other municipal improvements, including lot-line adjustments and lot consolidations.

3.0 **PROCEDURES**

3.1 **Preapplication Review.**

Prior to the submission of a formal application the applicant is encouraged to come to the Board for a preapplication review. The preapplication review provides an opportunity for the applicant and the Board to discuss the concept of the proposal in the context of the Town's master plan and regulations. All discussions during the preapplication review phase are non-binding. The information requirements identified and the direction given by the Board during the preapplication review will benefit the applicant in the long-run by saving money and time on engineering and redesign at a later date. Though the preapplication review phase is optional, the Board strongly recommends that applicants for major subdivisions participate in this process. There is one optional phase to preapplication review: conceptual consultation.

3.1.1 **Conceptual Consultation.** The applicant may request a meeting with the Board to discuss the concept for the proposal in general terms. The conceptual consultation is informal and will adhere to the following.

- a. The applicant will make an appointment with the Board's secretary no later than fifteen days prior to the regular meeting at which the applicant is requesting to be heard.
- b. The applicant may bring in a site location or a base map of the site which provides minimal detail of the proposal.
- c. The Board will review the proposal with regard to the master plan and the zoning ordinance, answer questions on local regulations and provide guidance relative to state and local regulations.
- d. The conceptual consultation does not require formal notification of abutters.

3.1.2 **Design Review.** (Repealed September 19, 2007)

3.2 **Completed Application.**

A completed application will provide sufficient information to allow the Board to make an informed decision. A completed application sufficient to invoke the jurisdiction of the Board shall include all of the information required in Section 6.0 -- Preliminary Plat Submission Requirements, Section 9.0 -- Design Standards and the Subdivision Plan Review Checklist, additional studies requested by the Board and adhere to the following procedures.

3.2.1 **Waivers.**

The applicant may request that the Board waive any of the requirements contained in Section 6.0- -Preliminary Plat Submission Requirements, the Subdivision Plan Review Checklist and any other standards. Requests for waivers should be discussed with the Board's designated representative during the preliminary review. The designated representative may make a recommendation to the Board. The Board shall vote to grant or deny the applicant's request for

a waiver from a specific section of these regulations and the Board's decision shall be recorded in the minutes of the meeting.

3.2.2 Preliminary Review.

All subdivision proposals must be reviewed by the Board's designated representative prior to the submission of an application to the Board's secretary. This review will determine if the application and the preliminary plats conform to the requirements of the Town's regulations. At this time the applicant will be informed of any deficiencies which will need to be corrected before the proposal can be placed on the agenda for formal consideration. If the application conforms with the regulations or needs only minor revisions, the Subdivision Plan Review Application may be submitted to the Board's Secretary. Any questions regarding submission should be directed to the Chair of the Board.

3.2.3 Application Filing.

A Subdivision Review Application must be filed with the Board's secretary 22 days before the regular meeting of the Board at which the applicant or his agent wishes to appear. All of the information required for a completed application by Section 6.0 - Preliminary Plat Submission Requirements, the Subdivision Plan Review Checklist, additional studies requested by the Board and the information required on the Subdivision Review Application form must accompany the application.

3.2.4 Public Notice.

The secretary will notify the applicant or his agent and the abutters of the submission of an application and/or the date of the public hearing on a proposal by registered mail at least 10 days prior to the meeting. A public notice shall be posted in 2 public places and printed in a newspaper of general circulation in the Town at least 10 days prior to the meeting. If the notice for the public hearing was included in the notice of submission or any prior notice, additional notice of the public hearing is not required. Notice of an adjourned session of a hearing is not required provided that the date, time and place of the adjourned session is announced at the prior meeting.

3.2.5 Submission and Acceptance.

An incomplete application filed by the applicant will not be submitted to the Board and public notices will not be issued. If the applicant fails to supply information required by these regulations or the subdivision plan review checklist and/or to pay the fees required by these regulations, the application will not be considered by the Board. An application shall only be submitted to and accepted by the Board at a public hearing with proper notice as required by RSA 676:4,I(d). After the applicant's presentation, the Board will discuss the proposal and receive comments from abutters and the general public. If the Board is satisfied that the application is complete, a vote to accept the application may be taken at this time. If accepted, the date of acceptance recorded in the minutes begins the 90 day review period. Should the Board not accept the application, they must state their reasoning and specify any additional requirements.

Incomplete applications that have not been acted upon by the applicant will be continued on the agenda for 2 consecutive monthly meetings from the date of submission. At this time the application may be voted on by the Board and may be disapproved for insufficient information. Written notice of the disapproval will be forwarded to the applicant or his agent.

3.2.6 Minor Subdivisions.

Minor subdivisions and lot-line adjustments shall follow the same application procedures as other subdivisions; however, they may receive expedited review by the Board where deemed appropriate. Minor subdivisions which do not create lots that are further subdividable may be accepted and approved in one meeting provided the application has been properly noticed and the required information has been provided to the Board to make an informed decision. To consolidate two (2) or more lots, applicants must complete and the Planning Board designee must sign, the "Caveat Lot Consolidation" form found on page B-25. Copies of this form shall be sent to the HCRD and to the local assessor. The landowner(s) shall present a copy of the deed describing the lots to be consolidated to the Planning Board's designee, and all applications for lot consolidations must include a notarized, written statement by the owner(s) that the lots being consolidated are not subject to separate mortgages or other encumbrances. (Amended March 1997.)

3.2.7 Review of a Completed Application.

Between the time the completed application is accepted and approved, the Board will review the proposal to evaluate the potential impacts on existing Town facilities and services, surrounding natural resources, transportation and/or abutting properties. The Board's designated representative will review and comment on the application with regard to State and Town land use regulations and accepted planning practices. Before making the final decision on the application, the Board may require additional information or detailed review of information submitted by the applicant. The Board will inform the applicant of the need for additional information or consulting reviews. The Applicant is responsible for the cost of all application reviews by the Board's designated representative and/or a consultant. The Board may request that the Applicant set up an escrow account with the Town to cover the cost of obtaining these consulting services.

3.2.8 Action on a Completed Application.

The Board shall act to approve, conditionally approve or disapprove a completed application within 90 days of its acceptance. The Board may apply to the Selectmen for an extension of the review period not to exceed 90 days. In addition, the applicant may waive the requirement for Board action within the specified time limit and consent to a mutually agreed upon extension.

If the Board has not taken action on a completed application within 90 days of its acceptance and has not obtained an extension, the applicant may obtain an order from the Board of Selectmen directing the Board to act within 15 days. Failure of the Board to act on the order

shall constitute grounds for the applicant to petition the Superior Court as provided in RSA 676:4, I(c).

3.2.9 Approval.

Approval of the subdivision shall be by affirmative vote of a majority of the Board. The plat is certified by the signature of the Board Chair and Vice-chair and the date of approval on the mylar copy of the plat. The Board will transmit the signed mylar to the Hillsborough County Register of Deeds along with the recording fee paid by the applicant. The approved plat will not be recorded until all fees have been paid by the applicant.

3.2.10 Conditional Approval.

The Board may grant conditional approval of an application. If the remaining actions on the application are administrative in nature; do not involve discretionary judgment by the Board; and/or involve the possession of permits and approvals granted by other boards or agencies such as the Wetlands Board, the Department of Transportation or Water Supply and Pollution Control Division, a further public hearing is not required to grant final approval. A further public hearing will be required to demonstrate compliance with the terms of all other conditions pursuant to RSA 676:4, I(i). Final approval will be granted when the conditions have been met to the satisfaction of the Board. The plat will not be recorded at the HCRD until all of the conditions have been met. If the conditions are not met by the next regular monthly meeting after the date at which conditional approval was granted, the Board will determine the appropriate action to be taken on the application.

3.2.11 Disapproval.

If an application is not approved, the reasons for disapproval will be clearly stated in the Board's records and in written notice provided to the applicant.

4.0 FEES

A completed application for a subdivision will only be accepted if accompanied by the required fees established in the Town of Wilton Application Fee Schedule, contained in Appendix III. Failure to pay the fees constitutes valid grounds for the Board to terminate further consideration of the application and to disapprove the plat without a public hearing.

Pursuant to RSA 676:4, I(g), the applicant is responsible for paying reasonable fees to cover the cost of special investigative studies, environmental assessments, legal reviews of documents, administrative expenses and other matters which are required for the Board to make an informed decision.

5.0 GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND

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

5.1 Compliance with the Subdivision Regulations.

No subdivision of land shall occur; no land in any subdivision shall be sold or offered for sale, lease, rental, condominium conveyance or building development; and no street or utility construction shall be started until a final plat, prepared in accordance with the requirements of these regulations, has been approved by the Board, all other required permits have been issued and the plat has been recorded at the Hillsborough County Registry of Deeds (HCRD).

Where strict conformity to the Subdivision regulations would result in 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 the spirit of the regulations, and public health, safety and welfare are not adversely affected.

5.2 Compliance with Federal, State and Local Plans and Regulations.

The plan shall comply with local land use regulations and building codes, and applicable State and Federal laws or regulations.

5.3 Site Analysis.

An analysis will be conducted to assess the positive and negative development characteristics of the site. The analysis will include: soils; topography; existing vegetation; threatened and endangered species; wetlands and surface waters; drainage patterns; groundwater resources; existing structures and road networks; existing and future easements; open space and visual features; historic features; present and future use of the site; impact on public services and facilities such as water, sewer, schools, fire and police; and surrounding land uses. The layout of the subdivision will be based on the site analysis. To the maximum extent possible, development will be located to preserve the natural features of the site, to avoid environmentally sensitive areas and to minimize negative impacts.

5.4 Land Characteristics.

Land of such character that it cannot, in the judgment of the Board, be safely used for building development purposes because of exceptional danger to health or peril from fire, flood, poor drainage or other hazardous conditions, shall not be platted for residential, commercial or industrial subdivision, nor for such other uses as may increase the danger to life or property, or aggravate the flood hazard. Land with inadequate characteristics or capacity for subsurface sewage disposal shall not be subdivided for residential, commercial or industrial purposes unless connected to a municipal sewer system.

5.5 Special Flood Hazard Areas.

For subdivisions 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 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 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:
 1. all such proposals are consistent with the need to minimize flood damage;
 2. all public utilities and facilities, such as sewer, gas, electrical and water systems, are located and constructed to minimize or eliminate flood damage; and,
 3. adequate drainage is provided so as to reduce exposure to flood hazards.

5.6 Scattered or Premature Subdivision.

The Board shall provide against any scattered or premature subdivision of land which would be injurious to public health, safety or prosperity because of inadequate water supply, drainage, transportation, schools, fire protection or other public services, or would necessitate the excessive expenditure of public funds for the supply of such services.

5.7 Additional Studies.

The Board may require the applicant to conduct and submit additional studies needed to assist the Board in making an educated and informed decision on the proposal including, but not limited to, traffic, fiscal impact, recreation, public service and environmental impact analyses.

5.8 Visual Quality.

In examining and passing upon a proposed subdivision the Board may make recommendations to the subdivider relating to earth movement and retention of natural cover in order to preserve the natural, visual quality of Wilton and its environment.

5.9 Parks and Open Space.

Areas set aside for parks, playgrounds and open space, either dedicated to the Town or reserved for the common use of the property owners, shall be of reasonable size and character suitable to the purpose. Reserve strips of land which, in the opinion of the Board, show intent on the part of the subdivider to control access to land dedicated or to be dedicated for public use shall not be permitted.

5.10 **Utility Easements.**

The boundaries of proposed permanent easements for utilities over or on the property and drainage ways shall be shown on the plat. Easements shall have a minimum width of 20 feet. Adequate access from existing or proposed public ways shall be provided for each easement. Water courses proposed for public control shall have a permanent easement of not less than 20 feet.

5.11 **Legal Documents.**

Legal documents, including but not limited to easements, restrictive covenants, or other documents affecting legal title to the property, shall be submitted for review to the Board and Town Counsel, and approved, in form and substance by Town counsel prior to the approval of the subdivision.

6.0 ***PRELIMINARY PLAT SUBMISSION REQUIREMENTS***

The following guidelines are designed to provide the Board with the information necessary to make informed decisions and to establish a uniform format for plat layout.

6.1. **Plat Standards.**

The applicant shall file 6 copies of the preliminary plat, any associated information, or additional requested information with the Board. All plats shall conform to the standards established below and contain the following:

- a. the proposed subdivision name, name and address of the owner of record, name of the subdivider and engineer or surveyor, and the date of first draft located in the lower right corner of the plat;
- b. the tax map and lot number(s) of the parcel(s) being subdivided and the zoning districts within which it is located;
- c. the signature of the owner or his/her designated representative;
- d. the seal and signature of a land surveyor licensed in the State of NH;
- e. the seal and signature of a professional engineer licensed in the State of NH (where required for engineering designs);
- f. horizontal scale not to exceed 100 feet to the inch (the preferred scale is 50 feet to the inch);
- g. vertical scale not to exceed 40 feet to the inch;
- h. sheet size 11 X 17 inches or 22 X 34 inches;
- i. separate sheets shall be numbered consecutively, showing their relationship to each other;
- j. a margin of at least 1 inch shall be provided outside ruled border lines on 3 sides and at least 2 inches along the left side for binding;
- k. the purpose of the subdivision;
- l. lots will be numbered consecutively starting with 1 and include the map and original parcel letter/number (for example: lot F12 divided into 3 lots produces F12-1, F12-2 and F12-3);
- m. signature block located in the lower right above the title;

- n. a locus map at a scale of 1 inch equals 1,000 feet showing the location of the site within the Town;
- o. a bar scale for the plat;
- p. magnetic and true north arrows;
- q. a revision block sectioned off to record the date and the changes of each revision; and
- r. a notes section for information relative to the plan.

6.2 Abutting Property Information.

The following information shall be provided on the plat for all abutting properties:

- a. tax map and lot numbers;
- b. the names and addresses of the owners of record;
- c. abutting subdivision names;
- d. the names, locations and dimensions of existing streets, easements, setbacks, alleys, parks and public open spaces;
- e. the location of existing buildings, septic system leachfields, water supply wells and protective well radii within 100 feet of the property boundaries;
- f. the location of property lines; and
- g. the location of existing driveways within 200 feet of the property boundaries.

6.3 Subdivision Information.

The applicant shall provide the Board with the following information regarding the parcel to be subdivided:

- a. A boundary survey for the entire parcel including bearings, distances and the locations of permanent markers with a maximum error of closure of 1 part in 10,000.
- b. The locations, bearings and distances of proposed lot lines, including the length of frontage on a public right-of-way, and the locations of monuments, pins and drill holes clearly and accurately identified on the plat.
- c. The area of all proposed lots denoting wetland area, dry area and total area (in acres).
- d. Existing and proposed topography for the entire parcel with contour intervals not to exceed 5 feet.
- e. The location of the 100 year floodplain as designated on the National Flood Insurance Program, Flood Insurance Rate Maps for the Town of Wilton.
- f. Soil types and locations of soil boundaries as certified by a registered engineer, certified soil scientist or the Soil conservation Service.
- g. A high intensity soil survey for the entire parcel for major subdivisions (The applicant may request a waiver of this requirement and one may be granted based on an evaluation by the Board. In making its decision, the Board may consult with the Hillsborough County Conservation District or other consultant selected by the Board.).
- h. The location of all water bodies, watercourses, wetlands, rock/ledge outcrops or other significant natural features. Any areas proposed for dredge and fill shall be noted on the plat.
- i. Any easements, buildings, utility lines or other features existing on the parcel.
- j. The location of existing and proposed water, sewer and drainage systems accompanied by plans for the proposed system indicating interconnections, profiles and elevations; drainage plans will be based on a 25 year storm event.

- k. If public water and/or sewer services are proposed for use, a letter from the water and/or sewer commissions stating the availability of and the intent to provide service.
- l. Erosion and sediment control plans based on a 25 year storm event in accordance with the standards set forth in Appendix II.
- m. Existing and proposed plans for telephone, electric and other public utilities with a letter of intent from the utility companies to provide service.
- n. If on-site water is to be provided, the locations of proposed water supply wells and protective radii.
- o. If on-site waste disposal is to be provided, the locations of the 4,000 square foot septic reserve area, test pits and test pit information for each lot.
- p. The locations, names and widths of existing and proposed streets and highways showing grades, radii, culvert locations and bridge designs in conformance with the standards set forth in Appendix I.
- q. Proposed driveway locations with a note on the plan that any driveway relocation requires prior approval of the Board.
- r. The locations and dimensions of any proposed easements and associated legal documents as prescribed in Section 5.11.
- s. The location of all parcels of land to be dedicated for public use and associated legal documents as prescribed in Section 5.11.
- t. If the proposed subdivision covers only a portion of the entire tract, a statement concerning the intended future use of the remainder and a sketch of the prospective future street system. The street system for the submitted portion will be considered with regard to adjustments and connections with the street system for the entire parcel.
- u. The existing zoning district boundaries as designated on the Town of Wilton Zoning Map.
- v. Any revisions made to any sheets are to be so noted in the revision block.
- w. A Curb-cut Approval Permit from the NH Department of Transportation for subdivision driveways and/or streets accessing a state highway or a letter of approval from the Wilton Road Agent for driveways and streets accessing local roads.
- x. Copies of all federal, state and local permits which may be required for the project including NH Water Supply and Pollution Control Division (WSPCD) Subdivision Septic Approval permit, NH WSPCD Site Specific Permit, NH Wetlands Board Dredge and Fill and Army Corps of Engineers Dredge and Fill.
- y. A letter from the Fire Chief stating that proposed water supplies provide sufficient volume, pressure and flow for fire protection and that access for emergency vehicles is adequate.
- z. The proposed use of the subdivision (i.e. single-family, multi-family, industrial).
- aa. A line drawing plan of the subdivision drawn to scale of the tax map.

6.4 Field Delineation.

The following aspects of the proposal will be delineated in the field to facilitate ease of identification during site investigations.

- a. Wetland areas are to be flagged in the field prior to the submission of the application.
- b. The center line of all proposed roads shall be staked.
- c. All monuments must be in place or a performance guarantee sufficient to cover the cost of installation must be posted prior to the approval of the application.

7.0 FINAL PLAT.

The applicant shall submit 6 paper copies of the complete proposal and one Mylar original, in permanent black ink, for each page of the final plat to be recorded in conformance with the standards of the Hillsborough County Register of Deeds (HCRD). All 6 copies shall be signed and dated; 4 copies will remain with the Town and 1 will be for the applicant's records. The Mylar original(s) will be dated and signed by the Chair and the Vice-Chair of the Board and recorded at the HCRD. The approval signature block shall provide adequate space for the necessary endorsement by the proper authorities, and read: "Approved by the Wilton Planning Board on . Certified by , Chair and by , Vice-Chair or designated member." The Mylar original final plat shall contain all of the basic information for the subdivision, include all applicable permit numbers and conform with the standards set forth in Sections 6.1, 6.2 and 6.3 minus the topography and soils information.

7.1 Digital Data Submission Requirements

The following apply to the submission of site plans or subdivision plans (including cluster developments and excavations).

7.1.1 A complete plan set shall be provided with submission of subdivision applications and professionally prepared site plan applications for Planning Board review, subsequent updates (complete or partial), and final approved and as-built plans. Adobe Acrobat (PDF) format at a resolution sufficient to produce full size copies is required, or as otherwise directed. Sketch plans for minor site plan applications shall be scanned to PDF format by the applicant or Town as agreed at time of submission.

All plans and specifications must be submitted on CD_ROM in IBM-PC compatible format. Acceptable file formats for plan sheets to be recorded include AutoCAD DWG, AutoCAD DXF, or ArcView (shapefile or geodatabase), or as otherwise directed. The files must be identical to the printed plan or Mylar and contain all information included thereon. Upon project completion, a digital submission of the "as-built" plan is required for final release of the performance bond associated with any project.

7.1.2 All digital mapping data shall be registered horizontally to the New Hampshire State Plane Coordinate System, North American Datum 1983 (NAD83) feet. Vertical datum shall be the North American Vertical Datum 1988 (NAVD88).

7.1.3 Each feature type (roads, buildings, lot lines, etc) must be organized in the CAD or GIS file as a separate layer. Layer names must clearly describe the features within each layer. For example,

Feature Type	Layer Name
Lot Line	LOT_LINE
Building	BUILDING
Roads	ROAD
Driveways	DRIVEWAY

7.1.4 Disks submitted in duplicate to the Wilton Planning Board must be labeled with project name, submitting consultant, file name, date, and whether the plan is preliminary, update (include revision date) approved (recording date or date of final approval for site plans), or as-built. For site plans (currently not recorded by the Town), the Planning Board may permit submission of an electronic (digital) version only. The file shall be provided via compatible digital storage media or attached in an e-mail with the abovementioned label information included.

7.1.5 Digital files shall be submitted upon subdivision or site plan submission, update and approval (including cluster developments and excavations). For site plans or subdivision plans, upon project completion, a digital submission of an "as-built" plan is required for final release of the performance bond associated with any project if field adjustments or other deviation from an approved plan occurs.

8.0 PERFORMANCE GUARANTEE

As a condition of approval, the Board may require the posting of a performance guarantee by the owner or his agent in an amount sufficient to guarantee satisfactory completion of all necessary improvements which are included in the final proposal, including but not limited to, street construction or completion; public improvements; the extension and construction of water and sewer lines and associated facilities; storm water drainage systems; erosion and sediment control structures; and fire safety structures. The amount of the guarantee will be based on an estimate of costs provided by the applicant and a review of the estimate by the Board's consulting engineer, the cost of which will be paid by the applicant. The cost of periodic inspections by the Board's consulting engineer is to be included in the guarantee. Performance guarantee shall be posted prior to the approval of the final plat. The value of the guarantee shall be re-computed if the project is not to be completed within 1 year of approval.

The form of the guarantee shall be approved by the Planning Board, Town counsel and the Board of Selectmen. The terms of the guarantee shall precisely identify the work to be performed, the completion schedule, the standards for judging satisfactory completion and the conditions for release of the guarantee. In the case of phased development plans, separate guarantees may be required for each phase and must be posted prior to commencing construction on the individual phase.

The guarantee shall be released upon satisfactory completion of all improvements and the receipt by the Board of the required "as-built plans" provided by the developer.

9.0 DESIGN STANDARDS

Site improvements shall be designed, installed and constructed in conformance with the standards contained in these regulations.

9.1 Monumentation.

Monuments constructed of concrete or stone at least 4 inches across the top and at least 36 inches long shall be set at all block corners and iron pins or equivalent markers at all lot corners. Drill holes shall be set at least 1 inch deep and be at least 1/2 inch in diameter. Drill holes shall be set in an unmovable stone. Iron pins shall be at least 1 inch in diameter and set in the ground a minimum of 36 inches, or if physical conditions do not permit, the pins shall be set in concrete.

9.2 High Intensity Soil Surveys.

High intensity soil surveys (HISS) are required for all major sub-divisions. The applicant may request a waiver of this requirement from the Board. A waiver may be granted based on an

evaluation of the site by the Board, its designated representative and/or a recommendation by the Hillsborough County Conservation District (HCCD) or other consultant selected by the Board.

High intensity soil surveys (HISS) shall be conducted in the following manner.

- a. All HISS will be prepared by a certified soil scientist.
- b. A paper copy showing the proposed development and the HISS information shall be provided to the Planning Board. The map shall contain the seal and signature of the certified soil scientist and any qualifying notes made by the soil scientist.
- c. If a soil classification provided on the HISS map is in dispute, the Planning Board may request an evaluation of the soil designations by the HCCD.
- d. Ground control, consisting of numbered flags, stakes, walls, trees, or other easily identifiable points on the property, will be marked both on the site and on the plat map(s). These points are to be well distributed throughout the site at a density of not less than four (4) points per acre. The points must be numbered on the plat plan and in the field to provide easy identification for all parties required or interested in examining the site.

9.3 Subsurface Sewage Disposal.

All lots proposed with on-site septic systems shall have adequate capacity to handle effluent and meet the following requirements.

- a. A 4,000 square foot leachfield area or an area 2 times that required by State standards, whichever is greater, shall be designated and reserved on each lot.
- b. The designated leachfield must be left open and cannot be used for incompatible purposes, including but not limited to driveways or structures of any type. Parking areas may be located over the designated leachfield if chambered systems are used.
- c. Septic systems and leachfields shall be constructed and maintained in accordance with the standards set and enforced by the New Hampshire Department of Health and Welfare, by the New Hampshire Department of Environmental Services, Water Supply and Pollution Control Division and the Town of Wilton.
- e. No septic system or leachfield shall be located in poorly or very poorly drained soils.
- f. Leachfields cannot be located in areas with finished slopes greater than 25 percent of septic systems and leachfields shall be set back from wetlands, open water bodies and perennial streams as follows:
 1. systems located entirely or partially in highly permeable soils (a permeability of 6 inches or greater per hour throughout as indicated in the USDA Soil Survey of Hillsborough County, New Hampshire, Western Part.) - 125 feet;
 2. systems located entirely or partially in somewhat poorly drained soils, moderately well drained soils or soils with a restrictive layer and a slope of 8 percent or greater - 100 feet; and
 3. systems located in all other soils - 75 feet.
- g. If the HISS indicates bedrock at less than three (3) feet from the surface, sufficient test pits shall be made to ensure that all required setbacks can be met.

9.4 **Streets and Roads.**

All streets and roads shall be constructed to meet the requirements contained in these regulations and the Road Design Standards and Specifications contained in Appendix I.

9.4.1 Layout. Streets and roads shall be logically related to the topography of the site to minimize cuts and fills, to provide for reasonable grades and safe intersections, and to produce usable lots. Subdivision streets shall be arranged to provide for the continuation of the principal streets in adjoining subdivisions, or for their proper projection when adjoining property is not subdivided. Connecting streets will conform in width, but in no instance will any new street be narrower than 20 feet.

9.4.2 Street Names. Streets which join or are in alignment with streets on abutting properties shall have the same name. New street names will not duplicate or bear phonetic resemblance to the names of existing streets within the Town of Wilton. All street names are subject to final approval by the Board of Selectmen.

9.4.3 Design and Construction Standards. Street and road networks, including pavement, drainage facilities, curbs and sidewalks, will be designed and constructed in accordance with the standard specifications contained in Appendix I. The road agent and/or the consulting engineer will oversee the construction of all roads and perform all required inspections.

9.5 **Storm Drainage.**

Natural drainage patterns and offsite runoff shall be maintained at predevelopment locations and volumes to the maximum extent feasible. Disturbed areas shall be graded to eliminate pooling of water. Provisions shall be made to control the drainage from the development through the use of a storm water management system approved by the Planning Board and/or the Consulting Engineer. Runoff is not permitted to run across the street surface; it must be directed into catch basins, ditches, or piped underground in a pipe of not less than 12 inches in diameter, or such size as may be deemed necessary by the Road Agent and/or the Consulting Engineer.

The stormwater drainage plan shall show:

- a. the existing and proposed methods of handling stormwater runoff;
- b. the direction of runoff using arrows;
- c. the location, elevation and size of all catch basins, drain-age ditches, swales, retention basins and storm sewers; and
- d. drainage calculations based on a 25 year storm frequency.

9.6 **Erosion and Sediment Control.**

A soil erosion and sediment control plan shall be provided for all major subdivisions. The erosion and sediment control plan shall conform to the standards contained in Appendix II,

Erosion and Sediment Control Plan Standards, and include temporary and permanent control measures. The Planning Board may waive this requirement upon the request of the applicant. The Board may require an evaluation of the potential erosion and sedimentation impacts of the proposed development by the HCCD or other consultant selected by the Board prior to granting a waiver.

9.7 Private Ways.

Private ways shall conform to the following standards and requirements:

- a. finished common drive surface - minimum 16 feet with 2 foot shoulders;
- b. grade of the common drive - maximum 8 percent; however, grades of up to 150 percent of the maximum may be permitted by the Planning Board for short distances, no more than 10 percent of the total length of the common drive, on a case by case basis;
- c. grades of the common drive at the intersection with the Town road shall be constructed to a slope of not more than 6 percent downward from the road surface for at least 1 car length of 20 feet or to the existing ditch line, and shall slope up and/or down not more than 6 percent a further distance sufficient to accommodate expected vehicle storage, as depicted in the diagram in Appendix I;
- d. all loam, muck, stumps, boulders or other improper road foundation materials within the limits of the finished drive surface shall be removed and replaced with 12 inches of gravel;
- e. proper drainage shall be installed;
- f. adequate access, turning radii and turnarounds for emergency vehicles shall be provided;
- g. the location of the private way shall be depicted on the final plat with shading; and
- h. the applicant shall provide the Board with a satisfactory Declaration of covenants and Restrictions which provides for the mutual recognition of easements between the lots and the maintenance of the private way.

10.0 PRECONSTRUCTION MEETINGS

A preconstruction meeting will be required by the Board for all major subdivisions. The preconstruction meeting shall be held 2 months prior to the commencement of any activity on the site. The purpose of the preconstruction meeting is to ensure that all parties involved with the development of the project, including but not limited to the owner and/or the developer, the contractors and builders, the Town's consulting engineer, the building inspector and the road agent, are familiar with the approved design, the terms and conditions of the approval and that all performance guarantees are accurate and in place. In addition to the individuals listed previously, representatives from the Planning Board and the Board of Selectmen shall attend the preconstruction meeting.

11.0 ADMINISTRATION AND ENFORCEMENT

These regulations shall be administered by the Board, its designated representative and/or its consulting engineer charged with reviewing preliminary and final plats for completion and compliance with these regulations and for conducting on-site inspections to confirm compliance with the approved plan. The enforcement of these regulations is vested with the Wilton Board of Selectmen.

12.0 ***AMENDMENTS***

These regulations may be amended by the Board following a public hearing on the proposed changes. Amendments to the regulations take effect when a copy of the amendments, certified by a majority of the Board, is filed with the Town clerk. A copy of any amendments shall also be filed with the NH Office of State Planning in accordance with RSA 675:9.

13.0 ***PENALTY***

Any violation of these regulations shall be subject to a civil fine as provided in RSA 676:16 and 676:17, as amended. The Selectmen or the building inspector are designated as the local authorities to institute appropriate action under the provisions of RSA 676:17.

14.0 ***ADOPTION***

These Regulations shall become effective when adopted by the Board after Public Hearing and filed with the Town Clerk.

15.0 ***CONFLICT AND SEPARABILITY***

Wherever these regulations conflict with any statute, ordinance or other regulation, the provision that imposes the greater restriction or the higher standard shall govern.

If any section, provision, portion, clause or phrase of these regulations shall be declared invalid or unconstitutional, it shall not impair or invalidate any other section, clause, provision, portion or phrase of these regulations.

PLANNING BOARD
TOWN OF WILTON, NH

SUBDIVISION PLAN REVIEW APPLICATION

(Amended December 16, 2009)

PLANNING BOARD USE ONLY

1) Applicant's name: _____

Address: _____

Tel. #: _____

2) Owner of property: _____

Land Owner's Address: _____

Tel. #: _____

3) Tax lot number(s) and street number: _____

4) Zoning district(s) property located in:

Residential Commercial

Residential & Agricultural

Industrial Office Park

Aquifer Watershed

Wetlands Flood Plain

Plan File: # _____

Date application
& Fees received: ___/___/___

Date abutters
notified: ___/___/___

Date of newspaper
notice: ___/___/___

Date and agenda number
of scheduled meeting:
___/___/___ Ag. # _____

Date application
accepted: ___/___/___
Conditions: _____

Date written notice of
approval-disapproval
sent: ___/___/___

Date subdivision plans
recorded in Registry
of Deeds: ___/___/___

FEES PAID:

Filing \$ _____

Date: ___/___/___

Recording: ___/___/___

Date: ___/___/___

Desig. Rep.: \$ _____

Date: ___/___/___

Consulting: \$ _____

Date: ___/___/___

WILTON LAND USE LAWS AND REGULATIONS

SECTION B - SUBDIVISION REGULATIONS

- 5) General location of property: _____

- 6) Road frontage of property: _____
- 7) Description of the proposed subdivision, cluster, or other development (e.g., number of lots, acreage, intended use, etc.):

- 8) Attach a listing of the names and addresses of all abutters as listed in Town records not more than five (5) days prior to filing date of application. List to include all abutters directly across roadways and streams, the owner of the property or representative *as well as all professional engineers, architects, land surveyors, or soil/wetland scientists whose professional seal appears on the subdivision plan*. In addition three sets of mailing labels shall be provided by the applicant. (See RSA 672:3 and Wilton Zoning Ordinance 4.9)
- 9) This application will be reviewed by the Designated Representative of the Wilton Planning Board and where found to conform to the requirements of the Town's Land Use Laws and Regulations will be signed by the representative prior to submission. Thereafter, it will be scheduled for presentation at an official public hearing of the Planning Board. The date and agenda number of this meeting will be sent to the Applicant along with abutter notifications.
- 10) **This application must be signed by the owners of all lots involved in the application.**

The information contained in this application is complete and true to the best of my knowledge. I approve the submission of this application. If an Agent/Owner Representative is named below, the person named there has my permission to represent me before the Wilton Planning Board. I authorize the Agent/Owner Representative to submit this application and to speak before the Planning Board on my behalf. (A separate signed letter is also acceptable.)

Signature of Owner _____ Date _____

11) Agent/Owner Representative

Fill out this section if the application is being submitted by a realtor, surveyor, engineer, attorney, etc., on behalf of the actual owner or applicant.

Name _____
Mailing Address _____
Town, State, ZIP _____
Email Address _____

12) Required application fees are due and payable at the time the application is filed with Planning Board Clerk: (See Application Fee Schedule Appendix III to determine applicable rates) (Amended Dec. 2009)

A) General Application Submission Fees: (as required per application)

- 1) Legal Notice \$ _____
- 2) Abutter Notification
 _____ # of abutters (see item 8) x \$ _____ /abutter = \$ _____
- 3) NRPC Escrow \$ _____ (Separate check)

Additional Fees to be paid by the applicant during the application process

- 4) Consultant Escrow (To be determined by the Board)
- 5) Digital Data Submission Fee (To be determined and paid at the time of approval)
- 6) Recording Fee (To be determined and paid at the time of approval)

B) Subdivision Application fee: (check applicable box(s); enter fee)

- 1) Subdivision Pre-Application Consultation \$ _____
- 2) Subdivision Voluntary Merger \$ _____
- 3) Subdivision Lot Line Adjustment/line adjusted
 _____ # lines x \$ _____ fee/line = \$ _____
- 4) Subdivision Condo Conversions
 _____ # units x \$ _____ fee/unit = \$ _____
- 5) All other Subdivisions including Cluster
 _____ # lots/units x \$ _____ fee/lot or unit = \$ _____

Total Fees: \$ _____

As the owner or duly authorized Agent/Owner Representative for the owner of the property, I do hereby submit this plan for review as required by the Town of Wilton Land Use Regulations. I agree to be fully responsible for payment of all fees, costs and expenses including fees for professional consultant reviews deemed necessary by the Planning Board incurred with respect to this application.

Signature: _____ Date: ____/____/____
Owner/Agent/Owner Representative

Signature: _____ Date: ____/____/____
Wilton Planning Board Designated Representative

Signature: _____ Date: ____/____/____
Planning Board Clerk

**PLANNING BOARD
TOWN OF WILTON, NH**

SUBDIVISION PLAN REVIEW CHECKLIST

I. PLAT STANDARDS

Y N NA

- 6 copies of the preliminary plat.
- Subdivision name.
- Purpose of the subdivision.
- Name and address of owner of record.
- Name and address of the subdivider and engineer/surveyor.
- Date plans first drafted.
- Tax map and lot number(s), and total acreage of parcel(s) being subdivided.
- Zoning districts within which the subdivision is located.
- Signature of the owner or his/her designated representative.
- Seal and signature of a land surveyor licensed in the State of NH.
- Seal and signature of a professional engineer licensed in the State of NH (where required for engineering designs).
- Seal and signature of a certified soil scientist or the SCS.
- Horizontal scale a minimum of 1"=100' (1"=50' preferred).
- Vertical scale not to exceed 1"=40'.
- Signature block in lower right corner above title.
- Locus map at a scale of 1"=1000'.
- Bar scale for the plat.
- Magnetic and true north.
- Revision block.
- Notes section for plan information.

II. ABUTTING PROPERTY INFORMATION

Y N NA

- Tax map and lot numbers.
- Names and addresses of the owners of record as indicated in Town records not more than five (5) days before the date of filing.
- Locations of property lines and their approximate dimensions.
- Names and locations of abutting subdivisions.
- Names, locations and dimensions of existing streets, easements and alleys.
- Names, locations and dimensions of abutting parks and open space.
- Locations and dimensions of setbacks.
- Locations of existing buildings within 100 feet of property lines.
- Locations of existing septic system leach fields within 100 feet of property lines.
- Road or driveway intersections within 200 feet of property lines.
- Other _____

Sheet 1 of 3 Continued >

III. SUBDIVISION INFORMATION

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations, bearings and distances of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations permanent boundary markers. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Length of frontage on a public ROW. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Area of proposed lots - wet, dry and total. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Existing and proposed topography for entire parcel - contour intervals not to exceed 5 feet. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Location of the 100 year floodplain. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Zoning district boundaries. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Soil boundaries and types as certified by a registered engineer, certified soil scientist or SCS. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - High intensity soil survey, if required. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of all water bodies, watercourses, wetlands, rock/ledge outcrops or other significant natural features. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of any proposed dredge and/or fill areas. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations and dimensions of existing and proposed easements. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations and dimensions of buildings. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of soil test pits accompanied by test pit and perc test data. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing and proposed water, sewer and drainage systems. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of proposed wells and protective well radii. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of the 4,000 square foot septic reserve areas. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing and proposed utility lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations, names, widths and profiles of existing and proposed street and highways showing grades, radii, culverts and drains, and bridge designs. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Proposed driveway locations with note that relocation requires approval of the Board. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of parcels to be dedicated to public use. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Temporary and permanent erosion and sedimentation controls. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |

Sheet 2 of 3 Continued >

IV. SUPPORTING INFORMATION

Y N NA

- Letter from water commission certifying availability and intent to provide service.
- Letter from sewer commission certifying availability and intent to provide service.
- Letter from the Fire Chief certifying adequate water for fire protection and access for emergency vehicles.
- Drainage calculations based on a 25 year storm frequency.
- Legal documents for all proposed easements, restricted covenants or other documents affecting legal title of the property.
- If the proposed subdivision covers only a portion of the entire tract, a statement concerning the intended future use of the remainder.
- NH Water Supply and Pollution Control Division Subdivision Septic Approval Permit number.
- NH Wetlands Board Dredge and Fill Approval Permit number and Army Corps of Engineers Dredge and Fill approval, if required.
- NH Water Supply and Pollution Control Division Site Specific Permit.
- NH Department of Transportation Curb-Cut Approval Permit number and/or a letter of approval from the Wilton Road Agent.
- A line drawing plan of the subdivision drawn to scale of the tax map.
- Other _____

Sheet 3 of 3 End

CAVEAT LOT CONSOLIDATION

In Accordance with NH RSA 674:39-a, Voluntary Merger, and section 3.2.6, Minor Subdivisions, of the Town of Wilton, NH Subdivision Regulations, the following shall apply for any owner(s) of two (2) or more contiguous pre-existing approved or subdivided lots or parcels who wish to merge (consolidate) them for municipal regulation and taxation purposes.

