

Town of Canaan Planning Board

RULES OF PROCEDURE

Adopted by the Planning Board
at a regular meeting on 2/24/2011board

Amended by the Planning Board
at a regular meeting on 1/27/2022

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Town of Canaan
Planning Board

RULES OF PROCEDURE

ARTICLE I: Authority

These rules of procedure are adopted under the authority of New Hampshire Revised Statutes Annotated (RSA) 676:1.

ARTICLE II: Members

1. **Composition.** The Planning Board (Board) shall consist of six (6) at-large members and one (1) selectman as an ex-officio member, with power to vote, for a total membership of seven (7). The Board of Selectmen shall designate the selectman to serve as the ex officio member.
2. **Requirements.** Selection, qualification, term, removal of members, and filling of vacancies shall conform to RSA 673.
3. **Alternates.** Alternate members may serve on the Board as authorized by RSA 673:6. Alternates are to be appointed by majority vote of the Board, and shall meet all requirements identified in RSA 673:6.
4. **Board Vacancies.** Board vacancies occurring other than through the expiration of a term of office are filled in accordance with RSA 673:12.
5. **Oath of Office.** Each newly elected or appointed (including re-elected or re-appointed) member shall be sworn in and take an oath of office as required by RSA 42:1.
6. **Record of Membership.** The Chair shall forward to the town clerk for recording the appointment or election and expiration dates of the terms of each member of the Board.

ARTICLE III: Officers

1. **Officers and Duties.** The officers of the Board shall be as follows:
 - a. **Chair:** The Chair shall preside over all meetings and hearings; shall prepare, with the assistance of other members of the Board, an annual report; submit approved plats for recording with the town clerk; act as a resource to applicants; and shall perform such other duties customary to the office.
 - b. **Vice-Chair:** The Vice-Chair shall preside in the absence of the Chair and shall have the full powers of the Chair on matters that come before the Board in the absence of the Chair.
 - c. **Secretary:** The Secretary shall assure that the Board's records are maintained at the Town Offices; ensure the proper notification and posting of meetings and hearings; coordinate the Board's schedule; prepare meeting agenda; and fulfill such other duties as the Chair may specify.
2. **Scribe:** The Board shall appoint a Scribe who may be a member of the Board, and may provide for reasonable compensation for the Scribe's services. The Scribe shall keep a full and accurate record of the proceedings of each meeting; record the names of the members present; record the names of applicants, abutters, and other persons

addressing the Board during meetings and hearings; prepare and distribute minutes of the meetings; file copies of approved minutes with the town clerk; and fulfill such other duties as the Chair may specify. In the absence of the Scribe, the Chair shall appoint a Scribe pro tem to keep records of the meeting.

3. **Election of Officers.** The officers of the Board shall be elected annually during the month of March by a majority vote of the Board. If requested by a majority of those present, voting shall be by roll call or written ballot.
4. **Creation and Dissolution of Offices and Committees.** Under the authority of RSA 673:8, the Board may create or dissolve offices, except for the office of Chair, as it from time to time deems necessary. The Board may appoint committees for special purposes as it from time to time deems necessary.

ARTICLE IV: Meetings

1. **Regular Meetings.** Regular meetings shall be held on the second and fourth Thursday of each month at a location providing accessibility to the general public, identified in the public notice of each meeting. Regular meetings shall not be held on holidays. A majority of members present may vote to reschedule regular meetings as necessary. Rescheduled meetings shall be subject to the same notice provisions as other meetings.
2. **Special Meetings.** Special meetings may be called by the Chair or in her/his absence, by the Vice-Chair, or at the request of three members of the Board provided public notice and notice to each member is given at least 48 hours in advance of the time of such meeting. The notice shall specify the purpose of the meeting.
3. **Nonpublic Session.** Nonpublic sessions shall be held only in accordance with RSA 91-A:3.
4. **Quorum.** A majority of the membership of the Board shall constitute a quorum, including alternates sitting in place of regular members.
5. **Appointment of Alternates.** If any regular Board member is absent from a meeting or hearing, or disqualifies her/himself from sitting on a particular application, the Chair shall designate one of the alternate members to sit in place of the absent or disqualified member. Such alternate shall have all the powers and duties of a regular member in regard to any matter under consideration on which the regular member is unable to act. The alternate should continue until the matter is completed; the regular member has neither voice nor vote on that matter.
6. **Disqualification.** If any member finds it necessary to be disqualified from sitting on a particular case, as provided in RSA 673:14, s/he shall notify the Chair as soon as possible so that an alternate may be requested to fill the place. The disqualification shall be announced by either the Chair or the member before the discussion or the public hearing on the application begins.
7. **Questions of Disqualification.** If uncertainty arises as to whether a Board member should disqualify her/himself, on the request of that member or the request of another member of the Board, the Board shall vote on the question of whether that member should be disqualified. Such request and vote shall be made prior to or at the commencement of any required public hearing. A vote on a question of disqualification shall be advisory and non-binding, and may not be requested by persons other than board members.

