



CITY OF DOVER

CITY OF DOVER - ORDINANCE

Posted: April 12, 2016

Ordinance Number: **O – yyyy.mm.dd -**
Ordinance Title: Land Subdivision Regulation Amendments
Chapter: 155

1. Chapter 155 of the Code of the City of Dover, entitled Subdivision Regulations, is hereby amended by revising the chapter as a whole by replacing any instance of the term “these regulations” with “This Chapter”

AND

Chapter 155 of the Code of the City of Dover, entitled Subdivision Regulations, is hereby amended by revising the chapter as a whole by replacing any instance of the term “Schedule of Fees” with “Fee Schedule”

AND

Chapter 155 of the Code of the City of Dover, entitled Subdivision Regulations, is hereby amended by revising the chapter as a whole by replacing any instance of the term “STORM WATER” with “STORMWATER”

2. Chapter 155 of the Code of the City of Dover, entitled Subdivision Regulations, is hereby amended by revising 155-9 “Application Submittal and Review”, Section B, to read as follows:

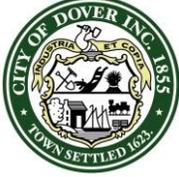
“B. Include one electronic copy and fifteen (15) copies of the PRELIMINARY PLAT layout and the PLAT CONSTRUCTION DETAIL SHEETS as more fully described in 155-28 and 155-30 respectively, in this Chapter. **Transmit a PDF of the SUBDIVISION PLAT via e-mail to dover-planning@dover.nh.gov.** (Note: Only six (6) copies of the PRELIMINARY PLAT need to be submitted initially for review by the TECHNICAL REVIEW COMMITTEE. However, fifteen (15) copies are required for submission of the COMPLETE APPLICATION to the PLANNING BOARD).”

3. Chapter 155 of the Code of the City of Dover, entitled Subdivision Regulations, is hereby amended by revising 155-22 “General Requirements”, Section F, first table to read as follows:

ZONING DISTRICT	MINIMUM LOT SIZE FOR SUBDIVISION LOTS	MINIMUM FRONTAGE FOR SUBDIVISION LOTS	MINIMUM BUFFER ALONG FRONTAGE ¹
R-40	20,000 SF	40	100
R-20	12,000 SF	30	100
R-12	8,000 SF	20	100

¹ Does not apply to an existing house on the lot, if part of the total lot yield.”

4. Chapter 155 of the Code of the City of Dover, entitled Subdivision Regulations, is hereby amended by revising 155-24 “Performance Requirements”, Section E, to read as follows:



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“E. Approved SUBDIVISIONS shall be protected from future amendments in regulations and ORDINANCES in accordance with RSA 674:39. In order to be protected under RSA 674:39, the OWNER shall have completed active and substantial development, which is defined as the construction of basic infrastructure to support the development, including road construction to a minimum of gravel base, utilities placed in underground conduits, construction of all drainage IMPROVEMENTS, installation of all EROSION and SEDIMENT control measures, and the construction of at least one complete BUILDING foundation. Substantial completion shall be **deemed to have occurred when a CERTIFICATES OF OCCUPANCY for at least seventy-five percent (75%) of the houses within the SUBDIVISION have been issued by the Building Official, the top coat of the roadway and sidewalk have been completed** ~~defined as the completion of all on-site and off-site IMPROVEMENTS specified in the SUBDIVISION approval~~ **have been completed or a surety has been provided to the City to insure completion of all unfinished off-site improvements.”**

5. Chapter 155 of the Code of the City of Dover, entitled Subdivision Regulations, is hereby amended by revising 155-28 “PRELIMINARY PLAT Layout”, Section P, to read as follows:

“P. A neighborhood plan **on an aerial photograph**, showing all property lines within a distance determined by the Planning Director during initial consultations, and how the project relates to abutting uses. This sheet should show the proposed layout of the SUBDIVISION.”

6. Chapter 155 of the Code of the City of Dover, entitled Subdivision Regulations, is hereby amended by revising 155-29 “FINAL PLAT Layout”, Section B, by adding the following as number (16), to read as follows:

“(16) An index of sheets on the cover sheet with an asterisk (*) next to sheets that are to be recorded at the Strafford County Registry of Deeds.”