All lot consolidations shall comply with the current Wilton Zoning Ordinance and Subdivision Regulations. Copies of this form with original signatures of the owner(s) and Planning Board or its designee shall be filed for recording at the Hillsborough County Registry of Deeds (HCRD) and submitted to the Town of Wilton Assessor. The landowner(s) shall also present the Planning Board or its designee a legal copy of the deed(s) describing the subject lots and a signed and notarized, written statement that the lots being consolidated are not subject to separate mortgages or other encumbrances.

** A copy of the "Caveat Lot Consolidation" form may be found on last page of the Wilton Subdivision Regulations.

*** TYPE AND SIGN IN PERMANENT BLACK INK ***

The undersigned, (Type)

Name _____ Name _____,
with a legal address at,
Address _____ Address _____

hereby acknowledges ownership of the following ____ (#) contiguous (abutting) parcels of land known as Assessor's Map # ____, Lot # ____, Map # ____, Lot # ____, Map # ____, Lot # ____, acquired by deed(s) recorded at Hillsborough County Registry of Deeds (HCRD) in Book(s) # ____, Page(s) # ____, Book(s) # ____, Page(s) # ____, Book(s) # ____, Page(s) # ____.

Henceforth, the above ____ (#) parcels of land shall, for all purposes be considered a single lot and shall be assigned a single tax map and lot number and shall not be sold separately or any other divided interest be conveyed except with the prior approval of the Wilton Planning Board in accordance with its duly adopted subdivision regulations.

Signed this ____ day _____ of _____.

Owner Signature _____ Witness _____
(Type Name) _____ (Type Name) _____

Owner Signature _____ Witness _____
(Type Name) _____ (Type Name) _____

STATE OF NEW HAMPSHIRE, HILLSBOROUGH, SS

Personally appeared the above named individual(s) and acknowledged that the foregoing instrument was His/Her/Their free act and deed, before me this ____ day of _____, 20____.

Notary Public/Justice of the Peace

My Commission Expires: _____

WILTON PLANNING BOARD ENDORSEMENT

_____, Planning Board or Designee. Date signed: ____/____/____.
(Type Name) _____

RECEIVED: Check to "Hillsborough County Registry of Deeds" as set in Appendix III Fee Schedule

HCRD # ____/Date ____/____/____.

WILTON, NEW HAMPSHIRE

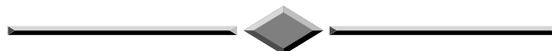
LAND USE LAWS



***CLUSTER DEVELOPMENT REGULATION
SECTION C***

ADOPTED SEPTEMBER 19, 1976

Amended March, 1989; December 16, 2009



WILTON LAND USE LAWS AND REGULATIONS
SECTION C - CLUSTER DEVELOPMENT REGULATION

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WILTON LAND USE LAWS AND REGULATIONS
SECTION C – CLUSTER DEVELOPMENT REGULATIONS

A. GENERAL

The Planning Board may approve cluster developments in accordance with the following regulations, and such other Town Regulations as may apply.

B. PURPOSE

The purpose of cluster development, and to which purposes any such development must adhere, are the following:

1. To promote the conservation of the natural environment, preservation of wetlands and wildlife habitat, and the development of community uses in harmony with the natural features of the land and provide for the appropriate use of the terrain within the cluster development.
2. To establish living area within the town that provide for a balance of community needs, such community needs as a diversity of housing opportunities, adequate recreation and open space areas, easy accessibility to these and other community facilities, and pedestrian and vehicular safety.
3. To provide for the location of like uses next to like uses so as to enhance the nature and quality of preserved green space within the community while providing clusters of housing around a green or common
4. To provide green space within the cluster development between the clusters of housing and abutting properties so as to provide community open space.
5. To provide for an efficient use of land, streets, and utility systems, while minimizing the impact of such development upon adjacent areas.
6. To stimulate new approaches to land and community development.
7. To provide for the preservation of agricultural land of state and/or local significance and encourage the continued use of open space for agricultural and/or silvicultural purposes.

C. GENERAL REGULATIONS

The following regulations shall govern all proposals submitted under the cluster development provisions:

1. Cluster development shall be permitted in the residential district and in the general residence and agricultural district on tracts of land of not less than fifteen (15) acres having a minimum frontage of five hundred (500) feet on a public right-of-way, Class V or better.

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2. However, in no case shall the overall density of development approved by the Planning Board exceed the density of the underlying district as provided in the Town of Wilton Zoning Ordinance, except as provided hereinafter in such paragraph 2(B). The following factors shall be considered by the Planning Board in determining the density for a proposed development under this regulation prior to addition of any Density bonus as provided hereinafter:
- a.
 - 1) Capability of soil to support proposed development.
 - 2) Amount of disruption of slopes greater than 25%.
 - 3) Minimal disruption of wetlands.
 - 4) Availability of community services (schools, fire and police protection, etc.).
 - 5) Capability of roads off site to handle increased traffic generated by proposed development. Capability of interior roads to meet traffic requirements of development.
 - 6) Town water and Town sewerage available to site. In the alternative, the capability of the site to provide adequate water supply and the capability of the site to provide proper sewerage disposal for the proposed development.
 - 7) Anticipated population based upon proposed development.
 - 8) Public recreational opportunities.

The Planning Board shall determine a density figure based upon the foregoing factors prior to determining any density bonus in accordance with sub-Paragraph b. hereinafter.

- b. The following factors shall be considered by the Planning Board in determining any density bonus to be awarded after the cluster has met the requirements set by the Cluster Regulations:
 - 1) Minimized access points onto existing roads.
 - 2) No development or disruption of slopes greater than 15%.
 - 3) No disruption of existing significant wetlands.
 - 4) Provision of green space buffer in excess of twice that required.
 - 5) Provision of interior green space between clusters in a significantly greater degree that required.
 - 6) Provision of a significant diversity of housing (measured by size and price) to meet the needs of lower income families.
 - 7) Attractive design use of the terrain.

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- 8) Low visibility impact of development off-site.
- 9) Absence of development of frontage of lot in existence as of March 14, 1989. In the event of such development, the maximum bonus shall be limited to 12.5%. In the event the applicant's proposed development would also fail to meet the provisions of Paragraph 10 hereinafter, then no density bonus shall be available.
- 10) In the event a proposed development is found by the Planning Board not to meet at least the objectives of five (5) of the objectives listed in sub-Paragraphs C(2) B(1) through C(2) B(9), inclusive within the spirit of the ordinance, then the maximum bonus shall be limited to 12.5%.

In no case shall the density bonus as determined by the Planning Board exceed 25% of the density as determined in accordance with the density calculations for the underlying district. In determining a density bonus, the Planning Board shall specify those factors relied upon in reaching its determination.

However, in no case shall the density of development approved by the Planning Board exceed four (4) dwelling units per gross tract acre.

3. Cluster developments shall not be required to conform to the minimum frontage, setback, and lot sizes required in the Zoning Ordinance but shall be so designed and constructed as to achieve the purposes of cluster development set forth in Paragraph B. of these Regulations. All development shall be set back from the exterior lot lines a minimum of 1.5 times the set-back required for the underlying district. In addition, all development in the Watershed District shall conform to the set-backs set forth in the Watershed District. Interior development set-backs shall be as follows:
 - a. Single family dwellings shall be set back a minimum of 30 feet from adjacent single family dwelling units.
 - b. Multi-family dwellings shall be set back a minimum of 50 feet from adjacent multi-family dwellings and single family dwellings.
4. The maximum number of dwelling units per building in the Residential District shall be 6 units per building where Town water and sewer are available and 4 units per building where Town water and/or sewer are not available. The maximum number of dwelling units per building in the General Residential Agricultural District shall be 3 units per building where Town water and sewer are available and 2 units per building where Town water and/or sewer are not available.
5. Where a cluster development abuts existing development, a landscaped buffer of sufficient width to provide an adequate division or transition between uses shall be established.
6. At least forty percent (40%) of the Gross Tract Area shall be set aside as common open space for the use and enjoyment of the residents of the development and/or of the general public and shall be permanently restricted for open space, recreation and conservation uses.

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Suitable recreation facilities and equipment shall be constructed or installed by the developer as determined through consultation with the Planning Board.

7. Open space within a cluster development either shall be deeded to the Town of Wilton; or shall be protected by recreation and conservation easements; or shall be leased or conveyed to be maintained as permanent open space; or shall be permanently protected in other suitable ways so as to guarantee the following:
 - a. the continued use of such land for the intended purposes;
 - b. continuity of proper maintenance for those portions of the open space land requiring maintenance;
 - c. when appropriate, the availability of funds required for such maintenance;
 - d. recovery for loss sustained as a result of casualty, condemnation or otherwise; and
 - e. in the case of a homeowners' association or similar form of ownership, that the membership and obligation of the residents of the cluster development be automatic upon the conveyance of title or lease to individual dwelling units.
8. The cluster development plan shall show the layout of all roads and shall differentiate between collector roads which move traffic into and/or through the development, and local roads which provide access to the individual dwelling units. Those roads which are collectors shall be built to the Town subdivision requirements for new public roads, and shall be offered to the Town for public acceptance. Local roads shall be built as hard surfaced roads to standards approved by the Planning Board and Road Commissioners, and may remain in private ownership. The Planning Board may permit a reduction in road size and construction requirements to that of a 50 foot right-of-way with an 18 foot sand or gravel surface collector road with 12 foot gravel driveways accessing no more than three (3) single family dwellings per common drive, where the density of proposed development is less than one (1) unit per 6 acres as determined in accordance with the requirements of the underlying district, and where the Planning Board determines such reduction is appropriate for the number of dwelling units to be constructed for providing public safety access; is appropriate to the terrain; and visually enhances the character of the neighborhood or Town.
9. All parking within the cluster development shall be provided for in paved off-street locations at a ratio of not less than two (2) spaces per dwelling unit.
10. Emergency vehicle access shall be provided to all structures within the cluster development.

D. REVIEW STANDARDS

The review of any cluster development conducted by the Planning Board under these regulations shall ascertain that adequate provisions have been made by the owner or his authorized agent for the following:

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1. Traffic circulation and access including adequacy of adjacent streets, entrances and exits, traffic flow, sight distances, curb cuts, turning lanes, and existing or recommended traffic signalization.
2. Pedestrian safety and access.
3. Off-street parking and loading.
4. Emergency vehicle access.
5. Storm water drainage based upon a ten (10) year storm frequency, utilizing on-site absorption wherever practical.
6. Recreation facilities.
7. Water supply and wastewater disposal.
8. Environmental factors such as protection against pollution, noise, odor, and the protection of natural land features.
9. Landscaping in keeping with the general character of the surrounding area.
10. Signing and exterior lighting.

In addition, the Planning Board shall review the plan to assure compliance with the provisions of the standards set forth in Paragraph C of these Regulations, and other Town Regulations and Ordinances. The Planning Board shall also ascertain that the plan minimizes the encroachment of the cluster development upon neighboring land uses.

E. PROCEDURE

1. Pre-Application

Prior to formal application for approval of a cluster development plan, the owner or his agent shall meet with the Planning Board to discuss the regulations governing cluster development to informally review the owner's proposed use of the land. The purpose of this pre- application meeting is to facilitate the preparation of the formal application and the cluster development plan in conformance with all applicable regulations.

2. Application

All applications for cluster developments shall be made in writing on the forms provided by the Planning Board, by the owner of the property or his agent as designated in writing by the owner.

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The completed application together with the documentation required in these regulations shall be submitted to the Planning Board and placed on the Board's agenda for consideration within thirty (30) days of its receipt. A fee of thirty-five dollars (\$35.00) plus one dollar (\$1.00) per each acre over thirty-five (35) acres for each gross tract acre not to exceed one hundred (\$100.00) dollars shall be paid to the Town of Wilton at the time of filing the application. This fee shall be used to defray Town administrative costs including legal advertising involved in reviewing the application. No application shall be accepted by the Planning Board nor placed on the Board's agenda until such fee has been paid.

Within ninety (90) days of receipt of the application, the Planning Board shall act to approve or disapprove the plan as submitted or amended, provided that the Planning Board may apply to the Selectmen for an extension not to exceed an additional ninety (90) days before acting to approve or disapprove; and also provided that the applicant may waive, in writing, this requirement and consent to an extension of such period. If the Planning Board does not approve or disapprove the plan in this period, the plan shall be deemed to have been approved.

No plan shall be approved by the Planning Board without the Board affording a hearing thereon. All abutters shall be notified of said hearing by certified or registered mail. The applicant shall be notified of said hearing by certified or registered mail, with return of receipt requested, stating the time and place of such hearing, not less than five (5) days before the date fixed therefore. If the Board shall vote to disapprove, the owner or his authorized agent shall be notified in writing and the specific causes of disapproval shall be noted.

The Planning Board may require the owner or his authorized agent to deposit in escrow with the Town an amount of money sufficient to cover the costs for any professional review of the preliminary plan documents which the Board may feel is reasonably necessary to protect the general welfare of the Town. Such amount of escrow shall not exceed the total of three hundred dollars (\$300.00) plus ten (\$10.00) per one thousand (1,000) square feet of proposed building floor area. This escrow payment shall be made before the Board engages any outside party to undertake this review. Any part of this escrow payment in excess of the final costs for this review shall be returned to the owner or his agent.

3. Preliminary Plan Submission

When the owner of the property or his authorized agent makes formal application for the approval of a cluster development, his application shall include the following, which shall constitute a Preliminary Plan:

- a. A fully executed and signed copy of the application for cluster development plan review.
- b. Four (4) copies of the total cluster development plan, at a scale of not more than one (1) inch equals one hundred (100) feet, and of such additional maps at a larger scale, preferably one (1) inch equals fifty (50) feet, necessary to allow review of the items listed under the preceding general standards. Such plan and maps shall show the following:
 - 1) Owner's name, address and signature.

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- 2) Names and addresses of all abutting property owners.
 - 3) A sketch map showing the total site and major road and open space networks at a scale of one (1) inch equals one thousand (1000) feet and also locating the site within the Town.
 - 4) Boundary of the entire parcel held in single ownership regardless of whether all or part is being developed at this time.
 - 5) The bearings and distances of all existing property lines and the source of information.
 - 6) Zoning classification(s) of the property, and the location of zoning districts when the property is in two or more districts.
 - 7) Soil types and location of soil boundaries as certified by a Registered Engineer or the Hillsborough County Conservation District.
 - 8) The character of community graphics and exterior lighting.
 - 9) The location of all existing and proposed buildings, driveways, parking spaces, loading areas, open spaces, large trees, signs, exterior lighting, service areas, easements and landscaping.
 - 10) The approximate location of all buildings within two hundred (200) feet of the parcel to be developed.
 - 11) The location of all intersecting roads or driveways within two hundred (200) feet of the parcel.
 - 12) The location of all water bodies, waterways, wetlands, and dry water beds.
 - 13) A storm water drainage plan showing the proposed general method for handling storm water run-off.
 - 14) Existing and proposed topography of the site at five (5) foot contour intervals and the source of this information. Enlargement of U.S.G.S. quad sheets will not be acceptable for any portion of the site proposed for development.
 - 15) A utility plan showing proposed water supply and wastewater disposal.
 - 16) A staging plan showing the sequence and approximate timetable of development.
- c. Copies of any existing easements, covenants, or deed restrictions.
- d. A description of any proposed easements, covenants, deed restrictions, or condominium or homeowners agreements.

4. Preliminary Plan Revisions and Approval

The Board shall undertake a review of the Preliminary Plan to assure its compliance with the standards set forth in these regulations and the principles of sound land planning. During this review, the Board may consult with outside professionals who are qualified to comment on the plan and may hear and confer with other parties whose interests may be affected by the proposed cluster development. Following its review, the Board shall communicate to the owner or his agent, the specific changes, if any, which will be required prior to the Board's preliminary approval.

Upon receipt of a revised Preliminary Plan (if required), the Board shall again review the plan. This procedure shall be repeated until such time as the Board is satisfied that the Preliminary Plan is in compliance with these regulations and exhibits sound planning for the use of the land.

At this time the Board shall hold a public hearing(s) on the Preliminary Plan. After such hearing(s), the Board shall communicate to the owner or his agents any additional changes (if any) which will be required for approval of the Preliminary Plan. Upon receipt of the revised Preliminary Plan, the Board shall act to approve or disapprove the Preliminary Plan.

5. Final Plan Submission and Approval

After receiving Planning Board approval of the Preliminary Plan, the owner or his authorized agent shall submit four (4) copies of a final Cluster Development Plan to the Board for final approval or disapproval. The Planning Board shall review the submission and may use such outside professional consultants as it deems necessary. The Final Plat shall also constitute a Final Plat under the Subdivision Regulations of the Town of Wilton and shall conform to the said regulations. The Final Plan shall show all information required of the Preliminary Plan submission and shall also include and show the following:

- a. Conformity with the Preliminary Plan, except that modifications to the Preliminary Plan may be made if expressly noted and approved individually by the Board prior to final approval.
- b. Surveyed bearings and distances of all property lines and acreages of all individual parcels.
- c. The location and size of all signs and exterior lighting.
- d. Storm water drainage, showing:
 - 1) The location, elevation, and size of all catch basins, drywells, drainage ditches, swales, retention basins and storm sewers.
 - 2) Engineering calculations used to determine drainage requirements based upon a ten (10) year storm frequency.
- e. Existing and proposed topography at two (2) foot intervals for those portions of the site which development or construction of any kind is to occur.

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- f. A utility plan showing all necessary facilities for water supply and wastewater disposal including the size and location of all piping, holding tanks, leach fields, etc.
- g. All written approvals and permits required by the State for the development, including but not limited to the approvals for sewage disposal, dredging, filling, or drainage, and highway modifications and access points.
- h. Copies of all proposed easements, covenants, deed restrictions, condominium agreements, etc.
- i. The Planning Board may require the owner or his authorized agent to deposit in escrow with the Town, that sum of money sufficient to cover the costs of any professional review of the documentation submitted by the owner or his agent which the Board determines is reasonably necessary to protect the general welfare of the Town. This escrow payment shall be made before the Board engages any outside third party to undertake this review. Any excess escrow above the final cost to the Town shall be returned to the owner or his agent.
- j. A bond or bonds posted by the owner or his agent sufficient to guarantee the satisfactory completion of all necessary improvements such as streets, storm drainage, recreation facilities, and the extension of public water and sewer lines. This bond shall be approved as to form and sureties by the Board. The agreement shall be conditioned upon completion of the improvements within such time period as shall be determined by the Board. In the case of phased development plans, separate bonds may be required for each individual phase.

The bond(s) shall be released upon satisfactory completion of all improvements and the receipt by the Board of such "as-built plans" as the Board shall require for the improvements which shall be provided by the developer.

6. Filing Procedures

Following Planning Board approval of the Cluster Development Plan, the owner or his agent shall file in the Hillsborough County Registry of Deeds the approved Final Plan which shall serve as both the Cluster Development Plan as well as, where applicable, the approved Subdivision Plan. At the time that the approved plans are filed in the Registry, the owner shall also file the legal documents that will produce the guarantees described and contained in Paragraph "C. General Regulations" of these regulations. Amendments to the approved plan shall also be filed with the Hillsborough County Registry of Deeds following their approval by the Planning Board.

7. Amendments to an Approved Plan

The owner, his agent or his successors or assigns shall make no alterations or additions to or deletions from the approved Cluster Development Plan except as approved in advance by the

WILTON LAND USE LAWS AND REGULATIONS
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Planning Board. All requests for changes to the approved plan shall be made in writing to the Board and shall be accompanied by such documents as necessary to explain the requested change. The Board shall determine if the requested change is minor or major in nature.

a. Minor Changes

A minor change shall be one which respects the approved plan's basic land allocations in terms of use and intensity, the type and variety of facilities and dwelling units being provided, and the timing for providing these facilities, but shall not include any increase in the overall density of the development. The Board may hold a public hearing on the proposed change with proper notification of all abutters, including those of the original proposed development as well as any additional ones which may have been created by development activity within the development itself. The Board shall then act to approve or disapprove with written notification to the owner of its action. Any approved changes involving changes in any lot boundaries shall be recorded as a subdivision change in the Registry of Deeds.

b. Major Changes

Any requested change which the Board determine does not qualify as a minor change shall be required to be submitted as a separate Cluster Development Plan in accordance with these regulations and procedures.

WILTON LAND USE LAWS AND REGULATIONS
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PLANNING BOARD
TOWN OF WILTON, NH

CLUSTER PLAN REVIEW APPLICATION
(Amended December 16, 2009)

PLANNING BOARD USE ONLY

<p>1) Applicant's name: _____ _____</p> <p>Address: _____ _____</p> <p>Tel. #: _____</p>	<p><i>Plan File: #</i> _____</p> <p><i>Date application & Fees received:</i> ___/___/___</p> <p><i>Date abutters notified:</i> ___/___/___</p> <p><i>Date of newspaper notice:</i> ___/___/___</p>
<p>2) Owner of property: _____ _____</p> <p>Address: _____ _____</p> <p>Tel. #: _____</p>	<p><i>Date and agenda number of scheduled meeting:</i> ___/___/___ Ag. # _____</p> <p><i>Date application accepted:</i> ___/___/___</p> <p><i>Conditions:</i> _____</p>
<p>3) Tax lot number(s) and street number: _____ _____</p>	<p><i>Date written notice of approval-disapproval sent:</i> ___/___/___</p>
<p>4) Zoning district(s) property located in:</p> <p><input type="checkbox"/> Residential <input type="checkbox"/> Commercial</p> <p><input type="checkbox"/> Residential & Agricultural</p> <p><input type="checkbox"/> Industrial <input type="checkbox"/> Office Park</p> <p><input type="checkbox"/> Aquifer <input type="checkbox"/> Watershed</p> <p><input type="checkbox"/> Wetlands <input type="checkbox"/> Flood Plain</p>	<p><i>Date subdivision plans recorded in Registry of Deeds:</i> ___/___/___</p> <p>FEES PAID:</p> <p><i>Filing</i> \$ _____</p> <p><i>Date:</i> ___/___/___</p> <p><i>Recording:</i> ___/___/___</p> <p><i>Date:</i> ___/___/___</p> <p><i>Desig. Rep.:</i> \$ _____</p> <p><i>Date:</i> ___/___/___</p> <p><i>Consulting:</i> \$ _____</p> <p><i>Date:</i> ___/___/___</p>

WILTON LAND USE LAWS AND REGULATIONS
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- 5) General location of property: _____

- 6) Road frontage of property: _____
- 7) Description of the proposed subdivision, cluster, or other development (e.g., number of lots, acreage, intended use, etc.):

8) Attach a listing of the names and addresses of all abutters as listed in Town records not more than five (5) days prior to filing date of application. List to include all abutters directly across roadways and streams, the owner of the property or representative *as well as all professional engineers, architects, land surveyors, or soil/wetland scientists whose professional seal appears on the subdivision plan*. In addition three sets of mailing labels shall be provided by the applicant. (Per RSA 672:3 and Wilton Zoning Ordinance 4.9.)

9) This application will be reviewed by the Designated Representative of the Wilton Planning Board and where found to conform to the requirements of the Town's Land Use Laws and Regulations will be signed by the representative prior to submission. Thereafter it will be scheduled for presentation at an official public hearing of the Planning Board. The date and agenda number of this meeting will be sent to the Applicant along with abutter notifications.

10) This application must be signed by the owners of all lots involved in the application.

The information contained in this application is complete and true to the best of my knowledge. I approve the submission of this application. If an applicant or Agent/Owner Representative is named below, the person named there has my permission to represent me before the Wilton Planning Board. I authorize the Agent/Owner Representative to submit this application and to speak before the Planning Board on my behalf. (A separate signed letter is also acceptable.)

Signature of Owner _____ Date _____

11) Agent/Owner Representative

Fill out this section if the application is being submitted by a realtor, surveyor, engineer, attorney, etc., on behalf of the actual owner or applicant.

Name _____
Mailing Address _____
Town, State, ZIP _____
Email Address _____

WILTON LAND USE LAWS AND REGULATIONS
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12) Required application fees are due and payable at the time the application is filed with Planning Board Clerk: *(See Application Fee Schedule Appendix III to determine applicable rates) (Amended Dec. 2009)*

A) General Application Submission Fees: (as required per application)

1) Legal Notice \$ _____

2) Abutter Notification
_____ # of abutters (see item 8) x \$ _____ /abutter = \$ _____

3) NRPC Escrow \$ _____ (separate check)

Additional Fees to be paid by the applicant during the application process:

- 4) Consultant Escrow (To be determined by the Board)
- 5) Digital Data Submission Fee (To be determined and paid at the time of approval)
- 6) Recording Fee (To be determined and paid at the time of approval)

B) Subdivision Application Related Fees: (check applicable box(s); enter fee)

1) Cluster Subdivision Pre-Application Consultation \$ _____

5) Cluster Subdivision
_____ # lots/units x \$ _____ fee/lot or unit = \$ _____

Total Fees: \$ _____

As the owner or duly authorized Agent/Representative for the owner of the property, I do hereby submit this plan for review as required by the Town of Wilton Land Use Regulations. I agree to be fully responsible for payment of all fees, costs and expenses including fees for professional consultant reviews deemed necessary by the Planning Board incurred with respect to this application.

Signature: _____
Owner/Agent/Owner Representative

Date: ____/____/____

Signature: _____
Wilton Planning Board Designated Representative

Date: ____/____/____

Signature: _____
Planning Board Clerk

Date: ____/____/____

WILTON LAND USE LAWS AND REGULATIONS
SECTION C – CLUSTER DEVELOPMENT REGULATIONS

CLUSTER DEVELOPMENT REVIEW CHECKLIST

TOWN OF WILTON, NH

I. GENERAL

YES NO

- a) Has a completed, signed copy of the application been submitted?
- b) Has the review fee of \$1.00 per acre been paid to the Town of Wilton?
- c) Have funds been deposited in escrow to cover the costs of professional review?
- d) Are four (4) copies (ink or print) of the site plan attached to the application?
- e) Is the scale not more than one hundred (100) feet to the inch?
- f) Is the north point shown?
- g) Does the title block show:
 - 1) Name of the development or project?
 - 2) Name, address, and telephone number of the owner or developer?
 - 3) Signature of the owner or his agent (authorized in writing)?
- h) Is a key map sketch included showing the site location within the Town?
- i) Are the names and addresses of all abutting property owners shown?
- j) Are soil types and soil boundaries shown and certified by either a registered engineer or the Soil Conservation Service?

II. ZONING

YES NO

- a) Is the proposed use permitted in the zoning district or, if not, has a zoning variance been granted?
- b) Is the total area of the parcel shown and does this satisfy the zoning minimum area requirement of fifteen (15) acres?
- c) Is the lot frontage shown and does it satisfy the zoning minimum frontage requirement for cluster developments of five hundred (500) feet on a Class V or better road?
- d) Is at least forty percent (40%) of the gross tract area set aside as common open space?

III. PROPERTY BOUNDARIES

YES NO

- a) Are the bearings and distances of all existing property lines shown?
- b) If this is a new survey, is the name of the surveyor and date of the survey shown?
- c) If this is an old survey, are the plans referenced including page and book numbers of the Hillsborough County Registry of Deeds, which were used in the compilation of bearings and distances?

IV. BUILDINGS

YES NO

- a) Are the locations shown of all:
 - 1) Proposed (solid line) and existing (dotted lines) buildings on the site?
 - 2) Existing buildings within fifty (50) feet of the site boundary?
 - 3) Intersection roads or driveways within two hundred (200) feet of the parcel?
- b) Are the dimensions and total area of each existing and proposed building shown?

WILTON LAND USE LAWS AND REGULATIONS
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V. ACCESS POINTS

YES NO

- a) Are the access points adequate in number, size, location and design?
- b) Is there adequate all-season safe sight distance (minimum four hundred (400) feet on Class I or II roads) in both directions from each proposed access point?
- c) Are all access points located so as to avoid possible turning movement conflict with other existing driveways?
- d) Is all street frontage other than access points curbed or otherwise blocked to vehicular entry?

VI. PARKING

YES NO

- a) Are the locations and sizes of all existing and proposed parking areas, loading zones and drive-ways adequate for the proposed uses?
- b) Is the total number of parking stalls provided shown and does this satisfy the requirements of the cluster development regulations for two (2) off-street spaces per dwelling unit?

VII. INTERNAL TRAFFIC PATTERN

YES NO

- a) Is the internal traffic pattern safe and adequate for the type of use proposed?
- b) Do emergency vehicles have easy, unimpeded access to all buildings with adequate turn-around space?
- c) Is adequate provision made for service vehicles?
- d) Are areas provided for snow piling without impeding traffic circulation of affecting safety?

VIII. PEDESTRIAN CIRCULATION

YES NO

- a) Are sidewalks provided in appropriate locations for pedestrian access and safety?
- b) Is the parking designed to allow easy and safe pedestrian movement to all buildings?

IX. UTILITIES AND DRAINAGE

YES NO

- a) Are the existing and proposed methods of handling storm water run-off shown and the direction of flow indicated by arrows?
- b) Is the existing and proposed topography of the site shown at five (5) foot contour intervals?
- c) Are the methods of supply water and disposing of waste water shown?

X. LANDSCAPING, SIGNS, LIGHTING

YES NO

- a) Is the location of all existing and proposed lawn area and plantings shown?
- 2) Are large paved areas buffered by landscaping?
- 3) Are large paved areas divided into smaller units by landscaping?
- 4) Are the fronts of buildings landscaped?
- 5) Are garbage collection storage points and other service areas screened by landscaping or fencing?
- b) Is the character of community graphics and lighting shown?

WILTON LAND USE LAWS AND REGULATIONS
SECTION C – CLUSTER DEVELOPMENT REGULATIONS

XI. RESIDENTIAL

YES NO

- a) Are the total number of dwelling units, by type, bedroom composition and building location shown on the plan?
- b) Are the buildings numbered and streets named?
- c) Are street signs and building numbers to be erected as soon as the first unit is occupied?
- d) Are the locations, sizes, and accessibility of all recreation facilities shown?
- e) If the project is to be built in stages, is it clear which recreation facilities will be built with each stage?

XII. ENVIRONMENT

YES NO

- a) Is the property buffered by landscaping or other means to reduce intrusion on any neighboring uses?
- b) Are provisions made for minimizing any fumes, smoke, noise or odor that are created which will affect neighboring uses?
- c) Is the development designed so as to minimize its negative environmental characteristics and enhance the general area?

XIII. ADMINISTRATIVE

YES NO

- a) Is a staging plan included showing the sequence and approximate timetable of development?
- b) Are copies of any existing easements, covenants, or deed restrictions included with the application?
- c) Is a description of any proposed easement, covenant, deed restriction, or condominium or home-owners agreement included?

WILTON LAND USE LAWS AND REGULATIONS
SECTION C – CLUSTER DEVELOPMENT REGULATIONS

FINAL CLUSTER DEVELOPMENT PLAN CHECKLIST

TOWN OF WILTON, NH

I. GENERAL

YES NO

- a) Is the Final Development Plan in conformance with the Preliminary Plan as approved?
 b) Is a list of modifications to the Preliminary Plan included if any modifications have been made?
 c) Is all information that was shown on the Preliminary Plan shown on the final plan?

II. BOUNDARIES & LOTS

YES NO

- a) Are the bearings and distances of all existing and proposed property lines shown?
 b) Is the name of the surveyor and date of survey shown?
 c) Is the lot area and frontage for each proposed lot shown?

III. SIGNING & LIGHTING

YES NO

- a) Are the locations, dimensions, and character of proposed signs shown?
 b) Are the signs placed so as not to obstruct vehicular visibility?
 c) Is the signing permitted in the zoning district?
 d) Is the external lighting, if any, of buildings, parking and/or property shown?

IV. UTILITIES & DRAINAGE

YES NO

- a) Are the location and sizes shown for all existing and proposed:
 1) Water lines?
 2) Sanitary sewer lines or septic tanks and leach fields?
 b) The existing (dashed line) and proposed (solid line) contours shown at two (2) foot intervals (required for those portions of the site on which the development shall occur)?
 c) Are the sizes and locations of all storm drainage lines, catch basins, drywells, drainage ditches, and retention basins shown?
 d) If storm drainage, sewer or access to a site is to be by way of private easement or right-of-way, is documentation presented to show the right to use said way?
 e) Are engineering calculations to determine drainage requirements provided based upon a ten (10) year storm frequency (required if the existing drainage pattern is being altered significantly)?

V. STATE APPROVALS

YES NO

- a) If a subdivision of land is proposed, has subdivision approval been granted by the New Hampshire Water Supply & Pollution Control Commission?
 b) If public sewer is not available and will not be extended, have the following agencies approved the septic system plans?
 1) New Hampshire Water Supply and Pollution Control Commission?
 2) Board of Health?

WILTON LAND USE LAWS AND REGULATIONS
SECTION C – CLUSTER DEVELOPMENT REGULATIONS

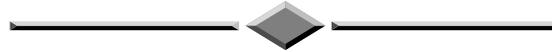
- c) If vehicular access is proposed onto a Class I or II highway, has the New Hampshire Department of Public Works and Highways approved highway access permits?
- d) If the dredging, filling, or culverting of any wetland or water body is proposed in the final development plan, has a dredge and fill permit been approved by the New Hampshire Special Board?

VI. ADMINISTRATIVE

YES NO

- a) Have copies of all proposed easements, covenants, deed restrictions, condominium agreements, etc., been submitted?
- b) Have a bond or bonds been posted by the owner to guarantee the satisfactory completion of all necessary improvements?
- c) Has the bond(s) been reviewed and approved to form and sureties by the Board?

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WILTON, NEW HAMPSHIRE

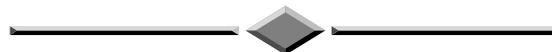
LAND USE LAWS



SITE PLAN REGULATIONS SECTION D

***ADOPTED
OCTOBER 17, 1974***

***AMENDED
NOVEMBER 20, 1991; JULY 21, 1993; MARCH 12, 2002;
AUGUST 20, 2003; DECEMBER 16, 2009***



WILTON LAND USE LAWS AND REGULATIONS
SECTION D - SITE PLAN REVIEW REGULATIONS

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WILTON LAND USE LAWS AND REGULATIONS
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1.0 AUTHORITY

Pursuant to the authority vested in the Wilton Planning Board by the voters of the Town of Wilton by vote of the Town September 11, 1968, and in accordance with the provisions of RSA 674:43 of the New Hampshire revised Statutes Annotated, as amended, the Wilton Planning Board adopts the following regulations governing the review of site plans in the Town of Wilton, New Hampshire.

The purpose of these regulations is to provide for Planning Board review of all site plans to assure that minimum standards will be attained to provide for and protect the public health, safety and general welfare, in accordance with N.H. RSA 674:43 and 44. Projects to be reviewed under these regulations include the development of tracts of land for nonresidential uses, multi-family dwellings containing 3 or more dwelling units, home occupations, changes or expansions of use, and any additions or alterations that change the outward appearance of a nonresidential building prior to the issuance of a building permit, whether or not such development includes a subdivision or resubdivision of land.

2.0 DEFINITIONS

2.0.1 Abutter. Any person whose property adjoins or is directly across the street, right-of-way or stream from the land under consideration by the Board. If an abutting property is under condominium or other collective form of ownership, the officers of the collective or association, as defined in RSA 356-B:3, XXIII, shall receive the formal notification. For purposes of receiving testimony only, and not for the purpose of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration.

2.0.2 Applicant. The owner of record of the land under review or his duly authorized agent.

2.0.3 Approval. Recognition by the Board, certified by written endorsement on the site plan, that the plan meets the requirements of these regulations and in the judgment of the Board satisfies all criteria of good planning and design.

2.0.4 Board. Planning Board for the Town of Wilton.

2.0.5 Buffer. An area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, fences and/or berms, designed to limit continuously the view of and/or sound from the site to adjacent sites, properties or roads.

2.0.6 Certified Soil Scientist. A person who by reason of special knowledge and experience is qualified to practice soil science and who has been duly certified by the board of natural scientists under RSA 310-A:75.

2.0.7 Completed Application. The application form and all supporting documents containing the information the Board needs to make an informed decision, including all fees and administrative expenses as indicated in these regulations.

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- 2.0.8 Consulting Engineer. The duly designated engineer for the Town of Wilton.
- 2.0.9 County Conservation District. The Hillsborough County Conservation District (hereafter HCCD).
- 2.0.10 Designated Representative. The staff planner for the Wilton Planning Board.
- 2.0.11 Development. A planning or construction project involving substantial property improvement and, usually, a change of land use character within the site; the act of using land for building or extractive purposes.
- 2.0.12 Disturbed Area. An area where the ground cover is destroyed or removed leaving the land subject to accelerated erosion.
- 2.0.13 Dwelling Unit. One or more living or sleeping rooms arranged for the use of one or more individuals living as a single family housekeeping unit, with cooking, living, sanitary and sleeping facilities.
- 2.0.14 Easement. A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose and within which the owner of the property shall not erect any permanent structures.
- 2.0.15 Engineer. The duly designated engineer for the Applicant.
- 2.0.16 Erosion. The detachment and movement of soil or rock fragments by water, wind, ice, or gravity.
- 2.0.17 Frontage. The continuous length of a lot bordering on the public right-of-way providing the principal route of access to a lot, subdivision or other type of development.
- 2.0.18 Gross Floor Area (GFA). The total floor area of a building or structure. Calculated as the footprint of the building multiplied by the number of floors.
- 2.0.19 Grading. Any excavating, grubbing, filling (including hydraulic fill), or stockpiling of earth materials or any combination thereof, including the land in its excavated or filled condition.
- 2.0.20 High Intensity Soil Survey (HISS). A soils map of a parcel of land being considered for development on a perimeter survey, with a minimum scale of one inch (1") equals one hundred feet (100'), where soils are identified and mapped in accordance with the high intensity soils mapping standards as adopted by the Hillsborough County Conservation District. All HISSs must be conducted by a Certified Soil Scientist.
- 2.0.21 Home Occupation. A business operated in a building that is incidental and subordinate to the use of the building or lot for residential purposes in compliance with the criteria established for home occupations in the zoning ordinance and these regulations.

