

TOWN OF TEMPLE SUBDIVISION REGULATIONS

(As revised through February 15, 2017)

SECTION I AUTHORITY

Pursuant to the authority vested in the Temple Planning Board by the voters of the Town of Temple, New Hampshire and in accordance with the provisions of Chapter 36: Sections 19-29, N.H. Revised Statutes Annotated, 1955, the Temple Planning Board adopts the following regulations governing the subdivision of land in the Town of Temple, New Hampshire.

SECTION II DEFINITIONS

2.01 Abutter: Shall mean the owner of record of a parcel of land which is contiguous, at any point, to the parcel being subdivided and which has frontage on the common road at any point within that portion defined by the perpendicular extensions across the road, from the points of intersection between the edge of the road right-of-way and the property lines of the parcel being subdivided.

2.02 Approval: Shall mean recognition by the Planning Board, certified by written endorsement on the plat, the final plat submission meets the requirements of these regulations and satisfies, in the judgment of the Planning Board, all criteria of good planning design.

2.03 Approval, Conditional: Shall mean an expression by the Planning Board that the preliminary layout appears to satisfy all requirements established herein for the preliminary layout submission phase. Conditional Approval does not constitute, nor should it be construed as, approval, either implied or granted, of the final plat, nor does it bind the Planning Board to approval of the final plat.

2.04 Board: Shall mean the Planning Board of the Town of Temple.

2.05 Engineer: Shall mean the duly designated engineer of the Town of Temple, or if there is no such official, the planning consultant or official assigned by the Temple Planning Board.

2.06 Final Plat: The final drawing or drawings on which the subdivider's plan of subdivision is indicated, prepared as required under the provisions of Section 4.09 hereof.

2.07 Health Officer: Shall mean the Health Officer of the Town of Temple.

2.08 Preliminary Layout: Shall mean a plan prepared as required in Section 4.08 and submitted to the Board prior to preparing the final plat.

2.09 Street: A public way. The word street shall include the entire right-of-way.

2.10 Street, Frontage: A marginal roadway parallel and adjacent to a thoroughfare to provide access to abutting properties.

2.11 Subdivider: The owner of record of the land to be subdivided, including any subsequent owner of record making any subdivision of such land or any part thereof, or the agent of any such owner.

2.12 Subdivision

I. "Subdivision" means the division of the lot, tract or parcel of land into 2 or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

II. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision.

III. The grant of an easement in gross to a public utility for the purpose of placing and maintaining overhead and underground facilities necessary for its transmission or distribution network such as poles, wires, cable, conduit, manholes, repeaters and supporting apparatus, including any unmanned structure which is less than 200 square feet, shall not be construed as a subdivision under this regulation, and shall not be deemed to create any new division of land for any other purpose.

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2.13 Subdivision, Minor: The subdivision of land into two lots, and requiring no new roads, utilities or other municipal improvements.

SECTION III APPLICATION PROCEDURE

3.01 Survey Phase

The applicant shall request a meeting with the Board to discuss the proposed subdivision and submit the survey information as described in Section 4.06 of these regulations. He shall be guided by the Board as to the need for further meetings and the advisability of entering into the preliminary stage. There is no time limit or application fee for this survey phase.

3.02 Application - Preliminary Layout

Application for conditional approval of a preliminary layout shall be submitted to the secretary of the Board by the subdivider or his authorized agent on a form to be supplied by the Board. The application shall be accompanied by all information described in Section 4.08; by a fee established for processing payable to the Town of Temple; and by evidence of approval of plans by any state or regional agency whose review is required by law. Such application shall be submitted not less than 15 days prior to the regular meeting of the Board. The Board shall give conditional approval or approval with modifications only to authorize the preparation of the final plat, or shall disapprove such preliminary layout. The Board shall state in its records any modifications which it will require in the preliminary layout, or any reasons for disapproval. A copy of this record shall be sent to the applicant. The Board may hold a public hearing on the preliminary layout, if it is deemed desirable.

