

WHITEFIELD, NH
COMPREHENSIVE
DEVELOPMENT GUIDE
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SELECTMEN:

Howard Bray
Martha Hardiman
Steve Marro

THE TOWN PLANNING COMMISSION:

Stanley Holz, Chairman
William Hicks
Emily Lafasciano
Alice McGee

WHITEFIELD COMPREHENSIVE DEVELOPMENT GUIDE

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WHITEFIELD COMPREHENSIVE DEVELOPMENT GUIDE

INTRODUCTION

The need for some type of guide for development in Whitefield has become apparent in view of the great increase in the number of subdivisions in the last 15 years. Historically, patterns for logical and reasonable types of development occurred naturally, without guidance, due to the common cultural concepts of residents. Today, the diversity of culture as well as affluence and mobility of individuals have contributed many diverse and often conflicting goals to the development process.

Pressures currently being placed on Whitefield's limited resources and New England village character cannot be accommodated indefinitely without efficient guidance. As has been documented in numerous studies sponsored by private industry and government alike, uncontrolled sprawl development is the most expensive form of growth in terms of economic costs, environmental costs, natural resource consumption, and personal costs. This added expense is particularly significant for that share of the total costs which is likely to be forced onto local government and ultimately the taxpayers. These same studies indicate that better planning and guidance will reduce these costs, especially those borne by the general public through taxes.

In looking for a mechanism to guide growth in a direction which will not destroy the rural village character prized by town residents and visitors alike, several goals were pursued. First, those involved in the process felt that it was important that the effort to guide development should be an extension of being "good neighbors". This came about from witnessing how zoning in neighboring towns was setting neighbor against neighbor and planning board against developer rather than creating a process where individual and collective development goals were aired in a forum that promoted discussion and mutual cooperation. Most importantly, with the results of traditional zoning creating endless strips of characterless commercial development and checkerboards of residential subdivision regardless of existing landscape, an approach was sought which would reward creativity in striking more of a balance between growth and community character preservation. Finally, recognizing that every parcel of land and development have unique characteristics which need to be worked with on a case by case basis, a method to guide development was sought which would examine the MERITS of a proposal rather than rubber-stamping regulations to be followed within a few broad categories of uses.

The Whitefield Comprehensive Development Guide has the advantage of utilizing performance standards to assess the merits of each proposal on an individual basis. These performance standards allow any mixed uses that are "good neighbors", characteristic of the more traditional patterns of development at work in Whitefield forming the basis of its New England village character. The Guide contains a number of absolute standards that must be answered yes or no if they apply to the development. The guide also has a point system involving optional standards that makes it flexible and creative in meeting the collective community goals that the residents generated through the Community Attitude Survey for the Whitefield Master Plan. Rather than dividing the town into rigid zones where certain uses are concentrated, this guide recognizes the natural tendencies of neighborly mixed uses and meshes numerous criteria to create protection from unwanted nuisances.

The Whitefield Development Guide serves under New Hampshire law as a municipal zoning ordinance with all associated advantages and without the undesirable effects seen in other towns. With the existence of this Guide, the town is enabled to attend to other concerns which it would not be able to otherwise

address. A Capital Improvements Program is one of these needed concerns which would be able to be implemented to plan for growth and regulate town expenditures and plans for public facilities to serve it.

The Whitefield Development Guide is the culmination of a 4-year process of writing a Master Plan and developing the performance standards. This Guide will provide for the controlled development of Whitefield for years to come.

WHITEFIELD COMPREHENSIVE DEVELOPMENT GUIDE

I. Title:

This ordinance shall be known, cited, and referred to as the "Whitefield Comprehensive Development Guide".

II. Purpose:

The purpose of this Guide is to improve and protect the public health, safety and welfare; encourage flexibility and creativity in the appropriate and wise use of land; to create a tool to better enable the town government to meet the demands of an evolving and growing community; to assure the proper use of natural and historic cultural resources; and to preserve existing community character to the extent possible while allowing for development and a reasonable return on holdings.

III. Authority:

This Guide is adopted pursuant to the authority conferred by NH RSA 674:16,17,18,19,21 and is adopted in accordance with the provisions of NH RSA 675:3,7. A determination by a court that any section or part of this Guide is illegal or unconstitutional shall have no effect on the enforcement of any other section or part. Repeal or invalidation of this Guide or any portion hereof does not abrogate or annul any Development Permit, Occupancy Permit, any other lawful permit, or any easement or covenant hereto.

IV. Administration and Permits:

The Whitefield Planning Board shall be responsible for the daily administration of the Comprehensive Development Guide, including attendant subdivision regulations, according to the authority conferred by NH RSA 674:21-II. This RSA also confers the authority to grant permits to the administrative officer (Selectmen), which will grant a "Development Permit" to an application which passes the standards contained in the Development Guide and an "Occupancy Permit" to certify that all standards approved have been met before the project is put into use. Decisions delegated to the Planning Board shall be directly appealable to the Superior Court pursuant to NH RSA 677:15.

The Development Guide Board of Adjustment shall have the authority of and function as the Zoning Board of Adjustment which shall be established according to NH RSA 673:1-IV and 673:3-II. The Board of Adjustment shall consist of 5 members and up to 5 alternate members who shall be residents of the town. The town shall be authorized to appoint members and alternates as needed according to NH RSA 673:6. The Board of Adjustment shall hear administrative appeals involving the reasoning behind a decision of the Planning Board not to accept an application, but not the appeal of the decision itself, as well as a variance from the strict application of any of the criteria, pursuant to NH RSA's 674:33 and 676:5. The Development Guide Board of Adjustment also may grant a special exception to the Absolute Criteria listed below if doing so would be harmonious with the general purpose of this ordinance and a literal enforcement of the Absolute Criteria, in the Board's judgment, would be considered an illogical or unfair criterion under the special circumstances presented by the particular application for permit, pursuant to NH RSA 674:33-IV.

Existing lots of record that are substandard in size at the time of adoption of the Development Guide shall be exempt from the lot size requirement ONLY for single family dwellings of up to four (4) bedrooms that conform to the remaining Development Guide criteria where no public harm will result. Uses existing at the time of adoption that do not conform to the Development Guide criteria shall continue unless the activity causes public harm.

V. Process:

General: The criteria that must be addressed are contained in the following sections. The specific criteria, which a development proposal must satisfy, are dependent upon the type of land use being proposed. The Whitefield Comprehensive Development Guide divides all land uses into the following categories:

I. ABSOLUTE Criteria for All Development

A. Commercial ACTIVITY

B. Industrial ACTIVITY

C. Extraction of Resources, Salvage, Junkyards ACTIVITY

D. Residential ACTIVITY

Every single or mixed land use development activity must satisfy the criteria in the "ABSOLUTE Criteria for All Development" category (summarized in the "Absolute Criteria for All Development Chart" following that section). In addition, each use must satisfy all applicable criteria of the appropriate ACTIVITY category of which it is a part, which include relative criteria that add to the flexibility of the Guide (summarized in the "Point Charts" following each section). The Planning Board may determine that a criterion is irrelevant and does not apply to the proposed development.

Types of Criteria: The Whitefield Comprehensive Development Guide contains two types of review criteria: numbered and lettered criteria. Numbered criteria are absolute requirements each development must satisfy before approval can be granted. Found both in the "Absolute Criteria for All Development" and ACTIVITY sections, these include assuring community character compatibility and compliance with official plans and Policies, minimum public facilities standards, resource protection, environmental standards and site design. Each of the applicable numbered criteria must be answered YES before approval can be granted.

Lettered criteria are relative "points" that make the Guide flexible and negotiable in character. Each development must achieve a specified minimum percentage of these criteria. The lettered relative criteria are located at the end of each ACTIVITY section and focus on location as well as design of a project.

Evaluation: The performance of a particular development plan shall be evaluated as follows:

Absolute (Numbered) Criteria: Each of the numbered criteria on the "All Development" and appropriate "Activity" section charts is answered YES, NO or NOT APPLICABLE. A NO answer to any of the applicable numbered criteria will automatically exclude the development from further consideration. A criterion is considered to be applicable if it is reasonably capable of being applied to the development.

Relative (Lettered) Criteria: The development plan is evaluated against each of the applicable lettered criteria and assigned a SCORE. A criterion is considered to be applicable if it is reasonably capable of being applied to the development. Several criteria are applicable to any

development proposal and are pre-checked on the relevant chart. The numerical SCORE is assigned based upon the following:

YES (+1) = for an adequate job of implementing the criterion.

VERY WELL (+2) = for an excellent job of implementing the criterion or for doing the best job possible, given the constraints and opportunities of the site.

NO (0) = for no effort or failure to implement the criterion.

Each lettered criterion has been pre-assigned a MULTIPLIER, which determines the relative importance of the criterion to the other criteria. The meaning of each MULTIPLIER is as follows:

- 5 - indicates that the criterion is of exceptional importance.
- 4 - indicates that the criterion is very important.
- 3 - indicates that the criterion is important.
- 2 - indicates a criterion of normal importance.
- 1 - indicates a minor criterion.

The points earned for each criterion are the product of multiplying the SCORE times the MULTIPLIER. The MAXIMUM POINTS POSSIBLE in each chart are added together and the POINTS EARNED are added together to get TOTALS. By dividing the TOTAL POINTS EARNED by the TOTAL MAXIMUM POINTS POSSIBLE, the PERCENTAGE EARNED is determined.

The PERCENTAGE EARNED must be at least the minimum percentage specified for that ACTIVITY category.

VI. Development Criteria:

Absolute Criteria for All Development and Activity Criteria are listed on the following pages.

VII. Procedures:

A development shall be processed in three stages: A conceptual review, preliminary plan, and final plan. A preliminary master plan is required at the preliminary stage of the development proposal, if multiple lots and phased development occur according to criteria in the Guide. The concept plan is the applicant's impression of the anticipated pattern of development for a particular parcel of land that is expressed graphically and from which a preliminary or preliminary master plan is developed. The purpose of the preliminary master plan is to establish general planning and development control parameters while allowing sufficient flexibility to permit detailed planning at the time of development. The preliminary plan shall generally specify the uses of land and layout of the landscaping, circulation and buildings. The final plan is the site specific development plan which describes with reasonable certainty the type and intensity of use for a specific parcel or parcels of property, upon which Development Permits are issued and shall require detailed engineering, design review and approval.

a. Conceptual Review:

1. This is an opportunity for applicants to discuss requirements, standards, and policies that apply to development proposals. Major problems can be identified and solved before a formal application is made.
2. The general outline of the proposal, evidenced schematically by sketch plans, shall be submitted by the applicant and reviewed by the Planning Board. Thereafter, the Board shall furnish the applicant with comments, including appropriate recommendations to inform and assist the applicant prior to preparing the components of the application.

A CONCEPTUAL REVIEW IS OPTIONAL FOR ALL DEVELOPMENT PROPOSALS.

b. Preliminary Plan:

1. Upon completion of the conceptual review meeting or as a first step in the application process, a preliminary plan shall be submitted to the Planning Board in sufficient time to allow for proper review and notice (by the first Monday of the month preceding the month of the Planning Board Meeting). If the project is to be developed over time in two or more separate preliminary plan submittals, a preliminary master plan shall also be required (see below). After the application has been reviewed and a decision is made concerning whether sufficient information has been submitted to reach a decision as to whether or not the applicable criteria of the Guide are met by the proposal, the matter will be placed on the agenda for the appropriate meeting of the Planning Board.
2. Proper legal notice in newspapers of general circulation, public places and to abutters according to NH RSA 675:7 shall be given.
3. The Planning board may approve, disapprove, or approve with conditions the proposed development. Approval of a preliminary plan shall not constitute final approval of the final plan; rather it shall be deemed an expression of approval of the layout and densities submitted on the preliminary as a guide to the preparation of the final plan.

c. Preliminary Master Plan:

1. A Preliminary master plan shall be required for any property intended to be developed over time in two or more separate plan submittals. It is also required if over 10 acres are in common ownership and/or if subdivision has occurred within 20 years, thereby creating multiple lots and phased development. The preliminary master plan, together with the proposed preliminary plans for the first phase of the development shall be submitted to the Planning Board and processed as preliminary plans. Once approved, the decision of the Planning Board shall be recorded in the Office of the County Clerk and the master plan shall be filed with the Town Clerk.
2. This section allows for changes to a master plan. Minor changes to a master plan may be approved administratively by the Planning Board. Such changes may be authorized without additional public hearings.
3. Major changes shall be approved only by the Planning Board, and must follow the same review and public hearing process required for the approval of preliminary plans. Any

changes approved in the master plan shall be recorded as amendments to the master plan in accordance with the procedures established for the filing of the initially approved plan documents.

4. Major changes shall be defined as follows:
 - (a) A change in the use or character of the development;
 - (b) An increase in the problems of traffic circulation and/or public utilities;
 - (c) An increase of greater than two percent (2%) in the approved gross floor areas of buildings; and
 - (d) An increase of greater than one percent (1%) in the approved number of residential dwelling units.
5. Subsequent applications for preliminary and final plan approval may be made for each phase of the approved preliminary master plan, provided that such phase is consistent with the approved preliminary master plan and the provisions of the comprehensive Development Guide.
6. If a project is to be built in phases, each phase shall include an appropriate share of the proposed recreational, open space, and other site and building amenities of the entire development, which shall be determined for each specific project at the time of preliminary master plan approval and shall not be based solely upon a proportional or equal share for the entire site.
7. Requirements may be made for off-site improvements on a phased project.

d. Final Plan:

1. Application for a final plan may be made only after approval by the Planning Board of a preliminary plan, except, however, for good cause shown, the Board may determine if application for final plan may be made concurrently with the preliminary plan. Materials pertaining to the final plan must be submitted to the Planning Board by the first Monday of the month immediately preceding the month of the Planning Board meeting. After the Planning Board has reviewed the application and is satisfied that sufficient information has been submitted to permit the Board to reach a decision as to whether or not the applicable criteria of this section are met by the proposal, the matter will be placed on the agenda for the appropriate meeting of the Planning Board.
2. As a requirement of approval, the final plan shall be in substantial compliance with the approved preliminary plan. Substantial compliance shall mean that the plan does not:
 - (a) Change the general use or character of the development;
 - (b) Increase the number of residential dwelling units by more than one percent (1%);
 - (c) Involve a reduction of more than five percent (5%) of the area reserved for common open space and/or usable open space;

- (d) Increase the floor area proposed for non-residential use by more than five percent (5%);
 - (e) Increase the total ground area covered by buildings by more than five percent (5%).
3. The final plan shall also comply with all other applicable criteria of the Comprehensive Development Guide, provided, that the Planning Board shall not impose additional requirements or conditions pertaining to the general layout and densities as shown on the preliminary plan.
 4. Proper legal notice in newspapers of general circulation, public places and to abutters according to NH RSA 675:7 shall be given.
 5. The Planning Board may approve, disapprove or approve with conditions, the proposed development. If the Planning Board approves the proposed development, the decision shall be filed with the Office of the County Clerk and the final plan shall be filed with the Town Clerk, along with the Development Permit. If the Board denies the development, any revisions shall require the same review process required for final plans.
 6. This section allows for changes to a final plan. Minor changes to a final plan may be approved administratively by the Planning Board. Such changes may be authorized without additional public hearings.
 7. Major changes shall be approved only by the Planning Board, and must follow the same review and public hearing process required for the approval of preliminary plans. Any changes approved in the final plan shall be recorded as amendments to the final plan in accordance with the procedures established for the filing of the initially approved plan documents. Major changes shall be defined as follows:
 - (a) A change in the use or character of the development;
 - (b) An increase in the problems of traffic circulation and/or public utilities;
 - (c) An increase of greater than two percent (2%) in the approved gross floor areas of buildings;
 - (d) An increase of greater than one percent (1%) in the approved number of residential dwelling units;
 - (e) A reduction by greater than three percent (3%) of the approved open space;
 - (f) Any change in the development that would normally cause the project to be disqualified under the applicable criteria.

