

SUBDIVISION REGULATIONS
FOR
HOPKINTON VILLAGE PRECINCT

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SUBDIVISION REGULATIONS**

SECTION 1 - Introduction

- 1.01 Purpose
To facilitate the implementation of the Master Plan for Hopkinton Village Precinct (the "Village") in the Town of Hopkinton as it may from time to time exist; to provide for the orderly and harmonious development of the Village and to prevent scattered, substandard or premature subdivisions of land which would result in danger or injury to the health, safety, prosperity, general well being, and natural environment of the inhabitants of the Village, or any portion thereof, or necessitate an excessive expenditure of public funds for the supply of public services and for all other purposes as are authorized by the provisions of New Hampshire RSA 674:36.
- 1.02 Authority
Pursuant to the authority invested in the Hopkinton Village Planning Board by the voters of the Village and in accordance with the provisions of New Hampshire RSA 675:8; 674:36-44; 676:4, 676:16 & 18, as we the Hopkinton Village Planning Board adopt the following regulations governing the subdivision of land in the Village of Hopkinton, New Hampshire.

SECTION 2 - 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 or which has frontage on a common road at any point within that portion of the road, defined by the perpendicular extension across it, from the points of intersection between 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, that the final plat submission meets the requirements of these regulations in the judgment of the Planning Board.
- 2.03 Board or Planning Board
Shall mean the Planning Board of the Hopkinton Village Precinct.
- 2.04 Cluster Development
A division of land into lots for use as individual residential building sites where said lots are arranged into one or more groups having area and yard measurements less than the minimum normally required by the Zoning Ordinance.

These groups may be separated from adjacent property and other groups of lots by intervening "common land."
- 2.05 Condominium
This term refers generally to a form of collective ownership of real property under which two or more separate units located on a single parcel of land, are owned by different individuals and the undivided interests in the common area or areas are collectively vested in the unit owners. (See RSA 356:B)
- 2.06 Master Plan
Shall mean the Comprehensive Plan (or plan of) for development of the Village.

- 2.07 Official Map
Shall mean the adopted street or base map of the municipality as defined in RSR 674:9-11.
- 2.08 Precinct Commissioner
The Board of Commissioners of Hopkinton Village Precinct.
- 2.09 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.
- 2.10 Subdivision
The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or lease or of building development. It includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among the several owners shall be deemed a subdivision.

The creation of condominiums by new construction or by conversion shall be deemed a subdivision and subject to these regulations.
- 2.11 Town
This term, as used herein, refers to the Town of Hopkinton as governed by the Board of Selectmen and the Hopkinton Town Planning Board.
- 2.12 Village
This term, as used herein, refers to Hopkinton Village Precinct, a village district existing as a public municipal corporation under the laws of the State of New Hampshire.

SECTION 3 – Construction Inspection of Privately Constructed (new or rebuilt) Town Road in the Precinct.

- 3.01 Construction Inspection
Nothing in these Regulations shall be deemed to withhold or in any way qualify the jurisdiction of the Board of Selectmen and Planning Board of the Town of Hopkinton with respect to the design and construction standards of privately constructed Town roads and bridges, including construction supervision, as provided for under Town Subdivision Regulations, Section 4.5.5 and 4.5.6, or as the same may be amended from time to time.

SECTION 4 – Application Procedure

- 4.01 Outline of Procedure
There are three phases of the application procedure for subdivision approval:
- a) Preliminary Consultation and Review (optional)
 - b) Acceptance of Plat for consideration by Planning Board (required)
 - c) Formal Consideration of Plat by Planning Board (required)
- Applicant should pay fees as appropriate per Planning Board Schedule.
- 4.02 Preliminary Consultation and Review
Prior to acceptance for formal consideration as specified in Paragraph 4.03 below, the Board and the applicant may discuss the basic concepts of a contemplated subdivision in conceptual form only and in general terms such as the desirability of such developments and proposals

under the master Plan. Such preliminary discussion may occur without formal notice at regular Board meetings. Preliminary consultation and review shall not bind either the applicant or the Board.

4.03 Acceptance of Completed Application for Consideration

The completed application shall contain all the information specified in Paragraph 4.04 unless the Board agrees to waive certain requirements. A completed application means that sufficient information is submitted to allow the Board to accept it (for consideration) and to proceed with formal consideration of it and to make an informed decision whether to approve or disapprove it. A completed application shall be accepted by the Board for consideration only at a public meeting with due notice given, pursuant to Paragraph 4.05 below. The applicant who wishes to submit a completed application for consideration shall file the application with the Board at least 15 days prior to the meeting at which acceptance for consideration is desired. The application shall include names and mailing addresses of the applicant and of all abutters. After acceptance of completed application for consideration, no substantial changes may be made therein without a further duly noticed public hearing.