7. Chapter 155 of the Code of the City of Dover, entitled Subdivision Regulations, is hereby amended by revising 155-35, “STORMWATER Management, EROSION Control, and Flood Hazards”, to read as follows:

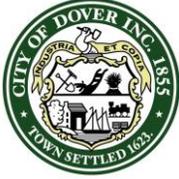
“A. Purpose

~~(1) The following are the purposes of these regulations:~~

~~(a) To treat STORM WATER to maintain and protect the quality of receiving waters;~~

~~(b) To reduce the DISCHARGE of pollutants;~~

~~(c) To promote the implementation of Low Impact Development practices;~~



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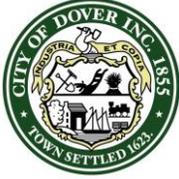
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- ~~(d) To minimize the amount of SITE disturbance and retain existing vegetation to the extent possible;~~
- ~~(e) To maintain the natural hydrology of a SITE to the extent possible;~~
- ~~(f) To promote the use of nontraditional and nonstructural STORM WATER management measures;~~
- ~~(g) To promote STORM WATER management systems that require lower maintenance;~~
- ~~(h) To encourage designs that allow for the containment in the event of a spill;~~
- ~~(i) To promote a balance between pre-development and post-development flow and volume;~~
- ~~(j) To properly pre-treat all STORM WATER RUNOFF;~~
- ~~(k) To promote designs that maintain groundwater recharge volumes;~~
- ~~(l) To address salt and sand loading~~

Purpose shall comply with the standards contained in Chapter 149—Site Plan Regulations, Section 149-14(A)(1), as amended.

B. STORM WATER Management

- ~~(1) A written engineering report describing the impacted watershed area, projected RUNOFF and any projected downstream impacts shall be required upon request. Where it is determined by the City Engineer that the additional RUNOFF incident to the development of the project SITE will overload or significantly impact an existing watercourse or downstream drainage facility, the PLANNING BOARD may require the provision of drainage EASEMENTS or drainage IMPROVEMENTS and/or facilities to alleviate said problem. Unless the PLANNING BOARD grants a waiver, the post-development surface water RUNOFF rate(s) shall not exceed the pre-development RUNOFF rate(s). All required drainage IMPROVEMENTS and/or facilities shall be sized and constructed as required in Chapter 155-41.~~
- ~~(2) Drainage calculations and STORM WATER management measures to achieve water quality, recharge, and peak DISCHARGE control shall be prepared in conformance with the BEST MANAGEMENT PRACTICES outlined in the following documents:
 - ~~(a) "STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL HANDBOOK FOR URBAN AND DEVELOPING AREAS IN NEW HAMPSHIRE," Rockingham County Conservation District, NH Department of Environmental Services (DES), Soil Conservation Service (now the Natural Resources Conservation Service), August 1992, as amended;~~
 - ~~(b) "NEW HAMPSHIRE STORMWATER MANUAL" NH Department of Environmental Services (DES), December 2008, as amended; and~~
 - ~~(c) any published DES regulations.~~~~
- ~~(3) Measurement of peak DISCHARGE rates shall be calculated using point of DISCHARGE. The topography of the SITE may require evaluation at more than~~



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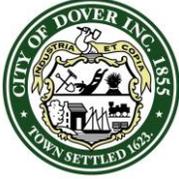
one location if flow leaves the property in more than one direction. An APPLICANT may demonstrate that a feature beyond the property boundary is more appropriate as a design point.

- (a) ~~During the development of a site, if it is discovered that more site drainage is generated than originally designed for, eg geothermal well discharge, excessive sump pumping, then a new drainage study shall be submitted to the City Engineer, for review and approval.~~
- (4) ~~No new STORM WATER conveyances may DISCHARGE untreated STORM WATER directly to or cause EROSION into wetlands or water bodies.~~
- (5) ~~A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) shall be developed to prevent EROSION, control SEDIMENT loss and keep other pollutants from contaminating STORM WATER and receiving waters. The SWPPP shall utilize a combination of structural, non-structural, and vegetative BEST MANAGEMENT PRACTICES (BMP's). A SWPPP is required by the Environmental Protection Agency (EPA) as part of their STORM WATER permit program and the NH Department of Environmental Services. Copies of all SWPPP inspection reports (completed on City provided forms) prepared during construction shall be submitted to the Dover Community Services Department as they are completed.~~

STORMWATER Management shall comply with the standards contained in Chapter 149—Site Plan Regulations, Section 149-14(A)(2) and 149-14(A)(3)(a) through (c), as amended.