VIII. Content of Development Submittals:

For each stage of the review process, the following information and data shall be submitted unless the Planning Board determines that the information is unnecessary for the proper evaluation of the development:

a. Concept Plan Submittal:

1. Data regarding site conditions, land characteristics, available community facilities and utilities, and other related general information about uses of land within one-half mile of the subject parcel of land;
2. Sketch drawing showing the proposed location of the uses of land, major streets, and other significant features;

b. Preliminary Plan Submittal:

1. Written documents:
 - (a) Application form and filing fee;
 - (b) Legal description of the site;
 - (c) List of abutters with names and addresses of all owners of record;
 - (d) Statement of planning objectives, including description of project with as much detail as to estimated numbers as is possible, including a description of rationale behind the assumptions and choices made by the applicant;
 - (e) Development schedule indicating approximate date when construction of the development, or stages of the same, can be expected to begin and be completed, including the proposed phasing of construction of public improvements and recreational and open space areas;
 - (f) Traffic impact analysis;
2. Preliminary architectural elevations of all buildings sufficient to convey the basic architectural intent of the proposed improvements,
3. Site plan drawing of the development composed of one or more sheets with an outer dimension of 24 x 36 inches, showing the following information:
 - (a) Title by which the proposed development is to be referred;
 - (b) Scale, north point and date of preparation;
 - (c) Location of municipal boundaries at or near the development;
 - (d) Parcel size in gross and net acres and square feet;
 - (e) Total number, type, and density per type of units;
 - (f) Total bedrooms per each dwelling unit type;
 - (g) Soil types and boundaries;

- (h) Estimated square footage and percentage of lot of: building coverage, parking, driveway and roads, open space, active recreational use;
 - (i) Topographic character of the land at a contour appropriate with the scale of the project;
 - (j) Watercourses, water bodies, floodplains;
 - (k) Unique natural features, significant wildlife areas and vegetative cover;
 - (l) Tentative location and floor area of existing and proposed buildings;
 - (m) Location of roads, parking, open space, showing also circulation system with ingress and egress;
 - (n) Maximum building height of all structures;
 - (o) Proposed landscaping, screening and buffer design;
 - (p) Listing of specific land uses being proposed;
 - (q) Indication of uses and character within 150 feet of the proposal;
 - (r) Vicinity map of the area surrounding the site within a distance of at least 1 mile showing relevant features;
 - (s) Owner certification of acceptance of conditions and restrictions as set forth on the site plan;
 - (t) Attorney's or owner's certification of ownership;
4. General landscaping plan indicating treatment of materials used, including existing vegetation, plans to preserve trees. Details of size and species for intended plantings of vegetation will be required at the time of final plan phase;
 5. Existing and proposed utility systems;
 6. Street cross sections schematics;
 7. Preliminary drainage report;
 8. Preliminary subdivision plat;
 9. Impact studies and other studies as the Planning Board may require for the full and complete consideration of the development;
 10. If appropriate, a list of all partners and/or officers and directors of the corporation involved as either applicants or owners of the development.

c. Preliminary Master Plan Submittal:

1. Application form and filing fee;
2. A preliminary master plan shall be submitted containing the following information:
 - (a) Parcel size;
 - (b) Existing topographical character of the land at a contour appropriate with the scale of the project; all water courses; floodplains; unique natural features; significant wildlife areas and vegetative cover;
 - (c) Soil types and extents;
 - (d) Maximum height of all structures;
 - (e) Approximate acreage of each area; number, height, floor area and types of all uses indicated; approximate location of each use, including open space;
 - (f) Approximate location of streets, parking, points of access; public utilities;
 - (g) Survey of area within 150" of proposal indicating general character of land use, natural features;
 - (h) Vicinity map of area surrounding the site within a distance of at least 1 mile showing relevant features;
 - (i) Owner's certification of acceptance of conditions and restrictions as set forth on the master plan;
 - (j) Planning Board certification of approval of site plan;
 - (k) Attorney's or owner's certification of ownership;
3. Preliminary master plan shall be accompanied by:
 - (a) The name and address of each owner of property in the master plan area;
 - (b) List of names and address of abutters, all owners of record of real property
 - (c) Statement of planning objectives, including description of project with as much detail as to estimated numbers as is possible, including a description of rationale behind the assumptions and choices made by the applicant;
 - (d) Legal description of site;
 - (e) Development phasing schedule including the sequence for each phase, approximate size in areas of each phase, and proposed phasing of construction of public improvements and open space areas;

- (f) Conceptual drainage plan;
- (g) Other documentation as determined by special circumstances;
- (h) Signed reproducible mylar of all site plans;
- (i) If appropriate, a list of names of all partners and/or officers and directors of the corporation involved as either applicants or owners of the development.

d. Final Plan Submittal:

1. Application form and filing fee;
2. Final site plan shall be submitted on 24" x 36" sheets showing the following information:
 - (a) land use data (same information as required on the preliminary site plan);
 - (b) lot lines, easements, public rights-of-way as per subdivision plat;
 - (c) Exact location of all buildings and structures;
 - (d) Existing and proposed streets with names; designation of street to be public or private; limits of those private accessways to be dedicated as public utility easements and/or as other types of easements;
 - (e) Owner certification of acceptance of conditions and restrictions as set forth on the site plan;
 - (f) Planning Board certification of approval of the site plan;
 - (g) Attorney's or owner's certification of ownership;
3. Final landscape plan indicating the treatment of exterior spaces according to the extent and location of all plant materials and other landscape features; proposed treatment of all ground surfaces (paving, turf, etc);
 - (a) No Occupancy Permit shall be issued for any development until landscaping required by the final plan is in place or a bond, cash deposit, or equivalent, is deposited with the Town conditioned on and guaranteeing the installation of all landscaping shown on the approved landscape plan, to be in the amount of 125% of the estimated cost of the landscaping improvements determined by an executed contract to install such improvements or by adequate appraisals of such cost.
 - (b) Any bond, cash deposit, or equivalent, deposited pursuant to this requirement shall be released upon certification by the Planning Board that the required program has been completed;
4. Subdivision plat: an official subdivision plat of the site must accompany the final development plan, conforming to the subdivision requirements of the Town, except as

waived by the approved preliminary plan for the development. Approval by the Planning Board of the final plan and subdivision plat shall be required before filing of the subdivision plat or issuance of a Development Permit;

5. Final utility plans: Final detailed engineering for sewer, water, electrical, street improvements and other public improvements;
6. Signed reproducible mylars of all site and landscape plans, architectural elevations, and subdivision plats;
7. Other information and data as the Planning Board may require for full and complete consideration of the development;
8. If appropriate, a list of names of all partners and/or officers and directors of the corporation involved as either applicants or owners of the development.

IX. Effective Period of Development Plan:

The development shall be constructed in a timely manner. The development shall be subject to revocation under the following conditions:

- a. Preliminary master plan time limit: there is no time limit for action on a master plan.
- b. Preliminary plan time limit: Within a maximum of three years following the approval of a preliminary plan, the applicant shall proceed by filing a final plan(s) with the Planning Board that is in sufficient detail covering all or part of the development. If no final plan(s) is filed within the above time limits, the right to proceed under the preliminary plan shall expire for any portion of the preliminary plan for which a final plan has not been filed in a timely manner.
- c. Final plan time limit: The applicant must undertake and complete the development of an approved final plan within three years from the time of final approval. For the purposes of this section, a development is substantially complete once all building and engineering improvements (water, sewer, streets, curbs, drainage, lights fire hydrants, etc.) are installed and completed in accordance with applicable regulations, at which time the Planning Board or its representative shall inspect the development and issue an occupancy Permit. Failure to develop within the specified time limit and improvement requirements shall cause a forfeiture of the right to proceed under the final plan and require resubmission of all materials and reapproval of the same.

X. Enforcement and Penalties:

The occurrence of either of the following events may subject the applicant to the enforcement remedies contained in NH RSA 676:17:

- a. Failure to comply with the conditions of this Development Guide for any land or building used, altered, enlarged, or constructed subsequent to the adoption of this Development Guide or for any change or use of any land or building subsequent to the adoption of this Development Guide. This shall include obtaining permit approval as required by the Planning Board and as outlined in this Development Guide.

- b. Failure to comply with any terms, conditions, or limitations contained on the site plan, landscape plan, building elevations or other approved documents pertaining to the development as approved in the final plan;
- c. Failure to comply with any conditions or record imposed by the Planning Board upon its review of the preliminary master plan or preliminary or final plans for the development.

XI. Enforcement Authority:

It shall be the duty of the Board of Selectmen to enforce and administer the provisions of this Development Guide. If any violation of this guide occurs, the Selectmen may institute any appropriate action, including fines and penalties as authorized by RSA 676:17.

ABSOLUTE CRITERIA FOR ALL DEVELOPMENT

COMPLIANCE WITH EXISTING PLANS AND POLICIES STANDARDS

MUNICIPAL MASTER PLAN

1. Does the project meet the adopted goals and objectives as set out in the Whitefield Master Plan: is the area suitable for development, conform to the planned pattern of growth, and fit into both the natural and man-made environments?

SUBDIVISION

2. If the development proposal will require subdivision or replatting of an existing parcel, has a preliminary plat in conformance with the Whitefield Subdivision Regulations been filed along with a subdivision application? Approval of the final plan and subdivision plat shall be required before filing of the subdivision plat or issuance of Development Permit.

PRELIMINARY MASTER PLAN

3. If over 10 acres are in common ownership and/or if subdivision has occurred within 20 years thereby creating multiple lots and phased development, has a preliminary master plan for the property been approved and filed with the planning board?

CAPITA BUDGET

4. Does the project fit into the current Capital Budget/Capital Improvements Program expenditure schedule concerning required road improvements, municipal services and open space acquisition?

COMMUNITY CHARACTER COMPATIBILITY STANDARDS

CONFLICTS

5. Have the conflicts that are presumed to exist between the proposed development and the surrounding land uses been effectively mitigated in the proposal?

SCENIC ROADS

6. Does the project maintain stone walls, trees, vegetation and other amenities consistent with scenic road designation if located on Hall, Kimball Hill, Gould or Spencer Roads or other roads with potential scenic road designation such as Mountain View Rd. and Parker Rd.?

PUBLIC FACILITIES AND SERVICES STANDARDS

UTILITIES

7. Is the development served by utilities with adequate capacity or have arrangements been made for extension and augmentation for the following services, complying with all applicable design standards, specifications and requirements?

Water supply	Sanitary sewer
Electricity	Storm drainage
Fire protection	Walks/bikeways
Streets/pedestrians	Flood hazard areas

EMERGENCY ACCESS

8. Does the project provide adequate access for emergency vehicles and for those persons attempting to render emergency services?

LIGHTING

9. Are all vehicular use areas, pedestrian circulation paths and exterior portions of buildings provided with adequate lighting for safety and security?

ON-SITE WATER

10. If the project includes a water body, retention pond, or other water channel, man-made or natural, have necessary precautions been taken to minimize any hazard to life or property?

AIRPORT

11. If the project is in the Airport area, does it comply with the Airport Development Criteria (Appendix III)?

RESOURCE PROTECTION STANDARDS

GEOLOGICAL

12. If the project contains known areas of natural or geological hazard (e.g. slopes over 15%, HAZARD rockfalls, flood hazard areas) or soil conditions unfavorable to development (e.g. wetlands and/or poorly and very poorly drained soils) have these areas been set aside from development and/or protected through easement, deed restrictions or other protective covenants? If located in a Flood Hazard Area, does the project conform to the Floodplain Development Criteria (Appendix IV)?

TOPOGRAPHY

13. Does the project preserve significant existing vegetation and landforms to the extent practical?

FLORA & FAUNA

14. If the site contains an area which serves as a habitat for wildlife and/or plant species identified by NH Fish and Game/NH Natural Heritage Inventory as significant and in particular need of attention, have special precautions been implemented in the plan to prevent the creation of environmental influences adverse to the preservation of these areas?

HISTORIC PRESERVATION

15. If the proposed project is located within a district noted in the Whitefield Master Plan as historic and/or includes a locally designated historic structure, does the project maintain the integrity of these resources to the extent possible?

MINERAL

16. If the project includes an area known to contain a commercial mineral deposit for which DEPOSITS extraction could be commercially feasible, has the project been designed not to preclude extraction?

FRAGILE AREAS

17. If the project contains lands that are ecologically sensitive and/or important (e.g. aquifers, lake shores, agricultural soils of prime and /or statewide importance, important forest soils), has development of these areas been avoided and/or has the land been set aside as permanent open space? Does the proposal allow for the practice of recreational, farming or forestry activities in those important areas so suited?

OPEN SPACE

18. If the project contains land noted in the Master Plan as important open space, have provisions been made to permanently preserve that space?

ENVIRONMENTAL STANDARDS

AIR QUALITY

19. Will the project conform to applicable local, state and federal air quality standards, including, but not limited to: odor; dust; fumes or gases which are noxious, toxic or corrosive; suspended solid or liquid particles; or any air contaminant which may obscure an observer's vision? No offensive or harmful odors shall be produced perceptible beyond its lot lines measured either at ground level or habitable level. Generation of dust, dirt, fly ash, fumes, vapors or gases which could damage human health, animals, vegetation, or property, or could soil or stain persons or property shall be prohibited beyond the project lot lines.

WATER

20. Will the project conform to applicable local, state and federal water quality standards, including, but not limited to: erosion and sedimentation; runoff control; solid wastes; and hazardous substances?

NOISE

21. Can the proposed land uses and activities be conducted so that noise generated shall not exceed the maximum noise dB level allowed and that excessive noise at unreasonable hours is avoided? if not, have detailed plans been approved for the elimination of objectionable noise levels? Sound pressure levels shall be measured on a sound level meter at all major lot lines of the site, at a height of at least 4 feet above the ground surface. Noise shall be measured with a sound level meter meeting the standards of the American National Standards Institute "American Standard Specification for General Purpose Sound level Meters" and be set to the A-weighted response scale and slow response. Acceptable levels for primarily residential areas is 55 dB(A) from 7 a.m. - 10 p.m. and 45 dB(A) from 10 p.m. - 7 a.m. Areas that are primarily commercial with no residential uses should be 65 dB(A) from 7 a.m. - 10 p.m. and 55 dB(A) from 10 p.m. - 7 a.m. Industrial districts should be 75 dB(A) from 7 a.m. - 10 p.m. and 65 dB(A) from 10 p.m. - 7 a.m. in areas of mixed use, the limits governing the stricter zone shall apply to any noise entering the area.

GLARE & HEAT

22. If the proposed activity produces intense glare or heat, whether direct or reflected, is the operation conducted within an enclosed building or with other effective screening in such a manner as to make such glare or heat completely imperceptible from any point along the property and street line? if not, have detailed plans been approved for the elimination of intense glare or heat?

VIBRATION

23. Will the project cause no inherent or recurring generated vibration perceptible without instruments at any point along the property line? Temporary construction is excluded from this criterion.

LIGHTING

24. Is the exterior lighting, except for overhead street lighting and warning emergency or HAZARDS traffic signals, installed in such a manner that the light source will be sufficiently obscured to prevent excessive glare on public streets and walkways or into any residential area? The installation or erection of any lighting which may be confused with warning signals, emergency signals or traffic signals shall not be permitted.

EFFLUENTS

25. Will all sewage and industrial wastes be treated and disposed of in such a manner as to comply with applicable federal, state, and local standards? Will sewage effluent leaching fields be located further than 150 feet of the high water mark of a year-round stream or pond and further than 75 feet from wetlands and aquifers? Detailed plans and permits must be submitted.

SITE DESIGN STANDARDS

SITE PLAN

26. Utilizing lot sizes derived by soil type as a basic unit (Appendix ID, is the design and arrangement of elements of the site plan (e.g. buildings, open space, landscaping, parking, etc.) appropriate in terms of the flexible placement and density requirements of the Open Space Conservation and Development Criteria (Appendix II) which reinforces the historic village-type settlement pattern of the region?

NATURAL COMPATIBILITY

27. Is the design and arrangement of elements of the site plan (e.g. buildings, circulation, open space, parking, landscaping, etc.) in favorable relationship to the existing natural topography; natural water bodies and water courses; existing desirable trees; exposure to sunlight and wind; and views?

SCREENED AREAS

28. Are open storage and loading/service areas screened from adjacent properties or public ways by plantings, with refuse confined out of sight?

SETBACKS

29. Are the elements of the site plan (buildings, roads, driveways, parking, swimming pools, tennis courts, etc.) located and designed so as to be set back at least 25 feet from the front, sides, and rear of the lot as measured from the property line or right-of-way, or in the downtown part of town, so as to maintain the existing streetscape setback from rights-of-way and lot lines that exist adjacent to an in close proximity to the proposed building? (This provision is not intended to prohibit the erection of boundary walls and fences.) If a structure is replacing a pre-existing structure that was torn down or destroyed, is it to be placed on the footprint of the previous structure?