If the applicant intends to submit a final plat on only a portion of the total land to be subdivided, the preliminary layout submission shall cover the entire area of the tract, and shall indicate the approximate outline and sequence of those portions of the tract for which subsequent final plats will be submitted.

Conditional approval of a preliminary layout shall be valid for a period of one year from date of such conditional approval, unless extended in writing by the Board.

3.03 Application - Final Plat

Application for approval of the final plat shall be filed with the secretary of the Board by the subdivider, or by his authorized agent in writing. The Board shall issue to the subdivider a receipt of the final plat when submitted as required in Section 4.09. Submitted material shall be complete and as described in Section 4.09. The Board shall place the matter on its agenda for consideration within 30 days of receipt.

3.04 Public Hearing

No plat shall be approved or disapproved by the Planning Board without affording a hearing thereon. All abutters shall be notified of said hearing by certified or registered mail not less than five days before the date fixed therefor. The applicant shall be notified of said hearing by certified or registered mail, with return receipt requested, stating the time and place of such hearing.

3.05 Action of the Board

Within 90 days of receipt of all material required in Section 4.09 for the final plat and issuance of receipt of final plat, the Board shall approve, modify and approve, or disapprove the final plat, unless the time for action has been extended an additional 90 days by the selectmen. Reasons for disapproval of a final plat shall be stated in the records of the Board. Approval shall be certified by written endorsement on the plat and signed by the chairman and/or secretary of the Planning Board.

3.06 Failure to Act

If The Planning Board has not obtained an extension from the selectmen, as described in Section 3.05 herein, and has not taken action to approve or disapprove the plat, such plat shall be deemed to have been approved, and the certificate of the town as to the date of submission of the plat for approval and the failure to take action thereon within such time, shall be issued on demand and shall be sufficient in lieu of the written endorsement, described in Section 3.05 herein; provided, however, that the applicant for the Board's approval may waive this requirement and consent to an extension of such period.

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3.07 Filing with Register of Deeds

An approved subdivision plat shall be recorded with the Register of Deeds at Hillsborough County prior to any sale or transfer of land within the subdivision.

3.08 Official Map

If there exists an official map of the Town, the recordation of plats which have been approved as provided herein shall without further action modify the official map in accordance therewith. Recordation of an approved subdivision plat shall not constitute acceptance by the Town of any street, easement or open space shown thereon.

3.09 Acceptance of Street and Open Space

No streets or open space will be accepted by the Town until such time as all improvements have been carried out as shown on the final plat, in accord with the requirements of these regulations, and subject to any conditions established by the Planning Board at the time of final plat approval.

SECTION IV PLAN REQUIREMENTS

General

4.01 Compliance with Regulations

No subdivisions of land shall be made, and no land in any subdivision shall be sold or offered for sale or lease, and no street or utility construction shall be started until a final plat, prepared in accordance with the requirements of these regulations, has been approved by the Board, and other required permits have been issued.

The subdivider shall familiarize himself with all State and Town regulations relative to health, buildings, roads, and other pertinent data, so that he is aware of the obligations and standards expected.

The subdivider may avail himself of the assistance of the Board before preparation of applications or plans.

4.02 Character of Land for Subdivision

All land to be subdivided shall be, in the judgment of the Board, of such a character that it can be used for building purposes without danger to public health or safety, or to the environment. Land subject to periodic flooding, poor drainage, or other hazardous conditions, shall not ordinarily be subdivided. Land with inadequate capacity for sanitary sewage disposal shall not be subdivided unless connected to public sewers. Plats for the subdivision of land shall conform with all regulations of the Board, The Zoning Regulations, the Sanitary Code and other applicable by-laws, ordinances and regulations at both state and local levels.

4.03 Reserved Strips

No privately owned reserved strip, except an open space area, shall be permitted which controls access to any part of the subdivision or to any other parcel of land from any street, or from any land dedicated to public use, or which may be so dedicated.