WILTON LAND USE LAWS AND REGULATIONS
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- 2.0.22 Licensed Land Surveyor. A land surveyor who is licensed by the State of New Hampshire under RSA 310-A:53.
- 2.0.23 Lot or Parcel. A single area of land defined by metes and bounds or boundary lines as shown in a recorded deed or on a recorded plan.
- 2.0.24 Performance Guarantee. Any security such as a bond, irrevocable letter of credit or other sufficient security that may be accepted by the municipality as a guarantee that the improvements required as part of an approved application for development are satisfactorily completed.
- 2.0.25 Plat. A map, plan, drawing or chart on which the site plan is presented to the Wilton Planning Board for approval.
- 2.0.26 Road Agent. The duly designated Road Agent for the Town of Wilton.
- 2.0.27 Roadway. The finished road surface designed and prepared for vehicular traffic.
- 2.0.28 Sediment. Solid material, either mineral or organic, in suspension that is transported, or has been moved from its site of origin by erosion.
- 2.0.29 Site Plan. A plan for the use of a tract of land for nonresidential uses, multi-family dwellings containing 3 or more dwelling units, home occupations, changes or expansions of use, and any additions or alterations that change the outward appearance of a nonresidential building prior to the issuance of a building permit, whether or not such development includes a subdivision or resubdivision of land.
- 2.0.30 Soil Erosion and Sediment Control Plan. A plan that minimizes soil erosion and sedimentation resulting from development and includes, but is not limited to, a map and narrative.
- 2.0.31 Street. Any street, avenue, boulevard, road, alley, highway and other public way proposed for traffic including all of the land in the right-of-way.

3.0 PROCEDURES

3.1 Preapplication Review.

Prior to the submission of a formal application the applicant is encouraged to come to the Board for a preapplication review. The preapplication review provides an opportunity for the applicant and the Board to discuss the concept of the proposal in the context of the Town's master plan and regulations. All discussions during the preapplication review phase are non-binding. The information requirements identified and the direction given by the Board during the preapplication review will benefit the applicant in the long-run by saving money and time on engineering and redesign at a later date. Though the preapplication review phase is optional, the Board strongly recommends that applicants for site plan reviews participate in this process. There are two optional phases to preapplication review: conceptual consultation and design review.

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3.1.1 Conceptual Consultation.

The applicant may request a meeting with the Board to discuss the concept for the proposal in general terms. The conceptual consultation is informal and will adhere to the following.

- a. The applicant will make an appointment with the Board's secretary no later than fifteen days prior to the regular meeting at which the applicant is requesting to be heard.
- b. The applicant may bring in a site location or a base map of the site which provides minimal detail of the proposal.
- c. The Board will review the proposal with regard to the master plan and the zoning ordinance, answer questions on local regulations and provide guidance relative to state and local regulations.
- d. The conceptual consultation does not require formal notification of abutters.

3.1.2 Design Review.

The applicant may request a design review by the Board prior to the submission of an application. This phase involves a review of the specific design and engineering details of the proposed activity. Formal notification of abutters and the general public is required in the design review phase. Requests for design review will adhere to the following.

- a. The applicant must submit an application requesting design review to the Board's secretary no later than 22 days prior to the meeting at which the applicant is requesting to be heard including the following items:
 1. a list of abutters and their addresses obtained from town records not more than five (5) days before submission;
 2. funds sufficient to cover mailing and advertising costs;
 3. six copies of the plan at a horizontal scale of not more than 1 inch equal to 50 feet (1"=50') showing:
 - a. topography for the entire parcel with contour intervals not to exceed two feet;
 - b. soil boundaries as certified by the Hillsborough County office of the Soil Conservation Service or a HISS soil survey conducted by a certified soil scientist;
 - c. the location of wetlands, lakes or ponds and rivers or streams;
 - d. the location of the 100 year floodplain;
 - e. the location of any existing easements on the property; and
 - f. the proposed layout for access roads, parking and structures within the site.
- b. No site plans will be formally accepted by the Board during this phase.

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3.2 Completed Application.

A completed application will provide sufficient information to allow the Board to make an informed decision. A completed application sufficient to invoke the jurisdiction of the Board shall include all of the information required in Sections 3.26 - Home Occupations, 6.0 Preliminary Plat Submission Requirements, 9.0 - Design Standards and the Site Plan Review Checklist and adhere to the following procedures.

3.2.1 Waivers.

The applicant may request that the Board waive any of the requirements contained in Sections 3.26 - Home Occupations, 6.0 - Preliminary Plat Submission Requirements, 9.0 - Design Standards and the Site Plan Review Checklist. Requests for waivers should be discussed with the Board's designated representative during the preliminary review. The designated representative may make a recommendation to the Board. The Board shall vote to grant or deny the applicant's request for a waiver from a specific section of these regulations and the Board's decision shall be recorded in the minutes of the meeting.

3.2.2 Preliminary Review.

All site plan proposals must be reviewed by the Board's designated representative prior to the submission of an application to the Board's secretary. This review will determine if the application and the preliminary plats conform to the requirements of the Town's regulations. At this time the applicant will be informed of deficiencies which will need to be corrected before the proposal can be accepted as complete by the Board. If the application conforms with the regulations or needs only minor revisions, the Site Plan Review Application may be submitted to the Board's Secretary. Any questions regarding submission should be directed to the Chair of the Board.

3.2.3 Application Filing.

A Site Plan Review Application must be filed with the Board's secretary 22 days before the regular meeting of the Board at which the applicant or his agent wishes to appear. All of the information required for a completed application by Sections 3.2.6 Home Occupations, 6.0 Preliminary Plat Submission Standards and 9.0 Design Standards, the Site Plan Review Checklist and the information required on the Site Plan Review Application form must accompany the application.

3.2.4 Public Notice.

The secretary will notify the applicant or his agent and the abutters of the submission of an application and/or the date of the public hearing on a proposal by registered mail at least 10 days prior to the meeting. A public notice shall be posted in 2 public places and printed in a newspaper of general circulation in the Town at least 10 days prior to the meeting. If the notice for the public hearing was included in the notice of submission or any prior notice, additional notice of the public hearing is not required. Notice of an adjourned session of a hearing is not

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required provided that the date, time and place of the adjourned session is announced at the prior meeting.

3.2.5 Submission and Acceptance.

An incomplete application filed by the applicant will not be submitted to the Board and public notices will not be issued. If the applicant fails to supply information required by these regulations or the site plan review checklist and/or to pay the fees required by these regulations, the application will not be considered by the Board.

An application shall only be submitted to and accepted by the Board at a public hearing with proper notice as required by RSA 676:4,I(d). After the applicant's presentation, the Board will discuss the proposal and receive comments from abutters and the general public. If the Board is satisfied that the application is complete, a vote to accept the application may be taken at this time. If accepted, the date of acceptance recorded in the minutes begins the 90 day review period. Should the Board not accept the application, they must state their reasoning and specify any additional requirements.

Incomplete applications that have not been acted upon by the applicant will be continued on the agenda for 2 consecutive monthly meetings from the date of submission. At this time the application may be voted on by the Board and may be disapproved for insufficient information. Written notice of the disapproval will be forwarded to the applicant or his agent.

3.2.6 Home Occupations.

Home occupation applications shall follow the same submission and filing procedures as other site plans except that the preliminary review will be conducted by the Vice-Chair of the Board. The Vice-Chair will review the application and visit the site prior to the submission of an application.

The applicant shall submit the following information concerning the parcel and the proposed use:

- a. six copies of the site plan providing the name and address of the owner of record; name of the applicant, if not the owner;
- b. the tax map and lot number of the parcel;
- c. the area of the parcel;
- d. show the location of required setbacks on the plan;
- e. the proposed home occupation and its location within the existing structure/site;
- f. the scale of the map/diagram;
- g. the tax map and lot numbers, names and addresses of all abutters;
- h. the location of all driveways and parking areas;
- i. the location of existing roads and driveways within 100 feet of the parcel;
- j. the total number of employees;
- k. the estimated number of vehicle trips generated by the home occupation; and
- l. a signature block.

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3.2.7 Review of a Completed Application.

Between the time the completed application is accepted and approved, the Board will review the proposal to evaluate the potential impacts on existing Town facilities and services, surrounding natural resources, transportation and/or abutting properties. The Board's designated representative will review and comment on the application with regard to State and Town land use regulations and accepted planning practices. Before making the final decision on the application, the Board may require additional information or detailed review of information submitted by the applicant. The Board will inform the applicant of the need for additional information or consulting reviews. The Applicant is responsible for the cost of all application reviews by the Board's designated representative and/or a consultant. The Board may request that the Applicant set up an escrow account with the Town to cover the cost of obtaining these consulting services.

3.2.8 Action on a Completed Application.

The Board shall act to approve, conditionally approve or disapprove a completed application within 90 days of its acceptance. The Board may apply to the Selectmen for an extension of the review period not to exceed 90 days. In addition, the applicant may waive the requirement for Board action within the specified time limit and consent to a mutually agreed upon extension.

If the Board has not taken action on a completed application within 90 days of its acceptance and has not obtained an extension, the applicant may obtain an order from the Board of Selectmen directing the Board to act within 15 days. Failure of the Board to act on the order shall constitute grounds for the applicant to petition the Superior Court as provided in RSA 676:4, I(c).

3.2.9 Approval.

Approval of the site plan shall be by affirmative vote of a majority of the Board. The plat is certified by the signature of the Board Chair and Vice-chair and the date of approval. The plat will not be approved until all fees have been paid by the applicant.

3.2.10 Conditional Approval.

The Board may grant conditional approval of an application. If the remaining actions on the application are administrative in nature; do not involve discretionary judgment by the Board; and/or involve the possession of permits and approvals granted by other boards or agencies such as the Wetlands Board, the Department of Transportation or Water Supply and Pollution Control Division, a further public hearing is not required to grant final approval. A further public hearing will be required to demonstrate compliance with the terms of all other conditions pursuant to RSA 676:4, I(i). Final approval will be granted when all conditions have been met to the satisfaction of the Board. If the conditions are not met by the next regular monthly meeting after the date at which conditional approval was granted, the Board will determine the appropriate action to be taken on the application.

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3.2.11 Disapproval.

If an application is not approved, the reasons for disapproval will be clearly stated in the Board's records and in written notice provided to the applicant.

4.0 FEES

A completed application for a site plan will only be accepted if accompanied by the required fees established in the Town of Wilton Application Fee Schedule, contained in Appendix III. Failure to pay the fees constitutes valid grounds for the Board to terminate further consideration of the application and to disapprove the plat without a public hearing.

Pursuant to RSA 676:4, I(g), the applicant is responsible for paying reasonable fees to cover the cost of special investigative studies, environmental assessments, legal reviews of documents, administrative expenses and other matters which are required for the Board to make an informed decision.

5.0 GENERAL REQUIREMENTS FOR SITE PLANS

The applicant/developer shall observe the following general requirements and principles for the development of land.

5.1 Compliance with the Site Plan Review Regulations.

No land development shall be started until a final plat, prepared in accordance with these regulations has been approved by the Board and all other required permits have been issued.

Where strict conformity to the Site Plan Review regulations would result in undue hardship or injustice to the owner of the land, a site plan substantially in conformity with the regulations may be approved by the Board provided that the spirit of the regulations, and public health, safety and welfare are not adversely affected.

5.2 Compliance with Federal, State and Local Regulations.

The plan shall comply with local land use regulations and building codes, and applicable State and Federal laws or regulations.

5.3 Site Analysis.

An analysis will be conducted to assess the positive and negative development characteristics of the site. The analysis will include: soils; topography; existing vegetation; threatened and endangered species; wetlands and surface waters; drainage patterns; groundwater resources; existing structures and road networks; existing and future easements; open space and visual features; historic features; present and future use of the site; impact on public services and facilities such as water, sewer, schools, fire and police; and surrounding land uses. The layout of the proposed development will be based on the site analysis. To the maximum extent

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possible, development will be located to preserve the natural features of the site, to avoid environmentally sensitive areas and to minimize negative impacts.

5.4 ***Land Characteristics.***

Land of such character that it cannot, in the judgment of the Board, be safely used for development purposes because of exceptional danger to health or peril from fire, flood, poor drainage, excessive slope or other hazardous conditions, shall not be used for residential, commercial or industrial purposes nor for such other uses as may increase the danger to life or property, or aggravate the flood hazard. Land with inadequate characteristics or capacity for subsurface sewage disposal shall nor be used for residential, commercial or industrial purposes unless connected to a municipal sewer system.

5.5 ***Special Flood Hazard Areas.***

Site Plan Review applications involving special flood hazard areas shall contain sufficient information to allow the Board to determine that:

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

5.6 ***Scattered or Premature Development.***

The Board shall provide against any scattered or premature development of land which would be injurious to public health, safety or prosperity because of inadequate water supply, drainage, transportation, schools, fire protection or other public services, or would necessitate the excessive expenditure of public funds for the supply of such services.

5.7 ***Additional Studies.***

The Board may require the applicant to conduct and submit additional studies needed to assist the Board in making an educated and informed decision on the proposal including, but not limited to, traffic, fiscal impact, public service and environmental impact analyses.

5.8 ***Visual Quality.***

In examining and passing upon a proposed site plan, the Board may make recommendations to the developer relating to earth movement and retention of natural cover in order to preserve the natural, visual quality of Wilton and its environment.

5.9 ***Parks and Open Space.***

Areas set aside for parks, playgrounds and open space, either dedicated to the Town or reserved for the common use of the property owners, residents or employees, shall be of reasonable size and character suitable to the proposed purpose. Reserve strips of land which, in the opinion of

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the Board, show intent on the part of the subdivider to control access to land dedicated or to be dedicated for public use shall not be permitted.

5.10 **Utility Easements.**

The boundaries of proposed permanent easements for utilities, over or on the property, and drainage ways shall be shown on the plat. Easements shall have a minimum width of 20 feet. Adequate access from existing or proposed public ways shall be provided for each easement. Water courses proposed for public control shall have a permanent easement of not less than 20 feet.

5.11 **Environmental Factors.**

The applicant shall address the potential impacts of the proposed development on air quality, surface water and groundwater resources, wetlands, noise, odor, vibrations, erosion and sedimentation, historic or archaeological resources, existing character of the area and any other significant natural or man-made features.

5.12 **Solid Waste.**

The applicant shall demonstrate the adequacy of the Town's existing solid waste disposal facility to service the projected solid waste volumes and waste composition that is anticipated to be generated as the site. No waste material shall be disposed of or allowed to remain on-site except within an enclosed or stationary containment system. Containment areas shall be sufficiently screened from view by fencing or other material.

5.13 **Legal Documents.**

Legal documents, including but not limited to easements, restrictive covenants, or other documents affecting legal title to the property, shall be submitted for review to the Board and Town Counsel, and approved, in form and substance, by Town Counsel prior to the approval of the site plan.

6.0 ***PRELIMINARY PLAT SUBMISSION REQUIREMENTS***

The following guidelines are designed to provide the Board with the information necessary to make informed decisions and to establish a uniform format for plat layout.

6.1. **Plat Standards.**

The applicant shall file 6 copies of the preliminary plat, any associated information, or additional requested information with the Board. All plats shall conform to the standards established below and contain the following:

- a. the proposed site plan name, name and address of the owner of record, name of the applicant/developer, if not the owner, and engineer or surveyor, and the date plans were first drafted in the lower right corner of the plat;

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- b. the tax map and lot number of the parcel proposed for development;
- c. the seal and signature of a land surveyor licensed in the State of NH;
- d. the seal and signature of a professional engineer licensed in the State of NH (where required for engineering designs);
- e. the signature of the owner or his/her designated representative;
- f. horizontal scale not to exceed 50 feet to the inch;
- g. vertical scale not to exceed 40 feet to the inch;
- h. sheet size 11 X 17 inches or 22 X 34 inches;
- i. separate sheets shall be numbered consecutively, showing their relationship to each other;
- j. a margin of at least 1 inch shall be provided outside ruled border lines on 3 sides and at least 2 inches along the left side for binding;
- k. the proposed use of the site;
- l. signature block located in the lower right above the title;
- m. a locus map at a scale of 1 inch equals 1,000 feet showing the location of the site within the Town;
- n. a bar scale for the plat;
- o. magnetic and true north arrows;
- p. a revision block sectioned off to record the date and the changes of each revision; and
- q. a notes section for information relative to the plan.

6.2 **Abutting Property Information.**

The following information shall be provided on the plat for all abutting properties:

- a. tax map and lot number;
- b. the names and addresses of the owners of record;
- c. the names, locations and dimensions of existing streets, easements, setbacks, alleys, parks and public open spaces;
- d. the location of existing buildings, septic system leachfields, water supply wells and protective well radii within 100 feet of the property boundaries;
- e. the location of property lines and their approximate dimensions; and
- f. the location of existing driveways or street intersections within 200 feet of the property boundaries.

6.3 **Site Plan Information.**

The applicant shall provide the Board with the following information regarding the parcel under review:

- a. A boundary survey for the entire parcel held in single ownership, regardless of whether all or part is being developed at this time, including bearings, distances and the locations of permanent markers with a maximum error of closure of 1 part in 10,000.
- b. The area of the site, denoting wetland area, dry area and total area (in acres), street frontage and the minimum requirements for lot size and frontage.
- c. Existing and proposed topography for the entire parcel with contour intervals not to exceed 2 feet for areas proposed for development and 5 feet for undeveloped portions of the site, if major changes to the existing topography are being proposed.

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- d. The location of the 100 year floodplain as designated on the National Flood Insurance Program, Flood Insurance Rate Maps for the Town of Wilton.
- e. Soil types and locations of soil boundaries as certified by a registered engineer, certified soil scientist or the Soil Conservation Service.
- f. A high intensity soil survey for the entire parcel for major site plans. (The applicant may request a waiver of this requirement and one may be granted based on an evaluation by the Board. In making its decision, the Board may consult with the Hillsborough County Conservation District or other consultant selected by the Board.).
- g. The location of all water bodies, watercourses, wetlands, rock/ledge outcrops or other significant natural features. Any areas proposed for dredge and fill shall be noted on the plat.
- h. Any easements, buildings, utility lines or other features existing on the parcel.
- i. The location of existing and proposed water, sewer and drainage systems accompanied by plans for the proposed system indicating interconnections, profiles and elevations; drainage plans will be based on a 25 year storm event.
- j. If public water and/or sewer service are proposed for use, a letter from the water and/or sewer commissions stating the availability of and the intent to provide service.
- k. Erosion and sediment control plans based on a 25 year storm event in accordance with the standards contained in Appendix II.
- l. Existing and proposed plans for telephone, electric and other public utilities with a letter of intent from the utility companies to provide service.
- m. If on-site water is to be provided, the locations of proposed water supply wells and protective radii.
- n. If on-site waste disposal is to be provided, the locations of the 4,000 square foot septic reserve area, test pits and test pit information for each lot.
- o. Internal traffic flow including the locations, names and widths of existing and proposed streets and access roads showing grades, radii, culvert locations and bridge designs in conformance with the standards set forth in Appendix I.
- p. Proposed ingress and egress locations with a note on the plan that relocation requires prior approval of the Board.
- q. Parking locations and areas denoting the numbers and sizes of spaces, travel lanes, traffic patterns and pedestrian access.
- r. A landscape plan in accordance with Section 9.8.
- s. The locations and dimensions of any proposed easements.
- t. The existing zoning district classification(s) and boundaries as designated on the Town of Wilton Zoning Map.
- u. Building setbacks and buffer locations as set forth in the Zoning Ordinance.
- v. The location, dimensions, height, number of floors, total area and first floor elevation of all existing and proposed buildings.
- w. The number of units in each building with the floor area and proposed use of each unit.
- x. The location, size and character of all signs and external lighting.
- y. Copies of proposed or existing easements, covenants, deed restrictions or other legal documentation.
- z. Any revisions made to any sheets are to be so noted in the revision block.
- aa. A Curb-cut Approval Permit from the NH Department of Transportation for egress/ingress points and/or streets accessing a state highway or a letter of approval from the Wilton Road Agent for access to local roads.

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- ab. Copies of all federal, state and local permits which may be required for the project including NH Water Supply and Pollution Control Division (WSPCD) Subdivision Septic Approval permit, NH WSPCD Site Specific Permit, NH Wetlands Board Dredge and Fill and Army Corps of Engineers Dredge and Fill.
- ac. A letter from the Fire Chief stating that proposed water supplies provide sufficient volume, pressure and flow for fire protection and that access for emergency vehicles is adequate.

6.4 **Field Delineations.**

The following aspects of the proposal will be delineated in the field to facilitate ease of identification during site investigations.

- a. Wetland areas are to be flagged in the field prior to the submission of the application.
- b. The center line of all proposed roads and the boundaries for proposed parking areas shall be staked.
- c. All monuments must be in place or a performance guarantee sufficient to cover the cost of installation must be posted prior to the approval of the application.

7.0 **FINAL PLAT**

The applicant shall submit 5 paper copies of the complete proposal. All 6 copies shall be signed and dated; four paper copies will remain with the Town and 1 will be for the applicant's records. The approval signature block shall provide adequate space for the necessary endorsement by the proper authorities, and read: "Approved by the Wilton Planning Board on (date) . Certified by , Chair and by , Vice-Chair or designated member."

7.1 **Digital Data Submission Requirements**

The following apply to the submission of site plans or subdivision plans (including cluster developments and excavations).

- 7.1.1 A complete plan set shall be provided with submission of subdivision applications and professionally prepared site plan applications for Planning Board review, subsequent updates (complete or partial), and final approved and as-built plans. Adobe Acrobat (PDF) format at a resolution sufficient to produce full size copies is required, or as otherwise directed. Sketch plans for minor site plan applications shall be scanned to PDF format by the applicant or Town as agreed at time of submission.

All plans and specifications must be submitted on CD_ROM in IBM-PC compatible format. Acceptable file formats for plan sheets to be recorded include AutoCAD DWG, AutoCAD DXF, or ArcView (shapefile or geodatabase), or as otherwise directed. The files must be identical to the printed plan or Mylar and contain all information included thereon. Upon project completion, a digital submission of the "as-built" plan is required for final release of the performance bond associated with any project.

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- 7.1.2 All digital mapping data shall be registered horizontally to the New Hampshire State Plane Coordinate System, North American Datum 1983 (NAD83) feet. Vertical datum shall be the North American Vertical Datum 1988 (NAVD88).
- 7.1.3 Each feature type (roads, buildings, lot lines, etc) must be organized in the CAD or GIS file as a separate layer. Layer names must clearly describe the features within each layer. For example,

Feature Type	Layer Name
Lot Line	LOT_LINE
Building	BUILDING
Roads	ROAD
Driveways	DRIVEWAY

- 7.1.4 Disks submitted in duplicate to the Wilton Planning Board must be labeled with project name, submitting consultant, file name, date, and whether the plan is preliminary, update (include revision date) approved (recording date or date of final approval for site plans), or as-built. For site plans (currently not recorded by the Town), the Planning Board may permit submission of an electronic (digital) version only. The file shall be provided via compatible digital storage media or attached in an e-mail with the abovementioned label information included.
- 7.1.5 Digital files shall be submitted upon subdivision or site plan submission, update and approval (including cluster developments and excavations). For site plans or subdivision plans, upon project completion, a digital submission of an “as-built” plan is required for final release of the performance bond associated with any project if field adjustments or other deviation from an approved plan occurs.

8.0 PERFORMANCE GUARANTEE

As a condition of approval, the Board may require the posting of a performance guarantee by the owner or his agent in an amount sufficient to guarantee satisfactory completion of all necessary improvements which are included in the final proposal, including but not limited to, street construction or completion; public improvements; the extension and construction of water and sewer lines and associated facilities; storm water drainage systems; erosion and sediment control structures; and fire safety structures. The amount of the guarantee will be based on an estimate of costs provided by the applicant and a review of the estimate by the Board's consulting engineer, the cost of which will be paid by the applicant. The cost of periodic inspections by the Board's consulting engineer is to be included in the guarantee. Performance guarantees shall be posted prior to the approval of the final plat. The value of the guarantee shall be recomputed if the project is not to be completed within 1 year of approval.

The form of the guarantee shall be approved by the Planning Board, Town counsel and the Board of Selectmen. The terms of the guarantee shall precisely identify the work to be performed, the completion schedule, the standards for judging satisfactory completion and the conditions for release of the guarantee. In the case of phased development plans, separate guarantees may be required for each phase and must be posted prior to commencing construction on the individual phase.

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The guarantee shall be released upon satisfactory completion of all improvements, a final inspection of the site by the Board's consulting engineer and the receipt by the Board of the required "as-built plans" provided by the developer.

9.0 ***DESIGN STANDARDS***

Site improvements shall be designed, installed and constructed in conformance with the standards contained in these regulations.

9.1 ***Monumentation.***

Monuments constructed of concrete or stone at least 4 inches across the top and at least 36 inches long shall be set at all block corners and iron pins or equivalent markers at all lot corners. Drill holes shall be set at least 1 inch deep and be at least 1/2 inch in diameter. Drill holes shall be set in an unmovable stone. Iron pins shall be at least 1 inch in diameter and set in the ground a minimum of 36 inches, or if physical conditions do not permit, the pins shall be set in concrete.

9.2 ***High Intensity Soil Surveys.***

High intensity soil surveys (HISS) may be required for major site plans. The applicant may request a waiver of this requirement from the Board. A waiver may be granted based on an evaluation of the site by the Board, its designated representative and/or a recommendation by the Hillsborough County Conservation District (HCCD) or other consultant selected by the Board.

High intensity soil surveys (HISS) shall be conducted in the following manner.

- a. All HISS will be prepared by a certified soil scientist.
- b. A paper copy showing the proposed development and the HISS information shall be provided to the Planning Board. The map shall contain the seal and signature of the certified soil scientist and any qualifying notes made by the soil scientist.
- c. If a soil classification provided on the HISS map is in dispute, the Planning Board may request an evaluation of the soil designations by the HCCD.
- d. Ground control, consisting of numbered flags, stakes, walls, trees, or other easily identifiable points on the property, will be marked both on the site and on the plat map(s). These points are to be well distributed throughout the site at a density of not less than four (4) points per acre. The points must be numbered on the plat plan and in the field to provide easy identification for all parties required or interested in examining the site.

9.3 ***Subsurface Sewage Disposal.***

All lots proposed with on-site septic systems shall have adequate capacity to handle effluent and meet the following requirements.

- a. A 4,000 square foot leachfield area or an area 2 times that required by State standards, whichever is greater, shall be designated and reserved.

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- b. The designated leachfield must be left open and cannot be used for incompatible purposes, including but not limited to driveways or structures of any type. Parking areas may be located over the designated leachfield if chambered systems are used.
- c. Septic systems and leachfields shall be constructed and maintained in accordance with the standards set and enforced by the New Hampshire Department of Health and Welfare, by the New Hampshire Department of Environmental Services, Water Supply and Pollution Control Division and the Town of Wilton.
- d. No septic system or leachfield shall be located in poorly or very poorly drained soils.
- e. Leachfields cannot be located in areas with finished slopes greater than 25 percent.
- f. Septic systems and leachfields shall be set back from wetlands, open water bodies and perennial streams as follows:
 - 1. systems located entirely or partially in highly permeable soils (a permeability of 6 inches or greater per hour throughout as indicated in the USDA Soil Survey of Hillsborough County, New Hampshire, Western Part,) - 125 feet;
 - 2. systems located entirely or partially in somewhat poorly drained soils, moderately well drained soils or soils with a restrictive layer and a slope of 8 percent or greater - 100 feet; and
 - 3. systems located in all other soils - 75 feet.
- h. If the HISS indicates bedrock at less than three (3) feet from the surface, sufficient test pits shall be made to ensure the setback requirements can be met.

9.4 **Streets and Roads.**

All streets and roads shall be constructed to meet the requirements contained in these regulations and the Road Design Standards and Specifications contained in Appendix I.

9.4.1 **Layout.**

Streets and roads shall be logically related to the topography of the site to minimize cuts and fills, to provide for reasonable grades and safe intersections, and to produce usable lots. Subdivision streets shall be arranged to provide for the continuation of the principal streets in adjoining subdivisions, or for their proper projection when adjoining property is not subdivided. Connecting streets will conform in width, but in no instance will any new street be narrower than 20 feet.

9.4.2 **Street Names.**

Streets which join or are in alignment with streets on abutting properties shall have the same name. New street names will not duplicate or bear phonetic resemblance to the names of existing streets within the Town of Wilton. All street names are subject to final approval by the Board of Selectmen.

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9.4.3 Design and Construction Standards.

Street and road networks, including pavement, drainage facilities, curbs and sidewalks, will be designed and constructed in accordance with the standard specifications contained in Appendix I. The road agent and/or the consulting engineer will oversee the construction of all roads and perform all required inspections.

9.5 Storm Drainage.

Natural drainage patterns and offsite runoff shall be maintained at predevelopment locations and volumes to the maximum extent feasible. Lots must be laid out and graded to eliminate pooling of water. Provisions shall be made to control the drainage from the development through the use of a storm water management system approved by the Planning Board and/or the Consulting Engineer. Runoff is not permitted to run across the street surface; it must be directed into catch basins, ditches, or piped underground in a pipe of not less than 12 inches in diameter, or such size as may be deemed necessary by the Road Agent and/or the Consulting Engineer.

The stormwater drainage plan shall show:

- a. the existing and proposed methods of handling stormwater runoff;
- b. the direction of runoff using arrows;
- c. the location, elevation and size of all catch basins, drainage ditches, swales, detention/retention basins and storm sewers; and
- d. drainage calculations based on a 25 year storm frequency.

9.6 Erosion and Sediment Control.

A soil erosion and sediment control plan shall be provided for all major site plans. The erosion and sediment control plan shall conform to the standards contained in Appendix II Erosion and Sediment Control Plan Standards and include measures for temporary and permanent control measures. Applicants may request the Planning Board to waive this requirement upon evaluation and recommendation of the HCCD. (Applicant requests waiver of Planning Board, Planning Board requests recommendation of HCCD, and Planning Board acts upon HCCD recommendation.)

9.7 Parking.

Parking areas shall be designed to provide adequate, safe, unobstructed off-street parking and travel lanes for residential, commercial and industrial land uses. Off-street parking is required for all new structures, enlargements of existing structures, or changes of use.

Off-street parking spaces will be provided on the same lot as the principal use they are to serve.

If the required parking cannot be located on the same lot as the principal use and a proposal is made to utilize an off-site parking area, the owner/applicant shall provide the Board with a formal agreement between the parties guaranteeing the owner/applicant the right to use of the required parking spaces. The Board may require that the off-site parking spaces be dedicated to

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the proposed use. If the right to utilize the off-site parking area is reduced or revoked, the owner/applicant shall be required to appear before the Board with an alternate plan to provide the required parking. The Board may revoke approval of the site plan if sufficient parking cannot be supplied.

All off-street parking areas shall meet the following minimum standards.

9.7.1 Parking Space Dimensions.

Parking spaces shall have the following dimensions: 9 feet by 18 feet for stall parking; 9 feet by 20 feet for parallel parking spaces; and 12 feet by 20 feet for handicapped spaces.

9.7.2 Travel Lanes.

Travel lanes will be provided in parking areas based on the angle of the parking spaces and traffic flow (one-way or two-way) as follows:

<i><u>Parking Angle</u></i> <i><u>(degree)</u></i>	<i><u>Aisle Width</u></i> <i><u>(feet)</u></i>
30	12
45	13
60	18
90	24 (two-way)
90	18 (one-way)

9.7.3 Number of Spaces.

Parking spaces shall be provided as indicated below for residential and nonresidential land uses. Parking area inside a garage will not count toward the total number of spaces required unless it can be demonstrated to the Board that these spaces will remain unobstructed at all times. Calculations that result in a fraction of a space will be rounded up to a full space.

a. Residential: single-family detached and multi-family dwellings of three dwelling units or less - 2 spaces per unit or 0.75 spaces per bedroom, whichever is greater; multi-family dwellings containing four or more dwelling units, apartment, townhouse or condominium complexes - 2.2 spaces per unit; elderly housing - 0.75 space per 1 bedroom dwelling unit and 1.0 space per 2 bedroom dwelling unit.

b. Nonresidential: parking will be provided as indicated below. GFA stands for gross floor area.

1. Commercial/Retail/Public Assembly:

Automobile Service/Gas Stations: 2 spaces/bay and/or 1 space/gas pump plus 1 space/employee on the largest shift.

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Bar/Tavern/Night Club/Lounge: 1 space/2 seats plus 1 space/employee on the largest shift.

Beauty Parlor/Barber Shop: 2 spaces/operator plus 1 space/2 employees.

Car Wash: 1 space/employee on the largest shift and stacking space equal to 5 times the capacity of the facility.

Churches/Synagogues/Theaters/Fixed Seating: 1 space/3 seats.

Community Centers/Public Assembly Halls/Clubs or Lodges/Funeral Homes/Commercial Recreation Facilities: 1 space/250 sq. ft. GFA, or 1 space/4 patrons to the maximum capacity, whichever is greater, plus 1 space per employee on the largest shift and 1 space/establishment vehicle.

Commercial Retail/Service Establishments: 1 space/200 sq. ft. GFA plus 1 space per employee on the largest shift.

Day Care Center/Nursery School: 1 space/employee plus 1 off- street loading space/6 children/students.

Laundromat: 1 space/2 washing machines.

Lumberyard: 4.5 spaces/1,000 sq. ft. GFA. (1 space/500 sq. ft. GFA.)

Miniature Golf: 1.5 spaces/hole plus 1 space/employee on the largest shift.

Restaurant, standard: 1 space/every 3 seats plus 1 space/every 2 employees on the largest shift.

Restaurant, fast food: 1 space/50 sq. ft. GFA plus 1 space/employee on the largest shift.

Shopping Center: Under 400,000 sq. ft. GFA - 4 spaces/1,000 sq. ft. GFA; 400-599,999 sq. ft. GFA - 4.5 spaces/1,000 sq. ft. GFA; 600,000+ sq. ft. GFA - 5 spaces/1,000 sq. ft. GFA.

2. Industrial/Manufacturing/Warehouse/Research.

Industrial/Manufacturing Uses: 1 space/800 sq. ft. GFA.

Research and Development Facility: 1 space/500 sq. ft. GFA.

Self-Service Storage Facility: 1 space/10 storage units.

Warehouse: 1 space/5,000 sq. ft. GFA.

3. Office/Medical/Dental.

Offices: Under 50,000 sq. ft. GFA - 4.5 spaces/1,000 sq. ft. GFA; 50-99,999 sq. ft. GFA - 4 spaces/1,000 sq. ft. GFA; 100,000+ sq. ft. GFA - 3.5 spaces/1,000 sq. ft. GFA.

Office Medical/Dental/Veterinarian: 4 spaces/practitioner 1 space/250 sq. ft. GFA plus 1 space/employee on the largest shift.

4. Public Buildings and Other Uses.

Agricultural use: 1 space/employee on the largest shift.

Fire/Police Station: 1 space/employee on a normal shift.

Post Office: 1 space/500 sq. ft. GFA plus 1 space/employee on the largest shift.

School, Elementary and Intermediate: 2 spaces/ classroom plus loading area for buses and parking area for buses if required.

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School, High School: 1 space/employee plus 1 space/5 non-bused students plus loading area for buses and parking area for buses if required.

9.8 **Landscaping Plan.**

A landscaping plan shall be submitted as part of the overall site plan for all new commercial-industrial and 3 or more multi-family developments, for the alteration or enlargement of existing commercial- industrial or multi-family structures and for changes in use. The plan shall identify the type and location of existing and proposed trees, shrubs, ground cover, walls, fences, rocks and surface waters. The extent of the landscaping plan and the width of any buffers will depend on the current use of the site, existing vegetation, the proposed use of the site and surrounding land uses. Existing vegetation should be retained on the site to the maximum extent feasible.

9.8.1 **Landscaping Materials.**

Landscaping materials include plants such as trees, shrubs, ground covers, perennials and annuals, and other materials such as rocks, water, walls, fences, paving materials and street furniture. Plant species included in the landscaping plan shall be well suited to the climate and the specific conditions of the site. Other materials used in landscaping shall consider and be designed to complement surrounding development and the general character of the Town.

9.8.2 **Parking Lot Landscaping.**

Peripheral landscaping is required along all sides of a parking lot or paved drive that abuts adjoining property or public right-of-way as follows:

- a. A landscaped strip at least 6 feet in width shall be located between the paved area and the abutting property lines or public right-of-way except where driveway or other openings may be required.
- b. At least 1 tree for each 30 feet of landscaped strip shall be provided. These trees shall be complemented by suitable ground cover and shrubs.

Interior landscaping or green space is required in an amount equal to at least 5 percent of the total parking area. A minimum of one tree for 15 parking spaces shall be provided and complemented by suitable ground cover and shrubs. In addition, large expanses of consecutive parking aisles may require the installation of 10 foot wide curbed planting strips between the lanes. These planting strips shall not be paved or contain sidewalks except as necessary for pedestrian safety.

9.8.3 **Buffers.**

Landscaped buffers shall be provided between adjacent land uses that are judged by the Board to be incompatible, for example a commercial use adjacent to a residential use -- a shopping center located next to a single-family residential neighborhood. The buffer shall provide a year round screen to minimize adverse visual, noise, dust or other impacts. Buffers may range in widths from 10 to 25 feet and be composed of a mixture of landscaping materials depending on

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the need to screen the proposed use from adjacent uses and public rights-of way. Buffers shall have a minimum height of 6 feet or be composed of vegetation that can attain this height over 3 growing seasons.