TRAFFIC

30. Does the street and parking system provide for the smooth, safe and convenient movement of vehicles both on and off the site?

ENTRANCE/EXIT

31. Is the subdivision designed to share access points from the existing roadway in order to minimize curbcuts and traffic congestion? A maximum of two accesses shall be allowed regardless of the number of lots or businesses served.

BUFFERYARDS

32. Do bufferyards perform the functions of assuring adequate light and air to neighbors, serving as a fire barrier and providing a visual and sound buffer?

BUILDING HEIGHT

33. Does the project comply with the building height restrictions of 35 feet vertical distance measured from the highest part of the roof to the average finished grade of a building? Height limitations within 200 feet of Mirror lake, Forest lake and Burns Pond shall be 25 feet, measured in the same fashion. Height limits for buildings in the Airport area are noted in Appendix III.

PARKING

34. Is parking situated either beside or behind the buildings when viewed from the street and does it meet the dimensional requirements of the proposed floor area ratio and density of the project?

ALL DEVELOPMENT: ABSOLUTE CRITERIA CHART

ALL CRITERIA

APPLICABLE CRITERIA ONLY

CRITERION

Is the criterion applicable?

Will the criterion be satisfied?

If no, please explain

Preliminary

Final

Not
Applicable

Yes

No

COMPLIANCE WITH EXISTING PLANS/POLICIES STANDARDS

1. Municipal Master Plan

2. Subdivision

3. Preliminary Master Plan

4. Capital Budget

COMMUNITY CHARACTER COMPATIBILITY STANDARDS

5. Conflicts

6. Scenic Roads

PUBLIC FACILITIES AND SERVICES STANDARDS

7. Utilities

8. Emergency Access

9. Lighting

10. On-Site Water

11. Airport

RESOURCE PROTECTION STANDARDS

12. Geological Hazard

13. Topography

14. Flora & Fauna

15. Historic Preservation

16. Mineral Deposits

17. Fragile Areas

18. Open Space

ENVIRONMENTAL STANDARDS

19. Air Quality

20. Water

21. Noise

22. Glare & Heat

23. Vibration

24. Lighting Hazards

25. Effluents

SITE DESIGN STANDARDS

26. Site Plan

27. Natural Compatibility

28. Screened Areas

29. Shadows

30. Traffic

31. Entrance/Exit

32. Bufferyards

33. Building Height

A. ACTIVITY: COMMERCIAL

DEFINITION:

Retail trade and service activities, vehicle service stations and sales, greenhouses and nurseries, grocery and convenience stores, offices, business services, hotels/motels, health and recreation clubs, restaurants, bars, shopping centers, theaters, retail laundry centers, mortuaries, veterinary clinics, medical clinics, childcare centers as primary activities utilizing over 75% of project floor space, and other uses which are of the same general character that involve commercial activity.

CRITERIA: Each of the following applicable criteria must be answered "yes" and implemented within the development plan.

1. If the project is likely to generate more than 25 vehicle trips/business day/ 1 acre both to and from the premises, will the project site be directly served by an arterial or collector street?
2. If the project is likely to generate more than 25 vehicle trips/acre both to and from the premises in the busiest hour of the operating day (annual average), is it directly served by an arterial street?
3. Is all repair and service activity, including storage, planned to take place within an enclosed structure?
4. Are the following minimum lot size standards fulfilled (see Appendix II for table of lot size/soil types)?
 - a. areas designated as poorly drained soils may be utilized to fulfill 25% of the minimum lot size requirement, provided that the non-wetland area is sufficient in size and configuration to adequately accommodate all required utilities.
 - b. areas designated as very poorly drained, fresh water marsh of alluvial soils may not be utilized to fulfill minimum lot size.
 - c. not on municipal sewer/water:
 - (1) lot size determined by table in Appendix II using weighted average of soil types on lot,
 - (2) using that figure as base, final lot size will be determined by the formula:
$$\text{Lot size} = \text{gal. of wastewater/day} * \text{lot size} + \text{land required (sq. ft.)}$$
$$1837 \text{ (gpd/40,000 sq. ft.) (step \#1) for well radius}$$

*utilize Table 5-1, "Unit Design Flow Figures" of NH water Supply & Pollution Control, Guide for the Design, Operation and Maintenance of Small Sewage Disposal Systems, Jan. 1978 as amended.
 - d. On municipal sewer and/or water:

- (1) lot size determined by table in Appendix II using weighted average of soil types on lot - reduce lot size by 33 1/3%,
 - (2) utilize same formula as above #4.a.2.
5. Do parking accommodations take into consideration the following guidelines (based upon a 300 square foot parking space for an automobile which includes room for turning):
 - a. commercial = 1,500 square feet/1,000 square feet of floor area;
 - b. office = 1,200 square feet/1,000 square feet of floor area;
 - c. church, restaurant, theater = 300 square feet/3 seats;
 - d. hotel, motel, inn, hospital = 300 square feet/sleeping room (2 beds);
 - e. auto service/repair station = 300 square feet/1,000 square feet floor area;
6. IF ALL OF THE ABOVE ARE ANSWERED "YES", DOES THE PROJECT EARN AT LEAST 50% OF THE MAXIMUM POINTS AS CALCULATED ON "POINT CHART A" FOR THE FOLLOWING CRITERIA:
 - a. is the project located within Whitefield village center (see "Village District Map", Whitefield Master Plan, p. 38)?
 - b. Is the project adjacent to and functionally a part of an existing community shopping center?
 - c. Does the project contain a workable mix of uses, thereby promoting the historic clustered village character of the region?
 - d. Does the activity reduce non-renewable energy usage, through the application of alternative energy systems, reuse of existing buildings, and through committed energy conservation and/or recycling measures?
 - e. If the project site contains a building or place in which a historic event occurred, which has special public value because of notable architecture or is of cultural significance (as noted in the "Cultural Resources" chapter of the Whitefield Master Plan), does the project fulfill the following:
 - (1) Prevent creation of influences adverse to its preservation?
 - (2) Assure that new structures and uses will be in keeping with the character, scale, massing and/or style of the building or place?
 - (3) Propose adaptive use of the building or place that will lead to its continuance, conservation, and improvement in a manner that respects the integrity of the neighborhood?

- f. Does parking area design take into consideration sharing existing or proposed parking accommodations, utilize creative designs in order to minimize asphalt areas, promote parking behind or beside buildings, and provide one access from the principal road serving the development?

COMMERICAL ACTIVITIES

POINT CHART A

For All Criteria

Applicable Criteria Only

Criterion	Is The Criterion Applicable		I			II	III	IV
			Circle The Correct Score			Multiplier	Points Earned	Maximum Applicable Points
			Yes	No	VW*			
a. Village District			1	2	0	4		
b. Shopping Center			1	2	0	3		
c. Mixed Use			1	2	0	4		
d. Energy Conservation			1	2	0	2		
e. Historic Preservation			1	2	0	5		
f. Parking			1	2	0	4		
g. Character			1	2	0	5		
h.			1	2	0			
i.			1	2	0			
j.			1	2	0			
k.			1	2	0			
l.			1	2	0			

* VW - Very Well Done

Totals

V

VI

Percentage Earned of Maximum Applicable Points

V/VI = VII

%

VII

B. ACTIVITY: INDUSTRIAL

DEFINITION:

All industrial and manufacturing uses, and other uses which are of the same general character.

CRITERIA: Each or the following applicable criteria must be answered "yes" and implemented within the development plan.

1. If the project is likely to generate more than 25 vehicle trips/business day/1 acre both to and from the premises, will the project site be directly served by an arterial or collector street?
2. If the project is likely to generate more than 25 vehicle trips/acre both to and from the premises in the busiest hour of the operating day (annual average), is it located in the Whitefield Industrial Park?
3. Have all necessary precautions been taken to prevent all lubricants, fuel oil, or other substances used in the manufacturing process, which are stored on the site, from leaking or draining into the groundwater system, streams, or other water bodies or from otherwise dispersing?
4. Is all repair, service and manufacturing activity, including storage, planned to take place within an enclosed structure?
5. Are the following minimum lot size standards fulfilled (see Appendix II for table of lot size/soil types)?
 - a. areas designated as poorly drained soils may be utilized to fulfill 5% of the minimum lot size requirement, provided that the non-wetland area is sufficient in size and configuration to adequately accommodate all required utilities.
 - b. areas designated as very poorly drained, fresh water marsh of alluvial soils may not be utilized to fulfill minimum lot size.
 - c. not on municipal sewer/water:
 - (1) lot size determined by table in Appendix II using weighted average of soil types on lot,
 - (2) using that figure as base, final lot size will be determined by the formula:
$$\text{Lot size} = \frac{\text{gal. of wastewater/day} * \text{lot size} + \text{land required (sq. ft.)}}{1837 \text{ (gpd/40,000 sq. ft.) (step \#1) for well radius}}$$

* utilize Table 5-1, "Unit Design Flow Figures" of NH Water Supply & Pollution Control, Guide for the Design, Operation and Maintenance of Small Sewage Disposal Systems, Jan. 1978 as amended.
 - d. on municipal sewer and/or water:

- (1) lot size determined by table in Appendix II using weighted average of soil types on lot - reduce lot size by 33 1/3%,
 - (2) utilize same formula as above #5.a.2.
6. Do parking accommodations allow for 300 square feet/employee (based upon a 300 square foot parking space for an automobile which includes room for turning)?
7. IF ALL OF THE ABOVE ARE ANSWERED "YES", DOES THE PROJECT EARN AT LEAST 50% OF THE MAXIMUM POINTS AS CALCULATED ON "POINT CHART B" FOR THE FOLLOWING CRITERIA:
 - a. Is the project located within the Whitefield Industrial Park?
 - b. Does the project contain a workable mix of uses, thereby promoting the historic clustered village character?
 - c. Does the activity reduce non-renewable energy usage, through the application of alternative energy systems, reuse of existing buildings, and through committed energy conservation and/or recycling measures?
 - d. If the project site contains a building or place in which a historic event occurred, which has special public value because of notable architecture or is of cultural significance (as noted in the "Cultural Resources" chapter of the Whitefield Master Plan), does the project fulfill the following:
 - (1) Prevent creation of influences adverse to its preservation?
 - (2) Assure that new structures and uses will be in keeping with the character, scale, massing and/or style of the building or place?
 - (3) Propose adaptive use of the building or place that will lead to its continuance, conservation, and improvement in a manner that respects the integrity of the neighborhood?
 - e. Does parking area design take into consideration sharing existing or proposed parking accommodations, utilize creative designs in order to minimize asphalt areas, promote parking behind or beside buildings, and provide one access from the principal road serving the development?

INDUSTRIAL ACTIVITIES

POINT CHART B

For All Criteria

Applicable Criteria Only

Criterion	Is The Criterion Applicable		I			II	III	IV
			Circle The Correct Score			Multiplier	Points Earned	Maximum Applicable Points
			Yes	VW*	No			
a. Industrial Park			1	2	0	5		
b. Mixed Use			1	2	0	4		
c. Energy Conservation			1	2	0	3		
d. Historic Preservation			1	2	0	5		
e. Parking			1	2	0	4		
f. Character			1	2	0	5		
g.			1	2	0			
h.			1	2	0			
i.			1	2	0			
j.			1	2	0			
k.			1	2	0			
l.			1	2	0			

* VW - Very Well Done

Totals

V	VI

Percentage Earned of Maximum Applicable Points

$V/VI = VII$

%
VII

C. ACTIVITY: EXTRACTION OF RESOURCES, SALVAGE, JUNKYARDS

DEFINITION:

Mineral, sand and gravel, salvage yards and junkyards, and all extraction uses. These are uses which create major disruptions to the area's environment, even when carefully regulated. Dust, dirt, noise, and unsightly conditions can be anticipated.

CRITERIA: Each of the following applicable criteria must be answered "yes" and implemented within the development plan.

1. Have appropriate permits been applied for and received from local boards and state agencies?
2. Is the outdoor storage of vehicles at properly screened and at least 40 feet from any street right of way?
3. Have all necessary precautions been taken to prevent all lubricants, fuel oil, or other hazardous substances used in the processes, which are stored on the site, from leaking or draining into the groundwater system, streams, or other water bodies or from otherwise dispersing?
4. In the case of local excavations, have the regulations in Appendix V been fulfilled?

D. ACTIVITY: RESIDENTIAL

DEFINITION:

Includes all residential uses such as multiple family dwellings, townhouses, duplexes, manufactured housing, presite built housing, group homes, boarding and rooming houses, nursing homes, public and private schools, residential uses that also provide meeting places and places for public assembly with incidental office space and/or public and quasi-public recreational use, child care (as accessory use), home occupations.

CRITERIA: Each of the following applicable criteria must be answered "yes" and implemented within the development plan.

1. The project is likely to generate more than 25 vehicle trips/business day/1 acre both to and from the premises, will the project site be directly served by an arterial or collector street?
2. If the project is likely to generate more than 25 vehicle trips/acre both to and from the premises in the busiest hour of the operating day (annual average), is it directly served by an arterial street?
3. Are the following minimum lot size standards fulfilled (see Appendix II for table of lot size/soil types)?
 - a. areas designated as poorly drained soils may be utilized to fulfill 25% of the minimum lot size requirement, provided that the non-wetland area is sufficient in size and configuration to adequately accommodate all required utilities.
 - b. areas designated as very poorly drained, fresh water marsh of alluvial soils may not be utilized to fulfill minimum lot size.
 - c. not on municipal sewer/water:
 - (1) residential unit not exceeding four (4) bedrooms:
 - (a) lot size determined by table in Appendix II using weighted average of soil types on lot.
 - (2) residential unit exceeding four (4) bedrooms:
 - (a) lot size shall be proportionately larger than the lot size indicated in table in Appendix II as determined by the formula:
$$\text{Lot size} = \text{no. of bedrooms}/4 \times \text{lot size (sq. ft.) from table}$$
 - (3) for duplex residential units, the lot size shall be increased by 50% of the minimum lot size indicated in table in Appendix II.
 - d. on municipal water and/or sewer:

- (a) utilize appropriate lot size for residential unit type - reduce lot size by 33 1/3%.
4. Are adequate parking areas provided based on two (2) spaces/residential unit (or a total of 600 square feet/unit, based on 300 square feet/automobile including room for turning)?
5. IF ALL OF THE ABOVE ARE ANSWERED "YES", DOES THE PROJECT EARN AT LEAST 50% OF THE MAXIMUM POINTS AS CALCULATED ON "POINT CHART D" FOR THE FOLLOWING CRITERIA?
- a. Does the project contain a workable mix of uses, thereby promoting the historic clustered village character?
 - b. Does the activity reduce non-renewable energy usage, through the application of alternative energy systems, reuse of existing buildings, and through committed energy conservation and/or recycling measures?
 - c. If the project site contains a building or place in which a historic event occurred, which has special public value because of notable architecture or is of cultural significance (as noted in the "Cultural Resources" chapter of the Whitefield Master Plan), does the project fulfill the following:
 - (1) Prevent creation of influences adverse to its preservation?
 - (2) Assure that new structures and uses will be in keeping with the character, scale, massing and/or style of the building or place?
 - (3) Propose adaptive use of the building or place that will lead to its continuance, conservation, and improvement in a manner that respects the integrity of the neighborhood?
 - d. Excluding single family dwellings on one lot, does parking area design take into consideration sharing existing or proposed parking accommodations, utilize creative designs in order to minimize asphalt areas, promote parking behind or beside buildings, and provide one access from the principal road serving the development?
 - e. Does the project promote the principles of the Open Space Conservation and Development Criteria, despite the acreage involved?
 - f. Is there any low or moderate income housing in the project?
 - g. Are there any recreational facilities/opportunities available to the public which are created by the project (including, but not limited to: playfields, trails systems, boating access areas, tennis courts, swimming pools)?

RESIDENTIAL ACTIVITIES

POINT CHART D

For All Criteria

Applicable Criteria Only

Criterion

Is The
Criterion
Applicable

Yes

No

Circle
The
Correct
Score

Yes

VW*

No

Multiplier

Points
Earned

Maximum
Applicable
Points

a. Mixed Use

b. Energy Conservation

c. Historic Preservation

d. Parking

e. Open Space

f. Low/Mod. Housing

g. Recreational Facilities

h. Character

i. Privacy

j.

k.

l.

