

Proposed fee changes, LDCR Section 170-17 and Section 170-56

Fee comparison

Item	Current Fee	Proposed Fee
Change in Use form*	None	\$25.00 per application
Technical Review Committee*	None	\$50.00 per application/\$25.00 per subsequent application
Voluntary Merger	\$20.00	\$20.00 plus recording fee
Lot Line Adjustment	\$20.00 per lot \$20.00 per unit (condo)	\$100.00 per lot
Minor Subdivision (1-3 lots)	\$350.00	\$175.00 plus \$50.00 per lot
Major Subdivision (3+ lots)	\$350.00 + \$50.00 per lot + \$1.50 per linear foot of improvement	\$200.00 plus \$100.00 per lot
Multi-Family Residential	\$350.00 + \$50.00 per dwelling + \$1.50 per linear foot of improvement	\$100.00 per unit
Condominium	\$20.00 per lot	\$175.00 plus \$50.00 per unit
Commercial/Industrial new construction	\$100.00 per lot +\$350.00 + \$500.00 per acre of disruption	\$0.15 per square foot not to exceed \$10,000.00
Commercial/Industrial additions/new floor space	\$100.00 per lot +\$350.00 + \$500.00 per acre of disruption	\$0.10 per square foot not to exceed \$5,000.00
Site Plan Determination	\$100.00 per lot	\$0.10 per square foot, not to exceed \$5,000.00
Parking Lot Expansion	\$100.00 per lot + \$500.00 review	\$0.07 per square foot not to exceed \$10,000.00
Abutter Notification	\$5.54 each (current CRR rate)	Current Certified Return Receipt fee, plus \$3.00 per notice
Legal Notice	No charge	\$50.00
External Review	Included in application fee	Prepayment cost to be determined by the Planning Department.
Recording Fee	None	Registry cost plus administrative fee of 5%
Internal Review Fee: Commercial Multi Family Residential Single family residential	\$250.00 per acre/fraction \$20.00 per unit (\$250.00 min.) \$20.00 per unit (\$200.00 min)	Included in application fee

- Not in LDCR; this is a department fee

Section 170-17 Fees and Costs

A. The following fees shall be paid at the time of application.

1. Voluntary Merger \$20.00 plus recording fee
2. Lot line adjustment \$100.00 per lot
3. Application fee \$20 per lot (including voluntary mergers) Minor subdivision/Condominiums: \$175.00 plus \$50.00 per lot/unit
4. Major subdivision: \$200.00 plus \$100.00 per lot

4. Notice Fee: The current cost of certified/return receipt mail postage per abutter or other person receiving notice, plus \$3.00 administrative fee per notice. (Effective 1/16/08).
- ~~2-5.~~ Legal Notice: \$50.00

- ~~3-6.~~ Recording Fee: Per sheet/document fee for plans and documents, according to the most recent fees established by the Rockingham County Registry of Deeds plus a 5% administrative fee. In addition, there is, as well as a \$25.00 LCHIP surcharge for each applicable recording. (Effective 6/18/08)

1. Subdivision Fees (final application phase submittals only)
 - a. Minor Subdivision Applications (Maximum of three new lots with no new roadways or off-site roadway, drainage and/or utility improvements) \$350.00 flat fee. (Effective 1/16/08)
 - b-a. Major Subdivision Applications (Any application not qualifying as a Minor Subdivision Application): \$350.00 base fee; plus \$50.00 per lot over 3 lots; plus \$1.50 per linear foot of new or improved public or private roadway. (Effective 1/16/08) External review fees will be provided by the Planning Director and are due at the time of application. The applicant is responsible for all fees incurred by the town for external review of the application.

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B. Plan review fees shall not apply to voluntary mergers or lot line adjustments.

Section 170-56 Fees and Costs

The following fees shall be paid at the time of application.