9.8.4 Additional Landscaping Requirements or Reductions.

The Board may require additional amounts of landscaping when it determines that the landscape guidelines as related to a particular development do not provide adequate landscape treatment or where it feels that the adjoining properties or public right-of-way may be more than normally affected by the proposed development. The Board may also require less landscaping than the guidelines would require for a development when it is felt that existing vegetation, topography or other features already provide a sufficient buffer, or the development would have little adverse impact on adjoining properties.

10.0 PRECONSTRUCTION MEETINGS

A preconstruction meeting will be required by the Board for all site plans. The pre-construction meeting shall be held 2 months prior to the commencement of any activity on the site. The purpose of the preconstruction meeting is to ensure that all parties involved with the development of the project, including but not limited to the owner and/or the developer, the contractors and builders, the Town's consulting engineer, the building inspector and the road agent are familiar with the approved design, the terms and conditions of the approval and that all performance guarantees are accurate and in place. In addition to the individuals listed previously, representatives from the Planning Board and the Board of Selectmen shall attend the preconstruction meeting.

11.0 ADMINISTRATION AND ENFORCEMENT

These regulations shall be administered by the board, its designated representative and/or its consulting engineer charged with reviewing preliminary and final plats for completion and compliance with these regulations and for conducting on-site inspections to confirm compliance with the approved plan. The enforcement of these regulations is vested with the Wilton Board of Selectmen.

12.0 AMENDMENTS

These regulations may be amended by the Board following a public hearing on the proposed changes. Amendments to the regulations take effect when a copy of the amendments, certified by a majority of the Board, is filed with the Town clerk. A copy of any amendments shall also be filed with the NH Office of State Planning in accordance with RSA 675:9.

13.0 PENALTY

Any violation of these regulations shall be subject to a civil fine as provided in RSA 676:16 and 676:17, as amended. The Selectmen or the building inspector are designated as the local authorities to institute appropriate action under the provisions of RSA 676:17.

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14.0 *ADOPTION*

These Regulations shall become effective when adopted by the Board after public hearing and filed with the Town clerk.

15.0 *CONFLICT AND SEPARABILITY*

Wherever these regulations conflict with any statute, ordinance or other regulation, the provision that imposes the greater restriction or the higher standard shall govern.

If any section, provision, portion, clause or phrase of these regulations shall be declared invalid or unconstitutional, it shall not impair or invalidate any other section, clause, provision, portion or phrase of these regulations.

WILTON LAND USE LAWS AND REGULATIONS
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PLANNING BOARD
TOWN OF WILTON, NH

SITE PLAN REVIEW APPLICATION
(Amended December 16, 2009)

PLANNING BOARD USE ONLY

1) Applicant's name: _____

Tel. #: _____

2) Owner of property: _____

Address: _____

Tel. #: _____

3) Tax lot number(s) and street number: _____

4) Zoning district(s) property located in:

Residential Commercial

Residential & Agricultural

Industrial Office Park

Aquifer Watershed

Wetlands Flood Plain

Plan File: # _____

**Date application
& Fees received:** ___/___/___

**Date abutters
notified:** ___/___/___

**Date of newspaper
notice:** ___/___/___

**Date and agenda number
of scheduled meeting:**
___/___/___ Ag. # _____

**Date application
accepted:** ___/___/___

Conditions:

**Date written notice of
approval-disapproval
sent:** ___/___/___

**Date subdivision plans
recorded in Registry
of Deeds:** ___/___/___

FEES PAID:

Filing \$ _____

Date: ___/___/___

Recording: ___/___/___

Date: ___/___/___

Desig. Rep.: \$ _____

Date: ___/___/___

Consulting: \$ _____

Date: ___/___/___

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- 5) General location of property: _____

- 6) Road frontage of property: _____
- 7) Description of the proposed subdivision, cluster, or other development (e.g., number of lots, acreage, intended use, etc.):

8) Attach a listing of the names and addresses of all abutters as listed in Town records not more than five (5) days prior to filing date of application. List to include all abutters directly across roadways and streams, the owner of the property or representative *as well as all professional engineers, architects, land surveyors, or soil/wetland scientists whose professional seal appears on the subdivision plan.* In addition three sets of mailing labels shall be provided by the applicant. (Per RSA 672:3 and Wilton Zoning Ordinance 4.9.)

9) This application will be reviewed by the Designated Representative of the Wilton Planning Board and where found to conform to the requirements of the Town's Land Use Laws and Regulations will be signed by the representative prior to submission. Thereafter it will be scheduled for presentation at an official public hearing of the Planning Board. The date and agenda number of this meeting will be sent to the Applicant along with abutter notifications.

10) This application must be signed by the owners of all lots involved in the application.

The information contained in this application is complete and true to the best of my knowledge. I approve the submission of this application. If an applicant or Agent/Owner Representative is named below, the person named there has my permission to represent me before the Wilton Planning Board. I authorize the Agent/Owner Representative to submit this application and to speak before the Planning Board on my behalf. (A separate signed letter is also acceptable.)

Signature of Owner _____ Date _____

11) Agent/Owner Representative

Fill out this section if the application is being submitted by a realtor, surveyor, engineer, attorney, etc., on behalf of the actual owner or applicant.

Name _____
Mailing Address _____
Town, State, ZIP _____
Email Address _____

WILTON LAND USE LAWS AND REGULATIONS
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12) Required application fees are due and payable at the time the application is filed with Planning Board Clerk: *(See Application Fee Schedule Appendix III to determine applicable rates) (Amended Dec. 2009)*

A) General Application Submission Fees: *(as required per application)*

1) Legal Notice \$ _____

2) Abutter Notification
_____ # of abutters (see item 8) x \$ _____ /abutter = \$ _____

3) NRPC Escrow \$ _____ (separate check)

Additional Fees to be paid by the applicant during the application process:

- 4) Consultant Escrow (To be determined by the Board)
- 5) Digital Data Submission Fee (To be determined and paid at the time of approval)
- 6) Recording Fee (To be determined and paid at the time of approval)

C) Subdivision Application Related Fees: (check applicable box(s); enter fee)

1) Site Plan Pre-Application consultation with NRPC: \$ _____

2) Home Occupation: \$ _____

3) Amended Plan/Change of Use (No expansion):
\$ _____ + (_____ Square Feet x \$ _____ fee/Square Foot) = \$ _____

4) All Other Site Plans:
a. Non-Residential
\$ _____ + (_____ Square Feet x \$ _____ fee/Square Foot) = \$ _____
b. Residential (Multi-Family, Elderly)
_____ # units x \$ _____ fee/unit = \$ _____

Total Fees: \$ _____

As the owner or duly authorized Agent/Representative for the owner of the property, I do hereby submit this plan for review as required by the Town of Wilton Land Use Regulations. I agree to be fully responsible for payment of all fees, costs and expenses including fees for professional consultant reviews deemed necessary by the Planning Board incurred with respect to this application.

Signature: _____
Owner/Agent/Owner Representative

Date: ____/____/____

Signature: _____
Wilton Planning Board Designated Representative

Date: ____/____/____

Signature: _____
Planning Board Clerk

Date: ____/____/____

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PLANNING BOARD
TOWN OF WILTON, NH
SITE PLAN REVIEW CHECKLIST

I. PLAT STANDARDS

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - 6 copies of the preliminary plat. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Site plan name. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Purpose of the site plan. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Name and address of owner of record. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Name and address of the engineer/surveyor. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Date plans first drafted. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Tax map and lot number(s), and total acreage of parcel(s) being subdivided. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Zoning districts within which the subdivision is located. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Signature of the owner or his/her designated representative. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Seal and signature of a land surveyor licensed in the State of NH. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Seal and signature of a professional engineer licensed in the State of NH (where required for engineering designs). |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Seal and signature of a certified soil scientist or the SCS. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Horizontal scale not to exceed 1"=50'. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Vertical scale not to exceed 1"=40'. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Signature block in lower right corner above title. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locus map at a scale of 1"=1000'. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Bar scale for the plat. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Magnetic and true north. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Revision block. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Notes section for plan information. |

II. ABUTTING PROPERTY INFORMATION

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Tax map and lot numbers. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Names and addresses of the owners of record as indicated in Town records not more than five (5) days before the date of filing. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of property lines and their approximate dimensions. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Names and locations of abutting subdivisions. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Names, locations and dimensions of existing streets, easements and alleys. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Names, locations and dimensions of abutting parks and open space. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations and dimensions of setbacks. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing buildings within 100 feet of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing water supply wells or springs and protective well radii within 100 feet of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing septic system leach fields within 100 feet of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Road or driveway intersections within 200 feet of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _ |

Sheet 1 of 4 - Continued >

WILTON LAND USE LAWS AND REGULATIONS
SECTION D - SITE PLAN REVIEW REGULATIONS

III. SITE PLAN INFORMATION

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations, bearings and distances of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of permanent boundary markers. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Length of frontage on a public ROW. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Area of the site - wet, dry and total. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Existing and proposed topography for entire parcel - 2 foot contour intervals for developed portions of the site; 5 foot contour intervals for undeveloped portions. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Location of the 100 year floodplain. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Zoning district boundaries. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Soil boundaries and types as certified by a registered engineer, certified soil scientist or SCS. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - High intensity soil survey, if required. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of all water bodies, watercourses, wetlands, rock/ledge outcrops or other significant natural features. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of any proposed dredge and/or fill areas. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations and dimensions of existing and proposed easements. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations and dimensions of existing and proposed buildings. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Building setbacks and buffer locations denoted. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of soil test pits accompanied by test pit and perc test data. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing and proposed water, sewer and drainage systems. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of proposed wells and protective well radii. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of the 4,000 square foot septic reserve areas. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing and proposed utility lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations, names, widths and profiles of existing and proposed street and highways showing grades, radii, culverts and drains, and bridge designs. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Proposed ingress and egress locations. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Internal traffic flow patterns. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Parking locations and areas with spaces and travel lanes denoted. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Landscape plan. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of parcels to be dedicated to public use. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Temporary and permanent erosion and sedimentation controls. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Location, dimensions, height, number of floors, total area and first floor elevation of existing and proposed buildings and structures. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Number of units in each building denoting floor area and proposed use. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Location, dimensions and character of all signs. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _ |

Sheet 2 of 4 - Continued >

WILTON LAND USE LAWS AND REGULATIONS
SECTION D - SITE PLAN REVIEW REGULATIONS

IV. SUPPORTING INFORMATION

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Letter from water commission certifying availability and intent to provide service. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Letter from sewer commission certifying availability and intent to provide service. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Letter from the Fire Chief certifying adequate water for fire protection and access for emergency vehicles. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Drainage calculations based on a 25 year storm frequency. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Legal documents for all proposed easements, restrictive covenants or other documents affecting legal title of the property. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - If the proposed site plan covers only a portion of the entire tract, a statement concerning the intended future use of the remainder. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - NH Water Supply and Pollution Control Division Subdivision Septic Approval Permit number. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - NH Wetlands Board Dredge and Fill Approval Permit number and Army Corps of Engineers Dredge and Fill approval, if required. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - NH Water Supply and Pollution Control Division Site Specific Permit. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - NH Department of Transportation Curb-Cut Approval Permit number and/or a letter of approval from the Wilton Road Agent. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |

V. ACCESS, PARKING AND INTERNAL TRAFFIC PATTERNS

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Access points adequate in number, size, location and design. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Adequate all season safe sight distance (minimum four hundred (400) feet on Class I or II roads) in both directions from each proposed access point. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Access points located to avoid possible turning movement conflict with other existing drives. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Street frontage other than access points curbed or otherwise blocked to vehicular entry. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations and sizes of all existing and proposed parking areas, loading zones, and driveways adequate for the proposed uses. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Total number of parking stalls shown satisfies the site plan requirements. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Internal traffic pattern safe and adequate for the type of use proposed. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Emergency vehicles have easy, unimpeded access to all buildings with adequate turnaround space. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Adequate provisions made for service vehicles. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Adequate areas for snow piling without impeding traffic circulation or affecting safety. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |

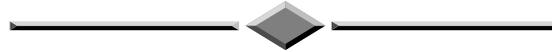
Sheet 3 of 4 - Continued >

WILTON LAND USE LAWS AND REGULATIONS
SECTION D - SITE PLAN REVIEW REGULATIONS

VI. LANDSCAPING, BUFFERS AND SIGNS

<u>Y</u>	<u>N</u>	<u>NA</u>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Type and location of existing and proposed vegetation.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Peripheral parking lot landscaping provided in accordance with these regulations.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Parking lot interior landscaping equal to at least 5% of the total parking area.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequate buffers provided between adjacent incompatible land uses.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Garbage collection and storage points and other service areas screened by landscaping or fencing.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Locations, dimensions and character of proposed signs indicated.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Signs placed so as not to obstruct vehicular visibility.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Signs in accordance with the zoning regulations.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	External lighting, if any, of buildings or parking and/or property indicated.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other _____

Sheet 4 of 4 - End



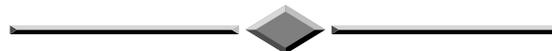
WILTON, NEW HAMPSHIRE

LAND USE LAWS



CODE FOR BUILDING AND SANITATION – ORDINANCE SECTION E

***AS AMENDED IN TOWN MEETING,
MARCH
1978, 1989, 1991, 1993, 1996, 1997, 2004, 2005, 2009, 2014***



WILTON LAND USE LAWS AND REGULATIONS
SECTION E - CODE FOR BUILDING AND SANITATION

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WILTON LAND USE LAWS AND REGULATIONS
SECTION E - CODE FOR BUILDING AND SANITATION

ARTICLE I. PREAMBLE

The purpose of this code is to provide for the health, safety and welfare of the Town of Wilton, NH residents by ensuring a minimum standard of building construction; to provide reasonable safeguards for sanitation; to protect against the hazards of inadequate, defective or unsafe mechanical and/or electrical systems and installations; and to safeguard against the hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings.

This Building Code is adopted pursuant to and in accordance with the authority granted by NH RSA 674:51 and RSA 155-A:7 and governs the construction, remodeling and maintenance of all buildings and structures in the Town of Wilton. (*Amended March, 2009*)

Any conflict between the provisions in this Section E “Code for Building and Sanitation” and the State of New Hampshire Building Code and the additions by references is controlled by the State of New Hampshire Building Code and the code additions by reference (Adopted March 2014).

ARTICLE II. BUILDINGS

Building permits are required from the building inspector as specified by the International Code Council’s complete suite of International Codes® as they may apply for activities, including but not limited to new building construction, the moving or major structural alterations to the outside of an existing building, or any part thereof, or any different use from which an existing building is now used; the placement of a trailer or mobile home, or placement of an accessory building over 100 square feet Amended March 12, 1996, March 2014.)

A building, trailer, or mobile home under five hundred (500) square feet in area will not be erected or emplaced or remodeled for the primary purpose of a permanent abode.

A building of any size will not be erected for the purpose of a permanent living abode without fulfilling the following requirements:

- A. Proper siding (no tarpaper or other forms of house wrap exposed). (Amended March 2014)
- B. Deleted 2014.
- C. Deleted 2014.
- D. Deleted 2014.
- E. 1. For the erection of any new building or major structural alteration to any existing building working drawings of the elevation with dimensions, plus a drawing of the floor plan with dimensions shall be submitted to the Building Inspector as a part of the requirement for a building permit (Amended March 2014).

WILTON LAND USE LAWS AND REGULATIONS
SECTION E - CODE FOR BUILDING AND SANITATION

In the erection of new buildings or major structural alteration to existing buildings, the following Codes must be met as a minimum standard: (Amended March, 1991; Amended March, 2009)

In accordance with RSA 155-A this department enforces the State of New Hampshire Building Code as amended which includes the following code editions by reference (Amended March 2014):

- a. The **International Building Code (IBC) 2009 (or amended thereafter) Edition with N.H. Amendments**
- b. The **International Residential Code (IRC) 2009 (or amended thereafter) Edition**
- c. The **International Energy Conservation Code 2009 (or amended thereafter) Edition**
- d. The **International Mechanical Code (IMC) 2009 (or amended thereafter) Edition**
- e. The **International Plumbing Code (IPC) 2009 (or amended thereafter) Edition** with N.H. Amendments.
- f. The **National Electrical Code (NEC) 2011 (or amended thereafter) Edition**

And local adoption of:

- g. The **International Fuel Gas Code 2009 (or amended thereafter) Edition**
- E. 2. Having adopted the above Codes at Town meeting in March 2009, these codes can be revised or updated in the following manner: (Adopted March, 1993.) (Amended March, 2009, Amended March 2014)
- a. The Building Inspector shall prepare an amendment for any portion of the local building code that refers to, or that makes insertions in, deletions from or exceptions to the national codes. No amendments to the local building code, except as may be necessary to effect the substitution of revised national codes or code provisions for codes or provisions previously adopted, shall be adopted using the simplified procedure of this paragraph.
 - b. The Planning Board shall hold a public hearing on the proposed update or revision, with notice as provided in RSA 675:7. The notice shall include information stating where the proposed local building code amendment and the new or amended national codes or code provisions are available for public inspection.
 - c. Following the public hearing, the update or revision shall become final upon approval by the Selectmen and recording with the Town Clerk.

WILTON LAND USE LAWS AND REGULATIONS
SECTION E - CODE FOR BUILDING AND SANITATION

- F. For agricultural building construction there shall be a minimum charge of twenty-five (\$25.00) dollars for the issuance of any building permits where the valuation of improvements is less than five-thousand (\$5,000.00) dollars; where the value of improvements to be made is between five-thousand (\$5,000.00) and ten thousand (\$10,000.00) dollars inclusive, the charge shall be fifty (\$50.00) dollars; and where the value of improvements exceeds ten-thousand (\$10,000.00) dollars, the charge shall be fifty (\$50.00) dollars plus one-quarter of one (0.25) percent of the total value of the improvements to be made over ten-thousand (\$10,000.00) dollars.

Valuation shall be determined by the Board of Selectmen in accordance with the method currently used by the Board for determining the value of existing structures or improvements for State property tax purposes.

Note: Building Permit Fees reside in Appendix VII. (March 2004)

- G. At least fifteen (15) days prior to actual intent to locate a trailer or mobile home, or construct or add to or alter a building, a permit application will be filed with the Building Inspector, who will make public such application by publication and posting within ten (10) days of receipt of the application, such posting to indicate the nature of the application, specific location, type structure, etc.

Certificate of Occupancy. No building or structure erected or altered as specified in a permit issued under the terms of this Ordinance shall be occupied or used, as a whole or in part, until a Certificate of Occupancy has been issued by the Building Inspector. The Building Inspector shall not issue a Certificate of Occupancy until the applicant has satisfied the Building Inspector that all of the work has been completed in compliance with the Building Ordinance, the septic system meets the requirements of the New Hampshire Water Supply and Pollution Control Commission and local regulations, the driveway entrance has been approved by the Board of Selectmen, and the proper representative of the Fire Department has reviewed the work and finds no violations of any State or local laws within the jurisdiction of the Fire Department; and if the property is on Town water, that the requirements of the Water Department have been met; and if building and/or use meets the Zoning Ordinances as well as the proper filing and approval of all necessary permits. Upon the request of the holder of a permit, the Building Inspector may issue a temporary Certificate of Occupancy for a building or structure, or part thereof, before the entire work covered by the permit shall have been completed, provided such portion or portions may be occupied safely prior to full completion of the building or structure without endangering life or public welfare.

For all residential and non-residential construction, fees shall be payable as set forth in the Building Permit Fees schedule for the issuance of a building permit ((s) and their required inspection(s)). The Building Permit Fees schedule is separate from this ordinance and is reviewed and/or amended periodically as required by the Planning Board, after consultation with the Building Inspector and in a properly noticed public hearing. The Building Permit Fees schedule, located in Appendix VII shall become effective upon approval and certification by the Town Clerk. (March 2004)

WILTON LAND USE LAWS AND REGULATIONS
SECTION E - CODE FOR BUILDING AND SANITATION

ARTICLE III. FLOOD PLAIN DEVELOPMENT REGULATIONS

- A. The following regulations shall apply to all development and construction within A and A1-9 as identified on Flood Insurance Rate Maps, Town of Wilton, NH, Hillsborough County, 1-6 which are declared to be part of this Code, and Section 10 of Wilton's zoning ordinance, Floodplain Conservation District, as amended. If conflicting, the more strict provisions apply.
1. All proposed development in any special flood hazard area shall require a permit. The term "development" is defined to mean "any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations."
 2. Where new and replacement water and sewer systems (including on-site systems) are proposed, the applicant shall provide the Building Inspector with assurance that the systems are located, designed and will be constructed to minimize infiltration and avoid impairment by flood waters.
 3. The Building Inspector shall review all building permit applications for new construction or substantial improvements (meaning any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred) to determine whether proposed building sites will be reasonably safe from flooding. If a pro-posed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must (i) be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) use construction materials and utility equipment that are resistant to flood damage and (iii) use construction methods and practices that will minimize flood damage.
 4. The Building Inspector shall maintain for public inspection and furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having flood hazards identified on a Flood Insurance Rate Map, any certification of flood-proofing and information on the elevation (in relation to mean sea level) or the level of the lowest floor (including basement) of all new or substantially improved structures, and include whether or not such structures contain a basement, and if the structure has been floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed. This information must be furnished by the applicant.
 5. The Building Inspector shall review proposed developments to assure that all necessary permits have been applied for and/or 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. It shall be the responsibility of the applicant to certify these assurances to the Building Inspector.

WILTON LAND USE LAWS AND REGULATIONS
SECTION E - CODE FOR BUILDING AND SANITATION

6. In riverine situations, prior to the alteration or relocation of a watercourse, the applicant for such authorization shall notify the Office of Comprehensive Planning and submit copies of such notification to the Building Inspector and the Federal Insurance Administration. Further, the applicant shall be required to submit copies of said notification to those adjacent communities, as determined by the Building Inspector.

Within the altered or relocated portion of any watercourse, the applicant shall submit to the Building Inspector, certification provided by a registered professional engineer or architect assuring that the flood carrying capacity of the watercourse has been maintained.

The following requirements shall apply in specific zones designated on the Flood Insurance Rate Maps:

7. In unnumbered "A" zones, the Building Inspector shall obtain, review, and reasonably utilize any base flood elevation data available from a Federal, State or other source, until such other data has been provided by the Administrator, as criteria for requiring that (i) all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood level, and (ii) that all new construction and substantial improvements on non-residential structures have the lowest floor (including basement) elevated or floodproofed to or above the base flood level.
8. In zones "A1 through A9," for new construction and substantial improvements, the Building Inspector shall require that:
 - a. Residential structures have the lowest floor (including basement) elevated to or above the base flood level.
 - b. Non Residential structures have the lowest floor (including basement) elevated to or above the base flood level; or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effect of buoyancy.
9. In zones "A1 through A9", where floodproofing is used in lieu of elevation, a registered professional engineer or architect shall certify to the Building Inspector that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood level.
10. In zones "A1 through A9" for new, substantially improved, or expanded mobile home parks, and for mobile home placement not in existing mobile home parks, the Building Inspector shall require that:
 - a) Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level;

WILTON LAND USE LAWS AND REGULATIONS
SECTION E - CODE FOR BUILDING AND SANITATION

- b) Adequate surface drainage and access for a hauler are provided; and,
- c) In the instance of elevation on pilings:
 - 1) Lots are large enough to permit steps;
 - 2) Piling foundations are placed in stable soil and are no more than ten (10) feet apart; and,
 - 3) Reinforcement is provided for pilings that extend more than six (6) feet above the ground level.

11. In unnumbered A zones and zones A1 through A9, mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Specific requirements shall be that (i) over-the-top ties be provided at each of the four (4) corners with two (2) additional ties per side at intermediate locations and mobile homes less than fifty (50) feet long shall require one (1) additional tie per side; (ii) frame ties be provided at each corner with five (5) additional ties per side at intermediate points and mobile homes less than fifty (50) feet long shall require four (4) additional ties per side; (iii) all components of the anchoring system shall be capable of carrying a force of four thousand-eight hundred (4,800) pounds; and (iv) any additions to the mobile home shall be similarly anchored.

ARTICLE IV. SANITATION

- A. Cesspool, septic tank, or sewer disposal area shall hereinafter be constructed or maintained no less than seventy-five (75) feet from the edge of a public water body or from a dwelling other than that to which it is appurtenant, or as required by the State Board of Health.
- B. Except for existing Town and private sewer systems, no waste waters or sewage shall hereinafter be permitted to run free into a public water body or be discharged in any way that may be offensive or detrimental to the health of others. All such waste shall be conveyed away underground through use of an accepted sanitary system or in such a way that it will not be offensive or detrimental to health.
- C. All sanitary systems shall hereinafter be constructed and maintained in accordance with standards set and enforced by the New Hampshire State Department of Health and by the New Hampshire Water Pollution Commission.

ARTICLE V. AMENDMENTS

This Ordinance may be amended by a majority vote of any legal Town Meeting when such amendment is published in the warrant calling for the meeting, and when such amendment has received a public hearing, which hearing has been advertised and given a legal fifteen (15) day notice.

WILTON LAND USE LAWS AND REGULATIONS
SECTION E - CODE FOR BUILDING AND SANITATION

ARTICLE VI. PENALTIES

Any person violating any provision of this Ordinance or failing or neglecting or refusing to obey any lawful order or direction of a person authorized to investigate and enforce the provisions of this Ordinance, shall be guilty of a misdemeanor and shall be subject to a fine of not more than ten dollars (\$10.00) and each day's violation shall be a separate offense.

ARTICLE VII. BOARD OF APPEALS

(Amended March 2005)

A. Creation and Appointment

The establishment of a Board of Appeals is hereby authorized. In accordance with RSA 673:1, V, the Wilton Zoning Board of Adjustment shall act as the Board of Appeals.

B. Jurisdiction

The Board of Appeals shall have the power, upon an appeal filed with it by any person aggrieved by a decision of the building inspector dealing with the building code, to vary the application of any provision of the building code to any particular case when, in its opinion, the enforcement of the building code would do manifest injustice and would be contrary to the spirit and purpose of the building code and the public interest.

C. Hearings

1. For all appeals from decisions of the Building Inspector for consideration of application for permits authorized by this Code, the Board of Appeals shall hold a hearing as prescribed herein. The Clerk shall cause to be published and posted a notice which shall indicate the property involved, the nature of the appeal, and the time and place of hearing.
2. The Building Inspector, unless prevented by illness or absence from the State, shall attend all hearings and shall present to the Board of Appeals all plans, photographs or other factual material which is appropriate to an understanding of the appeal.

D. Appeal Procedure

Any person or any municipal department aggrieved by a decision of the Building Inspector with regard to the issuance of a building permit may file an appeal in writing with the Board no later than 15 days following the date of the decision. The procedures of the Board following the filing of an appeal shall be the same as those followed by the Zoning Board of Adjustment following the filing of a zoning appeal.

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SECTION E - CODE FOR BUILDING AND SANITATION

WILTON, NEW HAMPSHIRE
LAND USE LAWS



EXCAVATION SITE PLAN REVIEW REGULATION
SECTION F

Adopted November 15, 1990
Amended September 16, 1992
Amended June 15, 1994

WILTON LAND USE LAWS AND REGULATIONS
SECTION F - EXCAVATION SITE PLAN REVIEW REGULATION

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1.0 GENERAL PURPOSE AND AUTHORITY

Chapter 155-E of the New Hampshire Revised Statutes requires that, with several exceptions, all mining and excavation operations in the State obtain prior approval and permit from the local municipality in which the operation is to occur. The purpose of the Statute is to minimize safety hazards created by open excavations; to safeguard the public health and welfare; to preserve our natural assets of soil, water, forests and wildlife; to maintain aesthetic features of our environment; to prevent land and water pollution; and to promote soil stabilization.

2.0 DEFINITIONS

- 2.0.1 Abutter. Any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the terms abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII.
- 2.0.2 Commercial. Any use of any earth material for sale or resale on or off site of the excavation area. In addition, an excavation shall be considered commercial if earth materials are transported to land other than that from which the earth was excavated. Excavations which use earth materials in the processing of other material such as, but not limited to, concrete, asphalt and other building materials shall be considered commercial.
- 2.0.3 Contiguous. Land whose perimeter can be circumscribed without interruption in common ownership except for roads or other easements, in a single town (RSA 155-E:2, I-b).
- 2.0.4 Dimension stone. Rock that is cut, shaped, or selected for use in blocks, slabs, sheets, or other construction units of specified shapes or sizes and used for external or interior parts of buildings, foundations, curbing, paving, flagging, bridges, revetments, or for other architectural or engineering purposes. Dimension stone includes quarry blocks from which sections of dimension stone are to be produced. Dimension stone does not include earth as defined in Section 2.0.5.
- 2.0.5 Earth. Sand, gravel, rock, soil or construction aggregate produced by quarrying, crushing or any other mining activity or such other naturally-occurring unconsolidated materials that normally mask the bedrock.
- 2.0.6 Excavation. A land area which is used, or has been used, for commercial taking of earth, including all slopes.
- 2.0.7 Excavation area. The area within an excavation site where excavation has occurred or is eligible to occur under these regulations and the zoning ordinance.
- 2.0.8 Excavation site. Any area of contiguous land in common ownership upon which excavation takes place.

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2.0.9 Notice of Intent. A written notice to the Planning Board and to the Conservation Commission to inform them of the intent to apply for a permit to excavate for a new excavation, or for expansion of, or continuation of an excavation in operation at the time of adoption of this regulation.

2.0.10 Planning Board or Board. The planning board of the Town of Wilton.

3.0 PERMIT REQUIRED

No owner shall permit any excavation of earth on his premises without first obtaining a permit. Excavations in operation as of November 15, 1990 shall have one (1) year from the date of adoption of this regulation to file a completed application for a permit to excavate. Excavations which have not operated commercially within one (1) year of the adoption of this regulation shall not continue to operate until a permit to excavate is issued by the Planning Board. All excavations require a permit except:

3.0.1 Existing Excavations. The owner of an excavation which lawfully existed as of August 24, 1979, from which earth material of sufficient weight or volume to be commercially useful has been removed during the 2-year period before August 24, 1979, may continue to excavate without a permit subject to:

- a. Such an excavation site shall be exempt from local zoning, provided that at the time the excavation was first begun, it was in compliance with any local ordinances that may have been in effect. The exemption from local zoning includes the quarrying or crushing of bedrock for the production of construction aggregate; provided, however, that no owner shall after August 4, 1989 permit any such quarrying or crushing to occur for the first time on any excavation site without first obtaining an excavation permit from the Planning Board.
- b. Such an excavation area may not be expanded beyond the limits of the Town in which it is situated and the area which, on August 24, 1979, and at all times subsequent thereto has been contiguous to and in common ownership with the excavation area of that date, and appraised and inventoried for property tax purposes as part of the same tract as the excavation site. (As defined in RSA 155-E:2, I-b, as amended effective August 23, 1991.)
- c. Such an excavation shall be performed in compliance with the express operational and reclamation standards contained in RSA 155-E:4a, RSA 155-E:5 and RSA 155-E:5a.
- d. The owners or operators of any existing excavation area for which no permit has been obtained shall file an excavation report with the Planning Board by August 4, 1991. Any existing excavation that fails to file a report within the one year time period shall obtain a permit from the Planning Board before continuing excavation of the site.

The report shall contain the following information:

1. the location of the excavation--tax map and lot number;
2. the date the excavation first began;
3. a description of the permissible limits of expansion as described in Section 3.0.1, b;

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4. a description of the existing excavation with a sketch map including an estimate of the area which has been excavated to date; and
5. an estimate of the amount of commercially-viable earth materials still available on the parcel.

3.0.2 Stationary Manufacturing Plants. An excavation permit shall not be required for excavations in association with stationary manufacturing plants that meet the following conditions:

- a. Excavations from an excavation site contiguous to, or contiguous land in common ownership with, stationary manufacturing and processing plants in operation as of August 24, 1979, which use earth from said excavation site; however, such excavations shall be performed solely in compliance with the express operational and reclamation standards contained in RSA 155-E:4-a, RSA 155-E:5, and RSA 155-E:5-a. Loss of non-permit status shall be preceded by written notice from the regulator that the excavation is not in compliance and the owner shall have failed to bring such excavation into compliance within 30 days of receiving this notice.
- b. The operation and reclamation of excavations from a site which on August 4, 1989 was contiguous to, or was contiguous land in common ownership with, stationary manufacturing and processing plants which have been granted state or local permits since August 24, 1979 and before August 4, 1989, which use earth obtained from said site shall be governed by the conditions of the state or local permit and any extensions or renewals thereof. (As defined in RSA 155-E:2, III-b.)

3.0.3 Highway Excavations. An excavation performed exclusively for the lawful construction, reconstruction, or maintenance of a Class I, II, III, IV, or V highway by a unit of government which has jurisdiction for the highway or an agent of the unit of government which has a contract for the construction, reconstruction, or maintenance of the highway, provided that:

- a. A copy of the pit agreement executed by the owner, the agent and the governmental unit shall be filed with and accepted by the Planning Board prior to the start of excavation; and such excavation shall not be exempt from the provisions of Sections 6.0, 7.0 and 8.0 of this regulation, nor from any other land use regulations of the municipality. Failure to file a copy of the pit agreement with the municipality or to comply with the terms of the agreement constitutes a violation enforceable under the provisions of Section 16.0 of these regulations.
- b. The New Hampshire Department of Transportation or its agent may apply to the appeals board created under RSA 21-L to be exempted from the provisions of local land use regulations. The appeals process includes a formal public hearing in the affected municipality as set forth in RSA 155-E:2, IV-(c).
- c. The governmental unit or its agents must comply with the following:
 1. the excavation shall comply with the operational and reclamation standards of RSA 155-E:4-a, RSA 155-E:5, and RSA 155-E:5-a;
 2. section 7.0-a of these regulations;
 3. the excavation shall not be unduly hazardous or injurious to the public welfare;
 4. existing visual barriers in the areas specified in RSA 155-E:3, III shall not be removed, except to provide access to the excavation;

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5. the excavation shall not substantially damage a known aquifer, so designated by the United State Geological Survey (see Section 7.0-h); and
6. all required permits for the excavation from state or federal agencies have been obtained.

3.0.4 Other Exceptions.

- a. Excavation that is exclusively incidental to the lawful construction or alteration of a building or structure, or the lawful construction or alteration of a parking lot or way including a driveway on a portion of the premises where removal occurs. This excavation cannot be started, however, until all required state and local permits necessary for the construction or alteration of the building, structure, parking lot, or way have been issued.
- b. Excavation that is incidental to agricultural or silvicultural activities, normal landscaping or minor topographical adjustment.
- c. Excavation from a granite quarry for the purpose of producing dimension stone, if such excavation requires a permit under RSA 12-E.
- d. A person owning land abutting a site which was taken by eminent domain or by any other governmental taking upon which construction is taking place may stockpile earth taken from the construction site and may remove the earth at a later date after written notification to the Planning Board.

4.0 ABANDONED EXCAVATIONS

The permit and zoning exemptions under Section 3.0 shall not apply to any abandoned excavations as defined in Section 4.0.1.

4.0.1 Abandoned Excavations. Any excavation except for excavations or excavation sites described in RSA 155-E:2, III, for which the affected area has not been brought into complete compliance with the reclamation standards of this regulation (Sections 6.0 and 8.0) shall be deemed abandoned if:

- a. no earth material of sufficient weight or volume to be commercially useful has been removed from the excavation site during any two (2) year period; the owner or operator may, however, extend the period by submitting a reclamation time table to be approved by the Planning Board and posting a bond or other surety in a form and amount prescribed by the Planning Board sufficient to cover the costs of reclamation of the excavation site; or
- b. the excavation site is in use and is not a stationary manufacturing plant, but doesn't conform with the incremental reclamation requirements of this regulation or the owner or operator has not posted a bond or other surety sufficient to cover the costs of reclamation; and submitted a reclamation time table to be approved by the Planning Board;
- c. the owner or operator of the excavation has neither secured a permit pursuant to this regulation nor filed a report of an existing excavation within the prescribed time period as required by Section 3.0.1.

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- 4.0.2 Reclamation of Abandoned Excavations. The Planning Board may order the owner of any land containing an abandoned excavation to either file a reclamation time table to be approved by the Board and bond or other surety, or to complete the reclamation in accordance with this regulation within a stated reasonable time. Failure to complete said reclamation within the prescribed time period may result in the Planning Board requesting the governing body to cause reclamation to be completed at the expense of the municipality. The municipality's costs shall constitute an assessment against the owner, and shall create a lien against the real estate on which the excavation is located. Such assessment and lien may be enforced and collected in the same manner as provided for real estate taxes.

The site of an excavation which ceased commercially useful operation prior to August 24, 1977 (see Section 3.0.1), but for which the affected area has not been brought into compliance with the reclamation standards of Section 8.0, may be made subject to the remedy prescribed in this section only if the Planning Board finds in writing that specified reclamation measures are necessary to eliminate or mitigate an identified hazard to public health or safety.

5.0 APPLICATION FOR PERMIT

Any owner or owner's designee subject to this chapter shall, prior to excavation of or continuance or expansion of excavation of any land, apply to the Planning Board for an excavation permit and submit a reclamation plan. Copies of the application and the plans shall be submitted to the Wilton Conservation Commission at the same time. The permit application shall be signed and dated by the applicant and shall contain at least the information in this Section in addition to other regulation, checklist and site plan review requirements. The Planning Board may waive one or more of the items listed under this section.

- 5.0.1 General Information. The application shall include the name and address of the owner of the land to be excavated, the person who will actually do the excavating and all abutters to the premises on which the excavation is proposed.

5.0.2 Excavation Plans.

- 5.0.2.1 a. Excavations which would have qualified as existing excavations, as defined in Section 3.0.1, with a disturbed area less than 100,000 square feet and no plans to expand their operations beyond 100,000 square feet shall submit an excavation plan containing the following information:

- 1) the location of the excavation -- tax map and lot number;
- 2) the date the excavation first began;
- 3) a description of the limits of the proposed excavation;
- 4) a description of the existing excavation with a sketch map including an estimate of the area which has been excavated to date; and
- 5) an estimate of the amount of commercially-viable earth materials still available on the parcel.