* VW - Very Well Done

Totals

V

VI

Percentage Earned of Maximum Applicable Points

V/VI = VII

%

VII

E. ACTIVITY: SINGLE FAMILY HOME.

DEFINITION:

Includes only a structure intended for single family use on an individual, subdivided parcel of land.

THE FOLLOWING CONDITIONS MUST BE MET BEFORE A BUILDING PERMIT WILL BE ISSUED:

1. If the development proposal will require subdivision or replatting of an existing parcel, has a preliminary plat in conformance with the Whitefield Subdivision Regulations been filed along with a subdivision application? Approval of the final plan and subdivision plat shall be required before filing of the subdivision plat or issuance of any Development Permits.
2. If abutting a scenic road, does the project maintain stone walls, trees, vegetation, and other amenities consistent with the scenic road designation? This includes locations on Hall, Kimball Hill, Gould, or Spencer Roads, and/or other roads with potential scenic road designation such as Mountain View Road and Parker Road.
3. Does the project provide adequate access for emergency vehicles and for those persons attempting to render emergency services?
4. If the project is in the Airport area, does it comply with the Airport Development Criteria (Appendix III)?
5. Does the project comply with the building height restrictions of 35 feet vertical distance measured from the highest part of the roof to the average finished grade of the building? Height limitations within 200 feet of Mirror Lake and Burns Pond shall be 25 feet, measured in the same fashion. Height limits for buildings in the Airport area are noted in Appendix III.

**Please note that these criteria are taken from the "Absolute Criteria For All Development" section; numbers 2, 6, 8, 11, and 34. No other absolute criteria apply to the construction of a single family home as described in Section D.*

SINGLE FAMILY HOME

POINT CHART E

For All Criteria

Applicable Criteria Only

Criterion	Is The Criterion Applicable		I			II	III	IV
			Circle The Correct Score			Multiplier	Points Earned	Maximum Applicable Points
			Yes	No	VW*			
a. site plan			1	2	0			
b. driveway permit			1	2	0			
c. building permit			1	2	0			
d. occupancy permit			1	2	0			
e.			1	2	0			
f.			1	2	0			
g.			1	2	0			
h.			1	2	0			
i.			1	2	0			
j.			1	2	0			
k.			1	2	0			
l.			1	2	0			

* VW - Very Well Done

Totals

V

VI

Percentage Earned of Maximum Applicable Points

$$V/VI = VII$$

%
VII

F. ACTIVITY: SEWAGE SLUDGE, RESIDENTIAL SEPTAGE STORAGE AND LAND APPLICATION

DEFINITION:

Storage and/or land application of sewage sludge generated during the treatment of domestic sewage in treatment works; domestic septage is defined as a liquid or solid material removed from a septic tank, cesspool or portable toilet.

CRITERIA: Each of the following applicable criteria must be answered "yes" and implemented within the development plan.

1. Have appropriate permits been applied for and received from local, state and federal agencies?
2. Are all noxious odors and nuisances, as defined and referred to elsewhere in this ordinance, controlled?
3. Have the standards in the report "Best Management Practices: Bio-solids" by the UNH Cooperative Extension Service, as amended, been followed?
4. Have the regulations in Appendix VI been fulfilled?

APPENDIX I

DEFINITIONS

ABSOLUTE POLICY - A policy which, unless irrelevant to the development, must be implemented for a permit to be issued.

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 presenting testimony only, and not for purposes of notification, the term shall include any person who is able to demonstrate that his/her 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 term means the officers of the collective of association, as defined in RSA 356-B:3,XXIII.

ACCEPT - In reference to an application: to certify that the contents thereof are complete, according to the provisions of this Guide, and to acknowledge receipt therefore. It does not connote approval.

AIR CONTAMINANT - Any fume, smoke, particulate matter, vapor, gas or any combination but not including water vapor or steam condensation.

AIR CONTAMINATION SOURCE - Any source whatsoever at, from or by reason for which there is emitted or discharged into the atmosphere any air contaminant.

ALTERATION - Any change, addition, or modification in construction or occupancy.

APARTMENT BUILDING - A multi-unit residential structure in which individual units are offered for rent and not for sale.

APPEAL - A request by an applicant or citizen that the Planning board overturn a decision concerning an application.

APPLICANT - The owner(s) of record of the property, which is the subject of an application, or the duly authorized agent of the owner(s) or the successors in interest. The applicant is responsible for meeting all conditions on the issuance of the permit, and otherwise ensuring that all policies are implemented in the development. In absence of the owner(s) of record, or a duly authorized agent, the actual occupants of the development will be assumed to be acting jointly and severally as the applicant for the purposes of this Guide.

APPLICATION - A form with various required criteria to be completed in application for a permit (subdivision, development, excavation, etc.) which is not considered completed until all of the relevant checklist items have been accepted as completed by the regulator.

APPROVAL- In reference to an application: a decision indicating that the development implements all relevant absolute policies and has earned points pursuant to the relative policies based upon Town review of the application, and thus that a development permit

(or other permit) may be issued. Approval may have conditions attached, and if so, the conditions are a part of the development permit.

ARCHITECTURAL STYLE AND DETAILING - The style of architecture of a building, indicated by features such as, but not limited to: exterior materials and colors, roof pitch, size and shape of windows and doors, use of decorative items, and others.

AREA OF SPECIAL FLOOD HAZARD - The land in the floodplain within the town of Whitefield subject to a one-percent or greater possibility of flooding in any given year. The area is designated as zone A on the FHSM and is designated on the FIRM as Zone A.

ARTERIAL STREET - Streets or highways which are used primarily for fast or heavy through traffic; access to adjacent may be regulated.

BASE FLOOD - The flood having a one-percent possibility of being equalled or exceeded in any given year.

BASEMENT - Any area of a building having its floor subgrade on all sides.

BED AND BREAKFAST - A facility of residential character, which provides sleeping accommodations for hire, for thirty days or less, on a day-to-day basis, with one or more meals per day included, and a manager, who is either an owner or lessee of the property, residing on the premises. Such use shall not include residential dwelling units with more than five such rental rooms, or with any number of rental rooms with an aggregate square footage of the rental rooms greater than seven hundred and fifty square feet, or facilities which include retail or commercial activities of any kind.

BOARDING AND ROOMING HOUSE - A building or portion which is used to provide sleeping accommodations for thirty days or less, on a day-to-day basis, for compensation, five or more boarders or roomers, not including members of the occupant's immediate family who might be occupying such building. The word compensation shall include compensation in money, services or other things of value.

BUFFER - An area of land used to separate visibly one use from another or which acts as a separation between two land uses of different intensity.

BUILDING - see STRUCTURE.

BUILDING HEIGHT - The vertical distance from the average of the finished ground level at the center of all walls of a building to the highest point of the roof surface, exclusive of chimneys, ventilators, pipes, solar energy systems and similar apparatus.

CAPITAL IMPROVEMENTS PROGRAM - A document adopted by the Town which outlines the major capital improvement activities planned by the town for the next five years.

CHANGE OF USE - to modify the utilization of a parcel or structure from its historic or current use to a new and/or different type of activity and/or use.

CHILDCARE CENTER - A facility by whatever name known, which is maintained for the whole or part of a day for the care of seven or more children under the age of sixteen years

and not related to the owner, operator or manager, whether such facility is operated with or without compensation for such care and with or without stated educational purposes when the floor space devoted to such activity is over 75% of the usable building floor area.

COLLECTOR STREET - Streets or roads that collect traffic from local streets and link to the system of major arterial streets or highways; bypass traffic around residential neighborhoods.

COMMERCIAL USE - Retail trade and service activities, offices, restaurants, and bars.

COMMUNITY WATER SYSTEM - A non-municipal water supply system that serves an average of at least twenty-five individuals daily on a year-round basis, or that has at least fifteen service connections.

COMMUNITY FACILITY - A publicly owned building or property which provides for the recreational, educational, cultural, health, or entertainment needs of the community as a whole.

CONDOMINIUM - A multi-unit structure in which units may be individually owned but which does not provide the features of a condominium/hotel or hotel structure. In a condominium there is outright ownership of a unit or airspace with a divided interest in the common element.

CONDOMINIUM/HOTEL - A multi-unit residential structure in which units may be individually owned and which provides a centralized management structure incorporating the following features: a 24 hour front desk check-in operation, central phone system to individual rental units, meeting rooms, food services, and recreation. There are no cooking facilities in individual units.

CONVENIENCE STORES - A general retail store containing less than 4,000 square feet of gross floor area (excluding any gasoline canopies), sells goods and services including ready-to-eat food products, groceries and sundries. Any establishment which derives more than seventy-five percent of its revenues from gasoline and automotive related sales and services is not a convenience store.

CRITERIA - The result, or results required of a proposed development to implement a policy.

CULTURAL SURVEY - An historic evaluation of a structure and/or site which outlines; the historic value, architectural significance, and physical condition of a building and/or site to the Town as well as state or nation, prepared by a qualified individual or group.

DENSITY - The intensity of nonresidential uses is expressed by the ratio of gross floor area of the improvements to the size of the subject property. The intensity of residential uses is expressed by the number of units to the size of the subject property. Mixed uses are considered nonresidential uses for the purpose of intensity. All measurements are in square feet.

DEVELOPMENT - 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 or storage of equipment or materials. Also included in this definition is subdivision of the land and demolition of structures.

DEVELOPABLE LAND - The developable land area is that portion of the tract remaining after deducting the undevelopable land area (water bodies, wetlands and steep slopes) from the total tract area.

DORMITORY - A structure in which individual sleeping spaces are rented to individual tenants on a short-term basis with necessary support facilities (bathroom, kitchen, etc.) being provided in common.

DUPLEX - A residential structure containing two attached dwelling units, which may be located on one parcel of land or two.

DWELLING - A building containing at least eight hundred square feet of floor area and used exclusively for residential occupancy, including single family dwellings, two-family dwellings and multi-family dwellings, but not including hotels, motels, contels, tents or other structures designed or used primarily for temporary occupancy.

DWELLING, MULTI-FAMILY - A building occupied by three or more families living independently of each other, not including hotels, motels, and similar group accommodations.

DWELLING, SINGLE-FAMILY - A building occupied by not more than one family and which has not more than one kitchen and not less than one bathroom facility.

DWELLING, TWO-FAMILY - A building occupied by two families living independently of each other.

DWELLING UNIT - one or more rooms with a sanitary facility and a single kitchen designed for or occupied as a unit by one family, for living, sleeping, sanitation and cooking purposes for any period of time.

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.

EXCAVATION - A land area which is used, or has been used, for commercial taking of earth, including all slopes.

EXCAVATION SITE - Any area of contiguous land in common ownership upon which excavation takes place.

EMPLOYEES - The total number of persons to be employed in a building during normal periods of use.

EXISTING DEVELOPMENT - Any subdivision in the town which has been approved and recorded.

EXPANSION OF USE - An expansion is considered to be an increase in the building size, storage facilities, parking, etc.

FAMILY - An individual living alone or either of the following groups living together as a single housekeeping unit and sharing common living, sleeping, cooking and eating facilities:

- 1) Any number of persons related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship; or
- 2) Any unrelated group of persons consisting of:
 - a) not more than five persons
 - b) not more than two unrelated adults and their related children, if any.

FEMA - The Federal Emergency Management Agency.

FLOOR AREA - The area included within the surrounding exterior walls (including the exterior wall itself) of a building or portion thereof, exclusive of vent shafts and courts.

FLOOD, FLOODING - A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a) the overflow of inland or tidal waters,
- b) the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD INSURANCE RATE MAP (FIRM) - An official map incorporated with this ordinance, on which FEMA has delineated both the special flood hazard areas and the risk premium zones applicable to the town of Whitefield.

FLOODPLAIN, FLOOD PRONE AREA - Any land area susceptible to being inundated by water from any source, (see FLOODING).

FLOOD PROOFING - Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures and their contents.

FLOOR AREA - The gross floor area of the building measured along the outside walls of the building and including each floor level, but not including open balconies, garages or other enclosed automobile parking areas, basements, and one-half of all storage and display areas for hard goods.

FRONTAGE - That portion of a lot bordering on a highway, street or right-of-way.

FUNCTIONALLY DEPENDENT USE - A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking and port facilities that are necessary for the loading/unloading of cargo or passengers, and ship building/repair facilities, but does not include long-term storage or related manufacturing facilities.

GROUP HOME - Residence operated as a single dwelling, licensed by or operated by a governmental agency, for the purpose of providing special care or rehabilitation due to homelessness, physical condition or illness, mental condition or illness, or social, behavioral or disciplinary problems, provided that authorized supervisory personnel are present on the premises.

HIGHEST ADJACENT GRADE - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC AND/OR ARCHITECTURAL SIGNIFICANCE - The evaluation of the importance of a building and/or site in relation to the history of various contexts of the Town and in relation to other examples of similar styles in the area.

HISTORIC STRUCTURE - Any structure that is:

- a) Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c) Individually listed on a state inventory of historic places; or
- d) Individually listed on a local inventory of historic places in a town with a certified historic preservation program.
 - 1) an approved state program as determined by the Secretary of the Interior, or
 - 2) directly by the Secretary of the Interior in states without approval programs

HOME OCCUPATION - The use of up to 25% of the combined primary floor area of a dwelling and its accessory buildings by a resident thereof in a subordinate use involving a business, profession or trade, provided there is no exterior indication of the non-residential activity other than a permitted sign, and provided that not more than one person not a resident of the premises is employed in the home occupation.

HOMEOWNERS ASSOCIATION - A private, nonprofit association which is organized by the developer of an open space development in which individual owners share common interests in open space and/or facilities and are in charge of preserving, managing and maintaining the common property, and enforcing certain covenants and restrictions.

HOTEL OR MOTEL - A building for occupancy as the more or less temporary abiding place of individuals who are lodged with or without meals, in which there are six or more guestrooms and in which no provision is made for cooking in any individual room or suite.

A motel or hotel room or suite which includes cooking facilities shall be considered a dwelling unit. A HOTEL provides a centralized management structure incorporating the following features: 24 hour front desk check-in, central phone system to individual rental units, meeting rooms, food services, and recreational or leisure amenities.

INDUSTRIAL USE - Storage, processing and shipping of agricultural or timber products; mineral extraction and production, storage, processing or shipping; fabrication, assembly, servicing manufacturing.

LANDOWNER - Any owner of a legal or equitable interest in real property, and includes heirs, successors, and assigns of such ownership interests.

LOCAL STREETS - Streets which are used primarily for access to the abutting properties.

LOT - A parcel of land at least sufficient in size to meet the minimum requirements for use, coverage and area and to provide required yards and other open spaces.

LOWEST FLOOR - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of the Floodplain Development Criteria.

MANUFACTURED HOME - Any structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width and forty body feet or more in length, or when erected on site, is 320 square feet or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating and electrical heating systems contained therein. For floodplain management purposes the term MANUFACTURED HOME includes park trailers, travel trailers, and other similar vehicles placed on site for greater than 180 days consecutive days. This includes manufactured homes located in a manufactured home park or subdivision. Manufactured housing as defined in this section shall not include presite built housing as herein defined.

MANUFACTURED HOME PARK OR SUBDIVISION- means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

MASS - The total square footage of the aboveground portion of any project including the gross dwelling area and all other floor areas.

MEAN SEA LEVEL - The National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a communities Flood insurance Rate Map are reference.

MIXED USE - The development of a lot, tract or parcel of land, building or structure with two or more different uses such as, but not limited to, residential, office, retail, public, personal service or entertainment, designed, planned and constructed as a unit. **MUNICIPAL WASTEWATER SYSTEM** - A wastewater collection, treatment, and disposal system that

serves an average of at least twenty-five individuals daily on a year-round basis or that has at least fifteen service connections and that is owned and operated by a municipal or regional government.

NEW CONSTRUCTION- Means, for the purposes of determining insurance rates, structures for which the start construction "commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, *new construction* means structures for which the *start of construction* commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

NONCONFORMING USE - Use of land, building or premise which is not a use permitted by the provisions of this ordinance for the particular location in which the land, building or premise is situated.

ONE HUNDRED (100) YEAR FLOOD - See Base Flood.

OPEN SPACE DEVELOPMENT - A form of subdivision that permits units to be clustered together into one or more groups on sites or lots and separated from each other and adjacent properties by permanently protected open space. Dimensions of lots are reduced from conventional sizes, provided the density of the tract as a whole shall not be greater than the density allowed for the tract under existing regulations.