- A. Application fee (final application phase submittals only) \$100 per site Commercial/Industrial (new construction): \$0.15 per square foot not to exceed \$10,000.00.
- B. Commercial/Industrial additions/new floor space: \$0.10 per square foot not to exceed \$5,000.00
- C. Multi-family residential: \$100.00 per unit
- D. Site Plan Determination: \$0.10 per square foot, not to exceed \$5,000.00
- ~~CE.~~ Parking Lot Expansion: \$0.07 per square foot, not to exceed \$510,000.00.
- ~~EFB.~~ Notice fee (design review phase and final application phase submittals only): The current cost of Certified/Return Receipt mail postage per abutter or other person receiving notice, plus an administrative fee of \$3.00 per notice. (effective 1/16/08)
- ~~FG.~~ Legal notice: \$50.00
- ~~GHC.~~ Recording Fee: Per sheet/document fee for plans and documents, according to the most recent fees established by the Rockingham County Registry of Deeds, plus a 5% administrative fee. In addition, there is a \$25.00 LCHIP surcharge for each applicable recording. Recording Fee: Per sheet/document fee for plans and documents, according to the most recent fees established by the Rockingham County Registry of Deeds, as well as a \$25.00 LCHIP surcharge for each applicable recording. (Effective 6/18/08)
- ~~CHID.~~ External review fees will be provided by the Planning Director and are due at the time of application. The applicant is responsible for all fees incurred by the town for external review of the application
- 1. Non-residential Site Plan Review Applications: \$350.00 base fee; plus \$500.00 per acre of total land area to be disturbed by construction activity, on or off site. (effective 1/16/08)
- 1. Multi-family Residential Site Plan Review Applications (including applications for approval of Independent Adult Communities): \$350.00 base fee; plus \$50.00 per dwelling unit; plus \$1.50 per linear foot of new or improved public or private roadway. (effective 1/16/08)
- ~~DE.~~ Internal review & Escrow Development (final application phase submittals only)
- 1. Commercial / Industrial: \$250/acre or fraction thereof
- 2. Multi-family Residential: \$20/unit (\$250 min)
- 3. Single Residential: \$20 /unit (\$200 min) (Effective 5/18/05)

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APPLICATION FORMS & PROCEDURES

1. Whenever any subdivision is proposed and before any contract for the sale of, or any offer to sell such subdivisions or any part thereof shall have been negotiated, and before any application for a permit for the erection of any structure thereon shall be made, the owner or his authorized agent shall apply in writing to the Planning Board for approval of such subdivision.
2. Application for approval where abutter notification is required shall be filed at the Planning Board office who shall upon request, furnish the applicant with a receipt stating the date, time and all fees received. Abutter notification shall be required for Design Review Phase and Final Phase, Subdivision and Site Plan Review Applications per RSA 676:4, I (d).
3. All applications for Design Review and Final Phase Subdivision and Site Plan Review by the Board shall be made in writing by the owner of the property or his authorized agent, and shall include the following:
 - a. Application Form – Exhibit A
 - b. Submission Checklist – Exhibit B1, B2, B3, or B4; and Exhibit C1, C2 or C3 as applicable.
 - c. Checks for all fees required for submission
 1. Application and Notice to Abutter's fees payable to the "Town of Derry"
 2. Plan Review fee payable to "~~Derry Planning Dept~~Town of Derry. – Plan Review"
 - d. Complete abutter's list, containing the names and mailing addresses of those to receive notice under RSA 676:4, I (d) **AND** LDCR Sections 170-18C & 170-57C– @ within a 200' radius. Three sets of abutter labels shall be provided with the application.
 - e. Plans, calculations, reports and information as specified in these Regulations. All plans, calculations and reports shall be submitted in bound sets.
 - f. Complete list of any Land Development Control Regulations (~~LDCR~~) for which the applicant is seeking a waiver, with a comprehensive written explanation of the basis for any such waiver.
 - g. Written, signed and notarized appointment of any agent to appear before the Planning Board if the owner is not to be present at public hearings.
 - h. Comprehensive written summary of any agreement established between the applicant and any Town body, official or employee on which the applicant intends to rely, and countersigned by such body, official or employee. The foregoing summary is for Planning Board information and is not binding on the Planning Board.
 - i. Other information which may be required under applicable sections of the LDCR to constitute a complete application.

The owner, or authorized agent, shall complete the application form and shall execute under oath the affirmation thereon.

Failure to comply with these application procedures and/or failure to comply with all applicable laws, ordinances and regulations shall be grounds for summary disapproval of the application.