4.04 Lot Layout

The layout of lots shall conform to the requirements of the Zoning Regulations where in force and shall be appropriate for the intended construction. Side lot lines shall generally be at right angles to straight street lines, or radial to curved street lines.

Dimensional requirements on a Class 5 or better road shall be as follows:

250 ft. in the Village and Historic Preservation District, 300 ft. in the Rural Residential and Agricultural District, and 350 ft. in the Mountain District.

Any parcel of land that abuts a Class 5 or better road shall not be subdivided in such a manner as to have less than the above minimum dimensions of each district.

4.05 Preservation of Existing Features

Due regard shall be given to the preservation and protection of existing features, trees, scenic points, brooks, streams, rock out-croppings, water bodies, other natural resources, and historic landmarks.

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Submission Documents:

4.06 Survey Phase

Survey phase maps may be drawn in pencil; data may be tentative but shall be sufficiently clear to show all site conditions. Maps shall be at a scale appropriate to the amount of detail required.

Survey phase submission shall include the following information:

1. Site survey map showing boundary of subdivision area, topography, streams, existing features and foliage lines, existing roads, structures and adjacent development.
2. Site location map showing proposed subdivision in relation to major roads.
3. Soils data showing results and locations of percolation tests and test pits undertaken in accordance with Section 4.07 of these regulations.
4. The preliminary map should include the position of the proposed drainage field and the proposed well. This map should also indicate the drainage fields, wells, and standing water on all abutting property within 1000' radius of the proposed drainage field.

The Board may require further detailing of information and additional meetings before advising the subdivider to proceed with preliminary layout design. All material submitted in the survey phase will be included with subsequent preliminary layout and final plat.

4.07 Soils Data

Where private individual sewage disposal systems are proposed, the subdivider shall perform soil tests to be submitted as part of the survey phase and also to be included with subsequent submissions of preliminary layout and final plat. The subdivider shall arrange to perform such tests under the supervision of the New Hampshire Water Supply and Pollution Control Commission and at locations recommended by its agent, and meet the requirements of the Temple Health Officer (Authorized by 4.02) and provide percolation tests for each proposed lot to be included.

The plat shall be certified that it meets requirements, standards, and specifications of the Hillsborough County Conservation District with reference to soil erosion and sediment control.

4.08 Preliminary Layout

The preliminary layout may be drawn in pencil, and shall be submitted in four (4) paper print copies. Dimensions may be approximate; the data may be tentative, but shall be sufficiently clear to illustrate all conditions and establish the basis and clarify the design requirements for the subdivision plat. Maps shall be at a scale of not more than 100 feet to the inch.

The preliminary layout shall contain or be accompanied by the following information:

Name of municipality and subdivision, name and address of the subdivider and designer;

Boundaries and area of the entire parcel, whether or not all land therein is to be subdivided; north point, bar scale, date and dates of any revisions;

Names and addresses of abutting property owners, subdivisions and buildings within 100 feet of the parcel to be subdivided, and intersecting roads and driveways within 200 feet of the subdivision frontage on existing roads;

Locations of all existing buildings;

Existing and proposed street right-of-way lines, widths of streets, proposed names of new streets, existing and proposed lot lines;

Location of existing and proposed easements, deed restrictions, building setback lines, parks and other open space, watercourses, large trees, foliage lines and significant natural and man-made features, storm water drainage lines, drainage structures and drainage ways;

Existing and proposed plans for telephone and electric utilities;

Boundaries of Zoning Districts lying within the subdivision, municipal boundary if any;

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A general site location map showing exactly the subdivision boundary and proposed streets in relation to at least two existing intersecting streets or other features shown on the official map;

A statement of conditions of land as to suitability for residential developments;

A statement of the work required on existing streets to meet the minimum standards set herein including cost estimates and the method of meeting such costs.

Existing and future subdivisions, if any, in and adjacent to the subject division.