PERMANENT BUILDING - Any building resting upon a foundation or otherwise legally defined as "real estate".

PRESITE BUILT HOUSING - Any structure designed primarily for residential occupancy which is wholly or in substantial part made, fabricated, formed or assembled in off-site manufacturing facilities in conformance with the US Dept. of Housing and Urban Development minimum property standards and local building codes, for installation, or assembly and installation, on the building site. For the purposes of this subdivision, presite built housing shall not include manufactured housing as herein defined.

RECREATIONAL VEHICLE - A vehicle which is (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self propelled or permanently towable by light duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

REGULATORY FLOODWAY - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without increasing the water surface elevation.

RELATIVE POLICY - A policy which need not be implemented by a development, but for which the development is rated and allocated points.

RESIDENTIAL USE - A residential use refers to the occupancy of a dwelling unit as living quarters.

- RIGHT-OF-WAY** - Includes all present and proposed town, state and federal highways and the land on either side of the same as covered by statutes to determine the widths of rights-of-way.
- SETBACK** - The distance between the nearest portion of a building and a lot or right-of-way line, whichever is closer.
- SLOPE** - The average steepness of the land surface under consideration. For the purpose of determining lot size categories, slope shall be determined by slope factors used by the National Cooperative Soil Survey soil classification.
- SOIL SCIENTIST** - A person qualified in soil classification and mapping who works for the U.S.D.A. or is certified by the State of NH in accordance with the provisions of RSA 310-A.
- SOIL TYPE** - As defined by Soils Maps for Coos County on file with the Coos County Conservation District.
- SPECIAL FLOOD HAZARD AREA** - An area having flood, mudslide, and/or flood, related erosion hazards, and shown on FHBM or FIRM as Zone A, AO, A1-30, AE, A99, AH, VO, V1-30, VE, V, M, or E. (See "Area of Special Flood Hazard").
- STANDARD** - Specifications of materials, techniques, processes, methods, size, shape, etc., which when employed in a proposed development or in its use, create a presumption that the proposed development would implement the relevant Policy.
- START OF CONSTRUCTION** - Includes substantial improvements, and means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or part of the main structure.
- STORAGE** - That portion of a building utilized for the storage and safekeeping of goods. Storage areas shall not include areas that are utilized as or constitute work areas of any type.
- STRUCTURE** - For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.
- SUBSTANTIAL DAMAGE** - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT - Any combination of repairs, reconstruction, alteration, or improvements to a structure in which the cumulative cost equals or exceeds fifty percent of the market value of the structure. The market value of the structure should equal: (1) the appraised value prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, SUBSTANTIAL IMPROVEMENT is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term includes structures which have incurred substantial damage, regardless of actual repair work performed. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

TEMPORARY STRUCTURE - A structure other than a vendor cart or construction trailer, intended to be utilized for a specified period of time of not less than four days nor more than two years that is not intended as a permanent structure, and does not provide a permanent foundation or underground utilities.

TIME-SHARED UNIT - A residential unit which is owned by more than one person with the ownership interest being divided by specific periods of time.

TOWNHOUSE - A multi-unit residential structure in which individual units are owned by separate persons, including undivided fee simple ownership in the land upon which the unit sits.

TRACT - An area, parcel, site, piece of land, or property, which is the subject of a development proposal and application.

VIOLATION- means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence or compliance required in Appendix IV, Item VI and Appendix IV, Item IX (b) is presumed to be in violation until such

WATER SURFACE ELEVATION - The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplain.

WETLANDS - lands containing soils that are poorly or very poorly drained, including freshwater and saltwater marshes as defined by the National Cooperative Soil Survey.

YARD - An open space on a lot, unoccupied by any structure, and located on the same lot with the building or use, which it serves.

YARD, FRONT - A yard extending between the side lot lines across the full width of the lot and lying between the front lot line and any portion of any structure on the lot. In those instances where a lot abuts two streets, such as a corner lot or a double frontage lot, a

certain yard shall be designated as the front, based on existing development patterns within the area.

YARD, REAR - A yard extending between the side lot lines across the full width of the lot, and lying between the rear lot line and any portion of any structure of the lot.

YARD, SIDE - A yard extending between the front and rear lot lines along the full length of lot and lying between any side lot line and any portion of any structure on the lot.

APPENDIX II

OPEN SPACE CONSERVATION AND DEVELOPMENT CRITERIA

- I. **Purpose:** The following criteria propose to encourage greater flexibility and creativity in the design of subdivisions; encourage less development sprawl consuming less open land in order to maintain existing community character while allowing for development and a reasonable return on holdings; provide a more efficient use of land in harmony with its natural characteristics; and to permanently preserve more useable open space, agricultural lands and other natural resources, recreation areas and/or scenic vistas.
- II. **Authority:** In pursuance of the authority conferred by NH RSA 674:16 and 674:21 and for the purpose of promoting the health, safety and general welfare of the inhabitants of Whitefield, New Hampshire, by outlining innovative land use controls which assist in attaining these goals. Also, in pursuance of the authority conferred by NH RSA 674:21-a, whereby open space designation or other proposals approved under innovative land use controls and which are filed in the records of the Planning Board in accordance with its established procedure constitute a conservation restriction as defined in NH RSA 477:45, I, which shall run with the land, and shall be enforceable by the municipality regardless of whether any deed or other instrument conveying such restriction has been executed or recorded.
- III. **Permits:** All proposed development of parcels of ten (10) or more acres shall require a Development Permit and shall conform to the same procedure outlined in the Whitefield Development Guide, of which this section of open Space Conservation and Development Criteria is a part.
- IV. **Minimum Tract Area:** The minimum tract area for an open space development shall be at least ten (10) contiguous acres, with parcels held in single ownership or control at the time of application. No portion of any pond, lake, perennial stream, surface water, or very poorly drained soil area may be used to fulfill the minimum tract size for any proposed Open Space Development. Areas designated as poorly drained soils may be utilized to fulfill 25% of the minimum lot size.
- V. **Maximum Density:** The maximum number of units permitted in an open space development shall be determined by dividing the total area of developable land of the tract by the minimum lot size required by soil type and potential activity proposed. Developable land area is that portion of the tract remaining after deducting the undevelopable land area (water bodies, flood plains, wetlands, wetland soils and steep slopes of over 15%). One

additional lot shall be permitted for each four (4) acres of poorly drained soil. The minimum lot size per unit shall be no less than twenty-five percent (25%) of the lot area required by lot size by soil type for the tract area as above defined.

- VI. Open Space Standard:** Structures on the parcel shall be grouped together in a flexible manner, separated from each other and adjacent properties by permanently protected open space that shall constitute no less than fifty percent (50%) of the entire parcel. Dimensions of lots within the original parcel are reduced from conventionally required sizes, provided the density of the tract (number of units) as a whole shall not be greater than the density allowed by lot size by soil type. Open space shall not be further subdivided, remain protected from development in perpetuity, and shall not consist of land difficult to utilize, including all water bodies, wetlands, very poorly drained soils, or steep slopes of greater than 15% slope. A portion of poorly drained soils on the site (25%) may be used to fulfill the open space percentage standard. Use of the common open space for other than recreation, conservation, or agriculture, except for easements for underground utilities and septic systems, shall be prohibited. Structures or buildings accessory to recreation, conservation, or agricultural uses may be erected, but shall not exceed 5% coverage of such common open land.
- VII. Lot Configuration:** lots shall be laid out, to the greatest extent feasible to achieve the following objectives (listed below in order of priority, as it is recognized that some may conflict with others on any given site):
- a. on the most suitable soils for sub-surface septic disposal (in unsewered areas only);
 - b. On the least fertile soils for agricultural uses, and in a manner which maximizes the usable area remaining for such agricultural use;
 - c. Within any woodland contained in the parcel, or along the far edges of the open fields adjacent to any woodland (to reduce impact upon agriculture, to provide summer shade and shelter from winter wind, and to enable new construction to be visually absorbed by natural landscape features);
 - d. In such a manner that the common boundary between the new house lots and the preserved farmland is minimized in length (to reduce potential conflict situations);
 - e. In locations least likely to block or interrupt scenic vistas, as seen from the public roadway(s);
 - f. Other criteria listed in ABSOLUTE CRITERIA FOR ALL DEVELOPMENT.
- VIII. Frontage:** Minimum frontage on a state or town maintained road shall be one hundred and fifty feet (150'). Road frontage for individual building lots within developments shall be as determined by the Planning Board and negotiated with the developer in the interest of encouraging flexibility in site design, but shall be not less than fifty feet (50') where such frontage is on a way created by the subdivision involved.
- IX. Roads:** All roads shall be designed and constructed in accordance with town road standards, except that the Planning Board may approve reductions in the required right-of-way width. Pavement width of service roads which provide access within the development and to grouped units may be modified by the planning board in consultation with the town

engineer or road agent where deemed practical and in the interest of promoting more flexible conformance with prevailing community character in the area.

- X. Maintenance of Open Space:** The person or entity identified as having the right to ownership or control over open space shall be responsible for its continuing upkeep and proper maintenance according to the character of the open space. Agreements or covenants with an association or other entity other than the town shall provide that in the event that the association fails to maintain the common open land in reasonable order and condition in accordance with the agreement, the town may, after notice to the association and public hearing, enter upon such land and maintain it in order to preserve the taxable values of the properties within the development and to prevent the common land from becoming a public nuisance. The covenants shall also provide that the cost of such maintenance by the town shall be assessed against the properties within the development, if this is appropriate.
- XI. Current Use Limitation:** The common land areas, open space areas and natural areas in an approved development are considered part of the residential or other use of such development and shall not be considered to be eligible for "current use" under RSA 79-A.

COOS COUNTY
MINIMUM LOT SIZE BY SOIL TYPE
USDA - Natural Resources Conservation Service

SYMBOL	SOIL NAME	LOT SIZE	SLOPE
15A	SEARSPORT MUCKY PEAT	VP	0-5%
22A	COLTON LOAMY SAND	40,000	0-3%
22B	COLTON LOAMY SAND	40,000	3-8%
22C	COLTON LOAMY SAND	45,000	8-15%
22E	COLTON LOAMY SAND	N/A	15-60%
23A	MASARDIS GRAVELLY FINE SANDY LOAM	40,000	0-3%
23B	MASARDIS GRAVELLY FINE SANDY LOAM	40,000	3-8%
23C	MASARDIS GRAVELLY FINE SANDY LOAM	45,000	8-15%
23E	MASARDIS GRAVELLY FINE SANDY LOAM	N/A	15-60%
27A	GROVETON FINE SANDY LOAM	40,000	0-3%
27B	GROVETON FINE SANDY LOAM	40,000	3-8%
27C	GROVETON FINE SANDY LOAM	45,000	8-15%
28A	MADAWASKA FINE SANDY LOAM	60,000	0-3%
28B	MADAWASKA FINE SANDY LOAM	60,000	3-8%
36A	ADAMS LOAMY SAND	40,000	0-3%
36B	ADAMS LOAMY SAND	40,000	3-8%
36C	ADAMS LOAMY SAND	45,000	8-15%
36E	ADAMS LOAMY SAND	N/A	15-60%
54B	HERMON SANDY LOAM	40,000	3-8%
54C	HERMON SANDY LOAM	45,000	8-15%
54D	HERMON SANDY LOAM	60,000	15-25%
55B	HERMON SANDY LOAM, VERY STONY	40,000	3-8%
55C	HERMON SANDY LOAM, VERY STONY	45,000	8-15%
55D	HERMON SANDY LOAM, VERY STONY	60,000	15-25%
55E	HERMON SANDY LOAM, VERY STONY	N/A	25-35%
56B	BECKET FINE SANDY LOAM	50,000	3-8%
56C	BECKET FINE SANDY LOAM	75,000	8-15%
56D	BECKET FINE SANDY LOAM	100,000	15-25%
57B	BECKET FINE SANDY LOAM, VERY STONY	50,000	3-8%
57C	BECKET FINE SANDY LOAM, VERY STONY	75,000	8-15%
57D	BECKET FINE SANDY LOAM, VERY STONY	100,000	15-25%
57E	BECKET FINE SANDY LOAM, VERY STONY	N/A	25-35%
58B	WAUMBEEK LOAMY SAND,	50,000	3-8%
58C	WAUMBEEK LOAMY SAND,	75,000	8-15%
59B	WAUMBEEK LOAMY SAND, VERY STONY	50,000	3-8%
59C	WAUMBEEK LOAMY SAND, VERY STONY	75,000	8-15%
59D	WAUMBEEK LOAMY SAND, VERY STONY	100,000	15-25%
61B	TUNBRIDGE-LYMAN ROCK OUTCROP COMPLEX	60,000	3-8%
61C	TUNBRIDGE-LYMAN ROCK OUTCROP COMPLEX	80,000	8-15%
61D	TUNBRIDGE-LYMAN ROCK OUTCROP COMPLEX	N/A	15-25%
61E	TUNBRIDGE-LYMAN ROCK OUTCROP COMPLEX	N/A	25-35%
72B	BERKSHIRE LOAM	40,000	3-8%
72C	BERKSHIRE LOAM	45,000	8-15%
72D	BERKSHIRE LOAM	60,000	15-25%
73B	BERKSHIRE LOAM, VERY STONY	40,000	3-8%
73C	BERKSHIRE LOAM, VERY STONY	45,000	8-15%
73D	BERKSHIRE LOAM, VERY STONY	60,000	15-25%
73E	BERKSHIRE LOAM, VERY STONY	N/A	25-35%
76B	MARLOW FINE SANDY LOAM	50,000	3-8%
76C	MARLOW FINE SANDY LOAM	75,000	8-15%
76D	MARLOW FINE SANDY LOAM	100,000	15-25%
77B	MARLOW FINE SANDY LOAM, VERY STONY	50,000	3-8%

<u>SYMBOL</u>	<u>SOIL NAME</u>	<u>LOT SIZE</u>	<u>SLOPE</u>
77C	MARLOW FINE SANDY LOAM, VERY STONY	75,000	8-15%
77D	MARLOW FINE SANDY LOAM, VERY STONY	100,000	15-25%
77E	MARLOW FINE SANDY LOAM, VERY STONY	N/A	25-35%
78B	PERU FINE SANDY LOAM	60,000	3-8%
78C	PERU FINE SANDY LOAM	90,000	8-15%
79B	PERU FINE SANDY LOAM, VERY STONY	60,000	3-8%
79C	PERU FINE SANDY LOAM, VERY STONY	90,000	8-15%
79D	PERU FINE SANDY LOAM, VERY STONY	120,000	15-25%
101A	ONDWA FINE SANDY LOAM	N/A	0-5%
102A	SUNDAY LOAMY SAND	N/A	0-5%
104A	PODUNK FINE SANDY LOAM	N/A	0-5%
105A	RUMNEY FINE SANDY LOAM	PD	0-5%
142B	MONADNOCK FINE SANDY LOAM	40,000	3-8%
142C	MONADNOCK FINE SANDY LOAM	45,000	8-15%
142D	MONADNOCK FINE SANDY LOAM	60,000	15-25%
143B	MONADNOCK FINE SANDY LOAM, VERY STONY	40,000	3-8%
143C	MONADNOCK FINE SANDY LOAM, VERY STONY	45,000	8-15%
143D	MONADNOCK FINE SANDY LOAM, VERY STONY	60,000	15-25%
143E	MONADNOCK FINE SANDY LOAM, VERY STONY	N/A	25-35%
145C	MONADNOCK FINE SANDY LOAM, EXTREMELY BOULDERY	45,000	8-15%
154B	SUCCESS GRAVELLY LOAMY COARSE SAND	40,000	3-8%
154C	SUCCESS GRAVELLY LOAMY COARSE SAND	45,000	8-15%
154D	SUCCESS GRAVELLY LOAMY COARSE SAND	60,000	15-25%
155B	SUCCESS GRAVELLY LOAMY COARSE SAND, VERY STONY	40,000	3-8%
155C	SUCCESS GRAVELLY LOAMY COARSE SAND, VERY STONY	45,000	8-15%
155D	SUCCESS GRAVELLY LOAMY COARSE SAND, VERY STONY	60,000	15-25%
155E	SUCCESS GRAVELLY LOAMY COARSE SAND, VERY STONY	N/A	25-35%
156C	SUCCESS GRAVELLY LOAMY COARSE SAND, EXTREMELY BOULDERY	45,000	8-15%
168B	SUNAPEE FINE SANDY LOAM	50,000	3-8%
168C	SUNAPEE FINE SANDY LOAM	75,000	8-15%
169B	SUNAPEE FINE SANDY LOAM, VERY STONY	50,000	3-8%
169C	SUNAPEE FINE SANDY LOAM, VERY STONY	75,000	8-15%
169D	SUNAPEE FINE SANDY LOAM, VERY STONY	100,000	15-25%
195A	WASKISH PEAT	VP	0-5%
199	DUMPS--BARK, CHIPS AND ORGANIC MATERIAL	OS	
208A	FRYEBURG VERY FINE SANDY LOAM,	N/A	0-5%
209A	CHARLES SILT LOAM	N/A	0-5%
214A	NAUMBURG FINE SANDY LOAM	PD	0-3%
214B	NAUMBURG FINE SANDY LOAM	PD	3-8%
246A	LYME FINE SANDY LOAM	PD	0-3%
246B	LYME FINE SANDY LOAM	PD	3-8%
247A	LYME FINE SANDY LOAM, VERY STONY	PD	0-3%
247B	LYME FINE SANDY LOAM, VERY STONY	PD	3-8%
247C	LYME FINE SANDY LOAM, VERY STONY	PD	8-15%
260B	LOMBARD-TUNBRIDGE COMPLEX	50,000	3-8%
260C	LOMBARD-TUNBRIDGE COMPLEX	75,000	8-15%
260D	LOMBARD-TUNBRIDGE COMPLEX	100,000	15-25%
260E	LOMBARD-TUNBRIDGE COMPLEX	N/A	25-60%
273E	BERKSHIRE, MONADNOCK AND HERMON SOILS, EXTREMELY BOULDERY	N/A	25-35%
295A	GREENWOOD MUCKY PEAT	VP	0-5%
298	PITS, GRAVEL	OS	
309A	LOVEWELL VERY FINE SANDY LOAM	N/A	0-5%
355C	HERMON SANDY LOAM, EXTREMELY BOULDERY	45,000	8-15%
373C	BERKSHIRE, FINE SANDY LOAM, EXTREMELY BOULDERY	45,000	8-15%
395A	CHOCORUA MUCKY PEAT	VP	0-5%
398	PITS, QUARRY	OS	
399	ROCK OUTCROP	OS	