APPLICATION FORMS & PROCEDURES

4. After the application has been submitted to the Planning Board office, such application shall not be supplemented, amended or modified except at the request, or with the permission of the Planning Director. Notwithstanding the foregoing, the application may be withdrawn prior to the first public hearing; however, all application fees shall be forfeited and the applicant shall remain liable for all consultants' fees incurred prior to withdrawal of the application.
5. The scheduled date for consideration by the Planning Board listed on the Submission Checklists (Exhibit B1, B2, B3 or B4) by the Board's administrative staff is an estimate only. All applications will be dealt with in the order in which they are received. The applicant and/or agent will be notified of any required rescheduling.
6. The applicant shall be familiar with the current Master Plan for the Town of Derry.
7. By filing an application with the Board, the applicant (including all of the applicant's agents, consultants and representatives) consents to the review of the application and all associated materials by an independent consultant(s) retained by the Planning Board for the purpose of:
 - a. Confirming that all materials submitted by the applicant conforms with applicable laws, ordinances, regulations and requirements; and
 - b. Recommending to the Planning Board any additional studies, investigations and/or information which could facilitate the Board's determination that the proposed development:
 1. Would not involve danger or injury to health, safety or prosperity by reason of the lack of water supply, drainage, transportation, schools, fire protection or other public services, or necessitate the excessive expenditure of public funds for the supply of such property.
 2. Which would tend to create conditions favorable to health, municipal safety, convenience and prosperity; all in accordance with good planning and development practices. Such consultants may include Land Surveyors, Engineers, Architects, Attorneys, Soil Scientists, Wetland Scientist or others who may have expertise in particular fields related to the application.

FEE SCHEDULE FOR PLAN REVIEW - The following fees shall be paid at the time of application for review by the Board:

	Subdivision
	Flat-Fee Additional fee
Certified Notice per abutter	\$5.54
Per Lot fee	\$20.00
(includes voluntary merger)	
Minor Subdivision	\$350.00
(3 lots, no roads or off site improvements)	

APPLICATION FORMS & PROCEDURES

Major Subdivision	\$350.00	\$50.00 per lot (over 3) plus \$1.50 per lf of road or improvement
Site Plan		
	Flat Fee	Additional Fee
Certified Notice per abutter Per site	\$5.54	
Non residential site plan	\$100.00	
Multi family Residential	\$350.00	\$500.00 per acre of disruption
	\$350.00	\$50.00 per dwelling plus \$1.50 per lf of road or improvement

Internal Review and Escrow Development (final application phase only)

Commercial/Industrial	\$250.00 per acre or fraction thereof
Multi Family Residential	\$20.00 per unit (minimum \$250.00)
Single Family Residential	\$20.00 per unit (minimum \$200.00)

<u>Item</u>	<u>Proposed Fee</u>
<u>Technical Review Committee</u>	\$50.00 per application/\$25.00 per subsequent application
<u>Voluntary Merger</u>	\$20.00 plus recording fee
<u>Lot _____ Line Adjustment/condominium</u>	\$100.00 per lot
<u>Minor Subdivision (1-3 lots)</u>	\$175.00 plus \$50.00 per lot
<u>Major Subdivision (3+ lots)</u>	\$200.00 plus \$100.00 per lot
<u>Multi-Family Residential</u>	\$100.00 per unit
<u>Condominium</u>	\$175.00 plus \$50.00 per unit
<u>Commercial/Industrial new construction</u>	\$0.15 per square foot not to exceed \$10,000.00
<u>Commercial/Industrial additions/new floor space</u>	\$0.10 per square foot not to exceed \$5,000.00
<u>Site Plan Determination</u>	\$0.10 per square foot, not to exceed \$5,000.00
<u>Parking Lot Expansion</u>	\$0.07 per square foot not to exceed \$10,000.00
<u>Abutter Notification</u>	Current Certified Return Receipt fee, plus \$3.00 per notice
<u>Legal Notice</u>	\$50.00
<u>External Review</u>	Prepayment cost to be determined by the Planning Director Department. Paid dollar for dollar by the applicant
<u>Recording Fee</u>	Registry cost plus administrative fee of 5%

The ~~Outside Consultant~~External Review Fee shall not apply to Land Transfers or Lot Consolidations.

The owner/s of every parcel that is the subject of the PB review shall be present at all public hearings related to such review. Alternatively, the owner(s) may appoint an agent, by means of a written, signed and notarized authorization, to act for and on behalf of the owner/s at such public hearings; however, such authorization must afford the agent the full power to make all decisions and commitments with respect to the PB review of the proposed development which the owner/s could make if personally present.

