



PLANNING BOARD Subdivision Regulations

Amended February 3, 2026

Charlie St. Clair

Charlie St. Clair
Chair, Planning Board

2/12/26
Date

Robert A. Mora

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Director, Planning and Community Development

2/13/26
Date



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SECTION 1. AUTHORITY

The City of Laconia Planning Board, pursuant to the City Code and NH RSAs 672-677, as amended, hereby prescribes the following regulations for the subdivision of land within the city.

SECTION 2. PURPOSE AND INTENT

These regulations are intended to promote the orderly growth of the city and in accordance with RSA 674:36:

- 2.1 Provide against such scattered or premature subdivision of land as would involve danger or injury to health, safety, or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire protection, or other public services, or necessitate the excessive expenditure of public funds for the supply of such services;
- 2.2 Provide for the harmonious development of the municipality and its environs;
- 2.3 Require the proper arrangement and coordination of streets within subdivisions in relation to other existing or planned streets or with features of the official map of the municipality;
- 2.4 Provide for open spaces of adequate proportions;
- 2.5 Require suitably located streets of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air, and access for firefighting apparatus and equipment to buildings, and be coordinated so as to compose a convenient system;
- 2.6 Require, in proper cases, that plats showing new streets or narrowing or widening of such streets submitted to the planning board for approval shall show a park or parks suitably located for playground or other recreational purposes;
- 2.7 Require that proposed parks shall be of reasonable size for neighborhood playgrounds or other recreational uses;
- 2.8 Require that the land indicated on plats submitted to the planning board shall be of such character that it can be used for building purposes without danger to health;
- 2.9 Prescribe minimum areas of lots so as to assure conformance with local zoning ordinances and to assure such additional areas as may be needed for each lot for on-site sanitary facilities;
- 2.10 Include provisions which will tend to create conditions favorable to health, safety, convenience, or prosperity;
- 2.11 Provide for the conditional approval of the plat before such improvements and installations have been constructed, but any such conditional approval shall not be entered upon the plat; and



- 2.12** Provide that, in lieu of the completion of street work and utility installations prior to the final approval of a plat, the acceptance of site improvement security as specified herein.

SECTION 3. DEFINITIONS

For the purpose of this ordinance, certain terms or words herein shall be interpreted or defined as follows:

3.1 General Use

- 3.1.1** Words used in the present tense include the future tense. The singular includes the plural, and the masculine shall include the feminine and the neuter.
- 3.1.2** The word "person" includes a corporation, partnership, firm as well as an individual.
- 3.1.3** The word "lot" includes the word "plot" or "parcel".
- 3.1.4** The word "building" includes the word "structure"; and a "building" or "structure" includes any part thereof.
- 3.1.5** The term "shall" is mandatory; "may" is conditional.
- 3.1.6** The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied".
- 3.1.7** For the definition of other terms or words refer to the City of Laconia Zoning Ordinance.

3.2 Specific Terms

- 3.2.1** Abutter means 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 Planning Board. For purposes of receiving testimony only, and not for purposes of notification, the term abutter shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by the city for a Board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXII.
- 3.2.2** Applicant - The owner or designated agent of the owner of land proposed to be developed who seeks Planning Board approval as specified in these regulations.
- 3.2.3** Approval means the recognition by the Planning Board, certified by written endorsement on the plan, that the plan meets the requirements of these regulations, granted at a duly called meeting of the Planning Board.
- 3.2.4** Board means the Planning Board of the City of Laconia, NH.



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- 3.2.5** Conditional Use – A use permitted in a particular zoning district upon a finding by the Planning Board that such a use in a specified location will comply with all the conditions and standards for the location and operation of the use as specified by the Zoning Ordinance.
- 3.2.6** Conditional Use Permit – A permit issued by the Planning Board for a conditional use.
- 3.2.7** 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.
- 3.2.8** Easement - Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property.
- 3.2.9** Engineer means a duly registered professional civil engineer, as required by the NH licensing laws.
- 3.2.10** Floodplain - The land adjacent to a body of water which has been or may hereafter be covered by flood water, as delineated on the FEMA maps for the City of Laconia.
- 3.2.11** Land Surveyor A land surveyor properly licensed in the State of NH.
- 3.2.12** Master Plan - The Master Plan prepared by the City of Laconia Planning Board, pursuant to NH RSA 674 and the City Code as amended.
- 3.2.13** Off-Site - Any premises not located within the area of the property to be developed, whether or not in the same ownership of the applicant for development approval.
- 3.2.14** Re-subdivision shall mean a change in a plan of an approved or recorded subdivision or re-subdivision of such change includes, but is not limited to the following: (1) Changing any street layout shown on such plan; (2) Affecting any area hereon reserved for public use; or (3) Diminishing the size of any lot shown thereon, if any of the lots have been conveyed after the approval of such map.
- 3.2.15** Right-of-Way shall mean a strip of land used for, or intended to be used for a street, road, crosswalk, water main, sanitary or storm sewer main, or for other special use including public use. The usage of the term "right-of-way" for subdivision plan purposes in these Regulations shall mean every right-of-way hereafter established and shown on a subdivision plan, is to be separate and distinct from the lots and distinct from the lots and parcels adjoining such right-of-way and not to be included within the dimensions or areas of such other lots or parcels.
- 3.2.16** Site Improvement Security means financial security in a form acceptable and approved by the City to secure improvements required as a condition of approval.
- 3.2.17** Street means relates to and includes street, avenue, boulevard, road, alley, highway or other way, including all the land between the sidelines of the layout or conveyance or dedication
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thereof, but shall not include driveways serving not more than two adjacent lots or Class VI and discontinued highways.

3.2.17.1 Major streets are those which connect centers of population and traffic generators within the City.

3.2.17.2 Collector streets are those which carry traffic from minor or residential streets to the major system of arterial streets and highways, including the principal streets of a residential development.

3.2.17.3 Minor streets are those which are used primarily for access to the abutting residential properties.

3.2.17.4 Marginal access streets are minor streets which are parallel and adjacent to arterial streets and highways; and which provide access to abutting properties and protection from through traffic.

SECTION 4. APPLICATION PROCEDURES

4.1 General Procedure

Whenever a subdivision is proposed and before any contract or offer for sale, conveyance, rent, condominium conveyance or lease of lots in the subdivision shall have been negotiated the property owner(s) shall apply for and receive approval of such subdivision by the Board.

4.2 Pre-Application Review

Prior to the submission of a full application for Site Plan Review and Approval, the applicant may seek non-binding conceptual and design review consultation with the Planning Department and Planning Board, per the provisions of RSA 676:4 II.

Applicants interested in either form of pre-application review, outlined below, shall contact the Planning Department to schedule a meeting with staff to review the nature of the discussion and content of the materials to be reviewed. Staff will advise the applicant as to the appropriate application type, below.

4.1.1 Conceptual (Preliminary) Review - shall be limited to discussion of existing features, existing conditions and concerns, and uses, and forms of development allowed by the Land Use Ordinances and regulations as to their potential appropriations for the site, along with consistency with expressed Master Plan objectives. Conceptual plans will require only filing of an application and letter or narrative requesting consultation and explaining the nature of the proposal.