SYMBOL	SOIL NAME	LOT SIZE	SLOPE
400	UDORTHENTS, SANDY	OS	
406A	MEDOMAK SILT LOAM	VP	0-5%
413A	DUANE FINE SANDY LOAM	60,000	0-3%
413B	DUANE FINE SANDY LOAM	60,000	3-8%
414A	MOOSILAUKE FINE SANDY LOAM	PD	0-3%
414B	MOOSILAUKE FINE SANDY LOAM	PD	3-8%
415A	MOOSILAUKE FINE SANDY LOAM, VERY STONY	PD	0-3%
415B	MOOSILAUKE FINE SANDY LOAM, VERY STONY	PD	3-8%
415C	MOOSILAUKE FINE SANDY LOAM, VERY STONY	PD	8-15%
433A	GRANGE SILT LOAM	PD	0-5%
470B	TUNBRIDGE-PERU COMPLEX	60,000	3-8%
471B	TUNBRIDGE-LYMAN RICKER COMPLEX	60,000	3-8%
471C	TUNBRIDGE-LYMAN RICKER COMPLEX	80,000	8-15%
471D	TUNBRIDGE-LYMAN RICKER COMPLEX	N/A	15-25%
471E	TUNBRIDGE-LYMAN RICKER COMPLEX	N/A	25-35%
495A	OSIPPEE MUCKY PEAT	VP	0-5%
500	UDORTHENTS, LOAMY	OS	
501A	ABENAKI VERY FINE SANDY LOAM	N/A	0-5%
504A	METALLAK VERY FINE SANDY LOAM	N/A	0-5%
505A	COHAS VERY FINE SANDY LOAM	PD	0-5%
520B	MACHAIS GRAVELLY FINE SANDY LOAM	60,000	1-8%
523A	STETSON FINE SANDY LOAM	40,000	0-3%
523B	STETSON FINE SANDY LOAM	40,000	3-8%
523C	STETSON FINE SANDY LOAM	45,000	8-15%
523E	STETSON FINE SANDY LOAM	N/A	15-60%
549A	PEACHAM MUCK	VP	0-5%
558B	SKERRY FINE SANDY LOAM	60,000	3-8%
558C	SKERRY FINE SANDY LOAM,	90,000	8-15%
558D	SKERRY FINE SANDY LOAM,	120,000	15-25%
559B	SKERRY FINE SANDY LOAM, VERY STONY	60,000	3-8%
559C	SKERRY FINE SANDY LOAM, VERY STONY	90,000	8-15%
559D	SKERRY FINE SANDY LOAM, VERY STONY	120,000	15-25%
560B	TUNBRIDGE-PLAISTED-THORNDIKE COMPLEX	80,000	3-8%
560C	TUNBRIDGE-PLAISTED-THORNDIKE COMPLEX	100,000	8-15%
560D	TUNBRIDGE-PLAISTED-THORNDIKE COMPLEX	140,000	15-25%
560E	TUNBRIDGE-PLAISTED-THORNDIKE COMPLEX	N/A	25-35%
561B	TUNBRIDGE-PLAISTED-THORNDIKE COMPLEX, VERY STONY	80,000	3-8%
561C	TUNBRIDGE-PLAISTED-THORNDIKE COMPLEX, VERY STONY	100,000	8-15%
562D	TUNBRIDGE-THORNDIKE ROCK OUTCROP COMPLEX	160,000	15-25%
562E	TUNBRIDGE-THORNDIKE ROCK OUTCROP COMPLEX	N/A	25-35%
563B	PLAISTED SILT LOAM	50,000	3-8%
563C	PLAISTED SILT LOAM	75,000	8-15%
563D	PLAISTED SILT LOAM	100,000	15-25%
564B	PLAISTED SILT LOAM, VERY STONY	50,000	3-8%
564C	PLAISTED SILT LOAM, VERY STONY	75,000	8-15%
564D	PLAISTED SILT LOAM, VERY STONY	100,000	15-25%
564E	PLAISTED SILT LOAM, VERY STONY	N/A	25-35%
566B	HOWLAND SILT LOAM	60,000	3-8%
566C	HOWLAND SILT LOAM	90,000	8-15%
566D	HOWLAND SILT LOAM	120,000	15-25%
567B	HOWLAND SILT LOAM, VERY STONY	60,000	3-8%
567C	HOWLAND SILT LOAM, VERY STONY	90,000	8-15%
567D	HOWLAND SILT LOAM, VERY STONY	120,000	15-25%
569A	MONARDA SILT LOAM	PD	0-3%
569B	MONARDA SILT LOAM	PD	3-8%
569C	MONARDA SILT LOAM	PD	8-15%
570A	MONARDA SILT LOAM, VERY STONY	PD	0-3%
570B	MONARDA SILT LOAM, VERY STONY	PD	3-8%
570C	MONARDA SILT LOAM, VERY STONY	PD	8-15%

SYMBOL	SOIL NAME	LOT SIZE	SLOPE
572B	BANGOR SILT LOAM	40,000	3-8%
572C	BANGOR SILT LOAM	45,000	8-15%
572D	BANGOR SILT LOAM	60,000	15-25%
573B	BANGOR SILT LOAM, VERY STONY	40,000	3-8%
573C	BANGOR SILT LOAM, VERY STONY	45,000	8-15%
573D	BANGOR SILT LOAM, VERY STONY	60,000	15-25%
573E	BANGOR SILT LOAM, VERY STONY	N/A	25-35%
578B	DIXMONT VERY FINE SANDY LOAM	50,000	3-8%
578C	DIXMONT VERY FINE SANDY LOAM	75,000	8-15%
578D	DIXMONT VERY FINE SANDY LOAM	100,000	8-15%
579B	DIXMONT VERY FINE SANDY LOAM, VERY STONY	50,000	3-8%
579C	DIXMONT VERY FINE SANDY LOAM, VERY STONY	75,000	8-15%
579D	DIXMONT VERY FINE SANDY LOAM, VERY STONY	100,000	15-25%
600	HAPLAQUENTS, LOAMY	OS	
613B	CROGHAN LOAMY FINE SAND	60,000	1-8%
630A	SALMON VERY FINE SANDY LOAM	40,000	0-3%
630B	SALMON VERY FINE SANDY LOAM	40,000	3-8%
630C	SALMON VERY FINE SANDY LOAM	45,000	8-15%
630D	SALMON VERY FINE SANDY LOAM	60,000	15-35%
632A	NICHOLVILLE VERY FINE SANDY LOAM	75,000	0-3%
632B	NICHOLVILLE VERY FINE SANDY LOAM	75,000	3-8%
632C	NICHOLVILLE VERY FINE SANDY LOAM	100,000	8-15%
633A	PEMI SILT LOAM	PD	0-5%
646A	PILLSBURY FINE SANDY LOAM	PD	0-3%
646B	PILLSBURY FINE SANDY LOAM	PD	3-8%
646C	PILLSBURY FINE SANDY LOAM	PD	8-15%
647A	PILLSBURY FINE SANDY LOAM, VERY STONY	PD	0-3%
647B	PILLSBURY FINE SANDY LOAM, VERY STONY	PD	3-8%
647C	PILLSBURY FINE SANDY LOAM, VERY STONY	PD	8-15%
670C	TUNBRIDGE-BERKSHIRE-LYMAN COMPLEX	80,000	8-15%
670D	TUNBRIDGE-BERKSHIRE-LYMAN COMPLEX	120,000	15-25%
697A	PEACHAM, GREENWOOD AND RUMNEY SOILS, PONDED	VP	0-5%
701B	BECKET-SKERRY ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
701D	BECKET-SKERRY ASSOCIATION, GENTLY SLOPING, VERY STONY	**	15-35%
711B	MONADNOCK-HERMON ASSOCIATION, UNDULATING, VERY STONY	**	8-15%
711D	MONADNOCK-HERMON ASSOCIATION, HILLY, VERY STONY	**	15-35%
711E	MONADNOCK-HERMON ASSOCIATION, STEEP, VERY STONY	**	35-60%
719E	MARLOW-TUNBRIDGE ASSOCIATION, STEEP, VERY STONY	**	35-60%
721D	PERU-MARLOW ASSOCIATION, MODERATELY STEEP, VERY STONY	**	8-15%
726C	ROCK OUTCROP-LYMAN COMPLEX, STRONGLY SLOPING	**	0-35%
726F	ROCK OUTCROP-LYMAN COMPLEX, VERY STEEP	**	35-80%
727	RUBBLE LAND	**	
734D	SURPLUS-SISK ASSOCIATION, MODERATELY STEEP, VERY STONY	**	15-35%
736E	SISK-GLEBE ASSOCIATION, STEEP, VERY STONY	**	35-60%
737B	SURPLUS-SISK-BEMIS ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
738B	GLEBE-SADDLEBACK-SISK ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
738D	GLEBE-SADDLEBACK-SISK ASSOCIATION, MODERATELY STEEP, VERY STONY	**	15-35%
738E	GLEBE-SADDLEBACK-SISK ASSOCIATION, STEEP, VERY STONY	**	35-60%
750B	SADDLEBACK-GLEBE-RICKER ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
750D	SADDLEBACK-GLEBE-RICKER ASSOCIATION, MODERATELY STEEP, VERY STONY	**	15-35%

<u>SYMBOL</u>	<u>SOIL NAME</u>	<u>LOT SIZE</u>	<u>SLOPE</u>
750E	SADDLEBACK-GLEBE-RICKER ASSOCIATION, STEEP, VERY STONY	**	35-60%
760B	TUNBRIDGE-PLAISTED ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
760D	TUNBRIDGE-PLAISTED ASSOCIATION, MODERATELY STEEP, VERY STONY	**	15-35%
762B	PLAISTED-HOWLAND ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
762D	PLAISTED-HOWLAND ASSOCIATION, MODERATELY STEEP, VERY STONY	**	15-35%
764B	HOWLAND-PLAISTED-MONARDA ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
765B	MONARDA-HOWLAND ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
767A	PEACHAM-OSSIPEE-MONARDA ASSOCIATION, NEARLY LEVEL, VERY STONY	**	0-8%
773B	BANGOR-DIXMONT ASSOCIATION, UNDULATING, VERY STONY	**	8-15%
773D	BANGOR-DIXMONT ASSOCIATION, HILLY, VERY STONY	**	15-35%
779B	DIXMONT-BANGOR ASSOCIATION, UNDULATING, VERY STONY	**	8-15%
779D	DIXMONT-BANGOR ASSOCIATION, HILLY, VERY STONY	**	15-35%
801E	BECKET-MARLOW ASSOCIATION, STEEP, VERY STONY	**	35-60%
803B	BERKSHIRE-MONADNOCK ASSOCIATION, UNDULATING, VERY STONY	**	8-15%
803D	BERKSHIRE-MONADNOCK ASSOCIATION, HILLY, VERY STONY	**	15-35%
803E	BERKSHIRE-MONADNOCK ASSOCIATION, STEEP, VERY STONY	**	35-60%
804B	BERKSHIRE-MONADNOCK ASSOCIATION, UNDULATING, EXTREMELY BOULDERY	**	8-15%
804D	BERKSHIRE-MONADNOCK ASSOCIATION, HILLY, EXTREMELY BOULDERY	**	15-35%
804E	BERKSHIRE-MONADNOCK ASSOCIATION, STEEP, EXTREMELY BOULDERY	**	35-60%
812B	MONADNOCK-HERMON ASSOCIATION, UNDULATING, EXTREMELY BOULDERY	**	8-15%
812D	MONADNOCK-HERMON ASSOCIATION, HILLY, EXTREMELY BOULDERY	**	15-35%
812E	MONADNOCK-HERMON ASSOCIATION, STEEP, EXTREMELY BOULDERY	**	35-60%
817A	MOOSILAUKE-WAUMBEEK ASSOCIATION, NEARLY LEVEL, VERY STONY	**	0-8%
820B	LYMAN-TUNBRIDGE-ROCK OUTCROP COMPLEX, GENTLY SLOPING	**	8-15%
820D	LYMAN-TUNBRIDGE-ROCK OUTCROP COMPLEX, MODERATELY STEEP	**	15-35%
820E	LYMAN-TUNBRIDGE-ROCK OUTCROP COMPLEX, STEEP	**	35-60%
821B	MARLOW-PERU ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
821D	MARLOW-PERU ASSOCIATION, MODERATELY STEEP, VERY STONY	**	15-35%
823B	PERU-MARLOW-PILLSBURY ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
825B	PILLSBURY-PEACHAM-PERU ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
828B	SKERRY-PERU ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
828D	SKERRY-PERU ASSOCIATION, MODERATELY STEEP, VERY STONY	**	15-35%
829B	WAUMBEEK-HERMON ASSOCIATION, UNDULATING, VERY STONY	**	8-15%
829D	WAUMBEEK-HERMON ASSOCIATION, HILLY, VERY STONY	**	15-35%
831A	PEACHAM-OSSIPEE-PILLSBURY ASSOCIATION, NEARLY LEVEL, VERY STONY	**	0-8%