8. **Order of Business.** Order of business shall be as follows:
 - a. Call to order
 - b. Chair appoints alternates, if necessary
 - c. Minutes of previous meeting
 - d. Review of correspondence directed to the Board
 - e. Other routine business and announcements
 - f. Preliminary Conceptual consultations
 - g. Design Reviews
 - h. Consider completeness and acceptance of applications
 - i. Public hearings on subdivisions and site plans
 - j. Board action on submitted applications
 - k. Other public hearings
 - l. Review all open applications for Board action
 - m. Other business
9. **Public Discussion.** During regular or special meetings, public discussion shall be at the discretion of the Chair. The Chair may place reasonable limits on discussion to ensure the orderly and timely conduct of business. Public discussion during public hearings shall be conducted in accordance with Article VIII of these Rules.
10. **Voting.** A motion, duly seconded, shall be carried by an affirmative voice vote of a majority of the members present, unless otherwise provided for under these Rules. Voting may be by roll call if requested by a majority of the members present.

ARTICLE V: Application Procedures for Subdivision and Site Plan Review

1. **Preliminary Conceptual Consultation (Optional)**
 - a. No formal application is required for a preliminary conceptual consultation. The applicant should complete the request form in Appendix C and return it to the Canaan Town Office, attention: Planning Board to request the scheduling of a consultation at a regularly scheduled meeting.
 - b. There is no fee for a conceptual consultations
 - c. No abutter or public notice is required, other than listing the consultation on the public agenda for the meeting.
 - d. Discussions are general and non-binding
2. **Design Review (Optional)**
 - a. Applications for a Design Review meeting with the Board as provided for by RSA 676:4, II (b) shall be made using the forms provided in the Appendices of the Town of Canaan Subdivision Regulations or Site Plan Review Regulations, as applicable, and also available on the Town of Canaan Web Site.
 - b. Completed applications shall be delivered to the Canaan Town Office, attention: Planning Board, along with any applicable supporting documents, and the application fee (prescribed in Article XVI 1 herein) payable to the Town of Canaan.
 - c. The prescribed fee is payable at the Town Office along with the application.
 - d. Notice shall be given as required in RSA 676:4, I(d) and as specified in Article VIII herein
 - e. Discussions are specific but non-binding
 - f. The board shall determine the conclusion of the Design Review Phase process and inform the applicant.

3. Final Review (Required)

a. **Obtaining Applications.** Applicants shall obtain applications and other necessary documents from the Town Web Site, or, if lacking web access, from the Planning Board representative at the Town Offices. The application form for Subdivision Approval is located in Appendix E herein. The application form for Site Plan Review is located as an Appendix to the Town of Canaan Site Plan Review Regulations, and on the Town of Canaan Web Site.