4.04 Formal Consideration of Application

After voting to accept the completed application for consideration, the Board may begin formal consideration immediately or at any time within 30 days and shall act to approve or disapprove within 90 days after acceptance subject to extension or waiver as provided below.

4.05 Public Hearing

No plat shall be accepted and approved or disapproved by the Planning Board without affording a hearing thereon. All abutters shall be notified of the time and place of the said hearing by certified or registered mail, return receipt request, posted not less than ten (10) days before the date of the hearing. Similar notice shall be posted at two public places in the Village and published in the Concord Monitor not less than ten days prior to the said hearing. All costs of such notices shall be paid in advance by the applicant.

4.06 Action of the Board

Within ninety (90) days after acceptance of a completed application for consideration, the Board shall approve, modify and approve, or disapprove, the plat, unless the time for action has been extended an additional 90 days either by action of the Precinct Commissioners or by the applicant. 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.

4.07 Failure to Act

If the Planning Board has not obtained an exception from the Precinct Commissioners pursuant to Section 4.06, and has not taken action to approve or disapprove the plat within the time limited by Section 3.06, the applicant may obtain from the Precinct Commissioners an order directing the Board to act within 15 days. Failure of the Board to act upon such an order shall constitute grounds for the applicant to petition the superior court as specified in RSA 676:4.

4.08 Filing with Register of Deeds

An approved subdivision plat shall be recorded with the Merrimack County Registry of Deeds by the Planning Board in behalf of the applicant not later than thirty (30) days following its approval, and no sale or transfer of land within the subdivision shall be made prior to such recordation.

4.09 Official Map

If there exists an official map of the Town of Hopkinton, 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 be deemed to constitute or in

any way to evidence acceptance by the Town of any street, easement, or open space shown thereon.

4.10 Acceptance of Streets and Open Space

No street or open space to be dedicated pursuant to any subdivision shall be accepted by the Town Selectmen until such time as all improvements have been carried out as shown on the final plat, in accordance with the requirements of these regulations, and subject to any conditions established by the Planning Board at the time of the final plat.

SECTION 5 – Plan Requirements – General

5.01 Compliance with Regulations

No subdivision of land shall be made, and no land in any subdivision shall be sold or leased, and no street or utility construction or any other site preparation 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. Land in any subdivision may be offered for sale or lease only as subject to subdivision approval. Plats for the subdivision of land shall conform with all regulations of the Board, and applicable Master Plan for the Village, the Zoning Ordinance, any applicable Sanitary Code and all other applicable bylaws, ordinances and regulations at both state and local levels.

The subdivider shall familiarize himself with all state, Town and Village regulations relative to health, buildings, roads and other pertinent data in order to be able to ensure meticulous compliance with all such requirements.

5.02 Character of Land for Subdivision

All land to be subdivided shall be, in the judgment of the Board, of such 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.

Land which does not meet the requirements of the foregoing paragraph may, at the discretion of the Board, be authorized for subdivision upon the condition that it is subjected to restrictions or easements prior to development which are satisfactory to the Board.

5.03 Criteria to be considered in development of Plan

In developing a proposed subdivision plan, due regard shall be given to the preservation and protection of existing environmental features, trees, scenic points, brooks, streams, wetlands, rock outcroppings, water bodies, other natural resources and historic landmarks. A plan must not divide land in such a way as to create land locked lots.

5.04 Completed Application

The completed application shall consist of the subdivision plat and supporting documents. The plat shall be in permanent black ink or mylar film submitted in one (1) original and three (3) paper prints. Sheet sizes shall be in accordance with regulation of the register of deeds but no smaller than 20" x 30". Space shall be reserved on the plat for endorsement by all appropriate agencies.

THE PLAT SHALL CONTAIN THE FOLLOWING:

..... Name of municipality i.e., "Hopkinton Village Precinct", and of subdivision, name and address of the subdivider and designer;

..... 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;

..... Name and seal of engineer or land surveyor for the project, who must be licensed by the State of New Hampshire;

..... A general site location map at the scale of the official or municipal base map, locating exactly the subdivision boundary and proposed streets in relation to at least two existing intersecting streets or other features shown on the official map;

..... 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;

..... Final disposition of land into lots, streets, open spaces, drainage courses and any easements running with the land;

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

..... Location of existing and proposed easements, deed restrictions, building setback lines, parks and other open space, watercourses, wetlands, large trees, foliage lines and significant natural and unusual man-made features, water mains, sanitary sewers, storm water drainage lines, drainage structures and drainage ways, topography, existing buildings and roads contours at five feet intervals.

..... Boundaries of Zoning Districts lying within the subdivision and municipal boundaries, if any.