- b. These excavations shall comply with the express operational and reclamation standards contained in RSA 155-E:4a and RSA 155-E:5, and Sections 7.0 and 8.0 of these regulations.
(Adopted June 1994)

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5.0.2.2 All new excavations and excavations which would have qualified as existing excavations, as defined in Section 3.0.1, with a disturbed area of 100,000 square feet or greater shall submit an excavation plan. The excavation plan shall be at a scale of no less than one inch equals one hundred feet and showing the area to be excavated and the land falling within 200 feet of the perimeter of the area to be excavated. All plans submitted to the Planning Board shall comply with the provisions in the Soil Erosion and Sedimentation Control Standards contained in Appendix II. All plans submitted shall be of a quality that they are easily understood and of an accuracy that compliance can easily be checked. At least six (6) copies of final plans shall be filed with the Planning Board prior to issuance of a permit. (Amended June 1994)

The Excavation Plan shall include:

- a. the seal and signature of an engineer and/or land surveyor registered in the State of New Hampshire;
- b. existing topography at contour intervals of five or fewer feet, based on mean sea level;
- c. the breadth, depth and slope of the proposed excavation, and existing excavation where applicable, and the estimated duration of the excavation;
- d. wooded and heavily vegetated areas;
- e. all surface drainage patterns including wetlands and standing water;
- f. location of all easements, on or below the ground;
- g. location and width of all public roads and rights-of-way;
- h. a log of borings or test pits that extend to either the seasonal high water table, ledge, or a minimum of six feet below the maximum proposed excavation depth, including location and soils data;
- i. location and extent of any stone walls, ledge outcroppings, wells, existing buildings, septic systems, utilities and the like;
- j. a locus map, at a scale of one inch equals one thousand feet (1":1000'), showing the proposed operation in relation to existing roads;
- k. any existing and all proposed excavation areas;
- l. any existing and all accessory facilities/activities;
- m. existing and proposed access roads, including width and surface materials;
- n. existing and proposed parking areas;
- o. existing and proposed fencing, buffers or visual barriers, including height and materials;
- p. storage areas for topsoil to be used in reclamation;
- q. all measures to control erosion, sedimentation, water pollution, air pollution, and hazards to human safety;
- r. the location of existing buildings, structures, septic systems and wells within one hundred and fifty (150) feet of the property boundary;
- s. the location of all driveways and road intersections within two hundred (200) feet of the property boundary;
- t. copies of any permits required by state or federal regulations
 - WSPCD - Site Specific (RSA 485-A:17)
 - Wetlands Board - Dredge and Fill (RSA 482-A)
 - Army Corps of Engineers - Dredge and Fill
 - NH Department of Transportation - Access Permit
 - NH Department of Transportation - Pit Agreement; and
- u. all measures to be taken by the applicant on the excavation site relative to fuel and chemical handling and storage, dust control, traffic, noise control and abatement, and comprehensive site safety of unauthorized persons.

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5.0.3 Reclamation Plan.

5.0.3.1 Reclamation plans for excavations which meet the criteria of Section 5.0.2.1 shall provide the following information:

- a. all boundaries of the area proposed for reclamation;
- b. post excavation/reclamation surface water drainage patterns;
- c. final slopes;
- d. schedule of final reclamation activities including seeding mixtures, cover vegetation and fertilizer types and rates; and
- e. subsequent use of the site, if known or anticipated.

(Adopted June 1994)

5.0.3.2 Reclamation Plans for all other excavations shall be provided at the same scale as the Excavation Plan covering the same area. All plans submitted to the Planning Board shall comply with the provisions in the Soil Erosion and Sedimentation Control Standards contained in Appendix II. All plans submitted shall be of a quality that they are easily understood and of an accuracy that compliance can easily be checked. At least six (6) copies of final plans shall be filed with the Planning Board prior to issuance of a permit. (Amended June 1994)

The Reclamation Plan shall include:

- a. the seal and signature of an engineer and/or land surveyor registered in the State of New Hampshire;
- b. all boundaries of the area proposed for reclamation;
- c. final topography of the area proposed for reclamation;
- d. final surface drainage pattern, including the location and physical characteristics of all artificial and/or modified drainage facilities;
- e. schedule of final reclamation activities including seeding mixtures, cover vegetation, fertilizer types, and rates;
- f. photographs of the site before excavation (from at least two different vantage points); and
- g. subsequent use of the site, if known or anticipated.

6.0 ADDITIONAL PERMIT REQUIREMENTS

6.0.1 Size and Reclamation Time Limit on New Excavations. No excavation of a new area shall exceed five acres in size at any one time. In addition, the size of the area for any permitted excavation shall not exceed that area which can be reclaimed according to the approved application within a one (1) year period.

If reclamation of the site is not completed within the one (1) year permit period the Town may declare part or all of the bond forfeit, and use these monies to reclaim the site, in addition to the requirements of Section 13.0 (Issuance of Permit). At no time shall more than one permit be allowed on a lot of record.

6.0.2 Size and Reclamation Time Limit on Expansions of Excavations. No expansion and reclamation of an excavation shall exceed the already disturbed area of the excavation plus five acres. However, the entire excavation area shall not exceed that area which can be reclaimed according to the

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approved permit within a one (1) year period. If an excavation operating at the time of adoption of this regulation cannot be reclaimed within one (1) year, no additional excavation into an undisturbed area shall be permitted until the existing excavated area is reclaimed based on an approved permit as required by this regulation. In the case of excavation in operation at the time of adoption of this regulation that is not being expanded, the permit period allowed for reclamation shall also be one (1) year.

If reclamation of the site is not completed within the one (1) year permit period the Town may declare part or all of the bond forfeit, and use these monies to reclaim the site, in addition to the requirements of Section 13.0 (Issuance of Permit). At no time shall more than one permit be allowed on a lot of record.

- 6.0.3 Excavation Sites Considered Non-Conforming. Expansion of any site used for sand and gravel excavation is limited to such activities which are considered a permitted or allowed use in the corresponding zoning district. When an excavation is not allowed by local zoning or similar ordinances regulating the location of the excavation site in effect on the effective date of this section, expansion may be restricted or modified with conditions by order of the Planning Board if after notice to the owner and a public hearing the Board finds that such expansion will have a substantially different and adverse impact on the neighborhood.
- 6.0.4 Hours of Operation. The hours of operation shall be determined by the Planning Board during the permit process. The level of operation and the type of neighborhood affected shall be considered by the Board in establishing these hours.
- 6.0.5 Hauling Information. Hauling information, including routes to be utilized and average daily trips, shall be provided to the Planning Board prior to the issuance of an Excavation Permit. The Planning Board may require modifications to such plans and/or may place conditions upon such operations, depending on surrounding land uses and road conditions. The Planning Board reserves the right to conduct a traffic study at the applicant's expense to ensure that public safety, neighborhood compatibility and road capacity and condition have been properly considered and optimized in the hauling plan.

7.0 OPERATIONAL STANDARDS

The following standards apply to the operation of all excavations within the Town.

- a. No excavation covered under RSA 155-E shall be permitted closer than 50 feet of the boundary of a disapproving abutter or within 10 feet of an approving abutter unless approval of a lesser distance is requested by the abutter.
- b. No excavation covered under RSA 155-E shall be permitted closer than 150 feet of an existing dwelling or to a dwelling for which a building permit has been issued at the time the excavation is begun.
- c. No excavation shall be permitted below road level within 50 feet of the right-of-way of any public highway as defined in RSA 229:1 unless such excavation is for the purpose of said highway.
- d. Vegetation shall be maintained or provided within the peripheral areas required by Section 7.0 a, b and c.

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- e. Natural vegetation adjacent to neighboring properties on which excavation is not intended shall be maintained for the purposes of erosion control, screening, noise reduction, and property valuation.
- f. No actual excavation is to exceed five (5) acres at one time unless specifically authorized by the Planning Board.
- g. Appropriate erosion, sedimentation, air and water quality measures shall be integrated into the excavation process. Excavations shall comply with the Soil Erosion and Sedimentation Control Standards contained in Appendix II.
- h. No excavation shall be permitted closer than six feet to the seasonal high water table or to bedrock (as indicated by the required borings or test pits). The Planning Board may approve a lesser distance if the applicant provides scientific information sufficient to determine subsequent use of the site would not be precluded or present a public health threat; or if the applicant places restrictions upon future development of the site.
- i. Where the depth of excavation will exceed 15 feet and temporary slopes will exceed 1:1 in grade, a fence or other suitable barricade shall be erected to warn of danger and/or limit access to the site.
- j. No area shall be excavated which will cause the accumulation of free standing water for prolonged periods. Appropriate drainage shall be provided.
- k. Excavation projects requiring a permit from the Water Supply and Pollution Control Division of Department of Environmental Services (DES) under RSA 485-A:17 shall file a copy of the permit with the Planning Board prior to receiving a permit.
- l. Topsoil shall be stripped from the excavation area and stockpiled on-site for use in subsequent reclamation of the site.
- m. All temporary structures required during excavation operations shall be removed from the site within 30 days after such operations cease.
- n. No fuels, lubricants or other toxic or polluting chemicals shall be stored on-site unless in compliance with State laws or rules pertaining to such materials.
- o. Prior to the removal of topsoil or other overburden material from any land area that has not yet been excavated, the excavator shall file a reclamation bond or other surety, as prescribed by the Planning Board, sufficient to cover the cost of reclaiming the land area to be excavated.
- p. No excavation shall be permitted within 75 feet of any great pond, navigable river, or any other standing body of water 10 acres or more in area or within 25 feet of any other stream, river or brook which normally flows throughout the year, or any naturally occurring standing body of water less than 10 acres, prime wetland as designated in accordance with RSA 482-A:15,I or any other wetland greater than 5 acres in area as defined by the New Hampshire Department of Environmental Services Wetlands Board.

8.0 SITE RECLAMATION STANDARDS

The Planning Board or its designee shall periodically inspect the excavation operations and shall perform a final reclamation inspection in order to ensure that the approved plans have been followed. The standards below apply to the reclamation of all excavations in the Town of Wilton.

- a. No slope in soil material shall be left steeper than 3:1 (three horizontal feet for each one foot of vertical drop) unless it can be demonstrated by the applicant that a steeper grade can be adequately vegetated and stabilized. Under no case shall a soil material slope be left steeper than 2:1.
- b. All debris, stumps, boulders, etc. shall be lawfully disposed of in a manner acceptable to the Planning Board or its designee.

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- c. Ground levels and grades shall be established as shown on the approved reclamation plan as soon as practical after site excavation has been completed, but no later than one year.
- d. Stockpiled topsoil shall be spread over the disturbed area to a depth to allow and maintain vegetation. Areas posing the most critical problems for re-vegetation shall be given first priority should available topsoil be limited. The disturbed area(s) shall be fertilized, if necessary, and seeded with a grass or grass-legume mixture.
- e. If deemed necessary by the Planning Board, suitable trees or shrubs may be planted in order to provide screening and natural beauty and to aid in erosion control. Such planted areas shall be protected from erosion during an appropriate establishment period by mulch and structural erosion control devices.
- f. Upon completion of the reclamation operations, the topography of the land shall be left so that water draining from the site leaves the property at the original, natural drainage points and in the natural proportions of flow.
- g. The responsible party shall not be released from its performance commitment (reclamation bond) until the Planning Board certifies compliance with all terms of the Excavation and the Reclamation Plans.
- h. Except for excavation sites of operating stationary manufacturing plants, any excavated area of 5 contiguous acres or more, which is depleted of commercial earth materials, excluding bedrock, or any excavation from which earth materials of sufficient weight or volume to be commercially useful have not been removed for a one year period, shall be reclaimed in accordance with Sections 6.0 and 8.0 within one year. Each operator shall submit a reclamation plan and timetable.

9.0 PROHIBITED PROJECTS

The Planning Board shall not grant an Excavation Permit under the following conditions.

- a. The excavation would violate the operational standards of Section 7.0.
- b. The excavation is located within 50 feet of the boundary of a disapproving abutter or within 10 feet of the boundary of an approving abutter unless approval of a lesser distance is requested by the abutter.
- c. Issuance of the permit would be unduly hazardous or injurious to the public welfare.
- d. Existing visual barriers would be removed, except as necessary to provide access to the excavation.
- e. The excavation would substantially damage a known aquifer, so designated by the United States Geological Survey.
- f. The excavation is within 150 feet of an existing dwelling or a dwelling for which a building permit has been issued at the time the excavation is begun.
- g. The excavation requires land use permits from state or federal agencies; the Planning Board may approve the application when all the necessary permits have been obtained.
- h. The project cannot comply with the reclamation provisions of Sections 6.0 and 8.0.
- i. The excavation is not permitted by zoning or other applicable ordinance.

10.0 WAIVERS

The Planning Board, upon application and following a hearing, may grant a waiver in writing, to the standards contained in Sections 6.0, 7.0, 8.0 and 9.0 for good cause shown. The written decision shall state specifically what standards, if any, are being relaxed and include reasonable alternative conditions.

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11.0 APPLICATION FOR AMENDMENT

When the scope of a project for which an excavation permit has been issued is proposed to be altered so as to affect either the size or location of the excavation, the rate of removal or the plan for reclamation, the owner shall submit an application for amendment of his excavation permit. The amended application shall be subject to approval in the same manner as provided for an excavation permit. An application for amendment to increase the size of a permitted excavation may be allowed if at least one-half of the area covered by the prior permit is reclaimed in accordance with the approved site Reclamation Plan.

12.0 HEARING

Prior to approving an application for an excavation permit or an application for an amended excavation permit, the Planning Board shall hold a public hearing within 30 days of receipt of a completed application. A notice of said hearing shall be sent to all abutters and shall specify the grounds for the hearing as well as the date, time, place; at least 14 days notice of the time and place of the hearing shall be published in a paper of general circulation in the town; and legal notice shall also be posted in at least 3 public places in the town. The 14 days shall not include the day of publication or the day of the meeting, but shall include any Saturdays, Sundays and legal holidays within said period. Within 20 days of said hearing or any continuation thereof, the Planning Board shall render a decision approving or disapproving the application, giving reasons for disapproval.

13.0 ISSUANCE OF PERMIT

If the Planning Board, after public hearing, approves the application for a permit and determines it is not prohibited by Section 9.0, it shall grant the excavation permit upon receipt of an excavation permit fee of \$50, and the posting of a bond or other surety with the municipal treasurer in the amount determined by the Board to be sufficient to guarantee compliance with the permit. The excavation permit shall be granted for a period of one year. The performance bond or other surety shall be for a period of the permit plus sixty days; the expected duration of the excavation shall not be greater than five years unless an application for amendment is filed. A copy of the permit shall be prominently posted at the excavation site and the principal access thereto. A permit shall not be assigned or transferred without the prior written consent of the Planning Board. A permit shall specify the date upon which it expires. The Planning Board may include in a permit such reasonable conditions as are consistent with the purpose of this regulation including requirements which are more stringent than RSA 155-E and the provision of visual barriers to the excavation. Prior to issuance of a permit, the applicant shall also be assessed an excavation review fee determined by the Planning Board to be sufficient to cover the cost of annual permit and compliance review by the Board or its designated representative. This excavation review fee shall also include sufficient funds to cover periodic field reviews conducted by the Town's engineer or other agent to ensure compliance with the approved Excavation and Reclamation Plans.

14.0 PERMIT RENEWAL

An excavation permit may be renewed annually for a renewal fee of \$15 if a site inspection by the Planning Board or its designee finds that the excavation is in compliance with the approved Excavation and Reclamation Plans. It is the responsibility of the owner/operator to apply to the Planning Board for a permit renewal and to arrange for a site inspection prior to the expiration of the existing permit.

WILTON LAND USE LAWS AND REGULATIONS
SECTION F - EXCAVATION SITE PLAN REVIEW REGULATION

15.0 APPEAL

If the Planning Board disapproves or approves an application for an excavation permit or an application for an amended permit, any interested person affected by such decision may appeal to the Board for a rehearing on such decision or any matter determined thereby. The motion for rehearing shall fully specify every ground upon which it is alleged that the decision or order complained of is unlawful or unreasonable and said appeal shall be filed within 10 days of the date of decision appealed from. The Planning Board shall either grant or deny the request for rehearing within 10 days. If the request is granted, a rehearing shall be scheduled within 30 days. Any person affected by the Board's decision on a motion for rehearing may appeal in accordance with the procedures specified in RSA 677.

16.0 ENFORCEMENT

- a. The Planning Board or its duly authorized agent may suspend or revoke the permit of any person who has violated any provision of his permit or this regulation or made a material misstatement in the application upon which his permit was granted. Such suspension or revocation shall be subject to a motion for rehearing thereon and appeal in accordance with Section 16.0. Failure to file for a permit as required by this regulation shall be considered a violation subject to the enforcement provisions of this regulation.
- b. Fines, penalties and remedies for violations of this regulation shall be the same as for violations of RSA 676:15 and RSA 676:17.
- c. To ascertain if there is compliance with this regulation, a permit issued hereunder or an order issued hereunder, the Planning Board or its duly authorized agent(s) may enter upon any land on which there is reason to believe an excavation is being conducted or has been conducted since the effective date of this regulation.
- d. Operators who fail to file for a permit will be issued a cease and desist order.

17.0 SEPARABILITY

The invalidity of any provisions of this regulation shall not affect the validity of any other provision.

WILTON, NEW HAMPSHIRE
LAND USE LAWS



DRIVEWAY ENTRANCE REGULATION
SECTION G

(Adopted December 21, 2005)

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1.0 PURPOSE

In order to promote safe and efficient ingress and egress from private property, driveways require certain controls. Driveway designs shall establish grades that adequately protect and promote safe and controlled approach to the highway in all seasons of the year. In addition to proper access, they shall provide for suitable discharge and control of surface drainage in and around the entrance (within the Town Right of Way). (See RSA 236:13).

2.0 PERMITS

Anyone desiring to construct, alter or relocate a driveway within the Town Right of Way, shall first apply for a permit from the Town of Wilton Road Agent, who is hereby delegated the authority to administer these regulations on the part of the Planning Board. The Road Agent shall prescribe the application form for such a permit and shall have the authority, in appropriate cases, to require the applicant to provide suitable surety to guarantee the performance of conditions of the issuance of the permit. The Road Agent is empowered to act on behalf of the Planning Board with regard to any and all of the duties and prerogatives set forth in RSA 236:13 (V) and (VI), in order to implement these regulations and the foregoing statutes.

3.0 DRIVEWAY ENTRANCE SPECIFICATIONS

a. General Requirements:

1. Construction of any driveway shall not be conducted without a permit.
2. No use of such driveway (except of a temporary nature during construction) shall take place until the Road Agent has inspected the construction of the driveway and certified that said driveway conforms to the specifications set forth in this regulation.
3. No Certificate of Occupancy shall be granted without the final construction inspection and permit of the driveway.
4. All driveways shall be constructed only in the location shown on the approved driveway permit.
5. All driveways shall be constructed in accordance with applicable town regulations or the State of New Hampshire Department of Transportation specifications and State of NH Statutes as applicable.
6. Private Common Driveways shall be built according to the plans and specifications approved by the Wilton Planning Board.
7. Maximum Width of any residential driveway at Property Line - 24 feet
** Minimum distance between centerline of drives - 110 feet
** Minimum distance from intersections (on same side of road) - 110 feet
 **Except those parcels located In the Residential District
 Minimum distance between centerline of drives - 60 feet
 Minimum distance from intersection - 60 feet
Industrial and Commercial driveways shall be designed for their proposed use.
8. All Driveways should intersect the street at a ninety (90) degree angle and shall not be less than sixty (60) degrees from the Town Right of Way line.
9. The grade of the driveway shall slope ¼” to ½” per foot downward away from the edge of the traveled surface of the Town roadway to the center of the roadway ditch line.

WILTON LAND USE LAWS AND REGULATIONS
SECTION G - DRIVEWAY ENTRANCE REGULATION

10. If it is determined during consultation with the Town of Wilton Road Agent that a culvert is required, the minimum shall be fifteen inches (15") in diameter, sixteen gauge (16) riveted aluminum, corrugated steel, reinforced concrete, or polypropylene. The culvert shall be a minimum of twenty feet (20') long and with all headers mortared or securely fastened to avoid end damage by vehicles. A paved swale may be allowed within the ditch line to provide drainage relief if the applicant can show that the installation of a culvert is neither appropriate nor possible to install.
11. An all-season safe sight distance shall be established. The minimum all-season safe sight distance shall be 200 feet. The required all-season safe sight distance shall be based on the posted speed limit as follows:

	<u>Type of road</u>	<u>Speed limit, or if None, Typical Speed</u>	<u>Minimal Safe Sight Distance</u>
(a)	minor roads	30 mph or lower	200 feet
(b)	through roads	31 - 40 mph	275 feet
(c)	through roads	41 - 50 mph	400 feet
(d)	major roads	51 - 60 mph	525 feet

Un-posted roads shall be assumed to be thirty (30) mph.

12. The all-season safe sight distance shall be measured from a point three feet nine inches (3'-9") above the proposed driveway surface and be located in the proposed driveway at least ten feet (10') back from the edge of the traveled way. From this point, the critical line of sight shall be measured in both directions to a point three feet nine inches (3'-9") above the Town roadway at a distance described above and be applicable for approaching vehicles in both directions from the proposed driveway. Any obstructions shall be noted on the plan. All obstructions shall be removed to a distance 5 feet behind the sight line to ensure all-season safe sight line. All obstructions shall be removed prior to final inspection for the Driveway Permit.
13. The maximum number of driveway entrances allowed per lot shall be one (1) unless otherwise permitted by the Planning Board.
14. Any parcel that is changing use or expanding a use shall obtain a driveway permit.
15. The Wilton Planning Board, in consultation with the Road Agent, may waive any of the foregoing requirements when it is shown that strict compliance would cause undue hardship and is not contrary to the Public interest. A waiver shall not compromise the public safety.

4.0 DRIVEWAY PERMIT APPLICATION

See following page for application.



TOWN OF WILTON, NEW HAMPSHIRE
Driveway Permit Application

Town of Wilton Highway Garage: Phone: (603) 654-6602

PERMIT # _____

DATE ____ / ____ / ____

APPLICANT _____ PHONE # _____

ADDRESS _____

Street # / PO Box _____ Town _____ State _____ Zip _____

LOCATION _____ TAX MAP _____ LOT# _____

Permission to construct, within the Town right-of-way, a driveway, entrance, exit, approach-adjoining Street/Road pursuant to the location and specifications as described below, is hereby granted. **Failure to complete construction of said driveway within ONE CALENDAR YEAR of the date of this permit shall render permit null and void.** Any driveway constructed in violation of these conditions shall be corrected immediately upon notification by a Department representative, or the costs of removing said facility shall be fully borne by the owner. No structures, including buildings, permanent or portable signs, lights, displays, fences, walls, etc. shall be permitted on or under the highway right-of-way. (Mailboxes and house numbers for emergency services are exempt.)

Please attach a sketch to application.

See the Town of Wilton Land Use Laws and Regulations, *Driveway Entrance Regulation, G.*

- Driveway width at front property line _____ (Ft.)
- Distance between driveways _____ (Ft.)
- Distance from nearest intersection _____ (Ft.)
- Sight distance _____ (Ft.) to the left; _____ (Ft.) to the right

***** DO NOT FILL OUT BELOW THIS LINE *****

1. This permit requires that the area adjacent to the highway be graded such that the surface will slope from the edge of pavement to a line ___ feet distance from and parallel to the pavement and ___ inches below the edge of pavement.
2. One (1) driveway entrance(s) is/are permissible. Driveway not to exceed _____ feet in width. The driveway entrance(s) may be flared as they approach the pavement. Width of pavement at edge of highway not to exceed _____ feet.
3. Potential accesses to the highway from the premises not permitted as driveways are to be blocked by construction of a barrier or barriers, such as a grass plot, low hedge, curbed island, etc. The front face of a barrier island shall be outside the right-of-way line. No part of the right-of-way may be used for any purpose other than travel.

DATE ____ / ____ / ____ APPROVED FOR _____
CONSTRUCTION BY: **Wilton Road Agent**

DATE: ____ / ____ / ____ FINAL APPROVAL _____
AFTER CONSTRUCTION BY: **Wilton Road Agent**

NOTE: Please return this form to the Town Office. Revised 12/21/05

WILTON, NEW HAMPSHIRE

LAND USE LAWS



***STORMWATER MANAGEMENT AND
EROSION CONTROL REGULATIONS
SECTION H***

(Adopted June 19, 2013)

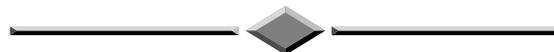


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PERMANENT (POST-CONSTRUCTION) STORMWATER MANAGEMENT

1.0 **PURPOSE & OBJECTIVES**

The purpose is to protect, maintain and enhance the public health, safety, environment, and general welfare of the citizens of the Town of Wilton by establishing minimum requirements and procedures to control stormwater discharges. To create a management plan that controls runoff in a manner compliant with the requirements of the Town of Wilton, State and Federal Law including US Environmental Protection Agency (EPA) Stormwater Management legislation. The plan shall address controlling the post-development storm water runoff, groundwater recharge, and non-point source pollution associated with new development and redevelopment that discharge into the Town's Stormwater Drainage System, water bodies, streams, rivers and associated wetlands.

The object is to prohibit non-permitted discharges by establishing design and construction standards for storm water drainage systems and to set forth the legal authority and procedures to carry out all inspections, monitoring and enforcement activities necessary to ensure compliance with this regulation and applicable State and Federal laws. In addition to have such standards incorporated into the existing standards and review processes governing new construction in site plan and subdivision review, as well as building permits that implicate the requisite disturbance of the site.

2.0 **JURISDICTION**

This Regulation shall pertain to all land within the boundaries of the Town of Wilton, New Hampshire. Any errors or omissions in these Regulations shall not exempt applications from complying with applicable State and Federal Statutes. In the event of conflicting requirements, pursuant to NH RSA 676:14 the stricter standard applies. The regulation shall become effective upon adoption by the Planning Board, in accordance with the provisions of RSA 674:16 &17 and 674:36 & 44.

3.0 **APPLICABILITY/SCOPE**

3.1. The requirements of this Article shall apply to land disturbance, development, and/or construction activities in all zoning district(s) when any lot development occurs within a critical area. The applicant shall design and submit a custom construction stormwater management and erosion control plan to the Planning Board, or their agent.

3.2. **Completed application**

3.2.1 A waiver of this Regulation may only be granted by the Planning Board after a public hearing or as part of an ongoing properly noticed hearing. The applicant must provide evidence to support the request for waiver due to size or character of the project, or the natural conditions of the site. The Planning Board may grant the waiver provided that the spirit of the regulations, and public health, safety and welfare of the neighbors and the surrounding area are not adversely affected.

4.0 AUTHORITY

The provisions of this Article are adopted pursuant to RSA 674:16 Grant of Power, RSA 674:17 Purposes of Zoning Ordinance, and RSA 674:21 Innovative Land Use Controls.

This Regulation is adopted pursuant to the authority vested in:

- The Planning Board pursuant to RSA 674:35 and 36, and RSA 674:44; and, RSA 155-E:1 1;

5.0 DEFINITIONS/ABBREVIATIONS

Best Management Practice (BMP): Structural, non-structural and managerial techniques that are recognized to be the most effective and practical means to prevent and/or reduce increases in stormwater volumes and rates of flow, reduce point source and non-point source pollution, and promote stormwater quality and protection of the environment.

Cease and Desist: Document issued related to a parcel or activity in violation of the Town of Wilton Stormwater Management and Erosion Control Regulations and/or the Town of Wilton Site Plan, Subdivision, other Land Use Regulations or Ordinances, or plans approved there under

Curve Number (CN): A numerical representation used to describe the stormwater runoff potential for a given drainage area based on land use, soil group, cover type and soil moisture, derived as specified by the U.S. Department of Agriculture, Natural Resources Conservation Service (USDA/NRCS).

Critical Areas: Disturbed areas of any size:

1. Within 75 feet of a permanent or intermittent vernal pool, stream, bog, river, water impoundments; or
2. Within 50 feet of poorly or very poorly drained soils; floodplain; or
3. Proposed work within a wetlands buffer; or
4. Disturbed areas with slopes greater than 15 percent; or
5. Disturbed areas that are within the Rivers Management and Protection Program or within areas covered by the Shoreland Water Quality Protection Act.
6. Setbacks from Watershed, Wellhead & Aquifer Protection Districts.
7. Disturbances Greater than 1 Acre

Developer: A person who undertakes or proposes to undertake land disturbance activities.

Development: For the purposes of this article, development refers to alterations to the landscape that create, expand or change the location of impervious surfaces or alters the natural drainage of a site for all activities other than for agricultural and silvicultural practices.

Disconnected Impervious Cover: Impervious cover that does not contribute directly to stormwater runoff from a site, but directs stormwater runoff to on-site pervious cover to infiltrate into the soil or be filtered by overland flow.

Disturbed Area: An exposed soil area resulting from activities where the natural vegetation has been removed, or where grading, blasting, excavation or filling will or has occurred.

Drainage Area: Means a geographic area within which stormwater, drain to a particular point.

Effective Impervious Cover: Impervious cover that is not disconnected impervious cover.

Environmental Protection Agency (EPA): The Federal agency responsible for implementing Clean Water Act entities including the National Pollutant Discharge Elimination System (NPDES) program.

Erosion: The detachment and movement of soil or rock or rock fragments by water, wind, ice or gravity.

Impervious Cover: A structure or land surface with a low capacity for infiltration, including but not limited to roadways or roofs, that have a Curve Number of 98 or greater.

Infiltration: The process by which water enters the soil profile (seeps into the soil).

NOI: Notice of Intent as developed by the EPA

NOPV: Notice of Probable Violation; Document describing nonconformance with the Town of Wilton Stormwater Management and Erosion Control Regulations.

NOT: Notice of Termination as developed by the EPA

NPDES: National Pollutant Discharge Elimination System, as developed by the EPA

Owner: A person with a legal or equitable interest in a property.

Project Area: The disturbed area within the subdivision or site plan perimeter boundary including those areas associated with off-site improvements.

Pervious Cover: A land surface with a capacity for infiltration.

Recharge: The amount of water from precipitation that infiltrates into the ground and is not evaporated or transpired.

Redevelopment: The reuse of a site or structure with existing man-made land alterations. A site is considered a redevelopment if it has 35 percent or more of existing impervious surface, calculated by dividing the total existing impervious surface by the size of the parcel and convert to a percentage.

Regulated Substance: A “regulated substance” as defined in Env-Ws 421.03(f) or successor rule, Env-Wq 401.03(h).

Sediment: Solid material, mineral or organic, that was in suspension, was being transported, or has been moved from its site of origin by erosion.

Sensitive Area: For the purpose this Article include rivers, ponds, perennial and intermittent streams, vernal pools, wetlands, highly erodible soils and slopes in excess of 15%.

Sheet Flow: Runoff that flows or is directed to flow across a relatively broad area at a depth of less than 0.1 feet for a maximum distance of 100 feet in such a way that velocity is minimized.

Site: The lot or lots on upon which development is to occur or has occurred.

Stabilized: When the soil erosion rate approaches that of undisturbed soils. Soils which are disturbed will be considered stabilized when covered with a healthy, mature growth of grass, or good covering of straw mulch or other equivalent (seedless) mulch (at a rate of not less than 2 tons/acre). Mulch is only a temporary measure; ultimately, the site needs vegetation.

Stormwater Management and Erosion Control Plan (SWMP): A plan which outlines project features, proposed temporary and permanent erosion control features, maintenance schedules and practices, and design basis used to establish both temporary and permanent design features.

Stormwater Permit (SWP): A permit issued by the Town of Wilton per the requirements outlined in this Regulation

Stormwater Pollution Prevention Plan (SWPPP): A plan required by the Environmental Protection Agency (EPA) that clearly describes appropriate control measures that include a description of all pollution control measures (i.e., BMPs) that will be implemented as part of the construction activity to control pollutants in stormwater discharges and describes the interim and permanent stabilization practices for the site.

Stormwater Runoff: Water flow on the surface of the ground or in storm sewers, resulting from precipitation that is not absorbed, evaporated, or otherwise stored within the contributing drainage area.

Total Impervious Cover: The sum of Disconnected Impervious Cover plus Effective Impervious Cover.

Undisturbed Cover: A natural land surface whose permeability has not been altered by human activity.

Vegetation: Is defined to include a tree, plant, shrub, vine or other form of plant growth.

Wellhead Protection Area: As defined in RSA 485-C:2, XVIII, the surface and subsurface area surrounding a water well or well field, supplying a public water system, through which contaminants are reasonably likely to move toward and reach such water well or well field.

6.0 TEMPORARY/CONSTRUCTION STORMWATER MANAGEMENT DESIGN PLAN

- A.** Temporary/Construction Stormwater Management Design. The following standards shall be applied in planning for stormwater management and erosion control as related to construction: (These standards are in addition to requirements that may be found in this and other sections of the Site Plan, Subdivision, other Land Use Regulations or Ordinances.)
- 6.1.** All measures in the Plan shall meet as a minimum the Best Management Practices set forth in the New Hampshire Stormwater Management Manual, Volumes 1, 2, and 3, US EPA, NH Department of Environmental Services, Comprehensive Environmental, Inc., December 2008, or as revised or amended.

Additional BMP's are available at the following locations:

- a. <http://www.des.state.nh.us/factsheets/wqe/wqe-6.htm> NHDES Environmental Fact Sheet WD-WQE-6, (*Soil Erosion and Sediment Control on Construction Sites, 1996*)
- b. <http://cfpub.epa.gov/npdes/stormwater/menuofbmps/index.cfm> EPA National Pollution Discharge Elimination System, (NPDES) (*Stormwater Menu of Best Management Practices (BMP's) and Construction Site Stormwater Runoff Control*)).

Note: The web site links in this section are provided for information and are subject to change. The most current link reference should be utilized.

- 6.2. Whenever practical, natural vegetation shall be retained, protected, or supplemented. The stripping of vegetation shall be done in a manner that minimizes soil erosion.
- 6.3. Appropriate erosion and sediment control measures shall be installed prior to soil disturbance. The Town Planning Board or their designee shall review and approve installation of the measures prior to land disturbance.
- 6.4. The area of disturbance shall be kept to a minimum. Disturbed areas remaining idle for more than 30 days shall be stabilized.
- 6.5. Measures shall be taken to control erosion within the project area. Sediment in runoff water shall be trapped and retained within the project area using approved measures. Wetland areas and surface waters shall be protected from sediment.
- 6.6. Off-site surface water and runoff from undisturbed areas shall be diverted away from disturbed areas where feasible or carried non-erosively through the project area. Integrity of downstream drainage systems shall be maintained. It is not to be interpreted to use offsite flow without approval.
- 6.7. Priority should be given to preserving natural drainage systems including perennial and intermittent streams, wetlands, swales, and drainage ditches for conveyance of runoff leaving the project area.
- 6.8. All temporary erosion and sediment control measures shall be maintained in functioning condition until final site stabilization is accomplished.
- 6.9. All temporary erosion and sediment control measures shall be removed after final site stabilization. Trapped sediment and other disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized within 30 days unless conditions dictate otherwise.
- 6.10. Naturally occurring streams, channels, and wetlands shall be used for conveyance of runoff leaving the project area only after appropriate sedimentation control measures have been employed.

7.0 PERMANENT STORMWATER MANAGEMENT REQUIREMENTS

All applicable developments shall submit a permanent (post-construction) Stormwater Management Plan (SMP) with an application for subdivision or site plan review. The permanent SMP, which shall

be prepared by a licensed New Hampshire professional engineer, shall address and comply with the requirements set forth herein to reduce and properly manage stormwater post-construction and as specified by the planning board.

- 7.1. Maximum total impervious cover shall not exceed the limits as listed in the underlying zoning district of a site. Impervious cover may be disconnected from the stormwater drainage network, to reduce total effective impervious cover, through such techniques as infiltration or sheet flow over a pervious area.
- 7.2. BMP techniques shall be used to meet the conditions below for control of peak flow and total volume of runoff, water quality protection, and maintenance of on-site groundwater recharge.
 - 7.2.1. Stormwater management practices shall be selected to accommodate the unique hydrologic and geologic conditions of the site. Areas of the site with the best soils for infiltration shall be used to the maximum extent possible to maintain natural infiltration or set aside to be used for infiltrating stormwater generated elsewhere on the site.
 - 7.2.2. The use of nontraditional and/or nonstructural stormwater management measures, including site design approaches to reduce runoff rates, volumes, and pollutant loads, are preferred and shall be implemented to the maximum extent practical. Such techniques include, but are not limited to, minimization and/or disconnection of impervious surfaces; development design that reduces the rate and volume of runoff; restoration or enhancement of natural areas such as riparian areas, wetlands, and forests; and use of practices that intercept, treat, and infiltrate runoff from developed areas distributed throughout the site (e.g. bioretention, infiltration dividers or islands, or planters and raingardens).
 - 7.2.3. The applicant shall demonstrate how the proposed control(s) will comply with the requirements of this Regulation, including the control of peak flow and total volume of runoff, protection of water quality, and recharge of stormwater to groundwater. The applicant must provide design calculations and other back-up materials necessary.
 - 7.2.4. Stormwater management systems within the Commercial, Industrial, Aquifer and Well head Protection Districts shall be required to incorporate containment to protect against contamination of surface waters or groundwater in the event of an emergency spill or other unexpected contamination. All other areas shall be encouraged to provide stormwater management systems incorporating designs that allow for containment in the event of an emergency spill or other unexpected contamination event but shall be reviewed on a case by case basis and the need shall be determined at the discretion of the planning board.
 - 7.2.5. Stormwater management systems with areas greater than 1.0 acres shall not discharge to surface waters, ground surface, subsurface, or groundwater within 100 feet of a public water supply intake protection area.
 - 7.2.6. Stormwater management systems with areas greater than 1.0 acres shall not discharge within the setback area for a water supply well as specified in the following table:

WILTON LAND USE LAWS AND REGULATIONS

SECTION H – STORMWATER MANAGEMENT AND EROSION CONTROL REGULATIONS

Well Type	Well Production Volume (gallons per day)	Setback from Well (feet)
Private Water Supply Well	Any Volume	75
Non-Community Public Water Supply Well	0 to 750	75
	751 to 1,440	100
	1,441 to 4,320	125
	4,321 to 14,400	150
Community Public Water Supply Well	0 to 14,400	150
Non-Community and Community Public Water Supply Well	14,401 to 28,800	175
	28,801 to 57,600	200
	57,601 to 86,400	250
	86,401 to 115,200	300
	115,201 to 144,000	350
	Greater than 144,000	400

7.2.7. BMPs shall be designed to convey a minimum design storm event, as described in the table below, without overtopping or causing damage to the stormwater management facility.