Comment: The Town Offices representative may answer procedural questions from applicants regarding deadlines, notices, fees, and other such matters. Substantive questions involving statutes, regulations, or the Board's review and approval process should be directed to the Board's Chair.

b. **Return of Applications.** Applicants shall return applications and any applicable supporting documents, including requests for waiver of any subdivision or site plan review requirements documented on the waiver request form located in Appendix F, to the Canaan Town Office, attention: Planning Board, along with the application fee (prescribed in Article XVI 2 herein) payable to the Town of Canaan. In addition to mylar and paper copies, electronic PDF files of plats are to be provided to the Board at the time of application to facilitate review and presentation at public hearings.

c. **Filing of Applications.** The Town Offices shall document the date the application is received, collect all necessary filing fees, place the application in the Board's files, and inform the applicant of the date when the Board will begin consideration of the application, which is normally the next regularly scheduled Board meeting for which timely notice can be given per RSA 676:4, I(d).

d. **Notice.** As required by RSA 676:4, I(d), the Board shall notify the parties listed below by verified mail of the date of the next regular Planning Board meeting for which timely notice can be given, that the application will be considered for acceptance at such meeting, and that a public hearing will be held to review the final application on its merits. Such notice shall be mailed at least ten (10) days prior to the public meeting. At the same time the notice is mailed to the applicant and abutters, such notice shall also be given to the general public by posting at the Canaan Town Office, Canaan Town website, and the Canaan Post Office. The notice shall include a general description of the proposal which is the subject of the application and shall identify the applicant and the location of the property which is the subject of the application. The Board may also give notice by regular mail to other property owners in the vicinity of the tract.

- i. the applicant,
- ii. the abutters,
- iii. the holders of conservation, preservation, or agricultural preservation restrictions on the land under consideration, and
- iv. every engineer, architect, land surveyor, soil scientist or other professional whose seal appears on the site plan submitted to the Board.

e. **Collection of Applications.** Prior to each meeting of the Board, the Secretary shall collect applications from the Town Offices. The Secretary shall verify that

each file contains the date the application was received in the Town Offices and that all applicable fees have been collected.

Comment: If evidence of the date received or collection of fees is missing, the application shall not be presented to the Board for review. The applicant and the Town Offices shall be informed of the deficiency as soon as practicable. The Secretary shall not make any other determination regarding the completeness of any file.

- f. **Completeness Review, Formal Submission, and Public Hearing.** At the meeting when the application is scheduled for formal submission, the Board shall make a final determination that the application is complete. If so, the Chair shall entertain a motion to accept the application. An affirmative vote of the majority is required to accept the application as formally submitted. Immediately after the vote, the Chair shall open a public hearing in accordance with Article IX of these Rules.
- i. When the Board has accepted a Final Application as complete, and the application fee and all costs of notice of the application have been paid, a 65 day review period begins.
 - ii. In the case of a determination by the board that the application is a development of regional impact requiring notice in accordance with RSA 36:57, III, the board shall have an additional 30 days to act to approve, conditionally approve, or disapprove.
 - iii. No application shall be denied or approved without a public hearing on the application.
- g. **Incomplete Applications.** If an application is determined incomplete, the Board shall take no further action and shall notify the applicant in writing of any deficiencies. The Town Offices should also be notified that the applicant may be submitting additional items.
- h. **Other Procedures.** Any other procedure not specifically addressed under this Article shall be governed by the applicable sections of the Board's Subdivision Regulations herein incorporated by reference.

ARTICLE VI: Applications for Other Board Actions

The procedures for applications for other board actions are specified below:

1. **Lot Merger.** A property owner may submit an application to the Board to voluntarily merge two or more lots of record. Application may be found at Appendix I herein, and on the Canaan Web Site. An application fee (prescribed in Article XVI 3 herein) payable to town of Canaan is due with the application.
 - a. The applicant shall deliver the application and fee to the Canaan Town Office, attention: Planning Board.
 - b. The written consent of each mortgage holder shall be required as a condition of approval. (NH RSA 674:39-a)
 - c. There are no notices required, and no public hearing is required
 - d. Upon approval at a regular meeting, all Board members present sign the application form, which is then mailed to the Grafton County Registry of Deeds.
2. **Excavation Permit.** All commercial earth excavations, with some exceptions, require a Permit, pursuant to the authority vested in the Planning Board by the voters of the Town of Canaan and RSA 155-E. The application form is located at appendix K herein, and on the Town of Canaan Web Site.

