

Example Definitions – Minor Subdivision & Major Subdivision

Pembroke:

MINOR SUBDIVISION--The division of a parcel of land into three (3) or fewer lots, including the original lot. "Minor Subdivisions" shall include the re-subdivision of property in which the net result of lots is three or less. A lot line adjustment as defined herein shall not be considered a minor subdivision.

MAJOR SUBDIVISION-- The division of a parcel of land into four (4) or more lots, including the original lot. "Major subdivisions" are also subdivisions of any size which:

(1) Require the construction of any new street or portion thereof of a street;

(2) Require the extension of any municipal facility or the creation of any public improvements; or

(3) If it is determined by the Planning Board that the subdivision presents significant engineering/planning problems or that there is the likelihood of further subdivision of any of the parcels at a later date.

Bennington:

3:16 Subdivision, Major: Means a subdivision of four (4) or more lots, or one which involves the creation of new streets and/or utilities.

3:17 Subdivision, Minor: Means a subdivision of land into not more than three (3) lots for building development purposes, with no potential allowance for re-subdivision on an existing street; or one which does not involve the creation of new streets and/or utilities.

Canaan

Subdivision: Means the division of a lot, tract, or parcel of land into two (2) or more lots, plats, sites, or other division of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes re-subdivision 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 several owners shall be deemed a subdivision. Any additional dwelling placed upon a lot shall also be deemed a subdivision.

Subdivision, Major: Means a subdivision of four (4) or more lots, or one which involves the creation of new streets and/or utilities.

Subdivision, Minor: Means a subdivision of land into not more than three (3) lots for

building development purposes, with no potential for re-subdivision on an existing street: or one which does not involve the creation of new streets and/or utilities.

Subdivision, Technical: Means a subdivision of land into two lots or sites for the purpose of conveying one such lot or site directly to an abutting landowner. The parcel to be conveyed does not constitute a separate building lot: however, said parcel may be used for building development in conjunction with contiguous land owned by the abutter.

Eaton

MAJOR SUBDIVISION: Any subdivision not meeting the definition of a Minor Subdivision or Minor Lot Line Adjustment is to be classified as a Major Subdivision.

MINOR SUBDIVISION: Any proposal which involves the creation of not more than three lots, all fronting on existing streets, with no new streets proposed, and with no potential for re-subdivision under applicable regulations and ordinances.

Candia

ARTICLE 5. MINOR SUBDIVISION

A. Definition

5.01 Definition: The subdivision of land into three (3) or fewer lots with no potential for re-subdivision and requiring no new roads, utilities of other municipal improvements.

B. Procedure

5.02 Standards: All Minor Subdivision shall conform to applicable standards set forth in Sections III and IV. In addition, the subdivision may not adversely affect any adjoining property.

5.03 Procedure for Review: The Minor Subdivision process requires only the submission of the Final Plat, as set forth in Article 5.06 below. At an informal meeting with the subdivider, the Board shall first determine that the proposed subdivision qualifies for the Minor Subdivision procedure, following which the subdivider may submit the Final Plat immediately or at a subsequent meeting of the Board. Review of the Final Plat shall be in accordance with the procedures in Article 10.

C. Notice is required in accordance with RSA 676:4.II.B. Town of Candia, NH Major Subdivision Regulations April 3, 2019 15 5.04 Expansion of Procedures: If in the judgment of the Board, the subdivision as initially presented does not meet the requirements for a Minor Subdivision as stated in the Definition, the Board shall require the subdivision to be processed as a Major Subdivision.

ARTICLE 6. MAJOR SUBDIVISION

6.01 Definition:

The subdivision of land into four (4) or more lots, plats or other sites for the purpose whether immediate or future, of sale or of building development. It includes re-subdivision and when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

6.02 Standards:

All Major Subdivisions shall conform to the requirements within Sections III and IV of the Candia Subdivision Regulations, Standards for Subdivision Design, and Standards for Subdivision Construction, respectively.