Treatment Practice	Design Storm Event
Stormwater Pond	50-year, 24-hour storm
Stormwater Wetland	50-year, 24-hour storm
Infiltration Practices	10-year, 24-hour storm
Filtering Practices	10-year, 24-hour storm
Flow through Treatment Swales	10-year, 24-hour storm

7.3 Protection of Natural Hydrologic Features and Functions

7.3.1. Site disturbance shall be minimized. Vegetation outside the project disturbance area shall be maintained. The project disturbance area shall be depicted on site plans submitted as part of the site plan review process. The project disturbance area shall include only the area necessary to reasonably accommodate construction activities. The applicant may be required to install construction fencing around the perimeter of the proposed project disturbance area prior to commencing land disturbance activities.

7.3.2. Soil compaction on site shall be minimized by using the smallest (lightest) equipment possible and minimizing travel over areas that will be vegetated (e.g., lawn areas) or

used to infiltrate stormwater (e.g., bioretention areas). In no case shall excavation equipment be placed in the base of an infiltration area during construction.

- 7.3.3.** Development shall follow the natural contours of the landscape to the maximum extent possible. A grading plan shall be submitted as part of the site plan review process showing both existing and finished grade for the proposed development.
- 7.3.4.** Cut and fill shall be minimized. The maximum height of any fill or depth of any cut area, as measured from the natural grade, shall not be greater than 30 feet. If a cut or fill slope of more than 30 feet in height becomes necessary then the slope shall be benched as follows: benches shall be provided wherever the vertical height of any 2:1 slope exceeds 20 feet, any 3:1 slope exceeds 30 feet, or any 4:1 slope exceeds 40 feet; Benches shall be located to divide the slope face into equal parts; Benches shall convey the stormwater to a stable outlet; Benches shall be a minimum of 6 feet wide; Benches shall be designed with a reverse slope of 6:1 or flatter from the top of the lower slope to the toe of the upper slope and with a minimum of one foot in depth; and The bench gradient to the outlet shall be between 2 and 3 percent.
- 7.3.5.** Any contiguous area of disturbance, not associated with the installation of a roadway, shall be limited to 20,000 square feet for residential development and to 100,000 square feet for other types of development. Contiguous areas of disturbance shall be separated by an area maintained at natural grade and retaining existing, mature vegetated cover that is at least 20 feet wide at its narrowest point.
- 7.3.6.** No ground disturbed as a result of site construction and development shall be left as exposed bare soil at project completion. All areas exposed by construction, with the exception of finished building, structure, and pavement footprints, shall be aerated and covered with a minimum thickness of four inches of non-compacted topsoil, and shall be subsequently planted with a combination of living vegetation such as grass, groundcovers, trees, and shrubs, and other landscaping materials (mulch, loose rock, gravel, stone).
- 7.3.7.** Priority shall be given to maintaining existing surface waters and systems, including, but not limited to, perennial and intermittent streams, wetlands, vernal pools, and natural swales.
- a. Existing site hydrology shall not be modified so as to disrupt on-site and adjacent surface waters. The applicant must provide evidence that this standard can be achieved and maintained over time.
 - b. Existing surface waters, including lakes, ponds, rivers, perennial and intermittent streams, wetlands, vernal pools, and natural swales, shall be protected by a 50 foot, vegetated buffer.
 - c. BMPs shall not be located within the 50 foot, vegetated buffer or within 50 feet of slopes greater than 15 percent.
 - d. Where roadway or driveway crossings of surface waters cannot be eliminated, disturbance to the surface water shall be minimized, hydrologic flows shall be maintained, there shall be no direct discharge of runoff from the roadway to the surface water, and the area shall be re-vegetated post-construction.

- e. Stream and wetland crossings shall be minimized whenever possible. When necessary, stream and wetland crossings shall comply with state recommended design standards to minimize impacts to flow and animal passage. (See NH Fish and Game Department, 2008.)

7.4 Post-Development Peak Flow Rates and Total Runoff Volumes

Engineering calculations used to determine drainage requirements for all drainage systems must be sized for the 25 year storm frequency. All structural measures such as detention/retention facilities must be reviewed and designed for 50 year storm impacts, with one foot of free board above the designed storm. If the project will affect drainage flow to an existing roadway culvert a minimum of a 25 year storm shall be used to evaluate potential off-site effects.

If a State-owned or maintained culvert is affected by the project, State of New Hampshire Department of Transportation (NHDOT) Guidelines shall be used for evaluation of the culvert. Written approval from the NHDOT must be submitted before final approval from the Wilton Planning Board is granted.

- 7.4.1. The applicant shall provide pre- and post-development peak flow rates. Any site that was wooded in the last five years must be considered undisturbed woods for the purposes of calculating pre-development peak flow rates.
- 7.4.2. For any year storm the 24-hour post-development peak flow rates shall not exceed their respective pre-development 24-hour storm peak flow rates.
- 7.4.3. Measurement of peak discharge rates shall be calculated using point of discharge or the down-gradient property boundary. The topography of the site may require evaluation at more than one location if flow leaves the property in more than one direction. Calculations shall include runoff from adjacent up-gradient properties.
- 7.4.4. An applicant may demonstrate that a feature beyond the property boundary is more appropriate as a design point.
- 7.4.5. The applicant shall provide pre- and post-development total runoff volumes. Any site that was wooded in the last five years shall be considered undisturbed woods for the purposes of calculating pre-development total runoff volumes.
- 7.4.6. The post-development total runoff volume shall be equal to 90 to 110 percent of the pre-development total runoff volume (based on a 10-year, 25-year, and 50-year, 24-hour storms). Calculations shall include runoff from adjacent up-gradient properties. (The Planning Board may permit an increase in off-site stormwater runoff on submission of a detailed downstream study and on the recommendation of the Town Engineer).
- 7.4.7. Velocities of less than ten (10) feet per second are required prior to entering a sedimentation swale. The maximum design velocity within the swale shall be 1.0 feet per second during passage of the 10-year storm.

- 7.4.8. Flows less than ten (10) cubic feet per second are required prior to entering a sedimentation swale.
- 7.4.9. All slopes equal to or steeper than 3:1 adjacent to a public right-of way must have special stabilization details provided with the submission.
- 7.4.10. Forebays for stilling and sediment trapment must be included in all basin and swale designs.
- 7.4.11. Velocities of ten (10) feet per second or less are desirable within a closed drainage system. Higher velocities may be allowed provided special design criteria have been used.
- 7.4.12. A minimum velocity of two feet per second (2 fps) is required within a closed drainage system.
- 7.4.13. Proposed riprap within a public right-of-way shall be placed to a minimum depth of twelve (12) inches.
- 7.4.14. Seasonal high-water table elevations must be accounted for in all BMP design criteria.

7.5 Water Quality

- 7.5.1. If more than 35 percent of the total area of the site will be disturbed or the site will have greater than 10 percent effective impervious cover, the applicant shall demonstrate that their stormwater management system will:
 - a. Remove 80 percent of the average annual load of total suspended solids (TSS), floatables, greases, and oils after the site is developed.
 - b. Remove 40 percent of phosphorus.
 - c. **Note:** Depending on the existing water quality of downstream receiving waters, in particular if a waterbody is impaired or designated as an “outstanding resource water,” development projects requiring an Alteration of Terrain Permit or a 401 Water Quality Certification from the state may be subject to more stringent pollutant removal requirements than specified in Sections 7.4 and 7.5.
- 7.5.2. Compliance with the recharge requirements under Section 7.6, consistent with the pre-treatment and design requirements in Sections 7.6.2 and 7.6.3, shall be considered adequate to meet the treatment standards specified in 7.5.1.
- 7.5.3. Applicants not able to employ Section 7.6 must provide suitable documentation, including a pollutant loading analysis from an approved model, that the treatment standards specified in 7.5.1 will be met.

7.6 Recharge to Groundwater

Except where prohibited, stormwater management designs shall demonstrate that the annual average pre-development groundwater recharge volume (GRV) for the major hydrologic soil

groups found on-site are maintained.

7.6.1. For all areas covered by impervious cover, the total volume of recharge that must be maintained shall be calculated as follows:

a. $REQUIRED\ GRV = (Total\ Impervious\ Cover) \times (Groundwater\ Recharge\ Depth)$

Where Total Impervious Cover is the area of proposed impervious cover that will exist on the site after development.

And where Groundwater Recharge Depth is expressed as follows:

USDA/NRCS Hydrologic Soil Group (HSG)	Groundwater Recharge Depth (inches)
A	0.40
B	0.25
C	0.10
D	not required

Example: Applicant proposes 30,000 square foot parking lot over C soils.

$REQUIRED\ GRV = 30,000 \times 0.10$

$REQUIRED\ GRV = 250\ ft^3$

b. Where more than one hydrologic soil group is present, a weighted soil recharge factor shall be computed.

7.6.2. Pre-Treatment Requirements

- a. All runoff must be pretreated prior to its entrance into the groundwater recharge device to remove materials that would clog the soils receiving the recharge water.
- b. Pretreatment devices shall be provided for each BMP, shall be designed to accommodate a minimum of one-year’s worth of sediment, shall be designed to capture anticipated pollutants, and be designed and located to be easily accessible to facilitate inspection and maintenance.

7.6.3. Sizing and design of infiltration (recharge) BMPs

- a. All units shall be designed to drain within 72 hours from the end of the storm.
- b. The floor of the recharge device shall be at least one foot above the seasonal high water table and bedrock.
- c. Soils under BMPs shall be scarified or tilled to improve infiltration.
- d. Infiltration BMPs shall not be located in areas with materials or soils containing regulated or hazardous substances or in areas known to DES to have contaminants in groundwater above ambient groundwater quality standards or in soil above site-specific soil standards.

7.6.4. Infiltration may be prohibited or subject to additional pre-treatment requirements under the following circumstances:

- a. The facility is located in a well-head protection area or water supply intake protection area; or
- b. The facility is located in an area where groundwater has been reclassified to GAA, GA1 or GA2 pursuant to RSA 485-C and Env-Dw 901; or
- c. Stormwater is generated from a “high-load area,” as described under Section 7.7.

7.7. Land Uses with Higher Potential Pollutant Loads

7.7.1. The following uses or activities are considered “high-load areas,” with the potential to contribute higher pollutant loads to stormwater, and must comply with the requirements set forth in subsections 2, 3, and 4 below:

- a. Areas where regulated substances are exposed to rainfall or runoff; or
- b. Areas that typically generate higher concentrations of hydrocarbons, metals, or suspended solids than are found in typical stormwater runoff, including but not limited to the following:
 1. Industrial facilities subject to the NPDES Multi-Sector General Permit (MSGP); not including areas where industrial activities do not occur, such as at office buildings and their associated parking facilities or in drainage areas at the facility where a certification of no exposure will always be possible [see 40CFR122.26(g)].
 2. Petroleum storage facilities.
 3. Petroleum dispensing facilities.
 4. Vehicle fueling facilities.
 5. Vehicle service, maintenance and equipment cleaning facilities.
 6. Fleet storage areas.
 7. Public works storage areas.
 8. Road salt storage and loading facilities.
 9. Commercial nurseries.
 10. Non-residential facilities having uncoated metal roofs with a slope flatter than 20 percent.
 11. Facilities with outdoor storage, loading, or unloading of hazardous substances, regardless of the primary use of the facility.
 12. Facilities subject to chemical inventory under Section 312 of the Superfund Amendments and Reauthorization Act of 1986 (SARA).
 13. Commercial parking areas with over 1,000 trips per day.
 14. Auto recyclers/salvage/junk yards
 15. Facilities that handle transfer waste or otherwise recycling products.

- c. If a high-load area demonstrates, through its source control plan, the use of best management practices that result in no exposure of regulated substances to precipitation or runoff or release of regulated substances, it shall no longer be considered a high-load area.

7.7.2. In addition to implementation of BMPs for designing site-specific stormwater management controls, uses included under subsection 7.7.1 shall provide a stormwater pollution prevention plan (SWPPP), describing methods for source reduction and methods for pretreatment. (Example Stormwater Pollution Prevention Plans (SWPPP) are available at <http://cfpub.epa.gov/npdes/stormwater/swppp-msgp.cfm>.)

7.7.3. Infiltration of stormwater from high-load areas, except commercial parking areas, is prohibited. Infiltration, with appropriate pre-treatment (e.g., oil/water separation) and subject to the conditions of the SWPPP, is allowed in commercial parking areas and others areas of a site that do not involve potential “high-load” uses or activities (e.g., where a certification of “no exposure” under the MSGP will always be possible).

7.7.4. For high-load areas, except commercial parking areas, filtering and infiltration practices, including but not limited to, sand filters, detention basins, wet ponds, gravel wetlands, constructed wetlands, swales or ditches, may be used only if sealed or lined.

7.8. Parking

7.8.1. Snow may not be plowed to, dumped in, or otherwise stored within 15 feet of a wetland or waterbody, except for snow that naturally falls into this area. Snow storage areas shall be shown on the site plan to comply with these requirements.

7.8.2. At the discretion of the planning board, parking spaces may be allowed, or required, to be constructed of a pervious surface (i.e. grass, pervious asphalt, and pervious pavers).

7.8.3. Infrequently used emergency access points or routes shall be constructed with pervious surfaces (i.e. grass, pervious asphalt, and pervious pavers).

7.9. Redevelopment or Reuse

7.9.1. Redevelopment or reuse of previously developed sites must meet the stormwater management standards set forth herein to the maximum extent possible as determined by the planning board. To make this determination the planning board shall consider the benefits of redevelopment as compared to development of raw land with respect to stormwater.

7.9.2. Redevelopment or reuse activities shall not infiltrate stormwater through materials or soils containing regulated or hazardous substances.

7.9.3. Redevelopment or reuse of a site shall not involve uses or activities considered “high-load areas” unless the requirements under Section 7.7. are met.

7.10. Easements

7.10.1. Where a site is traversed by or requires construction of a watercourse or drainage way, an easement of adequate width may be required for such purpose. Access for maintenance of stormwater facilities must be included as part of the design, where necessary.

7.10.2. There shall be at least a ten foot wide maintenance easement path on each side of any stormwater management system element. For systems using underground pipes, the maintenance easement may need to be wider, depending on the depth of the pipe.

7.11. Performance Bond

7.11.1. To ensure that proposed stormwater management controls are installed as approved, a performance bond shall be provided as a condition of approval in an amount determined by the planning board.

7.11.2. To ensure that stormwater management controls function properly, a performance bond shall be required, as a condition of approval, which may be held after final certificate of occupancy, is issued.

8.0 OPERATION AND MAINTENANCE PLAN

8.1. All stormwater management systems shall have an operations and maintenance (O&M) plan to ensure that systems function as designed. This plan shall be reviewed and approved as part of the review of the proposed permanent (post-construction) stormwater management system and incorporated in the Permanent Stormwater Management Plan, if applicable. Execution of the O&M plan shall be considered a condition of approval of a subdivision or site plan. If the stormwater management system is not dedicated to the city/town pursuant to a perpetual offer of dedication, the planning board may require an applicant to establish a homeowners association or similar entity to maintain the stormwater management system. For uses and activities under Section G, the O&M plan shall include implementation of the Stormwater Pollution Prevention Plan (SWPPP).

8.2. The stormwater management system owner is generally considered to be the landowner of the property, unless other legally binding agreements are established.

8.3. The O&M plan shall, at a minimum, identify the following:

- a. Stormwater management system owner(s), (For subdivisions, the owner listed on the O&M plan shall be the owner of record, and responsibilities of the O&M plan shall be conveyed to the party ultimately responsible for the road maintenance, i.e. the Town should the road be accepted by the Town, or a homeowners association or other entity as determined/required under Section 8.1 above.)
- b. The party or parties responsible for operation and maintenance and, if applicable, implementation of the Stormwater Pollution Prevention Plan (SWPPP).
- c. A schedule for inspection and maintenance.
- d. A checklist to be used during each inspection.

- e. The description of routine and non-routine maintenance tasks to be undertaken.
- f. A plan showing the location of all stormwater management facilities covered by the O&M plan.
- g. A certification signed by the owner(s) attesting to their commitment to comply with the O&M plan.

8.4. Recording:

- a. The owner shall provide covenants for filing with the registry of deeds in a form satisfactory to the planning board, which provide that the obligations of the maintenance plan run with the land.
- b. The owner shall file with the registry of deeds such legal instruments as are necessary to allow the Town of Wilton or its designee to inspect or maintain the stormwater management systems for compliance with the O&M plan.

8.5. Modifications:

- a. The owner shall keep the O&M plan current, including making modifications to the O&M plan as necessary to ensure that BMPs continue to operate as designed and approved.
- b. Proposed modifications of O&M plans including, but not limited to, changes in inspection frequency, maintenance schedule, or maintenance activity along with appropriate documentation, shall be submitted to the planning board for review and approval within thirty days of change.
- c. The owner must notify the planning board within 30 days of a change in owner or party responsible for implementing the plan.
- d. The planning board may, in its discretion, require increased or approve decreased frequency of inspection or maintenance or a change in maintenance activity. For a reduced frequency of inspection or maintenance, the owner shall demonstrate that such changes will not compromise the long-term function of the stormwater management system.
- e. The planning board shall notify the owner of acceptance of the modified plan or request additional information within 60 days of receipt of proposed modifications. No notification from the planning board at the end of 60 days shall constitute acceptance of the plan modification. The currently approved plan shall remain in effect until notification of approval has been issued, or the 60 day period has lapsed.

9.0 COMPLETED APPLICATION SUBMISSION

9.1. The following minimum requirements apply to all applicable projects. Additional requirements may be found in this Regulation and sections of the Site Plan Review and Subdivision Regulations.

9.1.1. Site drawing of existing and proposed conditions:

- 1. Locus map showing property boundaries.

2. North arrow, scale, date.
 3. Property lines.
 4. Easements.
 5. Structures, utilities, roads (including names) and other paved areas.
 6. Topographic contours at 2 foot intervals.
 7. Critical areas.
 8. Surface water and wetlands, drainage patterns, and watershed boundaries.
 9. Vegetation.
 10. Limits of Work including square foot disturbance.
 11. Areas of cut or fill.
 12. Locations of earth stockpiles
 13. Locations of equipment storage and staging
 14. Locations of proposed construction and/or permanent vehicle or equipment fueling
 15. Stump disposal plan
 16. Highlighted areas of poorly and very poorly drained soils
 17. Highlighted areas of poorly and/or very poorly drained soils proposed to be filled.
 18. A narrative including a description of the development
 19. Extent of 100 year floodplain boundaries if published or determined
- 9.1.2.** Soils information for design purposes or for determining highly erodible soils shall be determined from a National Cooperative Soil Survey (NCSS) soil series map. A High Intensity Soil Map of the site, prepared in accordance with the Society of Soil Scientists of Northern New England (SSSNNE) Special Publication No. 1, can only be used for design purposes and not for determining highly erodible soils.
- 9.1.3.** Construction details and/or application procedures for temporary and permanent stormwater management and erosion and sediment control BMPs (SWMP). Construction and earth movement schedule including project start and completion dates, sequence of grading and construction activities, sequence for installation and/or application of soil erosion and sediment control measures, and the sequence for final stabilization of the project site.
- a. Areas and timing of soil disturbance.
 - b. Schedule and procedures for the inspection and maintenance of all BMPs, during and after construction.
 - c. Narrative section including discussion of each measure, its purpose, construction sequence, and installation timing as they apply to the site.
 - d. If infiltration or exfiltration is proposed as part of the drainage solution, test pit information regarding estimated seasonal high water table shall be provided at the

- location and elevation of the proposed infiltrating or exfiltration device.
- e. Calculations for the infiltration or exfiltration system. These calculations should account for frozen ground conditions, when the devices may not function at their optimal design.
- f. Any other specific study, calculation, or investigation as requested by the Town.
- g. The drainage plans and report shall be stamped and prepared by a Licensed Professional Engineer, registered in the State of New Hampshire.
- h. Stormwater and Erosion Control Permit Application, see Attachment 1 for sample.
- i. Locations, descriptions, details, and design calculations for all structural, non-structural, permanent, and temporary erosion and sedimentation control measures and BMPs.
- j. Identification of all permanent control measures.
- k. Identification of permanent snow storage areas.
- l. Identification of snow management measures during construction.
- m. Construction schedule.
- n. Earth movement schedule.
- o. Temporary (additional) detention and/or sediment control facilities may be designed to accommodate the storm most likely to occur during the anticipated duration of construction (e.g., construction duration of two years requires a two-year frequency storm evaluation).
- p. A proposed schedule for the inspection and maintenance of all measures.
- q. Identification of all permanent control measures and responsibility for continued maintenance.

9.2. Stormwater Management Report Section Including:

- a. Design calculations for all temporary and permanent structural control BMP measures.
- b. A proposed schedule and procedural details for the inspection and maintenance of all BMPs, during and after construction.
- c. Identification of all permanent control measures and responsibility for continued maintenance.
- d. Drainage report with calculations showing volume, peak discharge, and velocity of present and future runoff for the 10-year, 25-year, and 50 year 24-hour storm events.
- e. Plans showing the entire drainage area affecting or being affected by the development of the site. Proposed lot boundaries and drainage areas shall be clearly shown on the plan.
- f. The direction of flow of runoff through the use of arrows shall clearly be shown on the plan.
- g. The location, elevation, and size of all existing and proposed catch basins,

drywells, drainage ditches, swales, retention basins, and storm sewers shall be shown on the plan.

- h. When detention structures are planned to reduce future condition peak discharge, the soil cover complex method shall be used to compute the runoff volume and peak discharge for designing the structure. The design will conform to the criteria outlined for those types of structures given in the “Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire”.
- i. Copies of pertinent State and Federal Permits.
- j. An example Stormwater Management Plan table of contents follows:
 - 1. Project Overview
 - 2. Owner.
 - 3. Address of development.
 - 4. Location of the site.
 - 5. Description of receiving waters.
 - 6. Nature and purpose of the land disturbing activity.
 - 7. Limits of disturbance.
 - 8. Construction schedule.
 - 9. Existing conditions summary.
 - 10. Define topography, drainage patterns, soils, ground cover, critical areas adjacent areas, upstream areas draining through site, existing development, existing stormwater facilities, on- and off-site utilities, construction limitations, buffers, wetlands, streams, sensitive areas, and other pertinent features.
 - 11. Include an existing conditions plan (drawing) showing the above existing conditions and labeled per the narrative above.
 - 12. Off-site analysis.
 - 13. Describe the tributary area (include at least 1/4-mile downstream), drainage channels, conveyance systems and downstream receiving waters.
 - 14. Review existing or potential problems resulting from the development including, but not limited to, sedimentation, erosion, water quality issues, chemical spills.
 - 15. Demonstrate that development of the site will not affect the downstream systems negatively.
 - 16. Demonstrate adequate capacity of the downstream system to handle flow conditions after development.
 - 17. As applicable, include an off-site drainage plan (the plan may be part of the existing conditions plan).
 - 18. Special reports, studies, maintenance information.
 - 19. As applicable, include test pit log forms, soil conditions data, and wetland delineation information.

20. As applicable, include information regarding long-range maintenance of any closed drainage systems, detention/retention facilities, etc.
21. Appendix (include copies of all tables, graphs, and charts, test pit, and percolation test data used in any of the above calculations).

9.3. Responsibility for Installation/Construction

- 9.3.1.** The applicant and the applicant’s engineer (or technical representative) shall schedule and attend a mandatory preconstruction meeting with the Town at least two weeks prior to commencement of construction. Two copies of the SWPPP (if required), SWMP, associated construction documents, and Notice of Intent (if required) must be provided at that time. All documents must bear the seal and signature of the registered Professional Engineer preparing the documents. Three copies of the Stormwater Pollution Prevention Plan (SWPPP) and Notice of Intent (NOI) (if required), the SWMP, up to date construction schedule, and associated construction documents must be provided at that time. The SWMP must bear the seal and signature of the New Hampshire Registered Professional Engineer preparing the documents. The SWMP may be combined with the SWPP if labeled as both, meeting the requirements of both. Prior to commencement of construction, all documents submitted must be confirmed to meet the conditions of plan approval. Appropriate notations will be made on the “official” construction plan set used by the Town.
- 9.3.2.** The Town reserves the right to prepare and request the applicant’s acknowledgement of a preconstruction checklist.
- 9.3.3.** The applicant shall bear final responsibility for the installation, construction, inspection and disposition of all stormwater management and erosion control measures required by the provisions of this Regulation.
- 9.3.4.** The Town shall require a bond or other security in an amount and with surety conditions satisfactory to the Board, providing for the actual construction and installation of such measures within a period specified and expressed in the bond or the surety.
- 9.3.5.** The Town may require the owner or his authorized agent to deposit in escrow with the Town an amount of money sufficient to cover the costs for inspection and any professional assistance required for compliance site monitoring.
- 9.3.6.** Site development shall not begin before the stormwater management and erosion control plan receives conditional approval from the BOH or their designated agent. Best Management Practices shall be installed as designed and scheduled as a condition of final approval of the SWMP.
- 9.3.7.** Commercial and Industrial Development and/or Redevelopment:
The applicant, owner, and owner’s legally designated representative (if any) shall all hold Responsibility for implementing the stormwater management and erosion control plan. Same as 9.3.1 above.
- 9.3.8.** Residential Development and Redevelopment:
The applicant is responsible for implementing the stormwater management and erosion control plan. There are two ways for the applicant to be removed from the

responsible party (in the Town’s jurisdiction):

- a. The applicant completes the project in a satisfactory manner and files a Notice of Termination (NOT) with the EPA in accordance with the terms of the Federal requirements.
- b. The applicant passes legal responsibility of the plan to another competent party. In the case of a new subdivision where lots may be transferred to a different entity for construction of the buildings, it is the applicant’s responsibility to ensure that the applicant has a legal basis to require compliance by the new entity.

9.3.9. Individual Homeowner Development:

Once the homeowner has taken control of a subdivided property, the homeowner bears responsibility for compliance with the approved stormwater management and erosion control plan. If the homeowner is contracting building services to another person or entity, the homeowner may choose to pass legal responsibility of compliance to the contracted entity. If the responsibility is not passed, the homeowner remains the responsible party and must comply with the terms of the original plan.

10.0 AUTHORIZATION TO ISSUE A SPECIAL USE PERMIT

10.1. Authority is hereby granted to the planning board, as allowed under RSA 674:21 II, to issue a special use permit to allow variations from the requirements and restrictions from this regulation without requiring the applicant to pursue a zoning variance. The development design and proposed stormwater management approach must satisfy the following conditions:

- 10.1.1.** Such modifications are consistent with the general purpose and standards of this section and shall not be detrimental to public health, safety or welfare;
- 10.1.2.** The modified design plan and stormwater management approach shall meet the performance standards under sections 7.4 to 7.6 of this regulation; and
- 10.1.3.** The modified design plan and stormwater management approach shall satisfy all state and/or federal permit requirements, as applicable.

11.0 ENGINEERING REVIEW AND PLAN APPROVAL

11.1. The applicant shall submit an escrow fee, as determined by the planning board, in conjunction with their application for subdivision or site plan review to cover the cost of outside engineering review of their proposed permanent post-construction stormwater management system(s), and the separate Permanent Post-Construction Stormwater Management Plan (SMP) and Stormwater Pollution Prevention Plan (SWPPP), if applicable. This fee may be determined after the first public hearing.

11.2. Additional copies of all plans, engineering studies, and additional information as requested by the planning board describing the proposed permanent post-construction stormwater management system shall be provided as necessary to allow for a thorough outside engineering review.

11.3. Final approval shall be contingent upon collection of any required fees and/or escrow amounts in addition to satisfactorily fulfilling all applicable regulations.

12.0 OTHER PERMITS REQUIRED

In addition to local approval, copies of all applicable permits shall be required prior to final approval but not limited to:

12.1. RSA 485-A: 17 requires a permit from the New Hampshire Water Supply and Pollution Control Division for “...any person proposing to significantly alter the characteristic of the terrain, in such a manner as to impede natural runoff or create an unnatural runoff ...” Regulations require this permit for any project involving more than 100,000 contiguous square feet of disturbance or more than 50,000 square feet if such activity occurs in or on the border of the surface waters of the state or the Protected Shoreland .

12.2. Wetlands Permit RSA 482-A requires a permit from the Department of Environmental Services for any person desiring to “... excavate, remove, fill, dredge or construct any structures in or on any bank, flat, mars, or swamp in and adjacent to any waters of the State ...”

The following applicable permits listed below shall be required at the time of the Pre-Construction Meeting, but not limited to:

12.3. National Pollutant Discharge Elimination System (NPDES) Stormwater Discharge Permit. A permit issued by the EPA or by the State under authority delegated pursuant to 33 USC, section 1342 (b) that authorizes the discharge of pollutants to waters of the United States.

12.4. For a cumulative disturbance of one acre of land that EPA considers “construction activity”, which includes, but is not limited to clearing, grading, excavation and other activities that expose soil typically related to landscaping, demolition and construction of structures and roads, a federal permit will be required. Consult EPA for specific rules. This EPA permit is in addition to any state or local permit required. To apply, the entity or individual responsible for construction site operations shall file a Notice of Intent (NOI) with the EPA postmarked at least 7 days prior to work beginning. EPA will respond within two weeks with a written permit, provided the NOI meets their criteria. A sample NOI is provided in Attachment 3 at the end of this section.

13.0 POST-CONSTRUCTION OPERATION & MAINTENANCE/RECORD KEEPING

13.1. Stormwater Discharges Associated with Commercial/Industrial Activities:

Parties responsible for the operation and maintenance of an approved stormwater management system under this Regulation shall be required to keep records detailing the original installation, maintenance and repairs to the system. The parties are to perform at least one annual site inspection and report. Such records shall be kept for a minimum of 5 years. The site inspection report must be documented and at a minimum should include: review of stormwater flow paths, condition of any sediment or contaminant control devices, water quality notations, corrective actions and time frames if unacceptable water quality runoff is noted, and the name and position of the inspector. All records of the inspections must be made available to the Town or their designee upon request.

13.2. Notification for Spills or Other Non-Stormwater Discharges:

As soon as any person responsible for a facility, site, activity or operation has information of any known or suspected release of pollutants or non-stormwater discharges which are resulting or may result in illicit discharges or pollutants discharging into stormwater, the Town of Wilton's municipal storm system, state waters, or waters of the United States, said person shall take all necessary steps to ensure the discovery, containment and cleanup of such release as to minimize the effects of the discharge. (If said individual is not competent to assess, contain, or clean-up, that person shall immediately notify another competent individual or firm.) If the substance poses an immediate health or safety concern, the Town of Wilton Emergency Services must immediately be notified. This notification does not preclude and must be made in addition to any Federal or State required notifications. The site operator/owner must be aware that discharges such as treated swimming pool water are not allowed discharges unless appropriate measures have been taken to reduce the treatment chemical concentrations in the water.

14.0 ENFORCEMENT AND PENALTIES

When the responsible party fails to implement the O&M plan, including, where applicable, the SWPPP, as determined by the Planning Board or Board of Selectmen, the municipality is authorized to assume responsibility for their implementation and to secure reimbursement for associated expenses from the responsible party by placing a lien on the subject property. The responsible party including any mortgagee or other lien holder shall have appropriate notice given prior to placing a lien on the subject property.

- 14.1.** The purpose of this article is to enact locally the administrative and enforcement procedures set forth in RSA Title LXIV, specifically RSA 676:15, 16, 17, 17-a and 17-b, of the existing planning and land use statutes.
- 14.2.** RSA Title LXIV, (64), specifically RSA 676:15, 16, 17, 17-a and 17-b authorizes the following penalties and remedies for enforcement of the provisions of this regulation:
- a. Injunctive relief in accordance with RSA 676:15.
 - b. Fines and penalties in accordance with RSA 676:17.
 - c. Issuance of a cease and desist order in accordance with RSA 676:17-a.
 - d. Pleas by mail for local land use citations in accordance with RSA 676:17-b.
- 14.3.** Any violation of the requirements of this Regulation shall be subject to enforcement by the Board of Selectmen, Planning Board, or their designated agent for the Town of Wilton, who shall be empowered to take any action authorized by the provisions of RSA Title LXIV, or any other applicable law or regulation.
- 14.4.** Prior to taking any other action, the Town shall issue a Notice of Violation (see Attachment 2).

Attachment 1
Stormwater Permit Application

Failure to provide all required materials and information could result in the review of this application being delayed for consideration. The applicant certifies to the truth of the following facts as part of his/her application.

1. Name of Applicant:

2. Address:

Telephone/Fax Numbers:

3. Name of Engineer/Surveyor/Agent:

Company: _____

Address: _____

Telephone/Fax Numbers: _____

4. Address (including Map & Lot) of Property for which permit is requested:

5. Type of Request: Commercial/Industrial Subdivision Single Lot/Utility

6. Name(s) and address(es) of Owner(s) if different from Applicant:

7. Description of the project for which a Stormwater and Erosion Control Permit is requested. Include development name, type, start date, and total square footage of land to be altered/cleared. Attach additional sheets as necessary.

8. Required forms (submit six copies of all supporting materials): Legal

Description Drainage & Erosion Control Plan

Stormwater Management Plan Calculations & Drawings

I have reviewed Section XXXX of the Town of Wilton Land Use Regulations regarding Stormwater and Erosion Control. For residential construction, the Town of Wilton Planning Board or authorized representative must be contacted for inspection within one business day of rough grading completion.

I further grant the right-of-entry onto this property, as described above, to the designated personnel of the Town for the purpose of inspecting and monitoring for compliance with the aforesaid Regulation.

Signature of Applicant: _____

Date of Submission _____

Attachment 2
Town of Wilton
Notice of Violation

Dear Property Owner:

You are hereby informed that based on an inspection performed by the local administrator on _____ (date), your property does not comply with the requirements of the Town of Wilton Subdivision Regulations (Zoning Ordinance Article IX Section B) / Non-Residential Site Plan Review Regulations (Zoning Ordinance Article IX Section C) or plans approved thereunder. You are hereby served written notice and instructed to correct the violations listed below:

A copy of the inspection report, which details the nature of the violation at hand, is enclosed.

- a. Actions or conditions which violate the requirements of this Regulation or plans approved under this Regulation:

- b. The minimum that needs to be done to correct the violation(s):

- c. The violation must be corrected by: _____ (date)

- d. The property owner was forwarded a copy of this report on:
_____ (date).

- e. The original has been filed in the _____ Department on
_____ (date).

- f. A copy of the inspection report is attached: Yes: ____ No: ____

Sincerely,

Town of Wilton Board of Selectmen

cc: Mortgagee and/or other Lien Holder

References

Environmental Protection Agency (EPA). 2007. *Developing Your Stormwater Pollution Prevention Plan, A Guide for Construction Sites (Interim)*. www.epa.gov/npdes/swpppguide

Environmental Protection Agency (EPA). www.epa.gov/npdes/stormwater

New Hampshire Stormwater Management Manuals Volumes I, II and III, December 2008.
Prepared by: USEPA, NHDES, & CEI Comprehensive Environmental, Inc.
<http://des.nh.gov/organization/divisions/water/stormwater/index.htm>

Town of Milford Stormwater Management and Erosion Control Regulations April 2007.
Prepared by: CLD Consulting Engineers

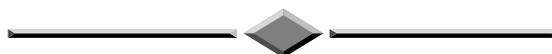
Town of Amherst - Amherst Stormwater Regulations. Last Updated 2007.
<http://amherstnh.gov/rules-regulations/>

WILTON, NEW HAMPSHIRE
LAND USE LAWS



ROAD DESIGN STANDARDS AND SPECIFICATIONS
APPENDIX I

Adopted November 20, 1991



WILTON LAND USE LAW AND REGULATIONS
APPENDIX I - ROAD DESIGN STANDARDS AND SPECIFICATIONS

1.0 ROAD DESIGN STANDARDS AND SPECIFICATIONS

All streets and roads shall be designed to meet the following minimum standards for the Town of Wilton, NH.

- 1.1 General Street Plan.** The entire street plan for the proposed development must be approved prior to the construction of any individual phase.
- 1.2 Street Layout.** Streets shall be laid out so as to intersect at right angles as nearly as possible. No street shall intersect another as less than a 60 degree angle. Streets shall be continuous and shall align with existing streets to the maximum extent possible.
- 1.3 Dead-end Roads.** Dead-end roads may have a maximum length of 600 feet and be designed with a cul-de-sac turning area. Circular cul-de-sacs for residential subdivisions shall have a minimum radius of 75 feet. Circular cul-de-sacs for commercial or industrial developments shall have a minimum radius of 100 feet. T-type turning areas shall a paved width of 120 feet, a 150 foot right-of-way of and a 25 foot radius.
- 1.4 Right-of-way.** The minimum street width right-of-way shall be 50 feet. A greater width may be required for arterial and collector streets.
- 1.5 Highway Right-of-way Bounds.** Highway bounds, of a type approved by the Board of Selectmen, shall be installed at all intersections of streets, at all points of change in direction and at any other points the Board may deem necessary to designate the street lines.
- 1.6 Alignment.** No street shall be constructed with a curvature of less than a 200 foot radius.
- 1.7 Grade.** Streets, where feasible, shall have a recommended maximum grade of 8 percent and a minimum grade of 0.5 percent. Special care shall be taken to provide flat grades at all intersections.
- 1.8 Construction Supervision.** Construction of the roadway, drainage facilities, sidewalks, curbs and all other elements of the highway must be supervised by the consulting engineer, the Town road agent or other qualified person designated by the Planning Board.
- 1.9 Clearing.** The entire area of each street shall be cleared of all stumps, brush, roots, boulders and like material, and all trees not intended for preservation.