- a. The applicant shall deliver a completed application to the Canaan Town Office, attention: Planning Board, along with an application fee (prescribed in Article XVI 4 herein) payable to the Town of Canaan.
 - b. An Alteration of Terrain Permit from the State of New Hampshire may be required, per RSA 485-A:6. Specific guidance is available on the NH Department of Environmental Services web site.
 - c. Applicants should familiarize themselves with both RSA 155-E and the Town of Canaan Excavation Regulations to be fully informed as to requirements.
 - d. The required application form and required list of abutters form are located as Appendices of the Town of Canaan Excavation Regulations.
 - e. Notice shall be published as specified in Article VIII herein.
 - f. A completeness review and public hearing will be scheduled within 30 days after a completed application has been received at the Town office.
 - g. The Board shall make a decision within 20 days of the close of the hearing. Notice of this decision shall be recorded in the minutes of the meeting, communicated to the applicant, and placed on file in the Town Office within 5 business days of the decision.
 - h. An excavation permit fee (prescribed in Article XVI 5 herein) shall be paid upon the issuance of a permit, to defray the costs of permit compliance.
3. **Accessory Dwelling Unit.** A single attached or internal dwelling unit added to a primary single-family residence does not come before the Planning Board, if it meets the requirements of RSA 674:71 and 72. The primary requirement is that a septic system application be submitted to DES.
4. **Additional Dwelling Unit.** All other dwelling units added to a lot are subdivisions, and will be processed as Minor Subdivisions in accordance with Article V, Section 3. The application form to be used is "Application for Additional Dwelling Unit" located in Appendix J. Fee is \$50 for the first dwelling unit and \$10 for each additional dwelling unit, which includes all notice, mailing, and registry fees. The applicant may be required to submit a plat suitable for recording at the registry of Deeds, depending upon the complexity of the project.
- a. The applicant shall deliver the application to the Canaan Town Office, attention: Planning Board.
 - b. Abutters and the public will be noticed as prescribed in Article VIII.
 - c. A public hearing is required as prescribed in Article IX.
 - d. Upon approval at a regular meeting, the Chair signs the bottom portion of the application form, noting any conditions of approval specified by the Board.
 - e. The approved form will be returned to the applicant within 5 business days of the meeting, a copy maintained in the Town Office, and the approval, which may include a plat depending upon complexity, will be recorded at the Registry of Deeds by the Planning Board.
5. **Permit to build on a Class VI or private road.** The application form is located at Appendix L herein and on the Town of Canaan Web Site.
- a. The applicant shall deliver a completed application to the Canaan Town Office, attention: Planning Board. There is no application fee.

- b. Applicants should familiarize themselves with Town of Canaan, N.H. Class VI Highway/Private Road Policy to be fully informed as to requirements.
- c. Pursuant to RSA 674:41, the application shall first be presented to the Planning Board for their review at a public hearing, for which Notice will be published as specified in Article VIII.
- d. Following this hearing the comments of the Planning Board become part of the application. The Board of Selectmen will then consider the application at an additional public hearing.

ARTICLE VII: Forms

Any forms referenced herein and revisions thereof shall be adopted by resolution of the Board and shall become part of these Rules. (See Appendices).

ARTICLE VIII: Notice

1. **Regular Meetings.** Notice of all regular meetings must be given at least 48 hours (excluding Sundays and legal holidays) in advance by posting on the Canaan web site and at the Canaan Town Office.
2. **Required Notice.** Public and personal notice is required for all design reviews and for the formal submission of, and public hearings on, applications for Subdivision, Site Plan Reviews, building on Class VI or private road and Excavation Permits. Public Notice is also required for Public Hearings to review proposed amendments to Planning Board Regulations and the Master Plan.
3. **Public Notice.** Public notice shall be given on the Canaan web site, at the Canaan Town Office and the Canaan Post office not less than ten (10) days prior to the date fixed for formal submission and consideration of the application.
4. **Personal Notice.** Personal notice shall be made by verified mail to the applicant, all abutters and any professional whose seal appears on any plat not less than ten (10) days (excluding the day of mailing and the day of the meeting) prior to the date fixed for formal submission of the application to the Board.
5. **Continuation.** Additional notice is not required if a public hearing is recessed without a final decision provided that the date, time, and place for continuance of the hearing is announced to all in attendance at the time of recess.