6.03 Procedure for Review:

The procedures of Article 10 may be followed for the review of Major Subdivision. These procedures involve three steps: 1) an Informal Discussion for which no fee shall be assessed (see Article 10A) 2), a review of the Preliminary Layout (see Article 10B) and 3) a review of and public hearing on the Final Plat (see Article 10C).

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The Informal Discussion and the Preliminary Layout review shall be conducted at separate meetings of the Board and on separate dates from the public hearing on the Final Plat.

6.04 Submission Requirements:

Submission Requirements for Major Subdivision shall be as set forth in Article 10.

Sugar Hill

III. Application Procedure for Minor and Major Subdivision

3.1. General

A. Subdivisions fall into one or two categories, Minor or Major Subdivision. The definitions, requirements, and procedures for each are described in this section

and in section IV.

B. Prior to the proposal to subdivide land, and of before any sale, lease, or offer of the same is proposed, before any construction, land clearing or building development is begun, before any permit for the erection of any building in such proposed subdivision is granted, and before any subdivision plat can be filed in the Office of the Register of Deeds of Grafton County, the subdivider or his authorized agent shall apply for and secure approval from the Board in accordance with the remainder of Section III.

3.2. Informal Conceptual Discussion A. The subdivider may appear at a regular meeting of the Planning Board to discuss a proposal in conceptual form and in general terms. Such preliminary discussion shall be informal and directed toward:

1. Reviewing the basic concepts of the proposal
2. Reviewing the proposal with regard to the Town Master Plan and Zoning Ordinance
3. Reviewing the Town's Subdivision Regulations as they may apply to this proposal and determination of the proposal as a Major or Minor Subdivision, a. Guiding the subdivider relative to necessary state and local requirements.
4. Informal Conceptual Discussion shall not bind the subdivider or the Board. Such discussion may occur without formal public notice. However, no discussions beyond a conceptual and general review shall take place without identification of and notice to abutters and the general public.
5. Informal Conceptual Discussion shall be separate and apart from formal consideration under Sections C, D and E, and the time limits for acting under Section F shall not apply until a formal completed application is submitted.

3.3. Preliminary Review

A. A Major subdivision involves the creation of 4 or more building lots. Such subdivisions usually require more planning on the part of the subdivider to satisfactorily lay out lots, roads, utilities, water, septic systems, etc. Major Subdivisions generally create greater impacts than Minor Subdivisions and require a more detailed Board review. Because of the importance of resolving issues between the subdivider and the Board at an early stage in the process, the subdivider will be required to submit a preliminary site layout for Board 9 review. This informal review process will not involve a formal approval or disapproval. No completed application is required.

1. The Preliminary Review Application must contain the following items and must be submitted to the secretary of the Board not less than (20) days before any regular Board meeting.
 - a. A request for Preliminary Review
 - b. A list of all abutters and their addresses, as indicated in Town Records not more than five (5) days prior to the filing date

- c. Three paper copies of Preliminary Layout as described in section IV-A
- d. The Board may choose to waive some of the requirements if they are not essential to this review.

B. Review of the Layout. Upon receipt of the Preliminary Layout the Board shall conduct a review of the proposed subdivision at a public hearing. Notice shall be given to the subdivider, the abutters, and the general public. The Board may solicit comments from abutters and other interested persons as it deems appropriate

C. Action of the Board. After review of the Preliminary layout by the Board, the Board shall provide a written recommendations and/or reservations with respect to the proposed subdivision and the advisability of preparing a Final Plat. The Board shall determine what additional information shall be required for the Final Plat as provided in Section IV-B.