WILTON LAND USE LAW AND REGULATIONS

APPENDIX I - ROAD DESIGN STANDARDS AND SPECIFICATIONS

- 1.10** **Subgrade Preparation.** All loam and other yielding material shall be removed from the roadway and replaced with suitable fill material. All boulders and ledge shall be removed to a uniform cross sectional depth of not less than 12 inches below the subgrade and replaced with sand or gravel.
- 1.11** **Drainage.** Surface water shall be disposed of by means of culverts or sufficient capacity at water courses as determined by standard hydraulic design methods and by construction of a longitudinal storm drainage system whenever required to relieve water in the ditch sections. Construction is to be in accordance with New Hampshire Standard Specifications for Road and Bridge Construction, 1990, Sections 603 and 604, as amended.
- 1.12** **Gravel Base.** All streets shall be constructed with a minimum of 12 inches of gravel plus 6 inches of crushed gravel in accordance with the New Hampshire Standard Specifications for Road and Bridge Construction, 1990, Section 304, as amended.
- 1.13** **Asphalt Surface.** The asphalt surface shall be hot bituminous pavement as prescribed in the New Hampshire Standard Specifications for Road and Bridge Construction, 1990, Sections 401 and 403, as amended.
- 1.14** **Gravel Shoulders.** Gravel shoulders, equal to the base course depth, shall be constructed adjacent to all asphalt surfaces as indicated in Table I-1.
- 1.15** **Bridges.** On stream crossings of 10 feet or more span, the structure shall be designed in accordance with the AASHTO Standard Specifications for Highway Bridges for a minimum design loading of HS-25 and 125 percent of alternate military load.
- 1.16** **Guardrails.** Guardrails shall be constructed in accordance with the New Hampshire Standard Specifications for Road and Bridge Construction, 1990, Section 606, as amended and shall be required in areas where 10 or more feet of elevation change and the slope is greater than 2.5:1. The Board may require the placement of guard rails in other areas that pose safety hazards.
- 1.17** **Sidewalks.** Sidewalks shall have a minimum width of 4 feet and be constructed of 2 inch thick asphalt on a 4 inch gravel base, on one or both sides of the street when in the opinion of the Board such sidewalks are necessary.
- 1.18** **Erosion Control.** Erosion shall be controlled in accordance with the Erosion and Sediment Control Standards in Appendix II.
- 1.19** **Utilities.** Utility poles should be kept close to the right-of-way line, in no case closer than the ditch line and always well back of a curb. Water and sewer mains should be constructed outside the surface area of the street and preferably outside the ditch line.
- 1.20** **Safety.** Safety is an important factor on all roadway improvements. On development roads it may not be possible or practical to obtain obstacle-free roadsides but every effort should be made to provide clear areas within the maintenance limits. The use of flatter slopes, the use of guard rails where necessary and the use of warning signs are other safety factors to be considered in street design and construction.

WILTON LAND USE LAW AND REGULATIONS

APPENDIX I - ROAD DESIGN STANDARDS AND SPECIFICATIONS

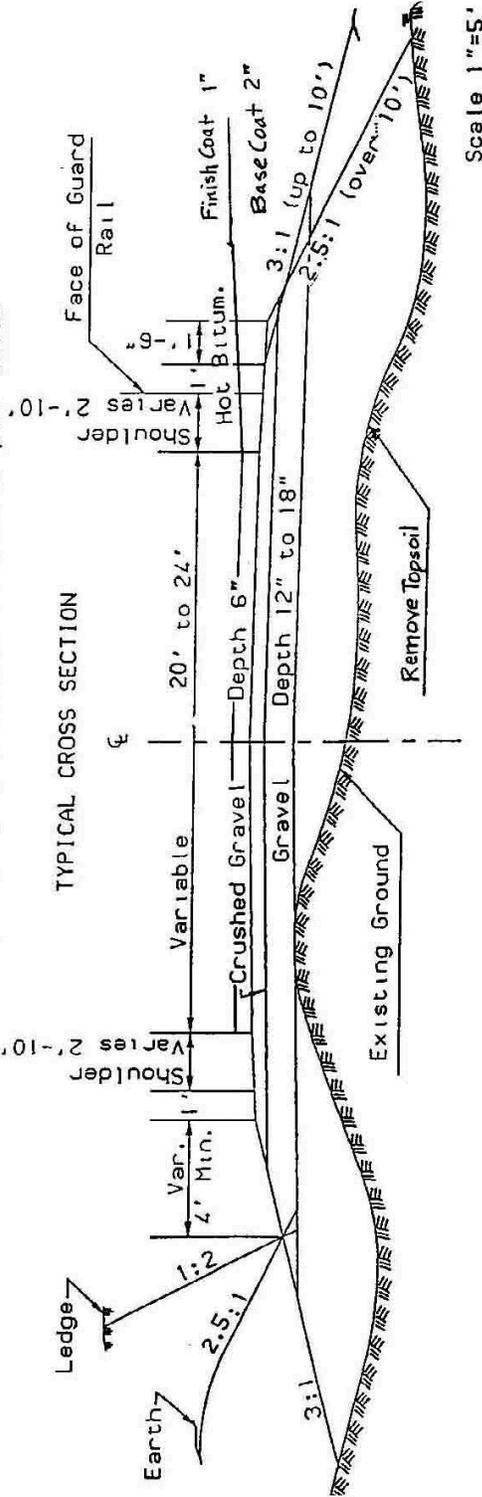
- 1.21** **Minimum Standards.** These standards establish minimum guidelines for the design and construction of local streets. Additional standards may be applied to a development based on the physical characteristics of the site, projected traffic volumes and proposed use. Additional information on street design and construction standards can be found in the American Association of State Highway and Transportation Officials (AASHTO), A Policy on Geometric Design of Highways and Streets, 1984.

September 1990

MINIMUM GEOMETRIC & STRUCTURAL GUIDES FOR LOCAL ROADS AND STREETS

Average Daily Traffic (Veh./Day)	0-200	200-750	750-1500	1500 & OVER
Pavement Width (Feet)	20	20	22	24
Shoulder Width (Feet)	2	4	4	8-10
Center of Road to Ditch Line	16	18	19-21	Varies
Pavement Type	Hot Bitum.	Hot Bitum.	Hot Bitum.	Hot Bitum.
Slope of Roadway	3%	2%	2%	2%
Base Course Depth-(Gravel)	12"	12"	12"	18"
Hot Bitum. Base	6"	6"	6"	6"
Hot Bitum. Finish	2"	2"	2"	2"
Hot Bitum.	1"	1"	1"	1"

- Notes
1. Gravel surface should be paved where steep grades occur.
 2. For average daily traffic over 1000 veh./day paved shoulders should be considered
 3. Base course depths may need to be increased in areas of poor soils



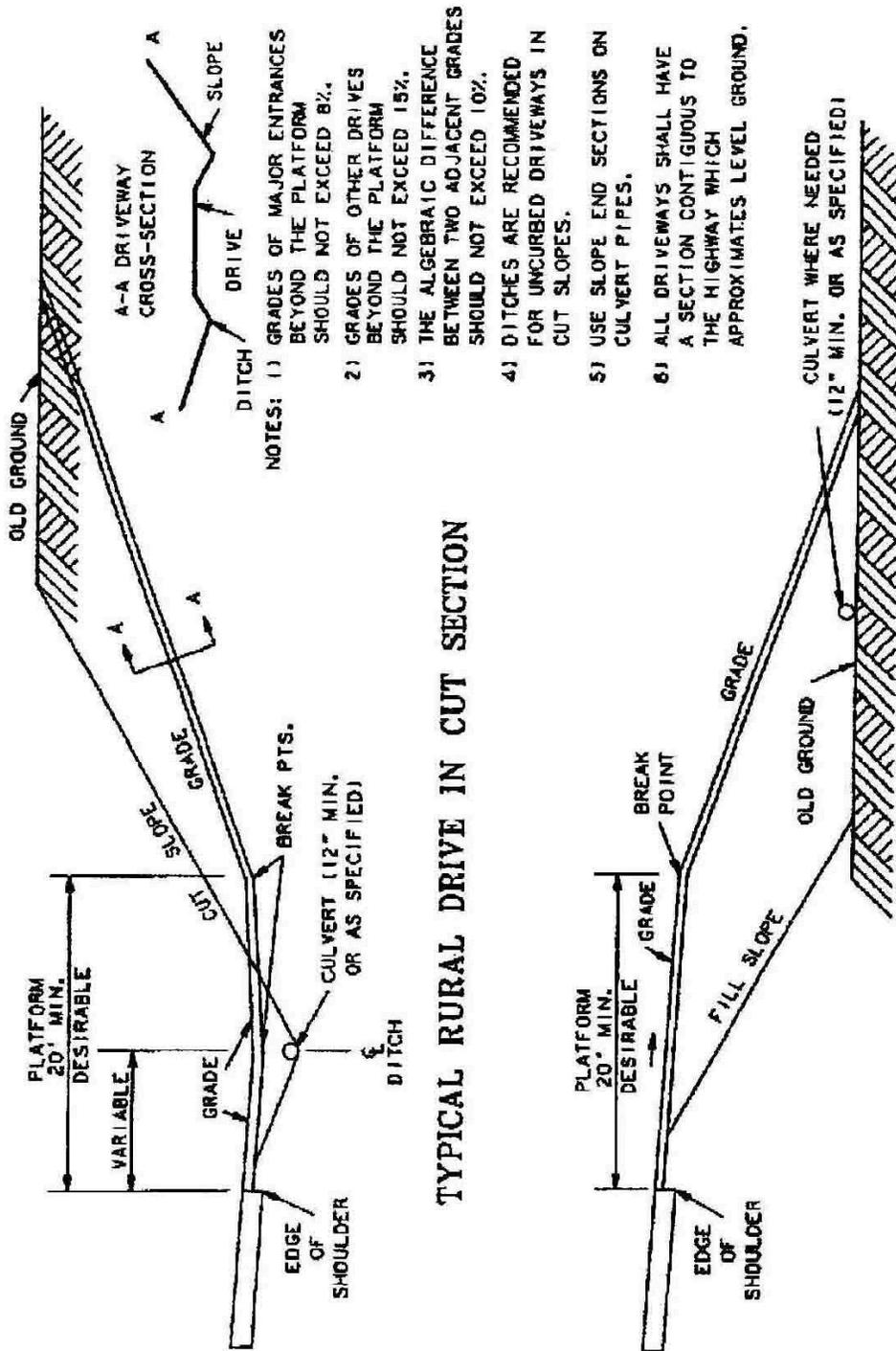


FIGURE VIII

N.H.D.O.T.
AUGUST 14, 1982

WILTON, NEW HAMPSHIRE
LAND USE LAWS



***WILTON ROADWAY ACCEPTANCE
PLANNING BOARD RECOMMENDATION FORM
APPENDIX I-A***

Adopted November 20, 2013

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX I-A - WILTON ROADWAY ACCEPTANCE PLANNING BOARD
RECOMMENDATION FORM

WILTON ROADWAY ACCEPTANCE PLANNING BOARD
RECOMMENDATION FORM



TO: WILTON BOARD OF SELECTMEN
FROM: WILTON PLANNING BOARD
SUBJECT: ACCEPTANCE OF NEW TOWN ROAD
DATE: _____

This is a request for the Board of Selectmen to accept the below named road as a town road. The following information is submitted for your consideration.

1. Road/Street Name: _____
2. As-Built Plan Entitled: _____
3. As-Built Road Plan Date: _____
4. Subdivision Plan Entitled: _____
5. Date Plan was Approved by Planning Board: _____
6. Date of aforementioned Plan Signature: _____
7. Hillsborough County Registry of Deeds Plan Number: _____
8. This Road's pavement is _____ feet wide and the right-of-way is _____ feet wide.
9. This Road is _____ feet long, with the length measurement beginning at _____ station/intersection and running through _____ station/intersection.
10. If required, a completion Bond to continue in the following form as recommended by the Planning Board: _____, in the amount of \$_____ (amount for work to be completed).
11. Original Roadway Deed attached and dated _____.
12. Affidavit is attached from a Title Attorney on behalf of the Developed/Owner citing that the roadbed is clear of all encumbrances and is dated _____.
13. Right-of-way Bounds have been set as of _____ and are shown on As-Built.

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX I-A - WILTON ROADWAY ACCEPTANCE PLANNING BOARD
RECOMMENDATION FORM

The aforementioned information and documents have been reviewed and certified by:

_____ Date: _____
Planning Board Chair

Acceptance Date of Road Documents by the Wilton Board of Selectmen on _____.

Board of Selectmen: _____

Distribution after acceptance:
Emergency Services
Planning
DPW
Building
Sewer Department
Water Department (Wilton Water Works)

WILTON, NEW HAMPSHIRE
LAND USE LAWS



EROSION AND SEDIMENT CONTROL PLAN STANDARDS
APPENDIX II

Adopted November 20, 1991

WILTON LAND USE LAWS AND REGULATIONS

APPENDIX II - EROSION AND SEDIMENT CONTROL PLAN STANDARDS

The following standards are designed to prevent soil erosion and the resulting sedimentation both during construction and throughout the life of a project. An erosion and sediment control plan shall be supplied in conjunction with the information required by the subdivision, site plan and excavation regulations for the Town.

Soil erosion and sediment control plans (E&S plans) shall contain proper provisions to adequately control accelerated erosion and sedimentation, and minimize storm water runoff from the proposed site based on the best available technology. The principles, methods and practices described in the Erosion and Sediment Control Design Handbook for Developing Areas of New Hampshire, USDA, Soil Conservation Service, Durham, NH, 1987, as amended, shall be used in developing the E&S plan. Alternative principles, methods and practices may be used with prior approval of the Planning Board.

1.0 Erosion and Sediment Control Plans

The soil erosion and sediment control plan shall contain the following information as a minimum. The Planning Board may require additional information and studies where determined necessary to protect the public health, safety and welfare, and water quality.

1. A narrative describing:
 - a. the type and extent of the proposed development;
 - b. a schedule for grading and construction activities including:
 - start and completion dates;
 - the sequence of grading and construction activities;
 - the sequence for the installation and/or application of soil erosion and sediment control measures; and
 - the sequence for final stabilization of the project site.
 - c. the design criteria for proposed soil erosion and sediment control measures and storm water management facilities, based on a 25 year storm event;
 - d. the construction details for proposed soil erosion and sediment control measures and storm water management facilities;
 - e. the installation and/or application procedures for proposed soil erosion and sediment control measures and storm water management facilities; and
 - f. the operations, maintenance and inspection program for proposed soil erosion and sediment control measures and storm water management facilities.

2. A site plan map at a scale sufficient to show:
 - a. the location of the proposed development and adjacent properties;
 - b. the existing and proposed final topography;
 - c. soil types and boundaries, wetlands, water courses, and water bodies;
 - d. the existing structures on the project site, if any;
 - e. the proposed site alterations including cleared, excavated, filled, or graded areas; proposed utilities and roads; and, if applicable, new property lines and the general location of proposed structures and driveways;

WILTON LAND USE LAWS AND REGULATIONS

APPENDIX II - EROSION AND SEDIMENT CONTROL PLAN STANDARDS

- f. the location of and design details for all proposed soil erosion and sediment control measures and storm water management facilities;
 - g. the sequence of grading and construction activities;
 - h. the sequence for installation and/or application of soil erosion and sediment control measures; and
 - i. the sequence for final stabilization of the development site.
 - 3. Any other information deemed necessary and appropriate by the Applicant or requested by the Planning Board or its designated representative or agent.
- 1.1 Minimum Standards.** Plans for soil erosion and sediment control shall be developed in accordance with these regulations using the measures contained in the Erosion and Sediment Control Design Handbook for Developing Areas of New Hampshire (1987), as amended. Upon the request of the applicant and the approval of the Board, other accepted design and construction standards for erosion and sediment control measures may be utilized. The Soil Conservation Service (SCS) method for determining peak flow rates and volumes of runoff shall be used in designing erosion and sediment control measures unless an alternative method is approved by the Planning Board.
- 1.2 Plan Review.** At the discretion of the Planning Board, plans submitted to the municipality may be reviewed by the Hillsborough County Conservation District, the Wilton Conservation Commission, other review agency or consultant for review and comment at the Applicant's expense.
- 1.3 Installation.** Site development shall not begin until the soil erosion and sediment control measures and facilities in the plan scheduled for installation prior to site development are installed and functional. All erosion and sediment control measures and facilities shall be installed as scheduled according to the approved E&S plan.
- 1.4 Maintenance.** All control measures and facilities shall be maintained in effective condition in accordance with the operation and maintenance program for the approved E&S plan.
- 1.5 Inspections.** Inspections shall be made by the Planning Board, its designated representative or agent during development to ensure compliance with the approved plan and proper installation, performance and maintenance of control measures and facilities. The Board may require the applicant/ owner to submit regular progress reports to verify compliance with the approved plan. All fees for E&S plan inspections will be covered by the applicant/developer.

WILTON, NEW HAMPSHIRE

LAND USE LAWS



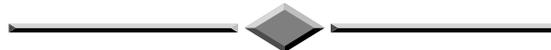
APPLICATION FEE SCHEDULE

APPENDIX III

ADOPTED MAY 1990

Amended March 2001; August 20, 2003; 2007; December 2009

*****See Section G. Index of Amendments after August 20, 2003*****



WILTON LAND USE LAWS AND REGULATIONS
APPENDIX III - APPLICATION FEE SCHEDULE

A. GENERAL APPLICATION SUBMISSION FEES

(applying to all applications unless otherwise noted)

- 1) **Publishing Legal Notice** (*B1, B2 and C1 Are Exempt*) **\$75/applicant**
(*In accordance with RSA 676:4, I (d)*)
- 2) **Abutter Notification** (*B1, B2, C1, E1 and E2 Are Exempt*) **\$ 10/ abutter**
(*In accordance with RSA 676:4, I (b)*) (*Requires 2 sets of adhesive mailing labels per abutter*) The landowner and professionals whose seal appears on the plan need to be on the abutter's list.
- 3) **NRPC Escrow** (*As Required for NRPC Review & Meeting Time*) **(See Below)**
(*Administrative Actions, B1, B2, C1, C2, D1, E1 and E2 Are Exempt from Escrow*)
- a) **Minor Subdivision/Site Plan (≤ 3 Units or Lots)** **\$200**
 - b) **Major Subdivision/Site Plan (> 3 Units or Lots)** **\$500**
 - c) **Excavations** **\$1000**
- 4) **Consultant Escrow** (*Any application that Requires a Third Party Reveiew as determined by the Board*)
- a) **All Fees shall be determined by the Reviewer selected by the Board and an escrow account set up prior to work commencement.**

Note: For all Escrow accounts the applicant will be billed by the Town for actual hours (in 1/4-hour increments) at the following rates. (*Applicant is required to replenish any escrow balance immediately upon the balance falling below the 50% of the allowed minimum or until final payment and/or release of said escrow by the Town.*)

Engineering (Field)	Hourly rate plus \$10/hour
Engineering (Review)	Hourly rate plus \$10/hour
NRPC Planner	Hourly rate plus \$10/hour

Current contracted hourly rates are available on the Town of Wilton Planning Board Web site: pb.wiltonnh.org.

- 5) **Digital Data Submission & Fee (Records Storage/Tax Map)** **\$25/ Approved Lot**

To Be Paid upon Town Approval. See Digital Data Submission Requirements in Subdivision & Site Plan Regulations (Section 7.1)

- 6) **Recording Fee - HCRD (per Plat/Plan set)** **\$50 plus HCRD Fee Schedule Rates**
To Be Paid upon Town Approval. Contact Hillsborough County Registry of Deeds for rates and fees.

B. SUBDIVISION RELATED FEES

- 1) **Pre-Application Consultation with NRPC (Max. - 2 hours)** **\$100**
- 2) **Voluntary Merger (Caveat Lot Consolidation)** **\$50**
- 3) **Lot Line Adjustment (No new lots created)** **\$100/line adjusted**
- 4) **Condo Conversions** **\$200/dwelling unit**
- 5) **All Other Subdivisions, (including Cluster) unit** **\$200/lot or dwelling unit**

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX III - APPLICATION FEE SCHEDULE

SITE PLAN RELATED FEES

- | | |
|--|--|
| 1) Pre-Application Consultation with NRPC (Max. - 2 hours) | \$100 |
| 2) Home Occupation | \$50 |
| 3) Amended Plan/ Change of Use (No expansion) | \$100 + \$0.03/ ft ² |
| | <i>(Gross area (ft²) per floor and impervious area)</i> |
| 4) All Other Site Plans | |
| a) Non-Residential | \$500 + \$0.04/ ft ² |
| | <i>(Gross area (ft²) per floor and impervious area)</i> |
| b) Residential (Multi-Family, Elderly) | \$200/dwelling unit |

C. EXCAVATION RELATED FEES

- | | |
|--|----------------------------|
| 1) Excavation Permit/Renewal (RSA 155-E:8, \$50 max. for permit) | \$50 |
| 2) Annual Renewal Field Inspection/Report | Hourly rate plus \$10/hour |

Current contracted hourly rates are available at Town Hall during business hours at (603) 654-9451

- | | |
|--------------------|----------------------|
| 3) All Excavations | \$1,000 + \$200/acre |
|--------------------|----------------------|

E. SIGN PERMIT RELATED FEES (Per Sign)

- | | |
|---|-----------------------------------|
| 1) Residential/General Residence and Agricultural Districts | \$50 (Maximum 4 ft ²) |
| 2) All Other Signs | \$100 |

**** Fees Found In Appendix III, Application Fee Schedule Are Controlling Over Any Other Fees Listed Elsewhere In The Town Of Wilton Land Use Laws That Are Inconsistent With Those Listed Herein, As Amended.**

WILTON, NEW HAMPSHIRE
LAND USE LAWS



***EXCAVATION SITE PLAN REVIEW
COMPLETED APPLICATION CHECK LIST
APPENDIX IV***

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX IV - EXCAVATION APPLICATION CHECKLIST

APPENDIX IV

EXCAVATION SITE PLAN REVIEW
COMPLETED APPLICATION CHECK LIST

1. A copy of application submitted to Conservation Commission.
2. A signed and dated application.
3. Name and address of owner, the person doing the excavation and all abutters.
4. An Excavation Plan which:
 - a. is at a scale no less than 1" = 100';
 - b. shows area to be excavated and all land within 200 feet of the perimeter and dwellings within 150 feet;
 - c. is easily understandable and clear;
 - d. has six copies submitted;
 - e. has the seal or signature of a registered engineer;
 - f. has existing topography at five feet or less contours;
 - g. shows the breadth, depth and slope of proposed excavation, existing excavation and estimated duration;
 - h. shows wooded and heavily vegetated areas;
 - i. shows all surface drainage patterns including wetlands and standing water;
 - j. shows location of all easements on or below the ground;
 - k. includes location and width of all public roads and rights- of-way;
 - l. includes a log of borings or test pits to include groundwater levels;
 - m. shows stone walls, ledge outcroppings, wells, existing buildings, septic systems, utilities and the like;
 - n. includes a LOCUS map at a scale of one inch equals one thousand feet showing the proposed operation in relation to existing roads;
 - o. shows any and all accessory facilities/activities;
 - p. shows existing and proposed excavation areas;
 - q. includes existing and proposed access roads including width and surface materials;
 - r. shows existing and proposed parking areas;
 - s. shows the location of driveways and road intersections within 200 feet of the property boundary;
 - t. includes fencing, buffers and other visual barriers including height and materials;
 - u. identifies storage areas for topsoil to be used in reclamation;
 - v. identifies all measures to control erosion, sedimentation, water pollution, air pollution and safety hazards;
 - w. identifies zoning districts;
 - x. includes copies of all state or federal permits required for the excavation.
5. Application fee and performance bond submitted.

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX IV - EXCAVATION APPLICATION CHECKLIST

- 6. A site reclamation plan which:
 - a. is at the same scale as the excavation plan;
 - b. is clear and easily understandable;
 - c. six copies are submitted;
 - d. includes the seal and signature of a registered engineer;
 - e. shows all boundaries of the area proposed for reclamation;
 - f. includes the final topography of the reclaimed area;
 - g. shows final surface drainage patterns;
 - h. includes the schedule of final reclamation activities including seeding mixtures, cover vegetation fertilizer types, and rates;
 - i. includes photographs of the site before excavation (from at least two different vantage points); and
 - j. identifies subsequent use of the site, if know or anticipated.

EXCAVATION SITE PLAN REVIEW CHECKLIST

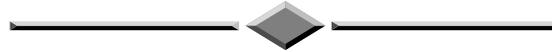
- 1. The excavation is not below road level within 50 feet of any highway right-of-way.
- 2. The excavation is not within 150 feet of an existing dwelling or to a dwelling for which a building permit has been issued at the time the excavation is begun.
- 3. The excavation is permitted by current zoning ordinances.
- 4. The excavation will not be unduly hazardous or injurious to the public.
- 5. Existing visual barriers will be maintained except to provide access to the excavation.
- 6. The excavation will not substantially damage a known aquifer.
- 7. All other applicable state and federal permits have been obtained.
- 8. If a new excavation, is it 5 or less acres in size and can it be reclaimed 1 year or less?
- 9. If an existing or extending excavation, is the total new excavation area less than 5 acres and can the entire excavation area be reclaimed in 1 year or less?
- 10. Has hauling information been provided and is the hauling activity deemed to be compatible with public safety, surrounding land uses, and road capacity and condition?
- 11. The excavation area is at least 50 feet from the lot line of a disapproving abutter or 10 feet of an approving abutter?
- 12. Natural vegetation on areas which are not intended for excavation has been maintained or provided?

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX IV - EXCAVATION APPLICATION CHECKLIST

13. Do the excavation and reclamation plans comply with the Soil Erosion and Sedimentation Control regulations?
14. The excavation is no closer than 6 feet to the seasonal high water table unless a lesser distance is approved by the Planning Board.
15. If the excavation is deeper than 15 feet and/or is at a slope greater than 1:1, is a fence or barricade provided?
16. The excavation will not cause the accumulation of free standing water for prolonged periods. Is appropriate drainage provided?
17. Is provision made for the stockpiling of topsoil on-site for use in the reclamation?
18. Are provisions made for the removal of all temporary excavation related structures within 30 days after operations cease?
19. Have the permit fees been paid for plan and implementation reviews and monitoring for plan compliance?
20. Have all plans and studies been reviewed by the town's engineer or other agents as determined by the Planning Board?

RECLAMATION PLAN

1. No slope shall be left steeper than 3:1.
2. All debris, stumps, boulders, etc. are being lawfully disposed of in a manner acceptable to the Planning Board.
3. Ground levels and grades are being established as soon as practical after site excavation, but no later than one year.
4. Stockpiled topsoil will be spread over the disturbed area at an adequate depth and distribution to allow revegetation. Disturbed areas will be fertilized and reseeded.
5. Suitable trees or shrubs will be planted to provide screening and natural beauty, and to aid in erosion control. These plantings will be protected from erosion during establishment.
6. The topography will be left such that surface water drainage will follow pre-excavation drainage patterns and such that there will be no increase in off-site volume.
7. An adequate reclamation bond is provided to ensure the successful completion of the Reclamation Plan.



WILTON, NEW HAMPSHIRE

LAND USE LAWS



EXCAVATION APPLICATION FORM

APPENDIX V



WILTON LAND USE LAWS AND REGULATIONS
APPENDIX V - EXCAVATION APPLICATION FORM

EXCAVATION APPLICATION FORM

1. Submit completed application together with additional required information to:
 - a. Chairman or Secretary
Wilton Planning Board
Town Hall
Wilton, NH 03086

and
 - b. Chairman or Secretary
Wilton Conservation Commission
Town Hall
Wilton, NH 03086

2. Date of submission: _____

3. Name of Owner/Applicant: _____
Address (Mailing): _____

4. Location of proposed/existing excavation (municipality, nearest roads, other locational information, lot # from tax map, and street number.)

5. Names and addresses of abutters (see definition). List below or attach sheet and show clearly on sketch:

6. State permits required and obtained (if applicable):

WSPCD (RSA 485-A:17)
Wetland Board (RSA 483-A)
State Highway Dept. - Access Permit
State Pit Agreement

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX V - EXCAVATION APPLICATION FORM

7. Excavation/Reclamation Plan: this information is to be submitted as plans attached to this application.
- a. Site surveyed by a Registered Land Surveyor, to establish an accurate base map showing boundary lines, topography, and significant features.
 - b. Excavation Plan to show:
 - property lines
 - existing topography
 - limits of excavation
 - excavation depths (excavated topography)
 - total area of excavation in acres
 - access road(s) and intersection with town or state highways
 - vegetative buffer
 - abutters names and addresses
 - distances from excavation limits to property lines
 - schedule of excavation volumes; phasing of excavation (areas and dates)
 - test pit groundwater elevations
 - topsoil storage area
 - drainage improvements (if necessary)
 - photographs of existing conditions
 - c. Reclamation Plan to show:
 - reclaimed topography
 - soil conditioning specifications
 - seeding and mulching specifications
 - plant materials/quantities/sizes
 - phasing of reclamation (areas and dates)
 - sections showing existing, excavated and reclaimed topography
8. Hauling Information:
- a. Routes to be utilized.
 - b. Frequency of truck traffic over routes.
9. Reclamation Bond:

A reclamation bond shall be required prior to the issuance of an excavation permit. The bond amount is established based on a recommendation of the Town's Engineer for the conditions specific to the site.

10. The excavation permit will be valid for a period of one year. An application for permit renewal should be submitted to the Planning Board by the owner if excavation is to be continued beyond the termination date. A permit will be renewed if a site inspection by the Planning Board finds the excavation to be in compliance with the Excavation and Reclamation Plans.

The information contained in this application is completed and true to the best of my knowledge.

Submitted by: _____
Signature (Owner/Designee) Date

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX V - EXCAVATION APPLICATION FORM

FOR ADMINISTRATIVE USE ONLY:

RSA 155-E

Owner/Site/Address: _____

Completed Application Received (date): _____

Public Hearing Held (date): _____

Decision: Approved: Date: _____
 Denied: Date: _____

Reason: _____

Application Fee Received (date): _____ (amount) \$ _____

Permit Fee Received (date): _____ (amount) \$ _____

Pit Agreement Received (date): _____

Bond Received (date): _____ (amount) \$ _____

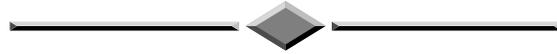
Permit Issued (date): _____

Permit Expiration (date): _____

Compliance Inspection (date and initials of inspector(s)).

1. _____
2. _____
3. _____
4. _____

Comments: _____



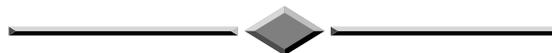
WILTON, NEW HAMPSHIRE

LAND USE LAWS



EXCAVATION PERMIT AND RENEWAL FORM

APPENDIX VI



WILTON LAND USE LAWS AND REGULATIONS
APPENDIX VI - EXCAVATION PERMIT AND RENEWAL FORM

EXCAVATION PERMIT AND RENEWAL FORM

Owner: _____

Address: _____

Excavation Site Tax Map and Lot Number: _____

Date Excavation Approved by the Board: _____

Amount of Bond Approved by the Board: _____

Excavation Permit: Number: _____ **Date Issued:** _____ **Expiration Date:** _____

Bond Amount: _____ **Date Received:** _____ **Expiration Date:** _____

RENEWAL INFORMATION

Excavation permits must be renewed on an annual basis. The owner/operator is responsible for renewing the permit with the Planning Board. Requests for excavation permit renewals shall be made to the Planning Board no later than 60 days prior to the expiration of the permit. Requests for renewal shall be made in writing to the Planning Board. Requests for renewals will be scheduled by the Board at their regularly scheduled monthly meeting. Prior to renewing the permit, the owner/operator shall conduct a site inspection with the Town of Wilton Planning Board Agent to determine compliance with the approved plan. The owner/operator is responsible for scheduling the inspection with the Planning Board Agent which must be completed before the request for renewal will be heard by the Planning Board. In addition, a bond for the site must be maintained at all times during the excavation and reclamation process.

* * * * *

Date Site Inspection Completed by the Wilton Planning Board Agent:

Date: _____ Planning Board Agent: _____
(Authorized Signature)

Date Renewal Request Heard by the Planning Board: _____

Bond in Place: Number _____ Amount \$ _____ Expiration Date: _____

Permit Renewal: Date Issued: _____ **Expiration Date:** _____

* * * * *

Date Site Inspection Completed by the Wilton Planning Board Agent:

Date: _____ Planning Board Agent: _____
(Authorized Signature)

Date Renewal Request Heard by the Planning Board: _____

Bond in Place: Number _____ Amount \$ _____ Expiration Date: _____

Permit Renewal: Date Issued: _____ **Expiration Date:** _____

* * * * *

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX VI - EXCAVATION PERMIT AND RENEWAL FORM

* * * * *

Date Site Inspection Completed by the Wilton Planning Board Agent:
Date: _____ Planning Board Agent: _____
(Authorized Signature)

Date Renewal Request Heard by the Planning Board: _____
Bond in Place: Number _____ Amount \$ _____ Expiration Date: _____
Permit Renewal: Date Issued: _____ Expiration Date: _____

* * * * *

Date Site Inspection Completed by the Wilton Planning Board Agent:
Date: _____ Planning Board Agent: _____
(Authorized Signature)

Date Renewal Request Heard by the Planning Board: _____
Bond in Place: Number _____ Amount \$ _____ Expiration Date: _____
Permit Renewal: Date Issued: _____ Expiration Date: _____

* * * * *

Date Site Inspection Completed by the Wilton Planning Board Agent:
Date: _____ Planning Board Agent: _____
(Authorized Signature)

Date Renewal Request Heard by the Planning Board: _____
Bond in Place: Number _____ Amount \$ _____ Expiration Date: _____
Permit Renewal: Date Issued: _____ Expiration Date: _____

* * * * *

Date Site Inspection Completed by the Wilton Planning Board Agent:
Date: _____ Planning Board Agent: _____
(Authorized Signature)

Date Renewal Request Heard by the Planning Board: _____
Bond in Place: Number _____ Amount \$ _____ Expiration Date: _____
Permit Renewal: Date Issued: _____ Expiration Date: _____

* * * * *

Date Site Inspection Completed by the Wilton Planning Board Agent:
Date: _____ Planning Board Agent: _____
(Authorized Signature)

Date Renewal Request Heard by the Planning Board: _____
Bond in Place: Number _____ Amount \$ _____ Expiration Date: _____
Permit Renewal: Date Issued: _____ Expiration Date: _____

* * * * *

Date Site Inspection Completed by the Wilton Planning Board Agent:
Date: _____ Planning Board Agent: _____
(Authorized Signature)

Date Renewal Request Heard by the Planning Board: _____
Bond in Place: Number _____ Amount \$ _____ Expiration Date: _____
Permit Renewal: Date Issued: _____ Expiration Date: _____

* * * * *

WILTON, NEW HAMPSHIRE

LAND USE LAWS



BUILDING PERMIT FEES

APPENDIX VII

(Amended March, 2004)

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX VII – BUILDING PERMIT FEES

BUILDING PERMIT FEES
(Amended March, 2004)

For all residential and non-residential construction the fee schedule for the issuance of a building permit shall be as follows:

Accessory Buildings (over 100 square feet) (Amended March 12, 1996)	\$0.15/sq. ft.
Single-Family & Two-Family Dwellings	\$0.15/sq. ft.
Commercial, Industrial and Multi-Family	\$0.20/sq. ft.
Issue (1) Permit to Cover Building, Plumbing and Electrical Operations	\$35.00 minimum
Up-date Electrical Service.....	\$25.00
Up-date Plumbing.....	\$25.00
Commercial Electric.....	\$ 35.00
Commercial Plumbing.....	\$ 35.00
Fuel Storage Inspection.....	\$ 35.00
Re-Inspection Fee.....	\$ 35.00
Permit Renewal Fee.....	\$35.00

Fee for Re-inspections Necessitated by Violations of Inspection Guidelines.....
.....\$ 300.00

Any construction activities requiring a building permit, started without a valid building permit shall be subject to a \$100.00 fine per day. (Adopted March 10, 1998)

WILTON, NEW HAMPSHIRE

LAND USE LAWS



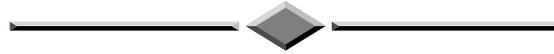
IMPACT FEE SCHEDULE

APPENDIX VIII

(Amended March, 2004)

IMPACT FEE SCHEDULE
(Adopted March, 2004)

RESERVED



WILTON, NEW HAMPSHIRE

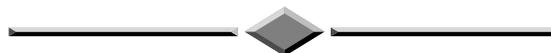
LAND USE LAWS



SUBDIVISION PLAN REVIEW APPLICATION

APPENDIX IX

(Amended December 16, 2009)



**PLANNING BOARD
TOWN OF WILTON, NH**

SUBDIVISION PLAN REVIEW APPLICATION
(Amended December 16, 2009)

PLANNING BOARD USE ONLY

1) Applicant's name: _____ _____ Address: _____ _____ Tel. #: _____	<i>Plan File: #</i> _____ <i>Date application & Fees received:</i> ___/___/___ <i>Date abutters notified:</i> ___/___/___ <i>Date of newspaper notice:</i> ___/___/___ <i>Date and agenda number of scheduled meeting:</i> ___/___/___ Ag. # _____
2) Owner of property: _____ _____ Land Owner's Address: _____ _____ Tel. #: _____	<i>Date application accepted:</i> ___/___/___ <i>Conditions:</i> _____ _____
3) Tax lot number(s) and street number: _____ _____	<i>Date written notice of approval-disapproval sent:</i> ___/___/___
4) Zoning district(s) property located in: <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Residential & Agricultural <input type="checkbox"/> Industrial <input type="checkbox"/> Office Park <input type="checkbox"/> Aquifer <input type="checkbox"/> Watershed <input type="checkbox"/> Wetlands <input type="checkbox"/> Flood Plain	<i>Date subdivision plans recorded in Registry of Deeds:</i> ___/___/___ FEES PAID: <i>Filing</i> \$ _____ <i>Date</i> ___/___/___ <i>Recording:</i> ___/___/___ <i>Date:</i> ___/___/___ <i>Desig.Rep.:</i> \$ _____ <i>Date:</i> ___/___/___ <i>Consulting:</i> \$ _____ <i>Date:</i> ___/___/___

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX IX - SUBDIVISION PLAN REVIEW APPLICATION

5) General location of property: _____

6) Road frontage of property: _____

7) Description of the proposed subdivision, cluster, or other development (e.g., number of lots, acreage, intended use, etc.):

8) Attach a listing of the names and addresses of all abutters as listed in Town records not more than five (5) days prior to filing date of application. List to include all abutters directly across roadways and streams, the owner of the property or representative *as well as all professional engineers, architects, land surveyors, or soil/wetland scientists whose professional seal appears on the subdivision plan.* In addition three sets of mailing labels shall be provided by the applicant. (See RSA 672:3 and Wilton Zoning Ordinance 4.9)

9) This application will be reviewed by the Designated Representative of the Wilton Planning Board and where found to conform to the requirements of the Town's Land Use Laws and Regulations will be signed by the representative prior to submission. Thereafter, it will be scheduled for presentation at an official public hearing of the Planning Board. The date and agenda number of this meeting will be sent to the Applicant along with abutter notifications.