ARTICLE IX: Public Hearings

The conduct of public hearings shall be governed by the following rules:

1. **Opening.** The Chair shall open the hearing and read the Public Hearing Opening Statement.
2. **Time of Opening.** The Scribe shall record the time that the hearing is opened.
3. **Names of Abutters.** The Scribe shall request all abutters to identify themselves and record the names.
4. **Presentation of Proposal.** The Chair shall request the applicant or applicant's agent to present the proposal.
5. **Public Discussion.** Following the applicant's presentation, the Chair shall open the floor to public discussion.

6. **Limitations on Public Discussion.** The Chair shall have the discretion to place reasonable limits on discussion to ensure the orderly and timely conduct of business.
7. **Town Representatives.** Other parties such as representatives of town departments and other town boards and commissions who have an interest in the proposal shall be allowed to present their comments in person or in writing.
8. **Questions from the Board.** Members of the Board may ask questions directly to the applicant at any point during the hearing. Board members desiring to ask questions of other persons in attendance should first request permission from the Chair.
9. **Questions from Other Persons.** Other persons desiring to ask questions of any other party shall direct questions to the Chair.
10. **Identification of Speakers.** Each person who speaks shall be required to state her/his name and indicate his/her interest in the matter.
11. **Written Testimony.** Persons unable to attend the hearing may offer testimony in writing.
12. **Recess of Hearings.** If the Board is unable to conclude the hearing in the time allotted, the Chair shall recess the hearing and continue it to a date, time, and place certain, and shall announce this to all in attendance. The Scribe shall record the time of recess and continuation. The Rules in this Article shall apply to continuations of recessed hearings except that the Chair shall announce that the hearing has been previously opened.
13. **Close of Hearing.** After all testimony has been heard, the Chair shall declare the hearing closed and the Scribe shall record the time of closing.
14. **Deliberation by the Board.** The Chair shall call for the Board to begin deliberation.
15. **Additional Testimony.** No additional testimony may be heard unless given directly in response to a Board member's question.

ARTICLE X: Decisions

1. **Time of Decisions.** The Board shall render a written decision within 65 days of the date of submission of a completed application, subject to extension or waiver as provided in RSA 676:4. If a project has been determined to have Regional Impact, requiring notice in accordance with RSA 36:57, III, the board shall have an additional 30 days to act to approve, conditionally approve, or disapprove.
2. **Actions Available.** The Board shall act to approve, conditionally approve, or disapprove.
3. **Public Inspection.** Notice of decisions will be made available for public inspection at the Canaan Town Hall within 5 business days after the decision is made as required in RSA 676:3.
4. **Notice of Disapproval.** If the application is disapproved, the Board shall provide the applicant with written reasons for the disapproval.
5. **Revocation of Approval.** The Planning Board will hold a public hearing for the purpose of considering whether to revoke any previously approved Plan for documented reasons. Should a decision not be reached at the public hearing, the matter will stay on the Planning Board agenda until such time as it is resolved. Forms for notice of the Public Hearing and to document revocation are included in Appendix H.

ARTICLE XI: Records

1. **Public Inspection.** The records of the Board shall be maintained at the Canaan Town Office, and approved copies shall be made available for public inspection as required by RSA 676:3, II.
2. **Minutes.** Approved minutes of the meetings including the names of Board members, persons appearing before the Board, and a brief description of the subject matter shall be open to public inspection within 5 business days of the public meeting as required in RSA 91-A:2, II. Approved minutes shall be posted on the Town Website.