A statement and contours in sufficient detail to indicate clearly the method of storm water drainage on and off the subdivision, methods of sanitary sewage disposal and water supply; soils data if required;

Watershed areas and drainage computations;

Preliminary road profiles, including cross sections.

Existing driveways, and preliminary locations and grading of proposed driveways (2017).

Approval, as prescribed by law, from any other municipal, state or federal agency which may have jurisdiction.

4.09 Final Plat

The final plat shall be in permanent black ink, on a permanent reproducible linen or mylar.

It shall be submitted in two (2) originals and four (4) blue (black) line prints on paper, along with the necessary recording fees made out the "Hillsborough County Registry of Deeds".

Sheet size shall be 11" x 17" or 17" x 22" or 22" x 34". Additional sheets shall be used for larger areas.

Space shall be reserved on the plat for endorsement by all appropriate agencies. The subdivision plat shall be consistent with the approved preliminary layout.

The plat shall contain the following statement: "The Subdivision Regulations of the Town of Temple are a part of this plat, and approval of this plat is contingent on completion of all the requirements of said Subdivision Regulations, excepting only any variances or modifications made in writing by the Board and attached hereto," together with the following information:

All data required for preliminary layout submission;

Name and seal of engineer and of land surveyor licensed by the State of New Hampshire;

Final disposition of land into lots, streets, open spaces, drainage courses and any easements running with the land. The subdivision plat shall be based on a boundary survey with a maximum error of closure of 1 in 1,500 certified by an engineer or surveyor registered in the State of New Hampshire. Distances shall be to the nearest 10th of a foot and bearings to the nearest 1-1/2 minutes.

Stations, radii, curve data and paving widths for proposed streets;

Locations and grading of proposed driveways (2017).

Lot dimensions, areas in square feet and acres, consecutive numbering of lots;

Accurate locations of all easements, either on or off the site. A written acknowledgment of the subdivider's responsibility for maintenance, and the assumption by him of liability for injuries and damages that may occur on any land to be dedicated for public use, until such land has been legally accepted by the Town;

Approved names of proposed streets;

Accurate locations of all monuments and marks to be set at street intersections and at angles of lots;

Existing and proposed plans for telephone and electric utilities;

Proposed methods of sanitary sewerage and computations therefor; proposed storm drainage accompanied by a drainage analysis map and computations for the entire watershed area as reviewed by the Soil Conservation Service; methods of supplying water;

Final road profiles and cross sections;

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If the subdivision abuts a state highway, or if a proposed street intersects a state highway, a written statement from the New Hampshire Department of Public Works and Highways approving any proposed driveway or street access with such state highway.

4.10 Minor Subdivisions

For a minor subdivision, the Board may waive the filing of a preliminary layout. Submission documents for minor subdivisions shall be as required, at the discretion of the Board, in Sections 4.06, 4.08, and 4.09 of these regulations. All State and local approvals shall be obtained as required elsewhere herein, prior to final approval by the Board.

4.11 Legal Data Required

Where applicable to the specific subdivision, the following are required, in form as approved by the Town Attorney, prior to approval of a subdivision plat;

Agreement to convey to the Town land to be used for streets and other public purposes, with transfer to title to such interests to be effective on such date as the Town accepts such land;

Easements and rights-of-way over property to remain in private ownership;

Rights to drain onto or across other property, whether public or private, including a street;

Performance bond, described in Section 4.12 hereafter.

4.12 Performance Bond

Except in the case of a subdivision in which each lot is on an existing improved Town road, no subdivision plat filed with the Board shall be approved until the subdivider shall have filed with the Board a qualified estimate of costs of streets, public improvements, drainage structures, and other utilities, together with maps, plans, and supporting data, accompanied by either:

A surety bond, issued by a surety company authorized to do business in New Hampshire, to be filed with the Selectmen in form and amount satisfactory to it;

Cash, or savings bank book properly endorsed to the Town, in an amount to be determined by the Selectmen, and to be deposited with it;

The amount of performance bond to include fees for inspection or improvements by the appropriate Town agents.