C. STORM WATER Management System Operation and Maintenance Plans

- (1) ~~All STORM WATER management systems shall have an operation and maintenance plan (O&M plan) to ensure that systems function as designed. This plan shall be reviewed and approved as a part of the SITE plan. The O&M plan shall, at a minimum, identify:~~
- ~~(a) STORM WATER management system(s) OWNER(S);~~
 - ~~(b) The party or parties responsible for operation and maintenance;~~
 - ~~(c) A schedule for inspection and maintenance;~~
 - ~~(d) The routine and non-routine maintenance tasks to be undertaken;~~
 - ~~(e) An inspection and maintenance log sheet to record the results of the inspection; and~~
 - ~~(f) The O&M plan shall include the requirement that an annual report, including all inspection and maintenance logs, be submitted to the Dover Community Services Department in the month of December.~~
- (2) ~~Where private storm water infrastructure is installed and proposed to be maintained by a collective Association (eg Homeowners or Condominium), said Association's bylaws shall include the requirement to annually submit the Management System Operation and Maintenance Plans to the Community Services Department.~~



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STORMWATER Management System Operation and Maintenance Plans shall comply with the standards contained in Chapter 149—Site Plan Regulations, Section 149-14(A)(3)(f), as amended.

D. EROSION and Sedimentation Control

- ~~(1) EROSION and sedimentation controls must be implemented to prevent impacts during construction or land disturbance activities, and shall be properly installed prior to soil disturbance in the contributing drainage area.~~
- ~~(2) The APPLICANT shall prepare a plan that provides for EROSION and SEDIMENT control measures that meet the design standards and specifications set forth in the document, "STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL HANDBOOK FOR URBAN AND DEVELOPING AREAS IN NEW HAMPSHIRE," Rockingham County Conservation District, NH Department of Environmental Services (DES), Soil Conservation Service (now the Natural Resources Conservation Service), August 1992, as amended, and any published DES regulations.~~
- ~~(3) The EROSION and SEDIMENT control plan shall contain a sequence of construction of the development SITE, including stripping and clearing, rough grading, road construction, construction of utilities, infrastructure, and BUILDINGS, and final grading. Sequencing shall identify the estimated duration of exposure of cleared areas, areas of clearing, installation of temporary EROSION and SEDIMENT control measures, and the establishment of permanent vegetation. Stripping of vegetation, regading, or other development shall be done in such a way that will minimize soil EROSION. Whenever practical, natural vegetation shall be retained, protected or supplemented.~~
- ~~(4) EROSION control measures called for in the plan shall be installed prior to the removal of vegetation and topsoil. Clearing necessary to install SEDIMENT control measures is allowed. Disturbed areas shall be kept to a minimum. Disturbed areas not in active development shall be adequately stabilized.~~
- ~~(5) All temporary EROSION and SEDIMENT control measures shall be removed after final SITE stabilization. Trapped SEDIMENT and other disturbed soil areas resulting from the removal of temporary measures shall be permanently stabilized within 30 days.~~
- ~~(6) The APPLICANT/OWNER shall bear final responsibility for the installation, construction and disposition of all EROSION and SEDIMENT control measures required by these regulations. The APPLICANT/OWNER and construction SITE operator shall maintain all EROSION and SEDIMENT control measures in effective working condition.~~
- ~~(7) The City Engineer shall require the posting of a letter of credit or other acceptable form of security to ensure the actual construction and installation of the EROSION and SEDIMENT control measures and to cover the cost of revegetating all disturbed areas on the SITE, prior to any earth disturbing activity. All loam shall be~~



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~~stockpiled on site and shall not be removed from the site until after substantial completion.~~

- ~~(8) In addition to local approval, the APPLICANT shall be responsible for obtaining any required State and Federal permits. Permits may include an Environmental Protection Agency (EPA) STORM WATER permit, NH Department of Environmental Services Site Specific permit, or a State wetlands permit.~~

EROSION and Sedimentation Control shall comply with the standards contained in Chapter 149—Site Plan Regulations, Section 14(A)(3)(d), as amended.