ARTICLE XII: Joint Meetings and Hearings

1. **Authority.** The Planning Board may hold joint meetings and hearings with other Canaan town boards, committees, or departments. Each board shall have discretion whether or not to hold such joint meetings or hearings.
2. **Business Meetings.** Joint business meetings with another board may be held at any time when called jointly by the chairs of the two boards.
3. **Joint Hearings.** A joint public hearing must be a formal public hearing when the subject matter of the hearing is within the responsibilities of the boards convened.
4. **Notice.** The notice requirements of Article VII shall apply for all joint meetings and hearings.
5. **Chair.** The Planning Board Chair shall chair all joint meetings and hearings when the subject matter invokes the Planning Board's jurisdiction. Otherwise it shall be chaired by the board requesting the meeting.
6. **Rules and Order of Business.** If the Planning Board Chair presides, these Rules shall apply to all joint meetings and hearings except that the order of business shall include the following:
 - a. Introduction of members of all boards, if requested
 - b. Explanation of reason for joint meeting/hearing.
 - c. In the case of a public hearing relative to a requested permit or an application, the applicant shall be called to present his/her proposal
 - d. Adjournment
7. **Decisions.** Each board involved in a joint meeting or hearing makes its own decision, based on its criteria for the particular matter.
8. **Minutes.** The Planning Board Scribe shall keep the official minutes of the meeting/hearing if the Planning Board Chair presides.

ARTICLE XIII: Amendment of Rules of Procedure

1. **Authority.** These Rules of Procedure may be amended by a majority vote of the members of the Board.
2. **Proposal.** Any regular member of the Board may propose amendments at any regular meeting. Proposed amendments shall be in writing and shall be presented to the Chair. The member should briefly state the reasons for the proposed amendment.
3. **Reading.** The Chair shall read the proposed amendment and shall entertain a second to the proposal.

4. **Discussion.** If seconded, the Chair shall schedule discussion of the proposed amendment at a subsequent meeting.
5. **Adoption.** If adopted, the amended procedures shall be filed with the town clerk.

ARTICLE XIV: Amendment of Regulations and Master Plan

1. **Proposal.** Any regular member of the Board may propose amendments at any regular meeting. Proposed amendments shall be presented in writing to the Board. The member should briefly state the reasons for the proposed amendment.
2. **Reading.** The Chair shall read the proposed amendment and shall entertain a second to the proposal.
3. **Discussion.** If seconded, the Chair shall conduct discussion of the proposed amendment or schedule discussion for a subsequent meeting. The proposal may be modified by majority agreement of the Board during discussion in open meeting.
4. **Public Hearing.** A public hearing must be held in accordance with Article IX, following Public Notice in accordance with Article VIII.
5. **Authority.** Amendments to Planning Board regulations and the Master Plan may be approved by a majority vote of the members of the Board, after considering the results of the public hearing.
6. **Adoption.** If adopted, the amended procedures shall be filed with the town clerk.

ARTICLE XV: Amendment of Zoning & Innovative Land Use Ordinances

1. **Proposal.** Any regular member of the Board may propose amendments at any regular meeting. Proposed amendments shall be in writing and shall be presented to the Chair. The member should briefly state the reasons for the proposed amendment.
2. **Reading.** The Chair shall read the proposed amendment and shall entertain a second to the proposal.
3. **Discussion.** If seconded, the Chair shall conduct discussion of the proposed amendment or schedule discussion for a subsequent meeting. The proposal may be modified by majority agreement of the Board during discussion in open meeting.
4. **Public Hearing.** A public hearing must be held in accordance with Article IX, following Public Notice in accordance with Article VIII.
5. **Authority.** Amendments, as finalized by the Board based on the results of the public hearing, will be presented to the voters as a warrant article at the next Town Meeting.
6. **Adoption.** If approved by the voters, the amended procedures shall be enacted, and filed with the town clerk.

ARTICLE XVI: Fees

1. **Design Reviews.** There is a \$150 application fee for Design Reviews, payable to the Town of Canaan at the time of application.
2. **Final Subdivision and Site Plan Review.** Application fees shall be payable to the Town of Canaan at the time of application. A fee of \$150 includes town processing and Registry of Deeds filing of a single sheet Mylar. An additional fee to cover US Postal Services certified mailings to all abutters, and others as determined by law, is required. This is calculated as the number of addresses times the current USPS certified return

receipt charge. A separate check made payable to the Registry of Deeds for the LCHIP fee (currently \$25.00), shall be included with the plat (Mylar), when submitted for final approval. Any additional fee imposed by county, state or federal government shall be paid by the applicant.