..... Existing and proposed street right-of-way lines, widths of streets, proposed names of new streets, stations, radii, curve data and paving widths for proposed streets, road profiles and cross sections;

..... Accurate locations of all monuments to be set at street intersections, points of curvature and tangency of curved streets and at angles of lots;

THE FOLLOWING DOCUMENTS SHALL BE SUBMITTED AS APPROPRIATE:

..... Existing and proposed plans for telephone, electricity and water utilities;

..... Proposed methods for dealing with sanitary sewage and computations therefore, proposed storm drainage facilities, accompanied by a drainage analysis map and computations for the entire watershed area; methods of supplying water;

..... Where private individual sewage disposal systems are proposed, the subdivider shall arrange for and submit the results of, soils tests conforming with regulations of the New Hampshire Water Supply and Pollution Control Commission at locations recommended by its agent, provided that percolation tests for each proposed lot be included.

..... 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;

..... A complete and accurate statement as to the suitability of land in the proposed subdivision for residential developments, describing all relevant conditions bearing upon the issue;

..... 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;

..... 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 and defining any conditions of such approval.

..... If a subdivision is to be served by public water supply or by public sewers, a statement from the municipal department involved, attesting to the availability of such service.

..... All State and local approvals shall be obtained as required elsewhere herein, prior to final approval by the Board.

5.05 Legal Data Required

Where applicable to a specified subdivision, the following are required, in form as approved by the Town or Village Attorney, as may be appropriate in the particular case, 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 of 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;

5.06 Performance Bond and Performance Guaranty

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 an engineer's estimate of costs of streets, public improvements, drainage structures, and other utilities proposed to be installed, 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 Board in form and amount satisfactory to it; or

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

The amount of performance bond shall include fees for inspection of improvements by the appropriate Town and Village agents.

In the case of electric lines or other utilities to be installed by a public utility corporation or a municipal department, a statement shall be submitted in writing from such public utility, corporation, or municipal department, that the work shall be done with a reasonable time and without expense to the Town and that the utilities will be placed underground, if so required by the Board.

Each approved of a plat shall contain a time limit within which streets and public improvements shall be completed, not to exceed three (3) years, unless extended by the Planning Board upon application by the Owner.

After completion of improvements and approval by the Town agent, a Bond covering the cost of maintenance of roads and improvements for a period of two years after completion may be required in an amount based on the cost of such work, as fixed by the Planning Board.

Any performance Bond or guaranty provided hereunder shall not be released until the Planning Board has certified completion of the obligation involved in substantial accordance with the requirements, and any required 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 have been submitted in a form satisfactory to the Planning Board. All recording fees shall be borne by the subdivider.

5.07 Trees and Planting

Due regard shall be given to preservation of significant environmental 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. Removal of stripped topsoil or surplus materials from the subdivision area shall not be permitted unless in accord with the zoning regulations.

5.08 Development of Open Space

On land to be used as active recreation open space, undesirable growth and debris shall be removed. Wooded and wet areas shall be left in their natural state unless otherwise authorized by the Planning Board in a particular case as more appropriate to accomplish the purposes of this Ordinance; active recreational open spaces shall be graded properly to dispose of surface water, and shall be seeded with lawn grass. 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 its original condition until a site plan, prepared by a competent person, shall have been approved by the Board and thereafter only as contemplated by such plan.

5.09 Cluster and Planned Unit Development

If allowed by the Village Zoning Ordinance, a subdivision plat may be designed for cluster or planned unit development, provided all requirements of these Regulations and such Zoning Ordinance are met.

5.10 Road Standards

All proposed new streets and roads shall conform to any applicable standards as they may from time to time exist under the Town of Hopkinton Subdivision Regulations as well as any other applicable ordinances, regulations as may from time to time exist for public roads in the Town of Hopkinton. If a proposed subdivision contains new roads or streets, the applicant shall present written certification from the Board of Selectmen of the Town of Hopkinton that 1) the proposed streets and roads meet all Town requirements and 2) if completed as specified, the Town will accept them. Where a subdivision would require undue expenditures by the Town to improve existing streets in order to conform to minimum reasonable standards, the Planning Board may disapprove such subdivision until the Board of Selectmen shall certify that funds to provide the minimum required improvements are available.

5.11 Pedestrian Walks

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

5.12 Utilities Drainage

All subdivisions shall make adequate provisions for water supply, storm water and sanitary sewage disposal, and required utilities and improvements. The Board may require the extension of public water and sewers to and within a proposed subdivision, without cost to the Village, where existing lines are, in the sole judgment of the Board, within a reasonable distance of the proposed subdivision.

The subdivider shall install laterals from all utilities in the street right-of-way to the street property line of each building lot. Any habitable buildings constructed in the subdivision shall have house connections installed and attached to the utility involved.