10) **This application must be signed by the owners of all lots involved in the application.**

The information contained in this application is complete and true to the best of my knowledge. I approve the submission of this application. If an Agent/Owner Representative is named below, the person named there has my permission to represent me before the Wilton Planning Board. I authorize the Agent/Owner Representative to submit this application and to speak before the Planning Board on my behalf. (A separate signed letter is also acceptable.)

Signature of Owner _____ Date _____

11) **Agent/Owner Representative**

Fill out this section if the application is being submitted by a realtor, surveyor, engineer, attorney, etc., on behalf of the actual owner or applicant.

Name _____
Mailing Address _____
Town, State, ZIP _____
Email Address _____

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX IX - SUBDIVISION PLAN REVIEW APPLICATION

12) Required application fees are due and payable at the time the application is filed with Planning Board Clerk: *(See Application Fee Schedule Appendix III to determine applicable rates) (Amended Dec. 2009)*

A) General Application Submission Fees: *(as required per application)*

- 1) Legal Notice \$ _____
- 2) Abutter Notification
_____ # of abutters (see item 8) x \$ _____ /abutter = \$ _____
- 3) NRPC Escrow \$ _____ (Separate check)

Additional Fees to be paid by the applicant during the application process

- 4) Consultant Escrow (To be determined by the Board)
- 5) Digital Data Submission Fee (To be determined and paid at the time of approval)
- 6) Recording Fee (To be determined and paid at the time of approval)

B) Subdivision Application fee: (check applicable box(s); enter fee)

- 1) Subdivision Pre-Application Consultation \$ _____
- 2) Subdivision Voluntary Merger \$ _____
- 3) Subdivision Lot Line Adjustment/line adjusted
_____ # lines x \$ _____ fee/line = \$ _____
- 4) Subdivision Condo Conversions
_____ # units x \$ _____ fee/unit = \$ _____
- 5) All other Subdivisions including Cluster
_____ # lots/units x \$ _____ fee/lot or unit = \$ _____

Total Fees: \$ _____

As the owner or duly authorized Agent/Owner Representative for the owner of the property, I do hereby submit this plan for review as required by the Town of Wilton Land Use Regulations. I agree to be fully responsible for payment of all fees, costs and expenses including fees for professional consultant reviews deemed necessary by the Planning Board incurred with respect to this application.

Signature: _____ Date: ____/____/____
Owner/Agent/Owner Representative

Signature: _____ Date: ____/____/____
Wilton Planning Board Designated Representative

Signature: _____ Date: ____/____/____
Planning Board Clerk

**PLANNING BOARD
TOWN OF WILTON, NH**

SUBDIVISION PLAN REVIEW CHECKLIST

I. PLAT STANDARDS

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - 6 copies of the preliminary plat. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Subdivision name. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Purpose of the subdivision. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Name and address of owner of record. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Name and address of the subdivider and engineer/surveyor. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Date plans first drafted. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Tax map and lot number(s), and total acreage of parcel(s) being subdivided. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Zoning districts within which the subdivision is located. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Signature of the owner or his/her designated representative. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Seal and signature of a land surveyor licensed in the State of NH. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Seal and signature of a professional engineer licensed in the State of NH (where required for engineering designs). |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Seal and signature of a certified soil scientist or the SCS. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Horizontal scale a minimum of 1"=100' (1"=50' preferred). |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Vertical scale not to exceed 1"=40'. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Signature block in lower right corner above title. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locus map at a scale of 1"=1000'. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Bar scale for the plat. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Magnetic and true north. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Revision block. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Notes section for plan information. |

II. ABUTTING PROPERTY INFORMATION

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Tax map and lot numbers. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Names and addresses of the owners of record as indicated in Town records not more than five (5) days before the date of filing. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of property lines and their approximate dimensions. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Names and locations of abutting subdivisions. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Names, locations and dimensions of existing streets, easements and alleys. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Names, locations and dimensions of abutting parks and open space. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations and dimensions of setbacks. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing buildings within 100 feet of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing septic system leach fields within 100 feet of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Road or driveway intersections within 200 feet of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |

Sheet 1 of 3 Continued >

III. SUBDIVISION INFORMATION

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations, bearings and distances of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations permanent boundary markers. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Length of frontage on a public ROW. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Area of proposed lots - wet, dry and total. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Existing and proposed topography for entire parcel - contour intervals not to exceed 5 feet. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Location of the 100 year floodplain. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Zoning district boundaries. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Soil boundaries and types as certified by a registered engineer, certified soil scientist or SCS. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - High intensity soil survey, if required. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of all water bodies, watercourses, wetlands, rock/ledge outcrops or other significant natural features. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of any proposed dredge and/or fill areas. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations and dimensions of existing and proposed easements. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations and dimensions of buildings. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of soil test pits accompanied by test pit and perc test data. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing and proposed water, sewer and drainage systems. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of proposed wells and protective well radii. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of the 4,000 square foot septic reserve areas. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing and proposed utility lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations, names, widths and profiles of existing and proposed street and highways showing grades, radii, culverts and drains, and bridge designs. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Proposed driveway locations with note that relocation requires approval of the Board. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of parcels to be dedicated to public use. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Temporary and permanent erosion and sedimentation controls. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |

Sheet 2 of 3 Continued >

IV. SUPPORTING INFORMATION

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Letter from water commission certifying availability and intent to provide service. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Letter from sewer commission certifying availability and intent to provide service. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Letter from the Fire Chief certifying adequate water for fire protection and access for emergency vehicles. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Drainage calculations based on a 25 year storm frequency. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Legal documents for all proposed easements, restricted covenants or other documents affecting legal title of the property. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - If the proposed subdivision covers only a portion of the entire tract, a statement concerning the intended future use of the remainder. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - NH Water Supply and Pollution Control Division Subdivision Septic Approval Permit number. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - NH Wetlands Board Dredge and Fill Approval Permit number and Army Corps of Engineers Dredge and Fill approval, if required. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - NH Water Supply and Pollution Control Division Site Specific Permit. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - NH Department of Transportation Curb-Cut Approval Permit number and/or a letter of approval from the Wilton Road Agent. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - A line drawing plan of the subdivision drawn to scale of the tax map. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |

Sheet 3 of 3 End

CAVEAT LOT CONSOLIDATION

In Accordance with NH RSA 674:39-a, *Voluntary Merger*, and section 3.2.6, *Minor Subdivisions*, of the **Town of Wilton, NH Subdivision Regulations**, the following shall apply for any owner(s) of two (2) or more contiguous pre-existing approved or subdivided lots or parcels who wish to merge (consolidate) them for municipal regulation and taxation purposes.

All lot consolidations shall comply with the current Wilton Zoning Ordinance and Subdivision Regulations. Copies of this form with original signatures of the owner(s) and Planning Board or its designee shall be filed for recording at the Hillsborough County Registry of Deeds (HCRD) and submitted to the Town of Wilton Assessor. **The landowner(s) shall also present the Planning Board or its designee a legal copy of the deed(s) describing the subject lots and a signed and notarized, written statement that the lots being consolidated are not subject to separate mortgages or other encumbrances.**

** A copy of the "Caveat Lot Consolidation" form may be found on last page of the Wilton Subdivision Regulations.

*** TYPE AND SIGN IN PERMANENT BLACK INK ***

The undersigned, (Type)

Name _____	Name _____,
with a legal address at,	
Address _____	Address _____
_____	_____

hereby acknowledges ownership of the following ____ (#) contiguous (abutting) parcels of land known as Assessor's Map # ____, Lot # ____, Map # ____, Lot # ____, Map # ____, Lot # ____, acquired by deed(s) recorded at Hillsborough County Registry of Deeds (HCRD) in Book(s) # ____, Page(s) # ____, Book(s) # ____, Page(s) # ____, Book(s) # ____, Page(s) # ____.

Henceforth, the above ____ (#) parcels of land shall, for all purposes be considered a single lot and shall be assigned a single tax map and lot number and shall not be sold separately or any other divided interest be conveyed except with the prior approval of the Wilton Planning Board in accordance with its duly adopted subdivision regulations.

Signed this ____ day _____ of _____.

Owner Signature _____	Witness _____
(Type Name) _____	(Type Name) _____

Owner Signature _____	Witness _____
(Type Name) _____	(Type Name) _____

STATE OF NEW HAMPSHIRE, HILLSBOROUGH, SS

Personally appeared the above named individual(s) and acknowledged that the foregoing instrument was His/Her/Their free act and deed, before me this ____ day of _____, 20____.

Notary Public/Justice of the Peace

My Commission Expires: _____

WILTON PLANNING BOARD ENDORSEMENT

_____, **Planning Board or Designee.** Date signed: ____/____/____.
(Type Name) _____

RECEIVED: Check to "Hillsborough County Registry of Deeds" as set in Appendix III Fee Schedule

HCRD # ____/Date ____/____/____

WILTON, NEW HAMPSHIRE
LAND USE LAWS



CLUSTER PLAN REVIEW APPLICATION
APPENDIX X

(Amended December 16, 2009)



WILTON LAND USE LAWS AND REGULATIONS
APPENDIX X - CLUSTER PLAN REVIEW APPLICATION

PLANNING BOARD
TOWN OF WILTON, NH

CLUSTER PLAN REVIEW APPLICATION
(Amended December 16, 2009)

PLANNING BOARD USE ONLY

- | | |
|--|--|
| <p>1) Applicant's name: _____
_____</p> <p>Address: _____
_____</p> <p>Tel. #: _____</p> | <p><i>Plan File: #</i> _____</p> <p><i>Date application & Fees received:</i> ___/___/___</p> <p><i>Date abutters notified:</i> ___/___/___</p> <p><i>Date of newspaper notice:</i> ___/___/___</p> |
| <p>2) Owner of property: _____
_____</p> <p>Address: _____
_____</p> <p>Tel. #: _____</p> | <p><i>Date and agenda number of scheduled meeting:</i>
___/___/___ Ag. # _____</p> <p><i>Date application accepted:</i> ___/___/___</p> <p><i>Conditions:</i>
_____</p> |
| <p>3) Tax lot number(s) and street number: _____
_____</p> | <p><i>Date written notice of approval-disapproval sent:</i> ___/___/___</p> |
| <p>4) Zoning district(s) property located in:</p> <p><input type="checkbox"/> Residential <input type="checkbox"/> Commercial</p> <p><input type="checkbox"/> Residential & Agricultural</p> <p><input type="checkbox"/> Industrial <input type="checkbox"/> Office Park</p> <p><input type="checkbox"/> Aquifer <input type="checkbox"/> Watershed</p> <p><input type="checkbox"/> Wetlands <input type="checkbox"/> Flood Plain</p> | <p><i>Date subdivision plans recorded in Registry of Deeds:</i> ___/___/___</p> <p>FEES PAID:</p> <p><i>Filing</i> \$ _____</p> <p><i>Date:</i> ___/___/___</p> <p><i>Recording:</i> ___/___/___</p> <p><i>Date:</i> ___/___/___</p> <p><i>Desig. Rep.:</i> \$ _____</p> <p><i>Date:</i> ___/___/___</p> <p><i>Consulting:</i> \$ _____</p> <p><i>Date:</i> ___/___/___</p> |

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX X - CLUSTER PLAN REVIEW APPLICATION

- 5) General location of property: _____

- 6) Road frontage of property: _____
- 7) Description of the proposed subdivision, cluster, or other development (e.g., number of lots, acreage, intended use, etc.):

8) Attach a listing of the names and addresses of all abutters as listed in Town records not more than five (5) days prior to filing date of application. List to include all abutters directly across roadways and streams, the owner of the property or representative *as well as all professional engineers, architects, land surveyors, or soil/wetland scientists whose professional seal appears on the subdivision plan*. In addition three sets of mailing labels shall be provided by the applicant. (Per RSA 672:3 and Wilton Zoning Ordinance 4.9.)

10) This application will be reviewed by the Designated Representative of the Wilton Planning Board and where found to conform to the requirements of the Town's Land Use Laws and Regulations will be signed by the representative prior to submission. Thereafter it will be scheduled for presentation at an official public hearing of the Planning Board. The date and agenda number of this meeting will be sent to the Applicant along with abutter notifications.

10) This application must be signed by the owners of all lots involved in the application.

The information contained in this application is complete and true to the best of my knowledge. I approve the submission of this application. If an applicant or Agent/Owner Representative is named below, the person named there has my permission to represent me before the Wilton Planning Board. I authorize the Agent/Owner Representative to submit this application and to speak before the Planning Board on my behalf. (A separate signed letter is also acceptable.)

Signature of Owner _____ Date _____

11) Agent/Owner Representative

Fill out this section if the application is being submitted by a realtor, surveyor, engineer, attorney, etc., on behalf of the actual owner or applicant.

Name _____
Mailing Address _____
Town, State, ZIP _____
Email Address _____

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX X - CLUSTER PLAN REVIEW APPLICATION

12) Required application fees are due and payable at the time the application is filed with Planning Board Clerk: *(See Application Fee Schedule Appendix III to determine applicable rates) (Amended Dec. 2009)*

A) General Application Submission Fees: (as required per application)

1) Legal Notice \$ _____

2) Abutter Notification
_____ # of abutters (see item 8) x \$ _____ /abutter = \$ _____

3) NRPC Escrow \$ _____ (separate check)

Additional Fees to be paid by the applicant during the application process:

- 4) Consultant Escrow (To be determined by the Board)
- 5) Digital Data Submission Fee (To be determined and paid at the time of approval)
- 6) Recording Fee (To be determined and paid at the time of approval)

B) Subdivision Application Related Fees: (check applicable box(s); enter fee)

1) Cluster Subdivision Pre-Application Consultation \$ _____

5) Cluster Subdivision
_____ # lots/units x \$ _____ fee/lot or unit = \$ _____

Total Fees: \$ _____

As the owner or duly authorized Agent/Representative for the owner of the property, I do hereby submit this plan for review as required by the Town of Wilton Land Use Regulations. I agree to be fully responsible for payment of all fees, costs and expenses including fees for professional consultant reviews deemed necessary by the Planning Board incurred with respect to this application.

Signature: _____
Owner/Agent/Owner Representative

Date: ____/____/____

Signature: _____
Wilton Planning Board Designated Representative

Date: ____/____/____

Signature: _____
Planning Board Clerk

Date: ____/____/____

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX X - CLUSTER PLAN REVIEW APPLICATION

CLUSTER DEVELOPMENT REVIEW CHECKLIST
TOWN OF WILTON, NH

I. GENERAL

YES NO

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | a) Has a completed, signed copy of the application been submitted? |
| <input type="checkbox"/> | <input type="checkbox"/> | b) Has the review fee of \$1.00 per acre been paid to the Town of Wilton? |
| <input type="checkbox"/> | <input type="checkbox"/> | c) Have funds been deposited in escrow to cover the costs of professional review? |
| <input type="checkbox"/> | <input type="checkbox"/> | d) Are four (4) copies (ink or print) of the site plan attached to the application? |
| <input type="checkbox"/> | <input type="checkbox"/> | e) Is the scale not more than one hundred (100) feet to the inch? |
| <input type="checkbox"/> | <input type="checkbox"/> | f) Is the north point shown? |
| <input type="checkbox"/> | <input type="checkbox"/> | g) Does the title block show: |
| <input type="checkbox"/> | <input type="checkbox"/> | 1) Name of the development or project? |
| <input type="checkbox"/> | <input type="checkbox"/> | 2) Name, address, and telephone number of the owner or developer? |
| <input type="checkbox"/> | <input type="checkbox"/> | 3) Signature of the owner or his agent (authorized in writing)? |
| <input type="checkbox"/> | <input type="checkbox"/> | h) Is a key map sketch included showing the site location within the Town? |
| <input type="checkbox"/> | <input type="checkbox"/> | i) Are the names and addresses of all abutting property owners shown? |
| <input type="checkbox"/> | <input type="checkbox"/> | j) Are soil types and soil boundaries shown and certified by either a registered engineer or the Soil Conservation Service? |

II. ZONING

YES NO

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | a) Is the proposed use permitted in the zoning district or, if not, has a zoning variance been granted? |
| <input type="checkbox"/> | <input type="checkbox"/> | b) Is the total area of the parcel shown and does this satisfy the zoning minimum area requirement of fifteen (15) acres? |
| <input type="checkbox"/> | <input type="checkbox"/> | c) Is the lot frontage shown and does it satisfy the zoning minimum frontage requirement for cluster developments of five hundred (500) feet on a Class V or better road? |
| <input type="checkbox"/> | <input type="checkbox"/> | d) Is at least forty percent (40%) of the gross tract area set aside as common open space? |

III. PROPERTY BOUNDARIES

YES NO

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | a) Are the bearings and distances of all existing property lines shown? |
| <input type="checkbox"/> | <input type="checkbox"/> | b) If this is a new survey, is the name of the surveyor and date of the survey shown? |
| <input type="checkbox"/> | <input type="checkbox"/> | c) If this is an old survey, are the plans referenced including page and book numbers of the Hillsborough County Registry of Deeds, which were used in the compilation of bearings and distances? |

IV. BUILDINGS

YES NO

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | a) Are the locations shown of all: |
| <input type="checkbox"/> | <input type="checkbox"/> | 1) Proposed (solid line) and existing (dotted lines) buildings on the site? |
| <input type="checkbox"/> | <input type="checkbox"/> | 2) Existing buildings within fifty (50) feet of the site boundary? |
| <input type="checkbox"/> | <input type="checkbox"/> | 3) Intersection roads or driveways within two hundred (200) feet of the parcel? |
| <input type="checkbox"/> | <input type="checkbox"/> | b) Are the dimensions and total area of each existing and proposed building shown? |

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX X - CLUSTER PLAN REVIEW APPLICATION

V. ACCESS POINTS

YES NO

- a) Are the access points adequate in number, size, location and design?
- b) Is there adequate all-season safe sight distance (minimum four hundred (400) feet on Class I or II roads) in both directions from each proposed access point?
- c) Are all access points located so as to avoid possible turning movement conflict with other existing driveways?
- d) Is all street frontage other than access points curbed or otherwise blocked to vehicular entry?

VI. PARKING

YES NO

- a) Are the locations and sizes of all existing and proposed parking areas, loading zones and drive-ways adequate for the proposed uses?
- b) Is the total number of parking stalls provided shown and does this satisfy the requirements of the cluster development regulations for two (2) off-street spaces per dwelling unit?

VII. INTERNAL TRAFFIC PATTERN

YES NO

- a) Is the internal traffic pattern safe and adequate for the type of use proposed?
- b) Do emergency vehicles have easy, unimpeded access to all buildings with adequate turn-around space?
- c) Is adequate provision made for service vehicles?
- d) Are areas provided for snow piling without impeding traffic circulation of affecting safety?

VIII. PEDESTRIAN CIRCULATION

YES NO

- a) Are sidewalks provided in appropriate locations for pedestrian access and safety?
- b) Is the parking designed to allow easy and safe pedestrian movement to all buildings?

IX. UTILITIES AND DRAINAGE

YES NO

- a) Are the existing and proposed methods of handling storm water run-off shown and the direction of flow indicated by arrows?
- b) Is the existing and proposed topography of the site shown at five (5) foot contour intervals?
- c) Are the methods of supply water and disposing of waste water shown?

X. LANDSCAPING, SIGNS, LIGHTING

YES NO

- a) Is the location of all existing and proposed lawn area and plantings shown?
- 2) Are large paved areas buffered by landscaping?
- 3) Are large paved areas divided into smaller units by landscaping?
- 4) Are the fronts of buildings landscaped?
- 5) Are garbage collection storage points and other service areas screened by landscaping or fencing?
- b) Is the character of community graphics and lighting shown?

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX X - CLUSTER PLAN REVIEW APPLICATION

XI. RESIDENTIAL

YES NO

- a) Are the total number of dwelling units, by type, bedroom composition and building location shown on the plan?
- b) Are the buildings numbered and streets named?
- c) Are street signs and building numbers to be erected as soon as the first unit is occupied?
- d) Are the locations, sizes, and accessibility of all recreation facilities shown?
- e) If the project is to be built in stages, is it clear which recreation facilities will be built with each stage?

XII. ENVIRONMENT

YES NO

- a) Is the property buffered by landscaping or other means to reduce intrusion on any neighboring uses?
- b) Are provisions made for minimizing any fumes, smoke, noise or odor that are created which will affect neighboring uses?
- c) Is the development designed so as to minimize its negative environmental characteristics and enhance the general area?

XIII. ADMINISTRATIVE

YES NO

- a) Is a staging plan included showing the sequence and approximate timetable of development?
- b) Are copies of any existing easements, covenants, or deed restrictions included with the application?
- c) Is a description of any proposed easement, covenant, deed restriction, or condominium or home-owners agreement included?

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX X - CLUSTER PLAN REVIEW APPLICATION

FINAL CLUSTER DEVELOPMENT PLAN CHECKLIST

TOWN OF WILTON, NH

I. GENERAL

YES NO

- a) Is the Final Development Plan in conformance with the Preliminary Plan as approved?
 b) Is a list of modifications to the Preliminary Plan included if any modifications have been made?
 c) Is all information that was shown on the Preliminary Plan shown on the final plan?

II. BOUNDARIES & LOTS

YES NO

- a) Are the bearings and distances of all existing and proposed property lines shown?
 b) Is the name of the surveyor and date of survey shown?
 c) Is the lot area and frontage for each proposed lot shown?

III. SIGNING & LIGHTING

YES NO

- a) Are the locations, dimensions, and character of proposed signs shown?
 b) Are the signs placed so as not to obstruct vehicular visibility?
 c) Is the signing permitted in the zoning district?
 d) Is the external lighting, if any, of buildings, parking and/or property shown?

IV. UTILITIES & DRAINAGE

YES NO

- a) Are the location and sizes shown for all existing and proposed:
 1) Water lines?
 2) Sanitary sewer lines or septic tanks and leach fields?
 b) The existing (dashed line) and proposed (solid line) contours shown at two (2) foot intervals (required for those portions of the site on which the development shall occur)?
 c) Are the sizes and locations of all storm drainage lines, catch basins, drywells, drainage ditches, and retention basins shown?
 d) If storm drainage, sewer or access to a site is to be by way of private easement or right-of-way, is documentation presented to show the right to use said way?
 e) Are engineering calculations to determine drainage requirements provided based upon a ten (10) year storm frequency (required if the existing drainage pattern is being altered significantly)?

V. STATE APPROVALS

YES NO

- a) If a subdivision of land is proposed, has subdivision approval been granted by the New Hampshire Water Supply & Pollution Control Commission?
 b) If public sewer is not available and will not be extended, have the following agencies approved the septic system plans?
 1) New Hampshire Water Supply and Pollution Control Commission?
 2) Board of Health?

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX X - CLUSTER PLAN REVIEW APPLICATION

- c) If vehicular access is proposed onto a Class I or II highway, has the New Hampshire Department of Public Works and Highways approved highway access permits?
- d) If the dredging, filling, or culverting of any wetland or water body is proposed in the final development plan, has a dredge and fill permit been approved by the New Hampshire Special Board?

VI. ADMINISTRATIVE

YES NO

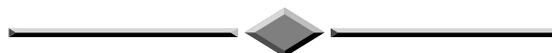
- a) Have copies of all proposed easements, covenants, deed restrictions, condominium agreements, etc., been submitted?
- b) Have a bond or bonds been posted by the owner to guarantee the satisfactory completion of all necessary improvements?
- c) Has the bond(s) been reviewed and approved to form and sureties by the Board?

WILTON, NEW HAMPSHIRE
LAND USE LAWS



SITE PLAN REVIEW APPLICATION
APPENDIX XI

(Amended December 16, 2009)



WILTON LAND USE LAWS AND REGULATIONS
APPENDIX XI - SITE PLAN REVIEW APPLICATION

PLANNING BOARD
TOWN OF WILTON, NH
SITE PLAN REVIEW APPLICATION
(Amended December 16, 2009)

PLANNING BOARD USE ONLY

1) Applicant's name: _____

Tel. #: _____

2) Owner of property: _____

Address: _____

Tel. #: _____

3) Tax lot number(s) and street number: _____

4) Zoning district(s) property located in:

Residential Commercial

Residential & Agricultural

Industrial Office Park

Aquifer Watershed

Wetlands Flood Plain

Plan File: # _____

Date application

& Fees received: ___/___/___

Date abutters

notified: ___/___/___

Date of newspaper

notice: ___/___/___

Date and agenda number
of scheduled meeting:

___/___/___ **Ag. #** _____

Date application
accepted: ___/___/___

Conditions:

Date written notice of
approval-disapproval
sent: ___/___/___

Date subdivision plans
recorded in Registry
of Deeds: ___/___/___

FEES PAID:

Filing \$ _____

Date: ___/___/___

Recording: ___/___/___

Date: ___/___/___

Desig. Rep.: \$ _____

Date: ___/___/___

Consulting: \$ _____

Date: ___/___/___

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX XI - SITE PLAN REVIEW APPLICATION

- 5) General location of property: _____

- 6) Road frontage of property: _____
- 7) Description of the proposed subdivision, cluster, or other development (e.g., number of lots, acreage, intended use, etc.):

8) Attach a listing of the names and addresses of all abutters as listed in Town records not more than five (5) days prior to filing date of application. List to include all abutters directly across roadways and streams, the owner of the property or representative *as well as all professional engineers, architects, land surveyors, or soil/wetland scientists whose professional seal appears on the subdivision plan*. In addition three sets of mailing labels shall be provided by the applicant. (Per RSA 672:3 and Wilton Zoning Ordinance 4.9.)

9) This application will be reviewed by the Designated Representative of the Wilton Planning Board and where found to conform to the requirements of the Town's Land Use Laws and Regulations will be signed by the representative prior to submission. Thereafter it will be scheduled for presentation at an official public hearing of the Planning Board. The date and agenda number of this meeting will be sent to the Applicant along with abutter notifications.

10) This application must be signed by the owners of all lots involved in the application.

The information contained in this application is complete and true to the best of my knowledge. I approve the submission of this application. If an applicant or Agent/Owner Representative is named below, the person named there has my permission to represent me before the Wilton Planning Board. I authorize the Agent/Owner Representative to submit this application and to speak before the Planning Board on my behalf. (A separate signed letter is also acceptable.)

Signature of Owner _____ Date _____

11) Agent/Owner Representative

Fill out this section if the application is being submitted by a realtor, surveyor, engineer, attorney, etc., on behalf of the actual owner or applicant.

Name _____
Mailing Address _____
Town, State, ZIP _____

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX XI - SITE PLAN REVIEW APPLICATION

12) Required application fees are due and payable at the time the application is filed with Planning Board Clerk: *(See Application Fee Schedule Appendix III to determine applicable rates) (Amended Dec. 2009)*

A) General Application Submission Fees: (as required per application)

1) Legal Notice \$ _____

2) Abutter Notification
_____ # of abutters (see item 8) x \$ _____ /abutter = \$ _____

3) NRPC Escrow \$ _____ (separate check)

Additional Fees to be paid by the applicant during the application process:

- 4) Consultant Escrow (To be determined by the Board)
- 5) Digital Data Submission Fee (To be determined and paid at the time of approval)
- 6) Recording Fee (To be determined and paid at the time of approval)

C) Subdivision Application Related Fees: (check applicable box(s); enter fee)

1) Site Plan Pre-Application consultation with NRPC: \$ _____

2) Home Occupation: \$ _____

3) Amended Plan/Change of Use (No expansion):
\$ _____ + (_____ Square Feet x \$ _____ fee/Square Foot) = \$ _____

4) All Other Site Plans:

a. Non-Residential
\$ _____ + (_____ Square Feet x \$ _____ fee/Square Foot) = \$ _____

b. Residential (Multi-Family, Elderly)
_____ # units x \$ _____ fee/unit = \$ _____

Total Fees: \$ _____

As the owner or duly authorized Agent/Representative for the owner of the property, I do hereby submit this plan for review as required by the Town of Wilton Land Use Regulations. I agree to be fully responsible for payment of all fees, costs and expenses including fees for professional consultant reviews deemed necessary by the Planning Board incurred with respect to this application.

Signature: _____
Owner/Agent/Owner Representative

Date: ____/____/____

Signature: _____
Wilton Planning Board Designated Representative

Date: ____/____/____

Signature: _____
Planning Board Clerk

Date: ____/____/____

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX XI - SITE PLAN REVIEW APPLICATION

PLANNING BOARD
TOWN OF WILTON, NH
SITE PLAN REVIEW CHECKLIST

I. PLAT STANDARDS

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - 6 copies of the preliminary plat. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Site plan name. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Purpose of the site plan. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Name and address of owner of record. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Name and address of the engineer/surveyor. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Date plans first drafted. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Tax map and lot number(s), and total acreage of parcel(s) being subdivided. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Zoning districts within which the subdivision is located. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Signature of the owner or his/her designated representative. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Seal and signature of a land surveyor licensed in the State of NH. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Seal and signature of a professional engineer licensed in the State of NH (where required for engineering designs). |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Seal and signature of a certified soil scientist or the SCS. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Horizontal scale not to exceed 1"=50'. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Vertical scale not to exceed 1"=40'. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Signature block in lower right corner above title. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locus map at a scale of 1"=1000'. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Bar scale for the plat. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Magnetic and true north. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Revision block. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Notes section for plan information. |

II. ABUTTING PROPERTY INFORMATION

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Tax map and lot numbers. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Names and addresses of the owners of record as indicated in Town records not more than five (5) days before the date of filing. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of property lines and their approximate dimensions. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Names and locations of abutting subdivisions. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Names, locations and dimensions of existing streets, easements and alleys. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Names, locations and dimensions of abutting parks and open space. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations and dimensions of setbacks. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing buildings within 100 feet of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing water supply wells or springs and protective well radii within 100 feet of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing septic system leach fields within 100 feet of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Road or driveway intersections within 200 feet of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _ |

Sheet 1 of 4 - Continued >

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX XI - SITE PLAN REVIEW APPLICATION

III. SITE PLAN INFORMATION

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations, bearings and distances of property lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of permanent boundary markers. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Length of frontage on a public ROW. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Area of the site - wet, dry and total. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Existing and proposed topography for entire parcel - 2 foot contour intervals for developed portions of the site; 5 foot contour intervals for undeveloped portions. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Location of the 100 year floodplain. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Zoning district boundaries. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Soil boundaries and types as certified by a registered engineer, certified soil scientist or SCS. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - High intensity soil survey, if required. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of all water bodies, watercourses, wetlands, rock/ledge outcrops or other significant natural features. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of any proposed dredge and/or fill areas. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations and dimensions of existing and proposed easements. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations and dimensions of existing and proposed buildings. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Building setbacks and buffer locations denoted. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of soil test pits accompanied by test pit and perc test data. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing and proposed water, sewer and drainage systems. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of proposed wells and protective well radii. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of the 4,000 square foot septic reserve areas. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of existing and proposed utility lines. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations, names, widths and profiles of existing and proposed street and highways showing grades, radii, culverts and drains, and bridge designs. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Proposed ingress and egress locations. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Internal traffic flow patterns. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Parking locations and areas with spaces and travel lanes denoted. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Landscape plan. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations of parcels to be dedicated to public use. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Temporary and permanent erosion and sedimentation controls. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Location, dimensions, height, number of floors, total area and first floor elevation of existing and proposed buildings and structures. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Number of units in each building denoting floor area and proposed use. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Location, dimensions and character of all signs. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _ |

Sheet 2 of 4 - Continued >

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX XI - SITE PLAN REVIEW APPLICATION

IV. SUPPORTING INFORMATION

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Letter from water commission certifying availability and intent to provide service. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Letter from sewer commission certifying availability and intent to provide service. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Letter from the Fire Chief certifying adequate water for fire protection and access for emergency vehicles. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Drainage calculations based on a 25 year storm frequency. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Legal documents for all proposed easements, restrictive covenants or other documents affecting legal title of the property. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - If the proposed site plan covers only a portion of the entire tract, a statement concerning the intended future use of the remainder. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - NH Water Supply and Pollution Control Division Subdivision Septic Approval Permit number. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - NH Wetlands Board Dredge and Fill Approval Permit number and Army Corps of Engineers Dredge and Fill approval, if required. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - NH Water Supply and Pollution Control Division Site Specific Permit. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - NH Department of Transportation Curb-Cut Approval Permit number and/or a letter of approval from the Wilton Road Agent. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |

V. ACCESS, PARKING AND INTERNAL TRAFFIC PATTERNS

- | <u>Y</u> | <u>N</u> | <u>NA</u> | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Access points adequate in number, size, location and design. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Adequate all season safe sight distance (minimum four hundred (400) feet on Class I or II roads) in both directions from each proposed access point. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Access points located to avoid possible turning movement conflict with other existing drives. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Street frontage other than access points curbed or otherwise blocked to vehicular entry. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Locations and sizes of all existing and proposed parking areas, loading zones, and driveways adequate for the proposed uses. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Total number of parking stalls shown satisfies the site plan requirements. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Internal traffic pattern safe and adequate for the type of use proposed. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Emergency vehicles have easy, unimpeded access to all buildings with adequate turnaround space. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Adequate provisions made for service vehicles. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Adequate areas for snow piling without impeding traffic circulation or affecting safety. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | - Other _____ |

Sheet 3 of 4 - Continued >

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX XI - SITE PLAN REVIEW APPLICATION

VI. LANDSCAPING, BUFFERS AND SIGNS

<u>Y</u>	<u>N</u>	<u>NA</u>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Type and location of existing and proposed vegetation.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Peripheral parking lot landscaping provided in accordance with these regulations.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Parking lot interior landscaping equal to at least 5% of the total parking area.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Adequate buffers provided between adjacent incompatible land uses.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Garbage collection and storage points and other service areas screened by landscaping or fencing.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Locations, dimensions and character of proposed signs indicated.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Signs placed so as not to obstruct vehicular visibility.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Signs in accordance with the zoning regulations.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	External lighting, if any, of buildings or parking and/or property indicated.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other _____
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other _____

Sheet 4 of 4 - End

WILTON, NEW HAMPSHIRE

LAND USE LAWS



SUBDIVISION AND SITE PLAN – AS-BUILT CHECKLIST
APPENDIX XII

(Adopted December 4, 2013)

WILTON LAND USE LAWS AND REGULATIONS
APPENDIX XII - SUBDIVISION AND SITE PLAN – AS-BUILT CHECKLIST

APPENDIX XII
SUBDIVISION AND SITE PLAN – AS-BUILT CHECKLIST

Project: _____ Project Location: _____

Surveyor/Engineer: _____ Date: _____

This following checklist is to be used as a guide for developers and land surveyors as to what is required for As-Built submittals per the Subdivision and Site Plan Review Regulations, sections 7.1.5 and 8.0. The As-Built Plan must be certified by a Land Surveyor and/or Professional Engineer licensed in the State of New Hampshire.

When required:

1. For final release of the performance bond associated with any project if field adjustments or other deviation from an approved plan occurs.
2. To guarantee satisfactory completion of all necessary improvements, including but not limited to, street construction or completion; public improvements; the extension and construction of water and sewer lines and associated facilities; storm water drainage systems; erosion and sediment control structures; and fire safety structures.

Information required for As-Built Plans and submittals (subject to previously approved waivers):

- | | |
|---|--------------------------|
| 1. 6 copies of the As-Built Plan submitted to the Planning Board | <input type="checkbox"/> |
| 2. Digital submission of the As-Built Plan submitted to the Planning Board | <input type="checkbox"/> |
| 3. Drainage utilities | <input type="checkbox"/> |
| 4. Water utilities (public or private) | <input type="checkbox"/> |
| 5. Sewer utilities (public or private) | <input type="checkbox"/> |
| 6. Proposed and actual elevations of drainage, water, and sewer utilities | <input type="checkbox"/> |
| 7. Underground and/or overhead utility lines (Gas, electric, communications, other) | <input type="checkbox"/> |
| 8. Size and type information for all piping | <input type="checkbox"/> |
| 9. Lot lines – direction and distance labeled | <input type="checkbox"/> |
| 10. Right-of-way monumentation with size and type labeled | <input type="checkbox"/> |
| 11. Limits of Right-of-way | <input type="checkbox"/> |
| 12. Street names and signage locations | <input type="checkbox"/> |
| 13. Lot numbers and sizes | <input type="checkbox"/> |
| 14. Easements – type and boundaries clearly labeled | <input type="checkbox"/> |
| 15. Wetlands and buffers | <input type="checkbox"/> |
| 16. Stormwater basins | <input type="checkbox"/> |
| 17. As-Built contours clearly labeled | <input type="checkbox"/> |
| 18. Limits of pavement and curbing | <input type="checkbox"/> |
| 19. Access Ways | <input type="checkbox"/> |
| 20. Existing driveways and houses | <input type="checkbox"/> |
| 21. Light fixtures | <input type="checkbox"/> |
| 22. Sidewalks | <input type="checkbox"/> |
| 23. Guardrails | <input type="checkbox"/> |

WILTON LAND USE LAWS AND REGULATIONS

APPENDIX XII - SUBDIVISION AND SITE PLAN – AS-BUILT CHECKLIST

- 24. Retaining Walls
- 25. Fences
- 26. As-built Landscaping Plan, including but not limited to,
the number of plantings and location of plantings
- 27. Assigned Street Numbers
- 28. Right-of-way deed including all easements
- 29. Affidavit from a Title Attorney on behalf of the Developed/Owner citing that
the roadbed is clear of encumbrances
- 30. Statement of compliance by all applicable agencies (supervising engineer,
Wilton Water, Sewer, and DPW director) certifying that work has been
constructed according to the approved subdivision or site plan

This list is intended as a guideline for applicable items and may not be comprehensive.