3. Lot Merger. There is a \$30 application fee for Lot Mergers, payable to the Town of Canaan at the time of application.
4. Excavation Permit Application. There is a \$150 fee for Excavation Permit Applications, payable to the Town of Canaan at the time of application.
5. Excavation Permit Fee. An excavation permit fee of \$50 shall be paid upon the issuance of a permit, payable to the Town of Canaan.

APPENDIX A: Legal Notice

TOWN OF CANAAN, NH

PLANNING BOARD

Legal Notice

NOTICE OF SUBMISSION OF APPLICATION AND PUBLIC HEARING

Name of Applicant: _____

Type of Application: _____

Description of Application: _____

Location of Property: _____

Date: _____ Time: _____

Place: _____

The application may be viewed at the town office, or through the online agenda [https://tinyurl.com/pb-
agd](https://tinyurl.com/pb-agd) where Zoom instructions will also be found. Alternatively, to join meeting by telephone, please call one of these two numbers: (301) 715-8592 or (929) 436-2866.

Notice is hereby given in accordance with RSA § 676:4 that the above application will be submitted to the Canaan Planning Board, during a regular meeting of the Board at the date and time indicated above. This notice is being provided to the general public by posting at the Town Office and Post Office, and by verified mail to:

- The applicant
- Abutting property owners
- Interested third parties, including those described in RSA § 676:4, I, (d)

Upon a finding by the Board that the application meets the submission requirements of the Canaan Subdivision Regulations, the Board will vote to accept the application as complete and a public hearing on the merits of the proposal will follow immediately. Please be advised that your right to testify is restricted to the public hearing portion of the meeting and that the Board has the discretion of placing certain limitations on testimony to maintain the orderly and timely conduct of business. If you are unable to attend the hearing, you may submit comments to the Board in writing.

Should a decision not be reached at this time, this application will stay on the Board’s agenda until such time as it is approved, conditionally approved, or disapproved.

Per order of the Canaan Planning Board,

APPENDIX B: Reserved

APPENDIX C: Request for Conceptual Consultation

Please complete the following and return to the Town Office. There are no fees or formal notice requirements for this Consultation. You will be notified when your Consultation has been scheduled. If your request is deferred, you will also be notified and receive comments from the Board.

Today's Date: _____ Name: _____

Mailing Address: _____ Phone: _____

_____ Fax: _____

_____ Email: _____

Location of Affected Parcel(s): _____

Tax Map & Lot # of Affected Parcel(s): _____

Please provide a brief, general description of your proposal along with any specific questions you would like the Board to address. If possible, please also include on a separate page, a drawing representative of your proposal (hand drawing is acceptable). Attach additional pages if necessary:

=====

Planning Board Use Only

Date Reviewed: _____

Consultation: Scheduled Deferred

(see Comments below)

Consultation scheduled for (Date & Time): _____

Comments: _____

Secretary

**APPENDIX D: Planning Board Review Process
Subdivision/Site Plan Review**

Preliminary Conceptual Consultation (optional)

No fees, no Application, and no abutter notice required.

Discussions are general and non-binding.

Obtain Planning Board Secretary's contact information from Town Office.

Schedule time and date with Planning Board Secretary.



Design Review Phase (optional)

Fee and 10 day abutter notice required.

Discussions are specific but non-binding

Pay fee at Town Office.

Secretary contacts applicant with meeting date and time.



Applicant obtains blank Application from Town Website or Town Office.



1. Applicant returns completed Application to Town Office
2. Applicant pays fees to Town Office
3. Public and personal legal notices are issued by Town Office



Planning Board Secretary collects applications and verifies dates and fees.