4.1.2 Design Review - shall consist of discussions, beyond the conceptual (use) level, based on sketch or plan views of the site showing approximate location of proposed structures and preservation areas on the ground. Sketches or plans may vary in accuracy, based upon information available at this preliminary stage, bearing in mind that the Board and Staff response to information presented is limited to the level of accuracy presented, and is therefore



non-binding. The purpose of this stage of review is to identify key features of the site and proposal, such as areas deserving preservation, access points, interconnections with surrounding land and ways; and general organization of uses and structures on the property. Applicants for Design Review shall file an application, sketches or plans, an abutters list, and nominal fees to cover notification of abutters.

4.3 Staff Review

The applicant may submit preliminary information to the Planning Department in accordance with the annual schedule approved by the Board. Such information shall include, at a minimum, eight sets of plans and a Pre-Application Information Form.

4.4 Formal Submission

4.4.1 The applicant shall submit a complete application with the appropriate fees, three sets of any studies or additional documentation, and eight sets of plans according to the annual schedule approved by the Board. All items on the subdivision checklist, Appendix A, shall be addressed in the application to be considered complete.

4.4.2 One duplicate copy of the application and one copy of the full set of plans, cost estimate, drainage and watershed analysis shall be submitted to the Assistant Director of Public Works at Bisson Ave.

4.4.3 One duplicate copy of the application and one full, folded set of architectural plans shall be submitted to the Fire Prevention Specialist at Central Street Fire Station.

4.4.4 One duplicate copy of the application and a complete plan set shall be submitted to the following city Departments at the following locations:

4.4.4.1 Assessor – 1st Floor, City Hall

4.4.4.2 Water Works Superintendent, Union Ave

4.4.4.3 Code Enforcement, Basement, City Hall

4.4.4.4 Conservation Commission, Planning Department, Basement, City Hall

4.4.5 All items on the subdivision checklist, Appendix A, shall be addressed in the application to be considered complete.

4.4.6 Failure to meet the prescribed deadlines will cause the application to be postponed until the next regularly scheduled meeting.

4.5 Site Inspection

The Board and city staff or their agents shall have the right to enter the property for purposes of reviewing the proposed improvements.



4.6 Board Action

- 4.6.1** Procedures - The application will be submitted to the Board for acceptance and acted upon according to RSA 676:4 and the Board's Rules of Procedures.
- 4.6.2** Public Hearing - Before considering or taking formal action upon an application the Board shall hold a public hearing as required by the provisions of RSA 676:4, as amended, to provide an opportunity for public testimony. Notice to the general public shall be given by posting the hearing in a minimum of two public places at least ten days prior to the hearing, not counting the day of posting and the day of the hearing. At the same time, notification to abutters, applicant, and other parties, shall be given by certified mail.
- 4.6.3** Abutter Notification - It shall be the responsibility of the applicant when the application has ten (10) or more abutters to address all envelopes to abutters with adequate postage affixed. The envelopes shall be business style (4" x 9 1/2") and include completed certified mail receipts. The return address shall be The return address shall be City of Laconia Planning , 45 Beacon Street E, Laconia NH 03246.
- 4.6.4** Disapprovals - Applications may be disapproved by the Board without a public hearing if any of the following conditions occur:
- 4.6.4.1** Failure to properly identify abutters;
 - 4.6.4.2** Lack of information required for a complete application;
 - 4.6.4.3** Failure to pay costs of notices or other costs and fees required by these regulations; or
 - 4.6.4.4** Failure to meet any reasonable deadline established by these regulations.
- 4.6.5** In case of a disapproval, the grounds for such disapproval shall be stated in the minutes or records of the Board.
- 4.6.6** Failure to Take Action – Should the Board fail to take action within the prescribed period under RSA 676:4, the applicant shall have the right to pursue an approval under the procedure outlined in RSA 676:4.

4.7 Approved Plans

The Planning Department shall review all conditional approvals for compliance and upon compliance shall issue a Notice of Compliance. All plans finally approved shall be signed by an officer of the Board and recorded at the Registry of Deeds unless otherwise waived by the Board.

4.8 Site Improvement Security

4.8.1 Planning Board Requirement

The Planning Board may require the applicant to submit site improvement security to the Department of Planning and Community Development in lieu of the completion of street work,



utility installations, landscaping, and final pavement prior to the final approval of any plat in accordance with RSA 674:36, III. Site security may be provided in the form of a performance bond or cash to be held in escrow by the City.

4.8.2 Planning Board Designation

The Planning Board designates the Director of Planning and Community Development to develop and administer policies related to the collection, retention, and disbursement of site improvement security, offsite improvements, and offsite exactions for all conditionally approved applications in accordance with federal, state, and local laws.

4.8.3 Performance Bond

Applicants providing site improvement security in the form of a performance bond must submit a properly executed bond to the Director of Planning and Community Development. Any performance bond submitted must identify the City as the obligee and be issued by a reputable producer actively licensed and regulated by the State of New Hampshire. The total amount of the executed bond must be equal to 100% of the total cost of site work identified in a cost estimate submitted to and approved by the Director of Planning and Community Development.

4.8.4 Cash Held in Escrow

Applicants providing site improvement security in the form of cash held in escrow must execute an Escrow Agreement with the City through the Department of Planning and Community Development. The Director of Planning and Community Development and the City's legal counsel must review and approve any Escrow Agreement form prior to execution. The amount of cash to be held in escrow must be at least 10% of the total cost of site work identified in a cost estimate submitted to and approved by the Director of Planning and Community Development.

4.8.5 Offsite Improvements and Exactions

The Planning Board may require offsite improvements and/or exactions for any application. In lieu of completing any offsite improvement, an applicant may provide cash to be held in escrow. An applicant providing cash to be held in escrow must execute an Escrow Agreement with the City through the Department of Planning and Community Development. If there are multiple offsite improvements and/or exactions required for an application, each offsite improvement and exaction must be held in separate escrow accounts and have separate Escrow Agreements executed with the City. The amount to be held in escrow must be equal to the total cost of each respective offsite improvement and exaction required. If the City does not expend the funds received for any offsite improvement or exaction within six (6) years of receipt, the funds will be returned in accordance with the respective Escrow Agreement.

SECTION 5. GENERAL REQUIREMENTS FOR THE SUBDIVISION OF LAND

5.1 Conformity with the Master Plan, Federal, State, and Local Regulations.

- 5.1.1** The subdivision shall conform with the Master Plan and all other federal, state, and local regulations.



- 5.1.2** The subdivider shall give due regard to the preservation and protection of existing features, trees, scenic points, brooks, streams, water bodies, other natural areas and historic and cultural landmarks in order to preserve the natural environment.
- 5.1.3** For lots which do not have municipal sewer, the subdivider shall provide certification of approval of subdivision by the State of New Hampshire Department of Environmental Services accompanied by a duplicate copy of all data submitted to them and any stipulations related to the approval, and all additionally required state permits and approvals.

5.2 Easements

- 5.2.1** Where the topography prohibits the layout of public utilities or stormwater improvements within the street right-of-way, the plan shall include the provision for easements. Such easements shall be in accordance with the requirements of the appropriate city department and shall have satisfactory access to existing or proposed public ways.
- 5.2.2** Where the subdivision lacks access to fire protection, easements may be required for any fire protection facilities required.

5.3 Monuments

Monuments constructed of concrete or stone with a minimum dimension of 4”L x 4”W x 36”H shall be set along all street bounds. Capped rebar a minimum of 36” long shall be used at all other lot corners.