SYMBOL	SOIL NAME	LOT SIZE	SLOPE
834B	SISK-SURPLUS ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
834D	SISK-SURPLUS ASSOCIATION, MODERATELY STEEP, VERY STONY	**	15-35%
835C	RICKER-ROCK OUTCROP COMPLEX, STRONGLY SLOPING	**	0-35%
835F	RICKER-ROCK OUTCROP COMPLEX, VERY STEEP	**	35-80%
860E	TUNBRIDGE-THORNDIKE-ROCK OUTCROP COMPLEX, STEEP	**	35-60%
862E	PLAISTED-TUNBRIDGE ASSOCIATION, STEEP, VERY STONY	**	35-60%
864D	HOWLAND-PLAISTED ASSOCIATION, MODERATELY STEEP, VERY STONY	**	15-35%
865B	BEMIS-SURPLUS ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
869B	SUNAPEE-MOOSILAUKE-MONADNOCK ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
873E	BANGOR-TUNBRIDGE ASSOCIATION, STEEP, VERY STONY	**	35-60%
900	UDORTENTS, LOAMY	OS	
911B	SUCCESS-HERMON ASSOCIATION, UNDULATING, VERY STONY	**	8-15%
911D	SUCCESS-HERMON ASSOCIATION, HILLY, VERY STONY	**	15-35%
911E	SUCCESS-HERMON ASSOCIATION, STEEP, VERY STONY	**	35-60%
912B	SUCCESS-HERMON ASSOCIATION, UNDULATING, EXTREMELY BOULDERY	**	8-15%
912D	SUCCESS-HERMON ASSOCIATION, HILLY, EXTREMELY BOULDERY	**	15-35%
912E	SUCCESS-HERMON ASSOCIATION, STEEP, EXTREMELY BOULDERY	**	35-60%
919B	TUNBRIDGE-LYMAN-MARLOW ASSOCIATION, GENTLY SLOPING, VERY STONY	**	8-15%
919D	TUNBRIDGE-LYMAN-MARLOW ASSOCIATION, MODERATELY STEEP, VERY STONY	**	15-35%
919E	TUNBRIDGE-LYMAN-MARLOW, STEEP, VERY STONY	**	35-60%
922E	MARLOW-TUNBRIDGE ASSOCIATION, STEEP, EXTREMELY BOULDERY	**	35-60%
923B	MARLOW-PERU ASSOCIATION, GENTLY SLOPING, EXTREMELY BOULDERY	**	8-15%
923D	MARLOW-PERU ASSOCIATION, MODERATELY STEEP, EXTREMELY BOULDERY	**	15-35%
969D	SUNAPEE-MONADNOCK ASSOCIATION, MODERATELY STEEP, VERY STONY	**	15-35%

N/A - Not Allowed

PD - Poorly Drained

VP - Very Poorly Drained

OS - On Site Necessary

** - Order III Mapping, More Detailed Soil Survey Necessary

APPENDIX III

AIRPORT DEVELOPMENT CRITERIA

- I. **Purpose:** The following criteria propose to regulate and restrict the height of structures and objects of natural growth, and otherwise regulate the use of property, in the vicinity of the Whitefield Regional Airport by creating airport approach zones and other restricted areas and establishing the boundaries thereof: administrative, appeals and penalties provisions will follow those established by the Whitefield Comprehensive Development Guide.
- II. **Authority:** In pursuance of the authority conferred by NH RSA Chapter 24 and for the purpose of promoting the health, safety and general welfare of the inhabitants of Whitefield, New Hampshire, by preventing the creation or establishment of airport hazards, thereby protecting the lives and property of users of the Whitefield Regional Airport and of occupants of land in its vicinity and preventing destruction or impairment of the utility of the Airport and the public investment therein.
- III. **Permits:** The process of applying for a Development Permit shall conform to the same procedure outlined in the Whitefield Comprehensive Development Guide, of which this section of Airport Development Criteria is a part. **IV. Zones:** In order to carry out the purposes of this ordinance, all of the land within the boundaries of the approach zones and all of the land within a distance of 8000 feet of the airport reference point described on the Airport Approach Plan dated December 22, 1966, which is attached hereto and made a part hereof, is hereby declared subject to the restrictions of this ordinance, which supersedes all other regulations where restrictions of this section are more stringent.
- V. **Height Limits:** No structure or tree shall be erected, altered or allowed to grow within the areas described in section III hereof, above a slope ratio of 40 feet to one foot measured from the end of the landing strip served by an approach zone or above a slope ratio of seven feet to one foot measured from the side of the landing strips and the approaches, or within a distance of 5000 feet from the airport reference point above a height of 150 feet above the airport elevation.
- VI. **Use Restrictions:** Notwithstanding other provisions of the Airport Development Criteria, no use may be made of the land described in section IV hereof in such manner as to create electrical interference with radio aids or communications between the airport and aircraft, make it difficult for flyers to distinguish between airport lights and others, result in glare in the eyes of flyers using the airport, impair visibility in the vicinity of the airport by the creation and discharge of smoke, steam, dust or other obstructions to visibility or otherwise endanger the landing, taking off or maneuvering of aircraft.
- VII. **Non-conformance with Standards:** The standards described in section V and VI of this ordinance shall not be construed to require the removal, lowering, or other change or alteration not conforming to the standards as of the effective date hereof (March 14, 1967). Nothing herein contained shall require any change in the construction, alteration, or intended use of any structure the construction or alteration of which was begun prior to March 14, 1967 and was diligently prosecuted and completed within two years thereof.

VIII. Hazard Marking and Lighting: Any permit granted under section V may, if such action is deemed advisable to effectuate the purpose of this ordinance and reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the town at its own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

WHITEFIELD, N.H. REGIONAL AIRPORT APPROVAL PLAN

Adopted by New Hampshire Aeronautics Commission

1. This Airport Approach Plan, prepared under the authority of Chapter 424:3 of the New Hampshire Revised Statutes Annotated, is based upon the ultimate development of a General Aviation Type Airport with runway and landing strip as follows:
 - (a) Runway 4200' by 100'; landing strip 4600' by 500'.
2. Civil Aeronautics Administration TSO-N18 dated April 26, 1950, "Criteria for Determining Obstructions to Air Navigation" establishes the standards used to determine the limit of height of obstructions in the vicinity of the airport.
3. The limit of height of obstructions shall be:
 - (a) In the approach areas to the landing strip which are 250' wide at a point 200' from the end of the pavement and 2250' wide at a point 10,200' from the end of the pavement, an inclined plane of 40:1 slope.
 - (b) On the sides of the landing strip and approach areas, an inclined plane of 7:1 slope.
 - (c) 1232.5' above sea level within 5000' of the Airport Reference Point* (150' above the airport),
 - (d) Between 5000' and 8000' from the airport a line with a slope of 20:1 measured in a vertical plane passing through the center of the airports.
4. No provision of section 3 shall limit the height of a structure or tree to less than 30' above the ground upon which it is located.
5. The Airport Reference Point is located on the south edge of runway 2100' from the west end of the runway and its elevation is 1082.5 above sea level.

NOTE: The following is for information only and is not a part of the Airport Approach Plan:

1. The building line is 500' from the center line of the landing strip.
2. Acquisition of property rights will be necessary:
 - (a) To remove existing obstructions;

- (b) To control the height of objects in those areas where the controlling inclined plane is less than 30' above the ground.

APPENDIX IV

FLOODPLAIN DEVELOPMENT CRITERIA

- I. **Purpose:** The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for the County of Coos, NH" dated February 20, 2013, together with the associated Flood Insurance Rate Maps dated February 20, 2013, which are declared to be a part of this ordinance and are hereby incorporated by reference.
- II. **Authority:** In pursuance of the authority conferred by NH RSA 674:16 and for the purpose of promoting the health, safety and general welfare of the inhabitants of Whitefield, New Hampshire, by preventing the creation of hazards in special flood hazard areas, thereby protecting the lives and property of occupants of the town. The Floodplain Development Criteria shall overlay and supplement the regulations in the Whitefield Comprehensive Development Guide and supersedes all other regulations where restrictions of this section are more stringent.
- III. **Permits:** All proposed development in any special flood hazard areas shall require a Development Permit and shall conform to the same procedure outlined in the Whitefield Development Guide, of which this section of Floodplain Development Criteria is a part.
- IV. **Construction Standards:** The Planning Board shall review all Development Permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is located in a special flood hazard area, all new construction or substantial improvements shall:
 - a. Be designed (or modified) and adequately anchored to prevent floatation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,
 - b. Be constructed with materials resistant to flood damage,
 - c. Be constructed by methods and practices that minimize flood damages,
 - d. Be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- V. **Water & Sewer:** Where new or replacement water and sewer systems (including on-site systems) are proposed in a special flood hazard area the applicant shall provide the Planning Board with assurance that these systems will be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems will be located to avoid impairment to them or contamination from them during periods of flooding.

VI. Additional Information: For all new or substantially improved structures located in special flood hazard areas, the applicant shall furnish the following information to the Planning Board:

- a. The as-built elevation (in relation to NGVD) of the lowest floor (including basement) and include whether or not such structures contain a basement.
- b. If the structure has been flood-proofed, the as-built elevation (in relation to NCVD) to which the structure was flood-proofed.
- c. Any certification of flood-proofing.

The Planning Board shall maintain for public inspection, and shall furnish such information upon request.

VII. Other Permits: The Planning Board shall not grant a Development Permit until the applicant certifies that all necessary permits have been received from those governmental agencies from which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

VIII. Wetlands:

- a. In riverine situations, prior to the alteration or relocation of a watercourse the applicant for such authorization shall notify the Wetlands Board of the NH Environmental Services Dept. and submit copies of such notification to the Planning Board, in addition to the copies required by the RSA 482-A:3. Further, the applicant shall be required to submit copies of said notification to those adjacent communities as determined by the Planning Board, including notice of all scheduled hearings before the Wetlands Board.
- b. The applicant shall submit to the Planning Board, certification provided by a registered professional engineer, assuring that the flood carrying capacity of an altered or relocated watercourse can and will be maintained.
- c. The Planning Board shall obtain, review, and reasonably utilize any floodway data available from Federal, State, or other sources as criteria for requiring that all development located in the flood zone meet the following floodway criteria: "No encroachments, including fill, new construction, substantial improvements, and other development are allowed within the floodway that would result in any increase in flood levels within the community during the base flood discharge."

IX. 100 Year Flood:

- a. In special flood hazard areas, the Planning Board shall obtain, review, and reasonably utilize any 100 year flood elevation data available from any federal, state or other source including data submitted for development proposals submitted to the community (i.e. subdivisions).

- b. The Planning Board's 100 year flood elevation determination will be used as criteria for requiring in special flood hazard areas that:
1. all new construction or substantial improvement of residential structures have the lowest floor (including basement) elevated to or above the 100 year flood elevation;
 2. that all new construction or substantial improvements of non-residential structures have the lowest floor (including basement) elevated to or above the 100 year flood level; or together with attendant utility and sanitary facilities, shall:
 - (a) be flood-proofed so that below the 100 year flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
 - (b) have structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; and
 - (c) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this section;
 3. all manufactured homes to be placed or substantially improved within special flood hazard areas shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the 100 year flood elevation; and be securely anchored to resist floatation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard is in addition to applicable state and local anchoring requirements for resisting wind forces;
 4. for all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding are permitted provided they meet the following requirements:
 - (a) the enclosed area is unfinished or flood resistant, usable solely for the parking of vehicles, building access or storage;
 - (b) the area is not a basement;
 - (c) shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, or other coverings

or devices provided that they permit the automatic entry and exit of floodwater.

5. All recreational vehicles placed on sites within Zone A shall either:
 - (i) be on the site for fewer than 180 consecutive days;
 - (ii) be fully licensed and ready for highway use; or,
 - (iii) meet all standards of Item III of Appendix IV and the elevation and anchoring requirements for “manufactured homes” in item IX (b) (3) of Appendix IV.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

X. Flexibility of Standards:

1. If a variance or appeal from these standards is requested, reference is made to procedures outlined in the Whitefield Comprehensive Development Guide. The applicant must show in addition to other requirements that:
 - a. the variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense.
 - b. if the requested variance is for activity within a designated regulatory floodway, no increase in flood levels during the base flood discharge will result.
 - c. that the variance is the minimum necessary, considering the flood hazard, to afford relief.
2. If a variance is issued, the applicant shall be notified in writing that (i) the issuance of a variance to construct below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property, such notification to be maintained with a record of all variance actions.
3. The community shall (i) maintain a record of all variance actions, including their justification for their issuance, and (ii) report such variances issued in its annual or biennial report submitted to FEMA's Federal Insurance Administrator.

APPENDIX V

EXCAVATION CRITERIA

- I. Purpose:** The following criteria propose to regulate all mining and excavation operations in the town 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.
- II. Authority:** In pursuance of the authority conferred by NH RSA: 155E, Whitefield is establishing a permit system to require all mining and excavation operations in the municipality obtain prior approval and permit before operation is expanded or commenced. The Excavation Criteria supplement the regulations in the Whitefield Comprehensive Development Guide and supersedes all other regulations where restrictions of this section are more stringent.
- III. Permits:** No owner shall allow any excavation of earth on his premises without first obtaining an Development Permit from the Planning Board. Excavations in operation at the time of adoption of this regulation shall have one 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 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 Development Permit except:
- a.** An excavation which lawfully existed and was in use on or before August 24, 1979 may continue to excavate without a permit subject to:
1. 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.
 2. Such an excavation site may not be expanded beyond the limits of Whitefield 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 site of that date, and appraised and inventoried form property tax purposes as part of the same tract as the excavation site.
 3. Such an excavation shall be performed in compliance with the operational and reclamation standards in these regulations.
 4. The owners or operators of any existing excavation site for which no permit has been obtained shall file an excavation report with the Planning Board within one year of written notification by the municipality. 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:

- (a) the location of the excavation – tax map & lot number;

- (b) the date the excavation first began;
 - (c) a description of the permissible limits of expansion as described in this appendix;
 - (d) an estimate of the area which has been excavated to date; and
 - (e) an estimate of the amount of commercially-viable earth materials still available on the parcel.
- b. Excavations from an area contiguous to, or land in common ownership with, stationary manufacturing and processing plants in operation as of August 24, 1979, which use earth from said area. Such excavations shall be performed in compliance with the operational and reclamation standards contained in this appendix.
 - c. Excavations from an area contiguous to, or contiguous land in common ownership with, stationary manufacturing and processing plants which have been granted state or local permits since August 24, 1979, and which use earth obtained from said area. The operation and reclamation of such areas shall be governed by the conditions of the state or local permit and any extensions or renewals thereof.
 - d. 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:
 - 1. 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 other sections of this appendix, nor from any other land use regulations of Whitefield. 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 this appendix.
 - 2. The NH Dept. of Transportation or its agent may apply to the appeals board created under NH RSA 21-L to be exempted from the provisions of local land use regulations. The appeals process includes a format public hearing in the affected municipality as set forth in NH RSA 155-E:2, IV(c).
 - e. 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.
 - f. Excavation that is incidental to agricultural or silvicultural activities, normal landscaping or minor topographical adjustment.

- g. Excavation from a granite quarry for the purpose of producing dimension stone, if such excavation requires a permit under NH RSA 12-E.
- h. 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.

IV. Abandoned Excavations: The permit and land use ordinance exemptions under section III shall not apply to any abandoned excavations as defined in this section.

- a. Any excavation for which the affected area has not been brought into complete compliance with the reclamation standards of this regulation shall be deemed abandoned if excavation occurred on the site subsequent to Aug. 24, 1979, and:
 - 1. no earth material has been removed from the excavation site during any three year period; the owner or operator may, however, extend the period by submitting a time table for reclamation to the Planning Board and posting a bond or other surety in a form and amount prescribed by the regulator sufficient to cover the costs of reclamation; or
 - 2. the excavation is still in use, but the owner or operator has not brought the affected area into compliance with the incremental reclamation requirements of this regulation within three years of Aug. 4, 1979 or posted a bond or other surety sufficient to cover the costs of reclamation; or
 - 3. 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.
- b. The Planning Board may order the owner of any land containing an abandoned excavation to either file a reclamation time table 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 regulator 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.

V. 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 a permit for excavation and submit a reclamation plan. The permit application shall be signed and dated by the applicant and shall contain at least the following information in addition to other criteria that may be required by the Whitefield Comprehensive Development Guide. The Planning Board may waive one or more of the items listed under this section.

- a. 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;
- b. An Excavation Plan at a scale of no less than one inch equals one hundred feet and showing the area to be excavated and the land failing within 200 feet of the perimeter of the area to be excavated. All plans submitted to the Planning Board shall minimize soil erosion and sedimentation. 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 copies of final plans shall be filed with the Planning Board prior to issuance of a permit.