D. Neither time limits for consideration and action nor the public hearing requirements shall apply to this submission.

3.4. Completed Application

A. To obtain a Planning Board decision on a proposed subdivision, the subdivider must file a completed application which shall include: 1. An official application form, 2. Names and addresses of subdivider and all abutters as indicated in Town records not less than five (5) days before the day of filing, 3. For Minor Subdivision. Four (4) paper copies and two (2) Mylar's of the Final Plat as described in Section IV-B, 4. For Major Subdivision. Four (4) paper copies and two (2) Mylar's of the Final Plat and all required information as described in Section IV-B. 3.5. Filing and Submission of Completed Application A. A completed application shall be filed with the Secretary or the Chairman of the Board at least twenty (20) days prior to a scheduled public meeting of the Board.

B. Notice of submission shall be given to abutters and the public as provided in Section I and may be combined with the Notice of Public Hearing. 10

C. The Application shall be presented to the Board by the subdivider at a public meeting of the Board for which Notice has been given. The Board, by motion, can accept the Application as a completed application or reject the application as incomplete. This can occur at either a public meeting or an adjourned session thereof, and such action shall be noted on the application and in the records of the Board.

D. Applications may be rejected by the Board without a public hearing based upon any of the following grounds:

1. Failure of the subdivider to supply information required by these regulations, including abutters' names and addresses and information required for Preliminary Review
2. Failure to pay costs of notices or other costs and fees required by these Regulations
3. Taxes on property not paid to date

4. Failure to meet any reasonable deadline established by these regulations

E. The Board shall determine prior to formal acceptance of the completed application the kind of special studies or additional documentation which may be needed to make an informed decision. The Board may require special investigative studies, environmental assessments, a legal review of documents, administrative expenses, and other matters necessary to make an informed decision. The Board may require such other information as it deems necessary to serve the purposes of these regulations. The cost of such studies and investigations shall be paid by the subdivider prior to the approval or disapproval of the Final Plat.

F. When a Completed Application is accepted by the Board, the Board shall provide a receipt to the subdivider indicating the date of formal acceptance.

3.6. Board Action on Completed Applications

A. The completed application shall be deemed submitted to the Board as of the date on which the Board accepts it. Within 30 days of this acceptance or a sooner scheduled Planning Board meeting, the Board shall begin formal consideration. The Board shall act to approve, approve with modifications, or disapprove the application within 65 days of the date of submission. The Board may apply to the Board of Selectmen prior to the expiration of the 65 day period for an extension of time not to exceed 65 additional days before acting to approve or disapprove the application. The applicant may consent to an extension of time for the Board to act beyond the initial 65 day period on the condition that such consent shall be in writing and shall be made part of the Board's record.

B. The Board or its designated representative has the option to visit the site in order to thoroughly and knowledgeably review the proposal.

C. If the Planning Board has not obtained an extension and has not taken action to approve or disapprove the application within sixty-five (65) days of its acceptance, the applicant may obtain from the Selectmen an order directing the Board to act within fifteen (15) days. Failure of the Board to act upon such order of the Selectmen shall constitute grounds for the applicant to petition the Superior Court as provided in Section 4:1(c) Chapter 676 NH RSA 1983.

D. Approval of the Final Plat shall be certified by written endorsement on the Final Plat and signed by the Chairman or Secretary of the Board. The Chairman or Secretary of the Board shall forward a Mylar copy of the Final Plat with such approval endorsed in writing therein to the Register of Deeds of Grafton County, two print copies to the Selectmen, one Mylar and one print copy for the Planning Board's records and 11 one print copy to the applicant. The applicant shall be responsible for the payment of all recording fees. In case of disapproval of any plat submitted, the grounds for such disapproval shall be adequately stated in the records of the Planning Board and written notice given to the applicant.

E. If the Final Plat requires a road to be built, prior to approval of the Final Plat the subdivider shall furnish a Performance Bond, as detailed in Section VII-D of

these Regulations, securing to the Town the actual construction and installation of all improvements required by the Planning Board. (see definitions Section IIM)

3.7. Public Hearing. No application may be denied or approved without a public hearing on the application, duly noticed in accordance with Section I.