5.4 Documentation of Impacts

Pursuant to RSA 674:36 as amended, it shall be the responsibility of the applicant, if the Board deems it necessary, to provide impact studies for public services, water quality, traffic analysis, or any other factors that may impact the well-being of the public.

5.5 Third-Party Review, Inspections, and Special Investigative Studies

5.5.1 Planning Board Requirement

The Planning Board may require the applicant to reimburse the City for expenses reasonably incurred for third-party review and consultation during the review process and for third-party inspection during the construction process in accordance with RSA 676:4-b. Additionally, the Planning Board may require the applicant to reimburse the City for expenses reasonably incurred for special investigative studies, review of documents, and other matters related to each application in accordance with RSA 674:4, I(g).

5.5.2 Planning Board Designation

The Planning Board designates the respective Department Heads represented on the Technical Review Committee (TRC) to identify and require third-party review and inspections for projects during the review and construction processes. The Planning Board further designates the same Department Heads to develop and administer policies related to the supervision, implementation, and enforcement of third-party review and inspections for all applications in accordance with federal, state, and local laws. The Planning Board retains the authority to



require additional third-party review, inspections, and special investigative studies for each application beyond what is recommended by the respective Department Heads.

5.5.3 Third-Party Review

Department Heads represented on the TRC will identify and may require third-party review of an application at a TRC meeting prior to Planning Board review. The applicant must execute an Escrow Agreement with the City through the respective Department requiring the third-party review. The respective Department Head must review and approve any Escrow Agreement form prior to execution. The respective Department Head will require detailed invoices with reasonable task descriptions for services rendered by the third-party reviewer. The same Department Head will promptly provide a reasonably detailed accounting of expenses and corresponding escrow deductions to the applicant upon request. The applicant must reasonably correct all deficiencies identified during third-party review to the satisfaction of the respective Department Head prior to final approval. The respective Department Head may require additional third-party review to ensure all deficiencies have been corrected.

5.5.4 Third-Party Inspection

Department Heads represented on the TRC will identify and require third-party inspection of an application upon review at a TRC meeting prior to Planning Board review or during a preconstruction meeting with the applicant following Planning Board approval, if one is required. The applicant must execute an Escrow Agreement with the City through the respective Department requiring the third-party inspections. The respective Department Head must review and approve any Escrow Agreement form prior to execution. The respective Department Head will require detailed invoices with reasonable task descriptions for services rendered by the third-party inspector. The same Department Head will promptly provide a reasonably detailed accounting of expenses and corresponding escrow deductions to the applicant upon request.

5.5.5 Compliance

The Department of Planning and Community Development is ultimately responsible for ensuring compliance with the Planning Board's decisions and conditions of approval for each application. The Director of Planning and Community Development will delegate specific enforcement action to the corresponding Department with the authority to invoke jurisdiction. Additionally, the Director of Planning and Community Development is authorized to approve minor deviations from the approved plat, provided that the deviations are in accordance with the Planning Board's decision as it is reflected in the meeting minutes, findings of fact, and conditions of approval for the respective application. Any minor deviation must comply with all federal, state, and local laws and regulations. The Department of Planning and Community Development will perform regular site inspections to ensure compliance with City regulations and the Planning Board's decision.

SECTION 6. DESIGN STANDARDS

6.1 Lots

6.1.1 Lots shall be designed to meet the minimum requirements of the Zoning Ordinance.



6.1.2 On-Site Septic Disposal - Where lots are not serviced by municipal sewer the lot shall be sized to accommodate on-site septic disposal facilities. Minimum lot size shall be as required in the Zoning Ordinance or as calculated using the NH Department of Environmental Services Administrative Rules Env/Ws 1000, as amended, whichever is greater.

6.1.3 Side lot lines shall be substantially at right angles or radial to street lines.

6.2 Streets

6.2.1 General Design Arrangements

All streets shall be designed to City Standards, except those approved as part of a Cluster Conditional Use Permit. The arrangements, character, extent, width, grade and location of all streets shall conform to the Master Plan and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of land to be served by such street. The standard of proposed improvements should result in streets and utilities that minimize future maintenance problems and are acceptable under Chapters 123, 197, and 205 of the City Code.

6.2.2 Minimum Design Standards

6.2.2.1 Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be prohibited.

6.2.2.2 A tangent at least one hundred (100) feet long shall be introduced between reverse curves on major and collector streets, where possible.

6.2.2.3 When connecting street lines deflect from each other at any one point by more than ten (10) degrees, they shall be connected by a curve with a radius adequate to insure a sight distance of not less than two hundred (200) feet for minor and collector streets and of such greater radii as the Board shall deem necessary for special conditions.

6.2.2.4 Streets shall be laid out to intersect as nearly as possible at right angles.

6.2.2.5 Property lines at street intersections shall be rounded with a radius of at least twenty-five (25) feet and sufficient restrictions will be provided in the deeds of the abutting properties to maintain a two hundred (200) feet sight distance from the stopping point in either direction.

6.2.2.6 Street right-of-way widths shall be a minimum of fifty (50) feet in width. Additional right-of-way width may be required where street, sidewalk, and drainage design warrant.

6.2.2.7 Dead-end streets shall be no longer than one-thousand (1,000) feet, measured from the edge of the access street right-of-way to the center of the turn-around. The end of the street shall be designed to accommodate adequate access for normal traffic, street



maintenance, and public safety access. In the case of cul-de-sac designs, the outside right-of-way shall have a minimum radius of sixty (60) feet and an outside paved radius of at least fifty (50) feet.

6.2.2.8 Street names shall be included in the application and be in conformance with Chapter 205 of the City Code. Names shall not duplicate or be so similar to existing names to be confusing.

6.2.2.9 Street grades shall not exceed the following maximums and allow for appropriate vertical sight distance: 1)Collector – six percent (6%); 2)Minor – eight percent (8%); 3)Marginal Access - eight percent (8%); and 4)Within fifty (50) feet of an intersection – four percent (4%).

6.2.2.10 No private or driveway shall intersect a collector or minor street with a grade that exceeds eight percent (8%) within fifty (50) feet of said intersection with the aforementioned street type.

6.2.2.11 No street grade shall be less than one and one-half percent (1½ %).

6.2.2.12 All streets shall be property surveyed and granite bounds installed and certified by a Licensed Land Surveyor in accordance with Chapter 197 of the City Code.

6.2.3 Street Acceptance

Streets shall meet the following criteria prior to consideration by the Board for a recommendation for acceptance by the City Council. Please note that existing private roads requesting acceptance as City streets come under the jurisdiction of the City Council. In the case of parties requesting acceptance of an existing private roadway, an authorized representative should contact the Laconia City Council regarding their street acceptance policy.

6.2.3.1 At the point that 20% of the proposed houses on a roadway have COs, and the utilities and base course pavement have been in place for at least 12 months to allow DPW to evaluate the street to demonstrate adequate performance, the owner or authorized representative should contact the Department of Public Works to arrange a walk-through for the purpose of creating a “punch list” of any items that may need to be remedied before acceptance can be considered. All design criteria must be met (§197 of City Ordinance and Section 6.2 of the Subdivision Regulations).

6.2.3.2 It is the developer’s responsibility to maintain the roadway and all associated infrastructure improvements for a period of at least one year in order to evaluate performance.