APPLICATION FORMS & PROCEDURES

The application and related materials shall be prepared, certified and submitted to the PB by a Land Surveyor, Engineer, Architect, or other professional/s as applicable, within their area of professional expertise. By way of example, but not limited to, the following items shall be prepared as follows:

- a. Boundary locations and monumentation shall be prepared, shown on a plan/s and shall be certified and sealed by a Licensed Land Surveyor;
- b. Topography shall be prepared, shown on a plan/s and shall be certified and sealed by a Licensed Land Surveyor;
- c. High Intensity Soil Survey information ~~-(showing soil types and locations)~~ shall be prepared, shown on a plan/s and shall be certified by a Certified Soil Scientist;
- d. Wetland information shall be prepared, shown on a plan/s and shall be certified by a Certified Wetland Scientist;
- e. Drainage calculations shall be prepared, certified and sealed by a Licensed Professional Engineer and drainage improvements shall be shown on a plan/s;
- f. Traffic Impact statements shall be prepared and certified by a Licensed Professional Engineer;
- g. Road designs shall be prepared, shown on a plan/s and certified and sealed by a Licensed Professional Engineer.
- h. State Plane Coordinates shall be shown on final plans and a diskette provided to the GIS Coordinator at the Derry Public Works Department.
- i. A worksheet shall be completed and approved by the Public Works Department for project escrow prior to Planning Board approval.

The ~~Planning Board~~ may, for good cause, waive one or more of the foregoing.

All plans shall be submitted in bound sets (rolled, not folded please).

Each applicant shall execute and submit Application Checklist Form C1, C2 or C3 as applicable. Note that each checklist form includes a generalized recitation of required submission information. The purpose of these checklists is to serve as a guide to those making an application to the Derry Planning Board only. In order for any application to be deemed complete under the Land Development Control Regulations, that the application must include all information noted as required under applicable sections of the Land Development Control Regulations (see Article IV of the Subdivision Regulations and/or Article III of the Site Plan Regulations).

APPLICATION FORMS & PROCEDURES

APPLICATION FOR :

EXHIBIT A

___ Subdivision
Design Review
Phase

___ Subdivision
Final Phase

___ Site Plan
Design Review
Phase

___ Site Plan
Final
Phase

PARCEL ID _____ # OF LOTS _____

LOCATION _____

OWNER: _____ APPLICANT:
Name: _____

Address: _____

Telephone: _____

LAND SURVEYOR/ENGINEER/ARCHITECT:

Name: _____

Address: _____ Tel: _____

Affirmation by Owner or Authorized Agent:

I, _____, do hereby depose, affirm and say under oath, to the best of my knowledge and belief, that this application and all related materials attached hereto conform in each and every respect with all laws, ordinances and regulations, that I have personally completed the applicable checklist attached hereto (recognizing that the checklist is merely a summary of the highlights of some of the applicable regulations and is not intended to be all inclusive); that this application and all related materials and information have been prepared in accordance with the recognized professional standards; and that all information called for in the ordinances, regulations and checklist is attached hereto. I recognize that failure to comply with these application procedures and/or failure to comply with all applicable laws, ordinances and regulations shall be grounds for summary disapproval of the application.

(Date) (Signature)

State of New Hampshire County of Rockingham, S.S.

On this the _____ day of _____, _____ personally appeared before me _____ who under oath administered by me did execute, of his own free will, the foregoing affirmation.

(Notary Public-Justice of The Peace)
My commission expires:

APPLICATION FORMS & PROCEDURES

DESIGN REVIEW PHASE SUBMISSION - SUBDIVISION

EXHIBIT B1

DATE _____ OWNER _____

AUTHORIZED AGENT _____ RECEIVED OF _____

LOCATION _____ PARCEL ID _____

PROPOSAL _____

REQUIRED 8 Prints (Bound) _____ **REQUIRED**
 Abutter's List @ 200' Radius & Mailing Labels _____

FEES:

<u>Application fee</u>		<u>\$175.00</u> <u>(minor)</u> <u>\$200.00</u> <u>(major)</u>		<u>\$175.00 (minor)</u> <u>\$200.00 (major)</u>
Number of Lots	X	N/A <u>\$50/100</u>	= \$	
Number of Abutters	X	<u>\$85.54</u>	= \$	
<u>Legal Notice</u>				<u>\$50.00</u>
Notification of 9 Towns	X	<u>\$85.54</u>	= \$	Determined at TRC
SUBTOTAL				\$
Plan Review Fee (if required)			= \$	
Internal Review Fee				\$
TOTAL CHARGES				\$

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DATE PAID _____

Received by _____
 DERRY PLANNING BOARD OFFICE

APPLICATION FORMS & PROCEDURES

SCHEDULED FOR _____ (Tentatively)

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APPLICATION FORMS & PROCEDURES

Received by _____
DERRY PLANNING BOARD OFFICE

SCHEDULED FOR _____ (Tentatively)

APPLICATION FORMS & PROCEDURES

DESIGN REVIEW PHASE SUBMISSION - SITE PLAN REVIEW

EXHIBIT B3

DATE _____ OWNER _____

AUTHORIZED AGENT _____ RECEIVED OF _____

LOCATION _____ PARCEL ID _____

PROPOSAL _____

REQUIRED **REQUIRED**

8 Paper Prints (Bound) _____
Abutter's List @ 200' Radius & Mailing Labels _____

FEES:

Number of Lots	Application Fee	X	N/A	= \$	
Number of Abutters		X	\$85.54	= \$	
Legal Notice				\$50.00	
Notification of 9 Towns		X	\$85.54	= \$	Determined at TRC
SUBTOTAL				\$	
Plan Review Fee (if required)				= \$	
Internal Review Fee				\$	
TOTAL CHARGES				= \$	

DATE PAID _____

Received by _____
 DERRY PLANNING BOARD OFFICE

SCHEDULED FOR _____ (Tentatively)

APPLICATION FORMS & PROCEDURES

FINAL APPLICATION PHASE SUBMISSION - SITE PLAN REVIEW

EXHIBIT B4

DATE _____ OWNER _____

AUTHORIZED AGENT _____ RECEIVED OF _____

LOCATION _____ PARCEL ID _____

PROPOSAL _____

REQUIRED

REQUIRED

8 Paper Prints (Bound) _____
Abutter's List @ 200' Radius & Mailing Labels _____

FEES:

	<u>Number of Lots</u>		<u>Application Fee</u>		=	\$	_____
			\$100.00				
	Number of Abutters	X	\$85.54		=	\$	_____
	<u>Legal Notice</u>					\$50.00	
	Notification of 9 Towns	X	\$85.54		=	\$	TBD
	SUBTOTAL					\$	_____
	Plan Review Fee (if required)				=	\$	_____
	<u>Internal Review Fees</u>					\$	_____
	TOTAL CHARGES				=	\$	_____

DATE PAID _____

Received by _____

DERRY PLANNING BOARD OFFICE

APPLICATION FORMS & PROCEDURES

SCHEDULED FOR _____ (Tentatively)

APPLICATION FORMS & PROCEDURES

DESIGN REVIEW PHASE SUBDIVISION APPLICATION CHECKLIST EXHIBIT C1

DATE OF SUBMISSION _____ PARCEL ID _____

LOCATION _____ PROPOSAL _____

[PLEASE PRINT]

OWNER'S NAME _____ ADDRESS _____

APPLICANT'S NAME _____ ADDRESS _____
(If Different Than Owner)

AUTHORIZED AGENT _____ ADDRESS _____

(Please ✓)

- | | |
|--|---|
| <input type="checkbox"/> Parcel Boundaries | <input type="checkbox"/> Lot Boundaries |
| <input type="checkbox"/> Scale | <input type="checkbox"/> Zone |
| <input type="checkbox"/> Locus | <input type="checkbox"/> House Numbers <i>(See Fire Department)</i> |
| <input type="checkbox"/> North Point | <input type="checkbox"/> Monumentation |
| <input type="checkbox"/> Lot Numbers <i>(See Tax Assessor)</i> | <input type="checkbox"/> Title Block <i>(Lower Right Hand Corner)</i> |

Abutter Information:

Tax Lot Numbers _____ Wells _____

Buildings, Easements _____ Septic Systems _____



- | | | | |
|----------|--|--------------------------------|------------------|
| STREETS | _____ Street Names | _____ Stopping Sight Distances | |
| | _____ Road Profile - <i>(Proposed/New)</i> | _____ Stopping Sight Distances | _____ Road Class |
| | _____ Road Profile - <i>(Existing)</i> | _____ Stopping Sight Distances | |
| | _____ Driveway Locations | _____ Stopping Sight Distances | |
| | _____ Curbs & Sidewalks | | |
| LOTS | _____ Easements <i>(Dimensions)</i> | | |
| | _____ Lot Area <i>(Sq. Ft. & Acreage)</i> | | |
| | _____ Soil Type Boundaries Certified by a Soil Scientist on Plan | | |
| | _____ Percolation Test Locations/Data | | |
| | _____ Lot Size Calculations | | |
| DRAINAGE | _____ Drainage Calc. <i>(Preliminary)</i> | | |
| | _____ Watercourses | | |
| | _____ Water & Sewer Mains | | |
| | _____ Catch Basin Locations | | |
| | _____ Easements <i>(Dimensions)</i> | | |
| MISC | _____ Flood Plain/Conservation Corridor | | |
| | _____ Public Dedication of Land | | |
| | _____ Waivers <i>(If Any Requested)</i> | | |
| | _____ Impact Reports <i>(See LDCR)</i> | | |

Prepared by _____ Date _____