E. Flood Hazards

- (1) SUBDIVISIONS involving land designated as special FLOOD HAZARD AREAS shall be reviewed to determine whether such proposals will be reasonably safe from flooding and shall meet the following requirements:
- (a) Permits. Prior to preliminary approval, the PLANNING BOARD shall review the proposed development to assure that all necessary permits have been received from those government agencies from which approval is required by Federal and State law including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
 - (b) Minimization of Flood Damage. Sufficient evidence (constructions drawings, grading and land treatment plans) shall be submitted so as to allow the PLANNING BOARD to determine that:
 - (i) All such proposals are consistent with the need to minimize flood damage;
 - (ii) All public utilities and facilities, such as sewer, gas, electrical, and water systems are located, and constructed to minimize or eliminate flood damage;
 - (iii) Adequate drainage is provided so as to reduce exposure to flood hazards; and,
 - (iv) New and replacement water and sewer systems (including on-site systems) are located, designed, and constructed to minimize infiltration and avoid impairment.
 - (c) Elevation and flood-proofing records. The SUBDIVIDER shall obtain and maintain records of elevations and flood-proofing levels for all new or substantially improved structures, whether or not such structures contain a basement.
 - (d) Base flood elevation data shall be provided for SUBDIVISION proposals and other proposed development which contains at least fifty (50) LOTS or five acres, whichever is less.”

8. Chapter 155 of the Code of the City of Dover, entitled Subdivision Regulations, is hereby amended by revising 155-37, “CONSTRUCTION PLANS and Specifications”, Section A, to read as follows:



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“A. Before final approval is granted for any SUBDIVISION, the DEVELOPER shall submit a complete set of PLAT CONSTRUCTION DETAIL SHEETS and specifications to the City Engineer for evaluation. **The details on each sheet shall be numbered or lettered.** Once approved by the City Engineer, the DEVELOPER shall not alter or vary the construction documents without prior consultation with the City Engineer.”

9. Chapter 155 of the Code of the City of Dover, entitled Subdivision Regulations, is hereby amended by revising 155-41 “Storm Sewers and Drainage Appurtenances”, Sections A and B, to read as follows:

“A. Design.

- (1) Proper sizing of culverts, pipes, etc., shall be by acceptable established engineering practice.
- (2) Design storm frequency requirements shall be as follows:
 - (a) Major streams, rivers, bridges, culverts: ~~fifty (50)~~ **one hundred (100)** year storm or flood of record.
 - (b) Minor brook culverts: ~~fifteen (15)~~ **fifty (50)** year storm.
 - (c) Storm sewers: ten (10) year storm.
- (3) A sample set of the calculations used in sizing the various pipes and a list of the variables used must be submitted to the City Engineer's office. Failure to include this information could result in a delay of the review process.

B. Standards of construction.

- (1) All IMPROVEMENTS shall meet the specifications of American Association of State Highway Transportation Officials (AASHTO) in regards to material and strength requirements.
- (2) Catch basins or drop inlets shall be equal to New Hampshire Standard Type A with three (3) foot sumps or four (4) foot sumps with hoods if required by the City Engineer.
- (3) Minimum-size pipe shall be twelve (12) inches in diameter for storm drains. Minimum size culvert shall be fifteen (15) inches diameter.
- (4) All pipes shall be one (1) of the following:

TYPICAL USE	RCP	HDPE	PVC
Culverts	X	X	---
Storm drains	X	X	X
Drive culverts	X	X	---
Underdrain (six inch)	---	X	X
Overdrain (six inch)	---	---	X



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Notes: X = acceptable; RCP = reinforced concrete pipe (Class III minimum); PVC = Polyvinyl SDR 35 pipe; HDPE = High-density polyethylene

- (5) There shall be a three (3) foot minimum cover over all pipes.
- (6) Culvert headwalls/endwalls, when required, shall be either concrete or mortar rubble masonry.
- (7) EROSION protection of ditches or pipe outlets shall be provided where soil and/or velocity conditions warrant protection by paving or use of stone.
- (8) No STORM WATER pipe, catch basin, drainage inlet or other pipes (floor drains) used to drain surface water shall be connected to any sanitary sewer system.”

10. Chapter 155 of the Code of the City of Dover, entitled Subdivision Regulations, is hereby amended by revising 155-60 “Definitions”, by deleting the following definitions:

~~“APPLICATION, FILE means to deliver an application to the Planning Director for inclusion on the PLANNING BOARD’S agenda as outlined in 155-9 and 155-10.~~

~~APPLICATION, SUBMISSION See OFFICIAL SUBMITTAL DATE.~~

~~BOUNDARY LINE ADJUSTMENT See LOT LINE ADJUSTMENT, MINOR.~~

~~NONRESIDENTIAL SUBDIVISION means a SUBDIVISION intended to be used for purposes other than residential, such as commercial and industrial. Such SUBDIVISIONS shall comply with the applicable provisions of these regulations.”~~