6.2.3.3 The City requires that homeowner associations be responsible for the maintenance, repair, and replacement of stormwater structures/features outside the Roadway easement. This would include swales, bio-retention areas, catch basins, drain



manholes, detention/retention ponds, underground stormwater storage systems, etc. that are not within the street ROW. A waiver may be requested.

- 6.2.3.4** As part of the “punch list” a homeowner’s association shall be formed with a stormwater maintenance manual drafted, approved by the City and added as part of the homeowner association documents. A waiver may be requested.
- 6.2.3.5** In the case of a new subdivision, a developer who has successfully completed the subdivision process with the City of Laconia will be able to request acceptance of a roadway(s) with certain physical tasks remaining for completion. The costs of these items will be based on cost estimates submitted by the applicant and approved by the Director of Public Works.
- 6.2.3.6** This Cost shall be submitted to the City as escrow in the form of cash, a letter of credit or NH Bond company as performance surety.
- 6.2.3.7** A period not to exceed 12-24 months will be established for completion of remaining work. Such tasks may include deferral of street wearing course, sidewalk completion, and street plantings/landscaping.
- 6.2.3.8** If the developer retained a third-party inspector, who was approved at the pre-construction meeting, and that third party inspector submitted the required reports (see section 6.3 for requirements) to DPW, certain steps in the Street Acceptance process may be expedited.
- 6.2.3.9** Once punch list items have been completed, the owner or agent shall arrange an inspection with representatives from the Department of Public Works.
- 6.2.3.10** If the punch list items have been satisfactorily addressed, a roadway layout plan shall be submitted for review.
- 6.2.3.11** Specific items to be included on the roadway layout plan are listed in Section 6.2.3. If the developer retained a third-party inspector, who was approved at the pre-construction meeting, and that third party inspector submitted the required reports to DPW, this step may be expedited.
- 6.2.3.12** The City requires that a R-O-W easement deed and a roadway layout plan be recorded at the registry of deeds.
- 6.2.3.13** RSA 674:37 requires that the Planning Board must approve plats before they can be recorded at the county registry.
- 6.2.3.14** After revisions requested by DPW (if any) have been completed, the roadway layout plan shall be prepared and certified by a licensed land surveyor and submitted to the Planning Board for approval. The easement deed shall be reviewed by City legal counsel prior to acceptance.



- 6.2.3.15** Once the Planning Board has approved the roadway layout plan, a formal petition must be submitted to the Laconia City Council for roadway acceptance. The approved plan shall accompany the written request. This request shall be in the form of a letter and must include a statement of the public interest. A determination of “public interest” should be supported by competent evidence.
- 6.2.3.16** Before taking action, the City Council must have the written request and plan submitted by the owner or authorized representative and recommendation reports from both the Planning and Public Works Departments.
- 6.2.3.17** Upon approval by the City Council, the roadway layout plan and easement deed shall be recorded at the Belknap County Registry of Deeds. At the time of City Council approval, the street shall be placed on the roster of streets to be maintained by the City.

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6.3 Construction Observation Checklist for Road Acceptance

Subdivision Name (if applicable):

Planning Board Application Number (if applicable):

Road Name(s):

1. Preconstruction Meeting

- ☐ The Developer, owner, or agent shall contact the Assistant Director of Public Works to schedule a preconstruction meeting with the Public Works Director, Building Inspector, Police Department, Fire Department, Water Department, City Planner, Assistant Planner, and Conservation Commission Technician. The developer or owner shall hire a consulting engineer to schedule, observe, and document through field reports that the following tests and standards have been met. Prior to final acceptance the consulting engineer shall offer his/her opinion that based on site visits to the project, the road and other public improvements have been constructed in conformance to the approved plan. The consulting engineer shall notify the Public Works Director and City Planner that the road is ready for final inspection.

2. Clearing and grubbing

- ☐ The SWPPP (if required) has been prepared and the complete NOI has been submitted to USEPA.
- ☐ All areas to be preserved (wetland buffers) and limits of clearing marked in the field, and checked by the Conservation Technician, prior to start.
- ☐ Erosion and sedimentation controls were in place, and checked by the Conservation Technician, prior to clearing and grubbing.
- ☐ All growth has been removed from the ROW and organic materials from the road bed.
- ☐ For subdivisions, the entire length of project roadway (may be phased) was cleared and grubbed before construction of cuts and fills
- ☐ All topsoil has been stock piled, and properly secured, on site.
- ☐ The observation of the above items is to be completed prior to placing fill material or excavating cut slopes
- ☐ Dig Safe Authorization has been received
- ☐ All retaining walls over 4 feet, have received proper building permits.



3. Erosion and Sedimentation Control

- ☐ Erosion and sedimentation control has been installed per approved plans. Additional erosion control measures may be requested by the City or consulting engineer.
- ☐ Erosion control measures were checked and maintained regularly and were checked after each storm event.
- ☐ Any breaches to the Erosion Control have been cleaned, including the removal of all silt deposits from wetlands, wetlands buffers and shoreland buffers.

4. Subgrade

- ☐ All subgrade material was properly tested to determine if it meets the specifications in the DPW construction standards.
- ☐ The subgrade was completed per the specifications of the subdivision regulations and approved plans and was observed by the consulting engineer.
- ☐ Each 12" lift was tested for gradation of materials and compaction (nuclear density test).
- ☐ The subgrade was crowned and/or graded as shown on the approved plans

5. Drainage

- ☐ All drainage facilities were constructed prior to constructing select base gravel material.
- ☐ All pipes, culverts, ditches, inlets, etc. have been checked for alignment, grade, and pipe direction in accordance with the approved plans.
- ☐ All pipe connections to catch basins, manholes, inlets, etc. have been checked for water tightness.
- ☐ Proper bedding material for pipe and structures has been observed
- ☐ Underdrains have been constructed in accordance with the DPW Specifications and approved plans
- ☐ Drainage pipes and structures were cleaned after grass was established in ditches.
- ☐ The closed drainage system has been CCTV'd with report submitted to DPW.

6. Utilities / Water Supply / Sewer / Gas / Power / Telephone / Cable:

- ☐ All water supply mains have been installed in accordance with the approved plans and approved by Laconia Water Department staff.



- ☐ Sewer mains constructed in accordance with approved plans / on-site sewage treatment facilities have been approved by NHDES Subsurface Bureau.
- ☐ Gas, power, telephone, & cable TV installed in accordance with the approved plans and DPW construction specifications.
- ☐ Sewer manholes have been vacuum tested with reports submitted to DPW.
- ☐ Sewer mains have been mandrel tested with reports submitted to DPW.
- ☐ Sewer mains have been CCTV'd with report submitted to DPW.
- ☐ No riser rings were used in bringing frame and covers to grade.
- ☐ The sewer manhole frames and covers have a 30" minimum opening.
- ☐ The sewer manhole covers have the word "SEWER" in 3" letters cast into the top surface.
- ☐ All light fixtures have been installed per the Planning Board Plan. DPW has written a letter to the electric utility company approving the acceptance of the billing for light fixtures.

7. Base gravel

- ☐ Base gravel meets NHDOT 304.2 specifications for gradation.
- ☐ Each lift of select base gravel material has been tested for gradation of material and for compaction after completion of the total thickness
- ☐ The base gravel has been checked for specified crown or super-elevation as shown on approved plans

8. Crushed gravel

- ☐ Crushed gravel meets NHDOT 304.3 standard specifications for gradation and NH DOT 304.3.6 standard specifications for compaction.
- ☐ Following completion of grading and as approved by the consulting engineer, the center line grade stakes were removed to allow for proper compaction in that area.
- ☐ The crushed gravel was checked for specified crown or super-elevation as shown on the approved plans
- ☐ The 400' of clear sight distance at intersections has been confirmed by the applicant's engineer or surveyor following construction of base course materials.