The Excavation Plan shall include:

1. seal or signature of an engineer registered in NH;
2. existing topography at contour intervals of five or fewer feet, based on mean sea level;
3. the breadth, depth and slope of the proposed excavation, and existing excavation where applicable, and the estimated duration of the excavation.
4. wooded and heavily vegetated areas;
5. all surface drainage patterns including wetlands and standing water;
6. location of all easements, on or below the ground;
7. location and width of all public roads and rights-of-way;
8. 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;
9. location and extent of stone walls, ledge outcroppings, wells, existing buildings, septic systems, utilities and the like,
10. a locus map, at a scale of one inch equals one thousand feet showing the proposed operation in relation to existing roads;
11. any existing and all proposed excavation areas;
12. any existing and all accessory facilities/activities;
13. existing and proposed access roads, including width and surface materials;
14. existing and proposed parking areas;

15. existing and proposed fencing, buffers or visual barriers, including height and materials;
 16. storage areas for topsoil to be used in reclamation;
 17. all measures to control erosion, sedimentation, water pollution, air pollution, and hazards to human safety;
 18. the location of existing buildings, structures, septic systems and wells within one hundred and fifty feet of the property boundary;
 19. the location of all driveways and road intersections within two hundred feet of the property boundary; and
 20. copies of any permits required by state or federal regulations.
- c. A Reclamation Plan at the same scale as the Excavation Plan, and covering the same area. All plans submitted to the Planning Board shall minimize soil erosion and sedimentation to the extent possible. 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 copies of final plans shall be filed with the Planning Board prior to issuance of a permit.

The Reclamation Plan shall include:

1. seal and signature of an engineer registered in the State of NH;
2. all boundaries of the area proposed for reclamation;
3. final topography of the area proposed for reclamation;
4. final surface drainage pattern, including the location and physical characteristics of all artificial and/or modified drainage facilities;
5. schedule of final reclamation activities including seeding mixtures, cover vegetation, fertilizer types, and rates;
6. photographs of the site before excavation (from at least two different vantage points); and
7. subsequent use of the site, if known or anticipated.

VI. Additional Permit Requirements:

a. 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 excavated and reclaimed according to the approved application within a one year period.

If reclamation of the site is not completed within one 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 the section on Issuance of Permit. At no time shall more than one permit be allowed on a lot of record.

b. Size and Reclamation Time Limit on Expansions of Existing Excavations:

No expansion and reclamation of an existing excavation shall exceed the area of the existing excavation plus five acres. However, the entire excavation area shall not exceed that area which can be excavated and reclaimed according to the approved application within a one year period. If an existing operating excavation at the time of adoption of this regulation cannot be reclaimed within one year, no additional new 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 an excavation in operation at the time of adoption of this ordinance that is not being expanded, the permit period allowed for reclamation shall also be one year.

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

c. 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 according to criteria in the Whitefield Comprehensive Development Guide. For those excavation sites determined to be nonconforming uses or activities, no further expansion of the site will be permitted to occur.

d. 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 Planning Board in establishing these hours.

e. Hauling Information:

Hauling information, including routes to be utilized, the type and weight of motor vehicles involved, and the frequency and schedule operations of such vehicles 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.

VII. Operational Standards:

- 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 shall be permitted closer than 150 feet of an existing dwelling or to a dwelling for which a Development 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 with the peripheral areas required by section VII a,b,c above.
- 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 acres at one time unless specifically authorized by the Planning Board.
- g. Appropriate erosion, sedimentation, air and water quality measures, and other standards appropriately applied from the Whitefield Comprehensive Development Guide, shall be integrated into the excavation process.
- h. No excavation shall be permitted so close to the seasonal high water table or to bedrock (as indicated by the required borings or test pits) as would preclude the subsequent re-use of the site in accordance with existing public health standards, local land use regulations and local master plan.
- 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 Water Supply and Pollution Control Division of DES under RSA 149:8-a 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 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. All vehicles transporting excavated material shall utilize adequate covering and/or sideboards to prevent dust and spillage when loaded.
- o. 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 in this Guide.
- p. Prior to the removal of topsoil or other material from a new excavation area, the excavator shall file a reclamation bond or other surety, as prescribed by the Planning Board, sufficient to cover the cost of site reclamation.

VIII. Site Reclamation Standards :

The Planning Board or its designee shall periodically inspect the operations and shall perform a final reclamation inspection in order to ensure that the approved plans have been followed.

- 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 condition 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.
- 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 operation, 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 Plan and the Reclamation Plan.
- h. Any excavated area of 5 contiguous acres or more, which either is depleted of commercial earth materials, excluding bedrock, or from which no earth materials

have been removed for a one year period, shall be reclaimed in accordance with sections VI and VIII within one year.

IX. Prohibited Projects:

The Planning Board shall not grant a permit:

- a. Where the excavation would violate the operational standards of section VII;
- b. For an excavation within 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;
- c. Where the issuance of the permit would be unduly hazardous or injurious to the public welfare;
- d. Where existing visual barriers would be removed, except to provide access to the excavation;
- e. Where the excavation would substantially damage a known aquifer;
- f. For excavation 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;
- g. When the excavation is planned beneath or adjacent to inland surface waters or wetlands in such a manner that a permit is required from the NH Dept. of Environmental Services or federal agencies with jurisdiction over the premises if permits have not been attained;
- h. Where the project cannot comply with the reclamation provisions of sections VI and VIII;
- i. Where the excavation is not permitted by the standards of the Whitefield Comprehensive Development Guide or other applicable local ordinances.

X. Waivers:

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

XI. 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 the 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.

XII. Hearing:

Prior to the regulator approving an application for an excavation permit or an application for an amended excavation permit, a public hearing shall be held within 30 days on such application. Notice shall follow procedures specified in NH RSA 675:7. The Planning Board shall tender a decision approving or disapproving the application, giving written reasons for disapproval within 20 days of the hearing.

XIII. Issuance of Permit:

In the case the application is approved according to all criteria after public hearing, the permit shall be granted upon receipt of a fee not to exceed \$50, and the posting of bond or other surety with the municipal treasurer in the amount determined to guarantee compliance with the permit which shall be for a period of three years. The permit shall specify the date of expiration, and be prominently posted at the excavation site and the principal access thereto. The permit shall not be assigned or transferable without the prior written consent of the Planning Board. The permit may include such reasonable conditions as are consistent with the purpose of this regulation and the Whitefield Comprehensive Development Guide, including the provision of visual barriers to the excavation. A permit fee to cover application plan review, annual compliance review, and periodic field review by the Planning Board or its designated agents, including an engineer shall be assessed by the Planning Board prior to the issuance of a permit.

XIV. Withdrawal of Permit:

A permit to excavate is automatically withdrawn if no substantial work is done on the site for a period of three years. Reclamation of areas already worked is mandatory.

XV. Appeal:

Any interested person affected by a permit decision of the Planning Board may appeal to said Board for a rehearing on such decision or any matter determined thereby within ten days of the decision. The motion for rehearing shall fully specify every ground upon which it is alleged that the decision complained of is unlawful or unreasonable. A rehearing shall be granted or denied within ten days, and if the request is granted, a hearing shall be scheduled within thirty days. Any person affected by the Planning Board's decision on a motion for rehearing may appeal in accordance with the procedures specified in RSA 677.

XVI. Enforcement:

- a. The Planning Board or its duty 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 XV. 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 or an order issued hereunder, the Planning Board or its duty 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. A violation of any provision of this regulation, a permit or order issued hereunder shall be considered a misdemeanor.
- e. Operators who fail to file for a permit will be issued a cease and desist order.

APPENDIX VI

SEWAGE SLUDGE AND RESIDENTIAL SEPTAGE APPLICATION ORDINANCE

A. Purpose and Intent:

The purpose of this Ordinance is to promote and insure the public health and safety of the citizens of the Town of Whitefield by imposing additional requirements for the land application and surface disposal of sewage sludge and domestic septage as well as requirements which are more stringent than the requirements set forth in 40 CFR 503.1 et seq. See 40 CFR 503.5(b).

Furthermore, it is the intent of this ordinance to promote the continued use and viability of agricultural farm land and protect aquifer areas and their recharge areas while simultaneously promoting the economic and responsible use and disposal of bio-solids and domestic septage via land applications. If at any time the Federal Government and/or State of New Hampshire adopts more stringent requirements than the corresponding requirements of this Ordinance, the more stringent requirements shall control.

B. Definition:

The words and terms of this Ordinance shall be defined as set forth in the 1994 edition of 40 CFR 503.1 et seq. The following additional terms shall be incorporated into this ordinance.

Stockpiling: the storage, treatment or reservation of quantities of bio-solids.

Class B: for the purposes of this ordinance, this classification refers to a specific level of pathogen reduction in sewage sludge, as defined by the U.S. EPA. Pathogens are significantly reduced but not eliminated and site restrictions need to be imposed.

C. Uses:

1. Prohibited

The use and disposal of sewage sludge and domestic septage, including, but not limited to, the stockpiling, treatment, and land application of sewage sludge, bio-solids and/or septage is hereby prohibited within the Town of Whitefield except as otherwise noted in this ordinance.

2. Exemptions

The following operations or activities shall be exempt from this Ordinance:

- a. the hauling and/or transportation of sewage sludge and domestic septage over municipal roads;
- b. the operation of a waste and or sludge management facility as permitted under RSA 485-A and/or RSA 149-M;
- c. the use of composted materials for residential lawn and garden applications;

- d. Municipal septage lagoons, as permitted under RSA 485-A.

3. Allowed Uses

Within the Town of Whitefield Class B sewage sludge and domestic septage may be stored, stockpiled, treated, applied and/or transported to a specific site. This permitted use is subject to site plan review and meeting all of the requirements which are set forth in this Ordinance, as well as any and all State and Federal standards or requirements, including the applicable requirements of 40 CFR 503.1 et seq.

In order to safeguard against adverse water quality and public health effects, all sludge and domestic septage transported into, stockpiled within, or land applied in the Town of Whitefield must meet the Class B pathogen requirements of 40 CFR 503.32(a) before it is transported into the Town of Whitefield.

D. Application of Reporting Requirements:

In addition to complying with all record keeping and reporting requirements imposed by the State and Federal Government, any person planning to transport to, stockpile on, treat or land apply sewage sludge or domestic septage in the Town of Whitefield shall submit all of the following information to the Planning Board review. The applicant shall receive Planning Board approval, with any conditions as the Planning Board deems necessary, and shall, at a minimum, wait until the appeal period has lapsed prior to the receipt of the sewage sludge and/or domestic septage. The following information shall be supplemental to information required elsewhere in the Whitefield Comprehensive Development Guide:

1. Written Reports for Site Plan Review Application

The following information shall be required as part of the application:

- a. The name, address, telephone number, and NPDES permit number of the wastewater treatment facility;
- b. The name, address, telephone number, and NPDES permit number of any and all Sewage Sludge Treatment Facilities, if different from the generating facility;
- c. The name, address, telephone number and permit number of the Septage Hauler;
- d. The name, address, telephone number and contact person for the sludge hauler.
- e. The name, address, and telephone number of the landowner.
- f. The name, address, and telephone number of the person stockpiling and applying the sewage sludge and/or domestic septage to the land;
- g. The name, address, and telephone number of the applicant;
- h. Laboratory Reports of all test results in accordance with the Best Management Practices, by the University of New Hampshire Cooperative Extension, as amended.

- i. The planned delivery date, or delivery dates;
- j. The planned stockpiling time period(s), the location of said stockpiles and the management measures proposed to minimize stormwater run-off and odor.
- k. A narrative description of the treatment method used to meet Class B pathogen reduction criteria and vector reduction criteria for Sewage Sludge and/or pathogen reduction and vector reduction criteria for Domestic septage.
- l. The total surface area of the planned application(s);
- m. The total sludge volume to be applied;
- n. Previous, land application data, including the cumulative site loading to date, and the site loading from the previous 2 years;
- o. The number of land applications that can be performed without exceeding the cumulative pollutant loading rate set forth in Table Two (2) of 40 CFR 503.13;
- p. A certification prepared by the applicant, that the soil limits shall not exceed standards as stated in the Best Management Practices, by the University of New Hampshire Cooperative Extension as amended.
- q. Written permission and/or executed contracts that any owner of land consents to the stockpiling and/or application of sewage sludge and/or domestic septage to their land by the applicant.

2. Site Plan Requirements:

A site plan which illustrates the following with respect to any area in which sludge/septage is to be stockpiled, treated or applied to land shall be submitted:

- a. A plan, prepared at a scale not to exceed the scale of 1"=100', with 2' topographic contours and all relative property boundaries;
- b. A plan, prepared at a scale not to exceed the scale of 1"=100' which includes Order One Soil Survey information for the land application area and for the areas within 100' of the land application area;
- c. The location and size of the stockpiling, area(s);
- d. The location, limits, existing land use and acreage of the land application area;
- e. The quantities of sewage sludge to be land applied and/or stockpiled and a stormwater management plan for the stockpile area. Stockpiles are not to be located less than 500' from a property boundary/line;
- f. All areas of hydric soils, streams and open bodies of water within 100 feet of the stockpiling, treatment and land application area(s);

- g. All on-site wells, surface water drinking supplies and dwellings within 300 feet; and off-site wells, surface water drinking supplies and dwellings within 500 feet of the stockpiling, treatment and land application area(s);
- h. All roads within the Town of Whitefield to be used for the transport of septage/sewage sludge, the frequency of use of these roads and the maximum quantities to be hauled on a daily/weekly/monthly basis;
- i. An on-the-ground delineation of the application area;
- j. All costs incurred by the Town or its agent in reviewing, assessing or monitoring impacts of the proposal shall be borne by the applicant.

3. Site Plan Review Approval Conditions

The following conditions shall be met by the applicant:

- a. No applicant shall take delivery of any sewage sludge and/or domestic septage until such time as the Planning Board, or their duly authorized representative has provided the applicant with approval in writing. Such approval shall not be automatically given by the Board, but rather shall only be given once the Board has been fully satisfied that the applicant has met and will continue to meet the reporting requirements of this section, and has demonstrated to the Board that the proposed application will not present a nuisance, threat to the health of public safety, or pose a risk or nuisance to the applicant, the property owner, the abutters of the land receiving sewage sludge and/or domestic septage and any parcels which will be subject to or adjacent to land application. No noxious odors shall be permitted beyond the applicant's property boundaries.
- b. The stockpiling of all Class B sewage sludge shall be done in conformance with all State and Federal requirements, including the requirements of 40 CFR 503.1 et seq and Best Management Practices for Biosolids, except as noted below. In addition, Class B sewage sludge may only be stockpiled on site if it is properly secured to limit airborne dispersal of sludge from the pile, storm water transportation of the sludge and infiltration of leachate from the sewage sludge into the ground water. Sewage sludge shall not be stockpiled for more than sixty (60) days from the first date of receipt. Storage of the sewage sludge and/or domestic septage shall comply with the Best Management Practices. No stockpiling shall occur within 500 feet from any property line and 300 feet from on-site well, private water supplies or dwellings. No noxious odors shall be permitted beyond the applicant's property boundaries.
- c. Any and all sewage sludge must arrive on site in a Class B condition. No treatment will be permitted on the site, except for that treatment which has been pre-approved by the Planning Board or their duly authorized representative.
- d. The land application of all sewage sludge and/or domestic septage shall be done in accordance with the general requirements and management practices set forth in 40 CFR 503.12 and 503.14 respectively and the Best Management Practices for Biosolids. In addition to meeting State and Federal Vector Attraction Reduction Requirements (VARRS), including those set forth in 40 CFR 503.33, (including at least one of the Varrs

in Section 5033(b)(1) through 503.33(b)(8) which must have been conducted at the generation site). All sludge shall be incorporated into the soil within 24 hours of spreading unless it is used for top dressing, unless a specific exemption has been granted by the Planning Board. No land spreading is allowed between October 15th and April 15th. Additionally, no spreading is allowed on frozen or snow covered ground or when the ground is wet due to precipitation or flooding.

- e. All testing shall be conducted in accordance with the Best Management Practices, State requirements and 40 CFR 503.1 et seq. (Including the total recoverable analysis of the metals listed in Table 3, Section 503.13). These test results shall be completed by a certified laboratory and submitted to the Planning Board and the Coos Extension Service with a certification from the applicant that the applications have not exceeded the above noted standards. Test results shall be submitted on an annual basis or before the applicant takes delivery of any sewage sludge in the Town of Whitefield and before its application to the land. These tests shall be conducted for each and every generation site and any and all testing costs shall be borne by the applicant.
- f. No sewage sludge or domestic septage shall be placed within 100 feet of streams, tributaries, ponds, lakes, seeps or hydric soils. Hydric soils shall be determined and mapped by a soil scientist certified by the State of NH Board of Natural Scientists. Additionally, no sewage sludge or domestic septage shall be placed within 500 feet from any off-site well, drinking water supply or dwelling; or 300 feet from any on-site well, drinking water supply or dwelling; or on a slope greater than 8%.