In the case of electric lines or other utilities to be installed by a public utility or corporation, a statement shall be received in writing from such public utility, corporation, that the work will be done within a reasonable time and without expense to the Town and that the utilities will be placed underground, if this has been agreed.

Each approval of a plat shall contain a time limit within which streets and public improvements shall be completed. Upon completion of improvements and approval by the Town agent, surety covering maintenance of roads and improvements for a period of 2 years from completion may be required in an amount based on the cost of such improvements, as approved by the Selectmen.

The performance guarantee shall not be released until the Selectmen have certified completion of the public utilities and improvements in substantial accordance with the requirements, and deeds covering land to be used for public purposes, easements and rights-of-way over property to remain in private ownership, and rights-to-drain onto or across private property are submitted in a form satisfactory to the Town Attorney. All recording fees shall be borne by the subdivider.

DESIGN FOR OPEN SPACE

4.13 Open Space

The Board may, where it deems essential, require that the plat show one or more sites of character, size, shape and location suitable to be used as community open space or park, in area not to exceed 15 percent of the total area of the subdivision.

Open space shall be not less in area than as provided in the zoning regulations. Such areas of open space, whether privately or publicly owned, shall have a sufficient legal restriction recorded in the Town land records to

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assure permanence of use as open space. Open space land in private ownership shall be deeded in such a way that will assure operation or maintenance of land in an orderly manner suitable for the purpose intended.

As a condition of approval of the final plat, the Board may require that the area shown thereon as open space be offered for dedication to the Town. The Board shall not require such dedication in excess of 15 percent of the total area of the subdivision without reasonable compensation established by the Selectmen, and if the Town does not take steps within a period of one year from the date of approval of the subdivision plat to acquire the portion of the open space in excess of said 15 percent, the subdivider may submit to the Board a plan for subdivision of such portion, provided such additional subdivision does not exceed the total number of family dwelling units permitted by the zoning regulations for the applicable district, and meets requirements of those subdivision regulations.

4.14 Trees and Planting

Due regard shall be given to preservation of the existing features, trees, scenic points and other natural and historic resources within the subdivision. The Board may require additional tree planting and other landscaping appropriate to the area being developed. Stripping and removal of top soil from a subdivision shall not be allowed except in accordance with state regulations for excavation. A permit shall be required by the planning board.

Existing trees on lots and open space shall be preserved wherever feasible, or unless otherwise directed by the Board.

4.15 Development of Open Space

On land to be used as active recreation open space, undesirable growth and debris shall be removed. Wooded and brook areas shall be left natural; active recreation open spaces shall be graded properly to dispose of surface water, and shall be seeded. There shall be no depositing, dumping or storage of waste, or other natural or man-made material, supplies or equipment, on any subdivision land designated as open space. No work, removal, or filling shall be done, nor shall the existing natural characteristics of open space land be altered from the original condition, until a site plan, prepared by a competent person, shall have been approved by the Board.

ROAD AND UTILITIES STANDARDS

4.16 Street Design

Proposed streets shall be in harmony and conformance with existing and proposed streets, as shown on the Town of Temple 1972 Zoning Map. Street patterns shall give due consideration to contours and natural features. Where required by the Board, provision shall be made for the extension of the street pattern to abutting undeveloped property. Every proposed street in a subdivision shall be laid out and constructed as required by these regulations.

Where a subdivision abuts an existing street with an inadequate alignment, or right-of-way width, the subdivision plat shall include in the street dedication all land needed to meet the standards established by these regulations, and as approved by the Board.

The plan of any proposed subdivision shall show all work required to connect and complete the improvements and utilities between the proposed street pattern and any connecting street in an existing subdivision.