9. Fire Suppression and/or Water Supply:

- ☐ Construction of cistern and hydrants has been completed in accordance with the approved plans and Water Department inspection.
- ☐ The Water Department has tested and approved the installation
- ☐ Alarm boxes and Enunciator panels shall be tested and approved by the Fire Department.

10. Hot Bituminous Concrete Pavement

- ☐ Pavement meets the NH DOT standards of Section 401 Plant Mix Pavements and Section 403 relating to Hot Bituminous pavements as shown in the DPW Construction details.
- ☐ DOT approved roller package was used during the paving operation.
- ☐ Pavement was laid on a smooth, dry surface.
- ☐ The base course is 2.5" after compaction with NH DOT approved winter binder mix.
- ☐ The wearing course is 1" or 1 ½" after compaction depending on DPW requirements.
- ☐ Shoulder leveling was completed as soon as practical after paving.
- ☐ The final pavement has been checked for specified crown or super-elevation as shown on approved plans

11. Traffic Control and Safety

- ☐ Installation of permanent traffic control devices and signage, intersection lighting, guardrails, striping, and other features called for in the plans has been completed and approved by DPW.

12. Final Clean Up:

- ☐ Vegetative cover is established in all disturbed areas
- ☐ All side slopes are less than 2:1 slope and secured with loam an seed or 2" minus stone. The fall zone has been loamed and seeded.
- ☐ Erosion control features have been removed as directed, the road has been swept, and the drainage has been cleaned.
- ☐ Street trees have been installed as is shown on the approved plan. ☐ Shoulders have been installed as show on the approved plan.



13. As-built plans:

- ☐ The Consulting engineer has reviewed and approved a complete set of as-built plans.
- ☐ All property monumentation has been set by a LLS.
- ☐ Roadway monuments have been set by a LLS in locations requested by DPW.
- ☐ As-built utility plans have been reviewed and approved by DPW and the Water Department.

14. Acceptance by Planning Board

- ☐ Prior to commencing the one year observation period, the consulting engineer will render an opinion that the road has been completed in substantial conformance with the plans and DPW specifications. The consulting engineer shall notify the Public Works Director, Police Chief, Fire Chief, and City Planner that the road is ready for final inspection and acceptance by the City.
- ☐ If the road is to be accepted prior to final pavement, the cost of installing the wearing course and other expenses as set by the Public Works Director and Planning Director will be deposited with the City. The deposit is refundable upon completion.

15. Plan Requirements and Other Special Requirements

- ☐ All plans shall be prepared in accordance with Chapter 197 of the City Code.
- ☐ Plans should comply with the geometric and structural guidelines of the Standard Specification for Road and Bridge Construction prepared by the New Hampshire Department of Transportation, 1997, as amended.
- ☐ Street name signs shall be installed at all intersections in accordance with the Department of Public Works guidelines.
- ☐ If determined necessary by the Department of Public Works, the applicant shall be responsible for the payment of inspection costs for construction.

Name of observer and name of firm conducting observation:

Signature of Observer:

Date:



6.4 Stormwater and Drainage Improvements

6.4.1 Design Basis

Drainage systems in the subdivision shall be designed assuming full development of the entire drainage area whether located inside or outside the subdivision and based upon a twenty-four-hour two-year storm event for treatment of run-off and a twenty-five-year storm event for system sizing and water retention.

6.4.2 Watershed Area

A separate analysis shall be submitted for the entire drainage area evaluating the ten-, twenty-five-, and fifty-year design storm.

6.4.3 Preparation

Drainage analysis shall be performed by a professional civil engineer licensed in the State of New Hampshire.

6.4.4 Erosion and Sediment Control

Adequate measures to prevent soil erosion and sediment control, as well as other adverse environmental impacts shall be taken during all construction phases. Designs shall include location, use, and an installation and maintenance schedule. All measures shall be designed using the New Hampshire Department of Environmental Services, the USDA – Soil Conservation Service and the Rockingham County Conservation District, Stormwater Management and Erosion and Sediment Control, A Handbook for Urban and Developing Areas in New Hampshire, August 1992, as may be amended and New Hampshire Department of Environmental Services Water Supply and Pollution Control Division Best Management Practices for Urban Stormwater Runoff, January 1996, as may be amended.

6.5 Water Supply

6.5.1 City System

All designs for connections to the city water system shall be approved by the Superintendent of Water Works.

6.5.2 Private Systems and Wells

Private systems or the installation of wells shall be approved, when necessary, by the New Hampshire Department of Environmental Services Water Division.

6.6 Sidewalks

6.6.1 Purpose and Benefits.

Sidewalks are an integral physical and social component of the City's landscape and infrastructure, and it is the purpose and intent of this regulation to promote their construction as part of all new development. Sidewalks provide important linkage between all types of land uses in the community and are essential for moving people from place to place. Specific benefits of sidewalks include:



- 6.6.1.1** Providing a convenient mode for people to walk and connect with other modes of transportation.
- 6.6.1.2** Increasing public safety by reducing conflicts between vehicles, bicycles and pedestrians.
- 6.6.1.3** Providing a place for people to gather, socialize, exercise, or engage in small-scale commerce.
- 6.6.1.4** Providing an alternative means of transportation and thereby reducing the negative environmental effects of motor vehicles.
- 6.6.1.5** Providing a means for free speech activities and for the delivery of the mail and packages.
- 6.6.1.6** Providing a mode of transportation that is accessible and usable by people of all ages and abilities.

6.6.2 Sidewalk Requirement.

In furtherance of the foregoing purposes and benefits, sidewalks shall be constructed for the benefit of the public, on all property upon subdivision or development, to the extent that this regulation requires.

6.6.3 Waivers.

The Board may, in its sole discretion, consider granting a waiver of the sidewalk requirement upon written request of the applicant at the time of the initial application, using such form(s) as may be prescribed by the Planning Department. The applicant shall have the burden of producing sufficient evidence in support of the waiver request.

6.6.4 Findings Required.

A waiver of the sidewalk requirement may be granted by the Board, in its sole discretion, only for good cause shown, and only if findings are made on the record that the following conditions exist:

- 6.6.4.1** That the waiver request, if granted, will be consistent with the stated purposes, spirit and intent of the sidewalk requirement.
- 6.6.4.2** That the waiver request, if granted, will not result in harm to neighboring properties, or reduce their value or usefulness.
- 6.6.4.3** That the waiver request, if granted, will not reduce existing levels of public safety or welfare.