All such utility system installations shall be at the expense of the subdivider and shall be installed under the supervision of the appropriate municipal 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 connected 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 and Village harmless from any claims for damage resulting therefrom.

The Board may require the installation of street lighting in any subdivision where it deems necessary.

Where underground utilities are to be furnished from a public source, all necessary mains, branch offsets to each lot, and fire hydrants shall be installed by the subdivider, as approved by the corporation or municipal department having jurisdiction, and to its satisfaction without expense to the Village or Town.

SECTION 6 – Professional Review of Proposed Subdivision Plan

- 6.01 The Planning Board, with advice from the Town Road Committee, may require that subdivision proposals be submitted for review to outside professional consultants such as, but not limited to, traffic engineers, highway engineers and environmental specialists.
- 6.02 The decision as to whether or not to retain such outside consultant or consultants shall be within the discretion of the Planning Board.
- 6.03 In the event that the Planning Board shall determine that it needs the services of one or more outside consultant, it shall so advise the Precinct Commissioners, designating the consultant or consultants to be employed, and upon the filing of security by the Applicant to cover the expenses involved pursuant to Section 6.04 below the Commissioners shall contract in the name of the Precinct for the required services to be rendered.
- 6.04 The subdivision applicant shall provide the Precinct appropriate security in a form deemed acceptable by the Commissioners such as, without limitation, cash, irrevocable letter of credit, or passbook or bank certificate (in the name of the Precinct) issued by a banking institution doing business in New Hampshire to cover the Planning Board's estimated expenses of the professional services to be provided.
- 6.05 The consultant shall invoice the subdivision applicant directly, with a copy of the invoice being supplied to the Board of Precinct Commissioners. This invoice shall be paid by Applicant within thirty days. If not so paid, the Board of Commissioners may draw on the security supplied by the applicant to pay the amount due.
- 6.06 The subdivision applicant shall be responsible for all costs and disbursements incident to the consultant's professional review. The Board of Precinct Commissioners shall have sole authority to determine whether or not the charges involved are reasonable or should in any way challenged.
- 6.07 After the review has been completed and the services of the consultant are no longer necessary or appropriate to completing the Board's review of the subject project, the Board of

Commissioners shall release Applicant's security deposit and refund it or the remaining balance of its if any portion of the security had to be drawn against in the course of the review process.

Section 7 – Administration and Enforcement

- 7.01 Modifications
The requirements of the foregoing regulations may be modified when in the opinion of the Board, specific circumstances surrounding a subdivision, or the condition of the land included within it, indicate that such modification will properly carry out the purpose and intent of the Master Plan and of these regulations.
- 7.02 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 in any way to modify or impinge upon the jurisdiction of the Town of Hopkinton and the State of New Hampshire over the construction, reconstruction, extension and acceptance of public roads and streets.
- 7.03 Other Regulations
Where these regulations are in conflict with other local ordinances, the more stringent shall apply.
- 7.04 Enforcement
These regulations shall be enforced by the Board or its duly authorized representative.
- 7.05 Penalties
As provided in RSA 676:16, any owner, or agent, of any land located within a subdivision, who transfers 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 Register of Deeds shall forfeit and pay a penalty of five hundred dollars (\$500.00) for each lot or parcel so transferred or sold. 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 transferee of any such unauthorized parcel shall derive no rights there under as against the Village but shall have his remedy only against the Owners.
- 7.06 Appeals
Any person, aggrieved by an official action of the Board, may appeal there from to the Superior Court as provided by RSA 677:15.
- 7.07 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.
- 7.08 Effective Date
The effective date of these regulations shall be February 11, 1985.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to support effective decision-making and strategic planning.

3. The third part of the document focuses on the role of technology in data management and analysis. It discusses how modern software solutions can streamline data collection, storage, and reporting, thereby improving efficiency and accuracy.

4. The fourth part of the document addresses the challenges associated with data management, such as data quality, security, and privacy. It provides strategies to mitigate these risks and ensure that data is used responsibly and ethically.

5. The fifth part of the document discusses the importance of data governance and the establishment of clear policies and procedures. It stresses that a strong data governance framework is necessary to ensure that data is managed consistently and in compliance with relevant regulations.

6. The sixth part of the document explores the benefits of data-driven decision-making and how it can lead to improved performance and competitive advantage. It provides examples of how data analysis has been used successfully in various industries.

7. The seventh part of the document discusses the future of data management and the emerging trends in the field. It highlights the growing importance of artificial intelligence and machine learning in data analysis and the need for organizations to stay up-to-date with the latest developments.

8. The eighth part of the document provides a summary of the key points discussed throughout the document. It reiterates the importance of data management and the need for organizations to invest in the right tools, processes, and governance to succeed in the data-driven era.