The following standards of design shall apply to new streets to be maintained by the town:

1. The right-of-way shall be at least 50 feet in width, and shall be conveyed to the Town of Temple by Warrantee Deed.
2. The Roadway shall have a paved width of at least 20 feet with a minimum 2 foot shoulder on each side of the paved section before tapering off at 4:1 slope to ditch line. Roadway width shall be adjusted according to traffic volume. In embankment areas where 10 feet or more of fill is required and a 2:1 slope is used, the shoulder shall extend 6 feet beyond the edge of the pavement and standard steel ribbon guard rail and anchorages shall be installed.
3. The roadway shall be constructed in accordance with the "Typical Cross Section", on file at the Selectmen's office and the following specifications:

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- a. Removal of all loam, muck, stumps and other improper road foundation material within the limits of the road bed. In embankment areas, suitable foundation material shall be placed in 1 foot layers and compacted to form a stable sub-grade.
- b. Ledge and boulders shall be removed to at least 12 inches below sub-grade and replaced with material equal to and consistent with surrounding material.
- c. Proper drainage shall be installed subject to the approval of the Selectmen and Road Agent. Natural water courses shall be cleaned and increased in size where necessary to take care of storm run-off. Culvert and bridge design shall be sufficient for 50 year flood. Drainage ditches at least 18 inches in depth at mid-point below center line grade shall be constructed at the street right-of-way on both sides of the roadway and so designed as to provide for the proper flow of storm run-off. Culvert pipes consisting of either reinforced concrete or metal, having a minimum size of 15 inches in diameter, shall be placed with a minimum of 24 inches of cover to final grade. All culvert pipes shall have cemented headers and catch basins where necessary.
- d. Base course gravel shall consist of a minimum of 12 inches of compacted gravel. It shall be applied in two separate 6 inch compacted lifts. The base course shall contain no stone measuring larger than 6 inches in diameter. Gradation shall conform to N. H. Department of Public Works and Highways Specifications 302.2.1.2.
- e. Finish course gravel shall consist of 6 inches of crushed gravel with the following required grading:

Sieve size	% By weight passing
2"	95-100
1"	55-85
No. 4	27-52
No. 200	0-12% passing at No. 4

- f. Pavements shall consist of 3 inches of bituminous concrete applied in 2 courses: a 2 inch base course of 3/4" binder, and a 1 inch wearing course of 3/8" top. The thickness specified shall be compacted. Pavement shall be applied by an approved paving contractor in accordance with the State of New Hampshire Standard Specifications for Road and Bridge Construction, latest edition. Roads 1500' or less with no grades over 8% may have an asphalt treated surface of not less than 1 1/2" thickness.
 - g. All dead ends shall be provided with a turn around having a minimum radius of 75 feet from the center of the circle to the outside edge of right-of-way and with a grade not to exceed 2%.
 - h. The grade of the road shall not be more than 8% nor less than 1%, except where it is impracticable. All streets shall intersect so that within 75 feet of the intersection the street lines are at right angles, with a maximum grade of 3%. Intersections shall have at least 300 feet of unimpaired visibility. All curves shall have a minimum centerline radius of 125 feet.
 - i. Approved street signs and culvert posts shall be installed as directed by the Board of Selectmen and paid for by the developer.
4. It shall be the obligation of the developer planning a new road to do the following:
 - a. Advise the Selectmen and Road Agent of his intent in order to secure approval for the proposed right-of-way.
 - b. To request an inspection and approval of the right-of-way after each of the following operations. The inspection shall be made by the Road Agent and/or Selectmen.
 - I. clearing and grubbing
 - II. installing drainage
 - III. base course gravel
 - IV. finish gravel
 - V. paving
 - VI. loam, seeding, and general clean-up

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- c. The developer shall have stakes set on center line with finish grades marked on them at least every 100 feet for the entire length of the roadway or the roadway side staked with distance and grades marked, before each inspection.
- d. The developer shall obtain all necessary water "rights-of-way" for culverts and ditches and have them deeded to the Town of Temple.
5. Before final inspection, the developer shall remove all trash from the right-of-way and the center of the turn around and shall repair any damage done to the roadway, shoulders, etc. Inspections, samples and core test may be taken by the Town of Temple before final acceptance.
6. Existing Class V and VI roads will be evaluated individually, taking into account both the pre-existing condition of each road as well as the amount of development on each. Upgrading will be done accordingly, using these road specifications as a guideline.
7. The Board may modify the maximum and minimum gradient for short lengths of streets, and/or require a greater width or right-of-way where, in its judgment, existing topographic conditions or the preservation of natural features indicate that such modification will result in the best subdivision of land.