6.6.5 Evidence.

The Board may consider the following factors in determining whether the above conditions exist:



- 6.6.5.1** The existing and projected land uses in the vicinity of the subject property.
- 6.6.5.2** The oral and written comments of abutters, the general public, city employees and public officials regarding the proposed waiver.
- 6.6.5.3** Whether or not the subject property is located in close proximity to any other property where sidewalks or pedestrian pathways currently exist.
- 6.6.5.4** Whether or not the subject property is located in close proximity to any existing crosswalks or intersection controlled by a traffic signal device.
- 6.6.5.5** Whether or not the subject property is located in close proximity to any existing school, church, community center, health care facility, playground, shopping center, recreational area, public housing project, or large residential or commercial development.
- 6.6.5.6** Whether or not the subject property, as proposed and upon completion, will be in substantial compliance with the relevant provisions of the Master Plan and the Zoning Ordinance, if the waiver request is granted.
- 6.6.5.7** Whether or not reasonable alternatives to sidewalk construction exist that are consistent with the purposes and benefits of the sidewalk requirement.
- 6.6.5.8** Whether or not the Planning Department has determined, after consideration of any other pending or proposed development applications, that the granting of the waiver is advisable.
- 6.6.5.9** Whether or not the Planning Department has determined, after consideration of any relevant ordinance, statute, regulation or rule of law, that the granting of the waiver is advisable.

6.6.6 Other Factors.

The foregoing are intended only to be examples of factors that the Board may consider in determining whether the conditions for approval of the waiver exist. The Board may, in its sole discretion, consider any factors it deems relevant, reasonable and just.

6.6.7 Board Action.

Upon proper motion, the Board may deny, grant or conditionally grant the waiver, setting forth such conditions as it deems reasonable and just. Such conditions may include requiring the applicant to construct sidewalks or make improvements to public amenities, at locations other than the subject property, but only with the agreement of the applicant and the Public Works Department.



6.6.8 Details.

The following sidewalk construction details should be considered by the Board, with the understanding that all sidewalk designs must be reviewed and approved by the Public Works Department and the Planning Department:

- 6.6.8.1** Sidewalks will be constructed on at least one side of all existing streets that abut, or proposed streets within, the subject property.
- 6.6.8.2** Sidewalks will be designed to enhance the growth of existing mature vegetation; and to preserve, to the extent feasible, existing mature street trees and other aesthetically pleasing or historically significant features, such as stonewalls, bridges and landscaped areas.
- 6.6.8.3** Sidewalks will be designed so as to comply with the provisions of the Americans with Disabilities Act.

6.7 Street Lighting and Private Utilities

- 6.7.1** Street lighting shall be included in street design for all proposed streets. The addition of street lighting on access or streets providing frontage should be included in any proposal.
- 6.7.2** All non-municipal utilities, including but not limited to gas, electric, cable, fiber optic, and fire alarm shall be placed underground. Plans shall include trenching details and locations for such utilities. Where utilities in existing established neighborhoods are overhead and the development is considered infill development, the Planning Board may consider a waiver to this provision.

6.8 Outdoor Lighting Regulation

6.8.1 Purpose

It is the goal of this lighting regulation to provide further guidance to developers in implementing minimum requirements for lighting for all non-residential projects (including multi-family proposals), site plan approvals, and roadway portions of subdivision approvals. Inappropriate and poorly designed or installed outdoor lighting causes unsafe and unpleasant conditions, limits resident's ability to enjoy the nighttime sky, and results in unnecessary use of electric power. However, some outdoor lighting is appropriate in areas such as civic, commercial and industrial centers. To ensure appropriate lighting while minimizing its undesirable side effects, the following regulations are established.

Lighting under this regulation includes street and driveway lighting, sidewalk and walkway lighting, parking area lighting, floodlighting, sports lighting, and all lighting in which the light source is located either external to a structure or a building, or internal to a structure which lights an area or object that is not within the same structure or building as the light source.

Lighting design and/or architectural style will be reviewed in accordance with the regulations herein.



6.8.2 Definitions:

Cut-off Angle (of a luminaire): The angle formed by a line drawn from the direction of the direct light rays at the light source with respect to the vertical, beyond which no direct light is emitted. (Refer to sketches provided at the end of this regulation).

Direct Light: Light emitted directly from the lamp, off the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Fixture: The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

Flood or Spotlight: Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

Foot-candle: A unit of illuminance amounting to one lumen per square foot. A measure of light falling on a given surface. One foot-candle is equal to the amount of light generated by one candle shining on a square foot surface one foot away.

Fully Shielded - A fully shielded luminaire is a luminaire constructed or shielded in such a manner that all light emitted by the luminaire either directly from the lamp or indirectly from the luminaire, is projected below an angle of 20 degrees below the horizontal plane through the luminaire's lowest light emitting part as determined by photometric test or certified by the manufacturer.

Glare: Light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

Height of Luminaire: The height of a luminaire shall be the vertical distance from the ground directly below the centerline of the luminaire to the lowest direct-light-emitting part of the luminaire.

Illuminance - The quantity of light arriving at a surface divided by the area of the illuminated surface, measured in foot-candles.

Lamp: The component of a luminaire that produces the actual light.

Light Trespass: The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Lumen: A measure of light energy generated by a light source. One foot-candle is one lumen per square foot. For the purposes of this Regulation, the lumen-output values shall be the INITIAL lumen output ratings of a lamp.

Luminaire: This is a complete lighting system and includes a lamp or lamps and a fixture.



Outdoor Lighting: The night-time illumination of an outside area or object by any man-made device located outdoors that produces light by any means.

Partially shielded - Shall mean outdoor light fixtures shielded or constructed so that no more than ten percent of the light rays are emitted by the installed fixture at angles greater than 20 degrees below the horizontal plan, and shall not extend above the horizontal plane, as certified by a photometry test report.

Sky Glow: The glow, visible in the night sky, over cities and brightly lit developed areas. Small communities and large developments often create their own distinct glow. Skyglow is light pollution which is reflected off atmospheric particles such as fog, dust, or smog. In New Hampshire the reflectivity of snow cover also significantly contributes to increased winter skyglow.

Temporary outdoor lighting: The specific illumination of an outside area of object by any man-made device located outdoors that produces light by any means for a period of less than 10 days, with at least 30 days passing before being used again.

Uniformity Ratio (U. Ratio): Describes the average level of illumination in relation to the lowest level of illumination for a given area. Example: U. Ratio =4:1 for the given area, the lowest level of illumination (1) should be no less than 25% or “4 time less” than the average (4) level of illumination.

Up-lighting: Any light source that distributes illumination above a 90-degree horizontal plane.

6.8.3 Applicability:

This Regulation shall apply to all non-residential projects (non-residential projects include multi-family proposals, site plan approvals, and roadway portions of subdivision approvals).

6.8.4 General Requirements:

6.8.4.1 Lighting installations intending to be on after business hours are encouraged to include timers, dimmers, sensors, and/or other energy saving technologies to reduce overall energy consumption and eliminate unneeded illumination.

6.8.4.2 All luminaries shall be fully shielded and downcast and shall not cause sky glow.

6.8.4.3 No luminaire shall emit Glare beyond a property line.

6.8.4.4 Total illumination shall be the lowest intensity possible for the intended use.

6.8.4.5 All outdoor light fixtures shall be designed, oriented or shielded to prevent light trespass onto adjacent property or streets (except street lighting).



- 6.8.4.6** Illumination levels at property boundaries will not exceed 0.2 foot-candles for the receiving industrial or commercial properties and 0.1 foot-candles for receiving residential properties.
- 6.8.4.7** Outdoor lighting at places of business or public venues shall be turned off no later than one hour after closing, except what is needed for basic security.
- 6.8.4.8** Vacant parking lots shall not remain lighted except as needed for basic security.
- 6.8.4.9** Wiring for outdoor lighting shall be placed underground.
- 6.8.4.10** The maximum height of standards, poles, or fixtures shall not exceed sixteen (16) feet unless a waiver request is approved by the Board.
- 6.8.4.11** To the extent possible, the design of luminaries, poles, hangers, fixtures, and lamps (including their wattage, color and initial lumen output) shall be compatible with similar units in the vicinity of a new installation, unless expressly approved by the Board. DR District: The appearance of luminaries shall be complementary and compatible with significant architectural features or themes found in the Downtown district.

6.8.5 Prohibitions:

- 6.8.5.1** The use of search lights, laser source light, or any similar high intensity light for outdoor advertising or entertainment.
- 6.8.5.2** The nighttime use of white or white strobe lighting on communications towers.
- 6.8.5.3** Illumination of outdoor, advertising, off-site signs between the hours of 11:00 p.m. and sunrise.
- 6.8.5.4** Except for holiday lighting, and those animated and changeable copy signs permitted under article IX the use of "flashing" and "rotating" lights. "Flashing" and "rotating" lighting is any lighting in which the artificial light is not maintained stationary or constant in position, intensity, and/or color at all times.
- 6.8.5.5** Up-lighting is prohibited except as allowed in the "Lighting of Historic Structures" section.
- 6.8.5.6** The use of Mercury Vapor Lamp Fixtures and Lamps.
- 6.8.5.7** The use of Neon lighting. Neon lighting shall be limited to signage use.
- 6.8.5.8** Any light that causes glare or blinds/dazzles the vision of travelers on public roads is prohibited (per NH RSA 236:55).



6.8.6 Exemptions:

- 6.8.6.1** Luminaries related to police, fire, public authorities, or other emergency services,
- 6.8.6.2** Hazard warning luminaries required by federal regulatory agencies, including Federal Aviation Administration (FAA) or Federal Communications Commission (FCC).
- 6.8.6.3** Lighting lawfully installed prior to the effective date of the adoptions of this regulation (please refer to “Pre-existing Outdoor Lighting” section of this regulation).
- 6.8.6.4** Lighting of flags of any governmental organization when not displayed in connection with a commercial promotion or as an advertising device. Lighting fixtures shall be mounted on the top of the flagpole structure and adhere to the outlined shielding requirements set forth in the General Requirements section of this regulation. In cases where it is impossible to light a flagpole structure from the top, bottom-mounted lights shall be connected to a timer which extinguishes all but the minimal light source necessary to illuminate the flag between dusk and dawn.
- 6.8.6.5** Holiday lighting shall be exempt from the provisions of this regulation, provided that such lighting does not create dangerous glare on adjacent streets or properties.
- 6.8.6.6** Security lighting controlled by sensors set to provide illumination for a maximum of fifteen (15) minutes.
- 6.8.6.7** All temporary lighting required for private and public construction projects, related to road construction and repair installation of sewer and water facilities, and other public infrastructure.

6.8.7 Pre-existing Outdoor Lighting:

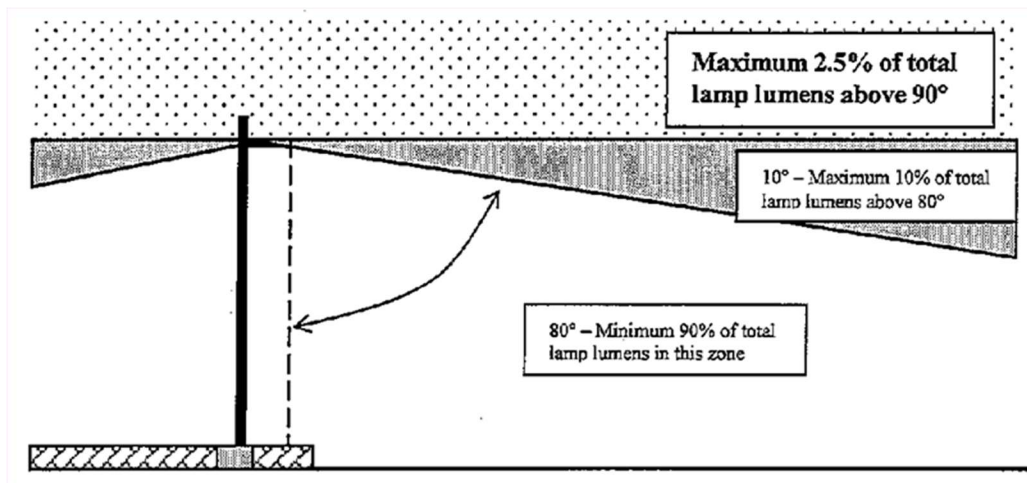
Any luminaire that replaces a non-conforming, pre-existing luminaire, or any luminaire that is moved shall meet the standards of this Regulation.

6.8.8 Area Specific Lighting:

6.8.8.1 Lighting of Parking Lots and Passive Vehicular Storage Areas:

Parking lot lighting shall be designed to provide the minimum lighting necessary to ensure adequate vision and safety in parking areas, and to not cause glare or direct illumination onto adjacent properties or streets.

- 6.8.8.1.1** All lighting fixtures serving parking lots shall be fully shielded fixtures as illustrated below.



Cut-off fixture as defined by IESNA.

- 6.8.8.1.2 The light source shall not be directly visible, and it may be screened by a refractive lens or translucent globe.
- 6.8.8.1.3 Areas designated as parking lots or passive vehicular storage areas (parking areas, parking garages, vehicle dealerships/rental facilities, park and ride areas, etc.) shall be illuminated so that the average horizontal illuminance at grade level is no more than 5.0 foot-candles. The uniformity ratio (ratio of average to minimum illuminance) shall be no greater than 4:1. The average and minimum shall be computed for only that area designated as parking lots or passive vehicular storage areas.
- 6.8.8.1.4 The Planning Board may permit an alternative to the cut-off fixtures required above if a lighting fixture of a particular "period" or architectural style would be more compatible to the design of the area. Such alternative fixtures shall have a mounting height of not more than sixteen (16) feet.

6.8.8.2 Lighting of Gasoline Station/Convenience Store Aprons and Canopies:

Lighting levels on gasoline station/convenience store aprons and under canopies shall be adequate to facilitate the activities taking place in such locations. Lighting of such areas shall not be used to attract attention to the businesses.

- 6.8.8.2.1 Areas directly under the canopy and within five feet of the canopy footprint shall be illuminated so that the minimum illuminance at grade level is between 1.0- and 5.5-foot candles. The uniformity ratio (ratio of average to minimum illuminance) shall be no greater than 4:1, which yields an average illumination level of no more than 22.0 foot-candles.
- 6.8.8.2.2 Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy and/or shielded by the fixture or the edge of the canopy so that light is restrained to no more than 85 degrees from vertical.



6.8.8.2.3 Lights shall not be mounted on the top or sides of the canopy, and the sides of the canopy shall not be illuminated.

6.8.8.2.4 Areas of the parking lot that are not within five feet of the canopy footprint shall be illuminated in accordance with the requirements for parking lots and passive vehicle storage areas. If no gasoline pumps are provided, the entire apron shall be treated as a parking area.

6.8.8.3 Lighting of Exterior Display/Sales Areas:

6.8.8.3.1 Areas designated as exterior display/sales areas shall be illuminated so that the average horizontal illuminance at grade level is no more than 5.0 foot-candles. The uniformity ratio (ratio of average to minimum illuminance) shall be no greater than 4:1. The average and minimum shall be computed for only that area designated as exterior display/sales area.