4.17 Street Improvements

In rural areas streets shall be paved or surfaced to a minimum width as prescribed above, with shoulders not less than 2 feet wide. The Board may require a greater width of paving or surfacing and shoulders for Arterial and Collector Streets. In residential areas, the Board may require a greater width of right-of-way and paving or surfacing, together with curbs and sidewalks.

In the case of subdivisions requiring construction of new streets, any existing street which provides either frontage to new lots or access to new streets shall satisfactorily accommodate the increased traffic flow. Where a subdivision requires undue expenditures by the Town to improve existing streets to conform to traffic requirements, the Board may disapprove such subdivision until the Selectmen shall certify that funds for the improvements have been assured.

Geometric & Structural Guides for local Roads and Streets:

Average Daily Traffic Count	0 - 50	50 - 200	200 - 750	750 - 1500	1500 - Over
Pavement Width	20 Ft.	20 Ft.	24 Ft.	24 Ft.	24 Ft.
Shoulder Width	2 Ft.	2 Ft.	3 Ft.	4 Ft.	8 Ft.
Center of Road to Ditch Line	15 Ft.	15 Ft.	18 Ft.	19-21 Ft.	Varies
Pavement Type	1½" ATG*	3" H.Bit.	3" H.Bit.	4" H.Bit.	6" H.Bit.
Slope of Roadway	3/8"/Ft.	3/8"/Ft.	1/4"/Ft.	1/4"/Ft.	1/4"/Ft.
Base Course Gravel Depth	12"	16"	18"	18"	24"
Finish Course Depth 1½" Crushed Gravel	4-6"	4-6"	6-8"	8-10"	10-12"

*NOTE: Asphalt Treated Gravel of not less than 1 gallon asphalt per square yard.

4.18 Pedestrian Walks

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

4.19 Utilities, Drainage

All Subdivision shall make adequate provisions for water supply, storm water and sanitary sewage disposal, and required utilities and improvements.

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

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

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SECTION V ADMINISTRATION AND ENFORCEMENT

5.01 Modifications

The requirements of the foregoing regulations may be modified when, in the opinion of the Board, specific circumstances surrounding a subdivision, or condition of the land in such subdivision, indicate that such modification will properly carry out the purpose and intent of these regulations.

5.02 Acceptance of Streets

Nothing herein is intended to modify the requirements of law with reference to the acceptance of streets by the Town. Nothing herein is intended to modify or control the construction, reconstruction, or extension of roads by the Town of Temple.

5.03 Other Regulations

Where these regulations are in conflict with other local ordinances, the more stringent shall apply.

5.04 Enforcement

These regulations shall be enforced by the Board or its duly authorized representative.

5.05 Penalties

As provided in RSA 36:27, any owner, or agent of the owner, of any land located within a subdivision, who transfer or sells any land, before a plat of the said subdivision has been approved by the Planning Board and recorded or filed in the office of the Hillsborough County Register of Deeds shall forfeit and pay a penalty of five hundred dollars for each lot or parcel so transferred or sold; and the description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties. The Town of Temple may enjoin such transfer or sale and may recover the said penalty by civil action. In any such action the prevailing party may recover reasonable court costs and attorneys fees as same may be ordered by the court.

5.06 Appeals

Any person, aggrieved by an official action of the Board, may appeal therefrom to the Superior Court as provided by RSA 36:34.

5.07 Validity

If any section, subsection, or phrase of these subdivision regulations is found for any reason to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of these regulations.

5.08 Effective Date

The effective date of these regulations shall be the day following the final hearing.