6.8.8.3.2 Light fixtures shall meet IESNA definitions for cut-off fixtures, and shall be located, mounted, aimed, and shielded so that direct light is not cast onto adjacent streets or properties, nor skyward.

6.8.8.4 Lighting of Historic Structures

Facades of symbolic or historic structures may be illuminated according to the following guidelines:

6.8.8.4.1 The maximum illumination on any vertical surface or angular roof surface shall not exceed 5.0 foot-candles.

6.8.8.4.2 Lighting fixtures shall be carefully located, aimed, and shielded so that light is directed only onto the building facade. Lighting fixtures shall not be directed toward adjacent streets or roads, or skyward.

6.8.8.4.3 To the extent practicable, lighting fixtures shall be directed downward, below the horizontal plane.

6.8.8.5 Lighting of Walkways/Bikeways and Parks:

6.8.8.5.1 Areas within parks or along walkways and bikeways to be illuminated shall not exceed an average level of 1.0 foot-candle.

6.8.8.5.2 Lighting fixtures shall be designed to direct light downward, and light sources shall have an initial output of no more than 10,000 lumens.

6.8.8.6 Lighting of Recreational Facilities:

Any light source permitted by this Regulation may be used for lighting of outdoor recreational facilities (public or private), such as, but not limited to, football fields,



soccer fields, baseball fields, softball fields, tennis courts, or show areas, provided all of the following conditions are met:

- 6.8.8.6.1** All fixtures used for event lighting shall be fully shielded or be designed or provided with sharp cut-off capability, so as to minimize up-light, spill-light, and glare.
- 6.8.8.6.2** All events shall be scheduled so as to complete all activity before or as near to 10:30 p.m. as practical, but under no circumstances shall any illumination of the playing field, court, or track be permitted after 11:00 p.m. except to conclude a scheduled event that was in progress before 11:00 p.m. where circumstances prevented concluding before 11:00 p.m.
- 6.8.8.6.3** All permanent outdoor sports lighting, including scoreboards, must be approved by the Planning Board.

6.8.9 Permanent Lighting Plan:

Applicants for site plan or subdivision review with outdoor lighting fixtures shall submit evidence that the proposed work will comply with the standards of this regulation: The applicant shall submit an overall outdoor lighting plan sheet according to the specifications listed in below. The Board may require additions, deletions or changes to the submitted plans for safety or esthetic reasons.

6.8.9.1 The lighting plan shall include the following:

- 6.8.9.1.1** Scaled plans showing buildings, landscaping, parking areas, and all proposed outdoor lighting fixtures.
- 6.8.9.1.2** A description of the outdoor lighting fixtures(including poles, standards, hangers, light fixtures, reflectors, shields and lamps, etc...) including but not limited to manufacturer's catalog descriptions and drawings. Each light fixture's specifications, wattage, color, height and initial lumen output shall be included.
- 6.8.9.1.3** Include the color and the height of each light fixture and of outdoor lighting proposed.
- 6.8.9.1.4** Photometric data, such as that furnished by manufacturers or similar showing the angle of cut off or light emissions and the level of wattage and initial lumens for all light sources.
- 6.8.9.1.5** A photometrics/iso-lux /foot-candle plan indicating levels of illumination, in foot- candles, at ground level. The maintained horizontal illuminance standards set by the Illuminating Engineering Society of North America (IESNA) shall be observed.



6.8.9.1.6 Should any outdoor light fixture, or the type of light source therein, be changed after the permit has been issued, a change request must be submitted to the Planning Board for approval, together with adequate information to assure compliance with this code; approval of request is required prior to substitution. Administrative approval may be possible.

6.8.9.2 Additional Submission: The above-mentioned plans, descriptions and data shall be sufficiently complete to enable the plans examiner to readily determine whether compliance with the requirements of this Regulation will be secured. If such plans, descriptions and data cannot enable this ready determination, by reason of the nature or configuration of the devices, fixtures, or lamps proposed, the applicant shall submit additional evidence of compliance to enable such determination. Certified reports of tests may prove compliance; these tests shall have been performed and certified by a recognized testing laboratory.

6.8.10 Temporary Outdoor Lighting Plan:

6.8.10.1 Any temporary outdoor lighting that conforms to the requirements of this Regulation may be allowed. Nonconforming temporary outdoor lighting may be permitted by the Planning Board after considering:

6.8.10.1.1 The public and/or private benefits that will result from the temporary lighting;

6.8.10.1.2 Any annoyance or safety problems that may result from the use of the temporary lighting; and

6.8.10.1.3 The duration of the temporary nonconforming lighting. The applicant shall submit a detailed description of the proposed temporary nonconforming lighting to the Planning Board, who shall provide a written administrative approval within 30 days. An administrative Planning Board application is required and all associated fees apply.

6.8.10.2 Properly approved Motorcycle Week events/sites are exempt from this regulation during the official Motorcycle Week dates.

6.8.11 Waiver:

The Planning Board may modify or waive the requirements of this section if it determines that in so doing, it will not jeopardize the intent of these regulations.

6.9 Requirements for Subdivisions Having Land Designated as “Special Flood Hazard Areas (SFHA) by the National Flood Insurance Program (NFIP):

6.9.1 The Planning Board shall advise the proposed developer to assure that all necessary permits have been received from those governmental agencies from which approval is required by



Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

6.9.2 The Planning Board shall require that all subdivision proposals greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals, Base Flood Elevation (BFE) data, if available (i.e. floodplain boundary and 100-year flood elevation).

6.9.3 The Planning Board shall require the applicant to submit sufficient evidence (construction drawings, grading and land treatment plans) so as to allow a determination that:

6.9.3.1 All such proposals are consistent with the need to minimize flood damage;

6.9.3.2 All public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage; and

6.9.3.3 Adequate drainage is provided so as to reduce exposure to flood hazards.

SECTION 7. PUBLIC SITES AND OPEN SPACES

7.1 Where a proposed park, playground, school or other public use shown in a Master Plan is located in whole or in part in a subdivision, the Board may require the dedication or reservation of such areas within the proposed subdivision in those cases where such a requirement is deemed reasonable.

7.2 Following consideration of the particular type of development proposed in the subdivision, and especially in large-scale neighborhood or cluster developments not anticipated in the Master Plan, the Board may require the dedication or reservation of such other areas or sites of a character, extent and location suitable to the neighborhood purpose.

SECTION 8. ADMINISTRATION

8.1 Waivers

Where strict conformity with these regulations would cause undue hardship or injustice to the subdivider, a subdivision plan substantially in conformity with these regulations may be approved by the Board, provided the spirit of these regulations and public convenience and welfare will not be adversely affected.

8.2 Modification and Amendment of Approvals

The Planning Board shall have the power to modify or amend its approval of a site plan on application of the owner, lessee, mortgagee of the premises, or upon its own motion if such power is reserved by the Board in its original approval.

8.3 Penalties

Any person who violates any of the provisions of this chapter shall be guilty of a violation not to exceed the maximum penalty as set forth in RSA 676:17, Fines and Penalties. Such person, after being notified once as provided by RSA 676:17 and 676:17-a, shall be deemed to be guilty of a separate offense for each and every day during any portion of which any violation of this chapter is



committed, continued or permitted by such person and shall be punishable therefore as provided therein.

8.4 Amendments

These regulations may be amended as provided for in RSA 675:6.