Next Regular Meeting (for which timely notice can be given)

1. Conduct Completeness Review.
2. Accept Application
3. Conduct public hearing



4. Decision (65 days maximum after Formal Submission).

APPENDIX E:

FORM C
APPLICATION FOR APPROVAL OF FINAL SUBDIVISION PLAT

Town of Canaan, New Hampshire

TO BE FILLED OUT BY OWNER:

1. Subdivision Name: _____

2. Subdivision Location: _____

3. Tax Map and Parcel Number: _____

4. Owner of Record: _____

Address: _____

5. Has an agent been appointed to represent the owner? Yes ___ No ___

Agent's Name: _____

Address: _____ Tel. _____

6. Names and addresses of all abutters, as indicated in town records not more than live (5) days before the filing of this application:

Abutter's Name

Address

(continue on additional sheet as necessary)

7. Date of regularly scheduled Planning Board meeting at which application for preliminary layout review is to be submitted to Board: _____

8. Have the requirements for final plat submission been met in their entirety, as required by the Canaan subdivision regulations? Yes ___ No ___

If not, please indicate all exceptions or waivers requested (use additional sheets if necessary):

(Over)

9. Number of lots proposed for final approval: _____

10. Type of subdivision: Minor ___ Major ___

11. List all maps and other material accompanying this application:

<u>Number</u>	<u>Item</u>
_____	Polyester film copies of final plat
_____	Blue or black line prints
_____	Construction detail sheets
_____	PDF of Application and Plat
_____	_____
_____	_____

12. General Comments: _____

13. The undersigned hereby requests final approval by the Planning Board of the above-identified subdivision plat.

Signature (owner): _____ **Date:** _____

***** FOR OFFICIAL USE ONLY *****

14. Date application received by the Secretary of the Board: _____

15. Application file number: _____

16. Date application formally accepted by the Board: _____

17. Date 65 day review period terminates: _____

18. Date abutter's notification to be mailed by: _____

19. Date of public hearing: _____

20. Date public hearing notices to be mailed and published by: _____

(CONTINUED)

21. Fees Paid:

Date	Purpose	Amount
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

22. Final plat approval granted: _____ **(date)**

Signature (Planning Board Chairman or Secretary): _____

Date filed with Register of Deeds: _____

Volume: _____ **Page:** _____

23. Final plat approval denied: _____ **(date)**

Signature (Planning Board Chairman or Secretary): _____

24. General comments or notes:

APPENDIX F:

APPLICATION FOR WAIVER OF SUBDIVISION/SITE PLAN REVIEW REQUIREMENT

Date: _____

To the Chairman and Members of the Canaan Planning Board:

On (DATE) I submitted a plan for (subdivision/site plan review) approval to the Board, entitled (_____) and prepared by (_____). Pursuant to the Board's regulations, I am requesting a waiver from the following items for reasons stated below:

1) _____

2) _____

3) _____

4) _____

5) _____

Respectfully submitted,

APPENDIX G:

**NOTICE OF PUBLIC HEARING re: ADOPTION OF OR AMENDMENTS TO
SUBDIVISION OR SITE PLAN REVIEW REGULATIONS**

Town of Canaan
NOTICE OF PUBLIC HEARING

Pursuant to RSA 675:7, the Planning Board will hold a public hearing on (DATE) (TIME) at (LOCATION) on (a proposed amendment or the adoption of the (Subdivision Site /Plan Review)) Regulation. The effect of the (proposed amendment or proposal) will be to:

(here insert a topical description of the proposed changes:)

A full copy of the text of the proposed amendment is available for review in the Town Office during regular business hours.

Per order of the Canaan Planning Board

Secretary

APPENDIX H: REVOCATION

NOTICE OF PUBLIC HEARING TO REVOKE PLANNING BOARD APPROVAL

Town of Canaan
LEGAL/PUBLIC NOTICE

Notice is hereby given in accordance with RSA 676:4a the Planning Board will hold a public hearing on (DATE) at (TIME) at (LOCATION) for the purpose of considering whether to revoke (Plan Name) previously approved on (DATE) and filed with the Grafton County Register of Deeds. The Board is considering revocation for the reasons stated below. Should a decision not be reached at the public hearing, this application will stay on the Planning Board agenda until such time as it is resolved.

Per order of the Canaan Planning Board

Secretary

DECLARATION OF REVOCATION

[If the Board has voted to revoke a previously approved plan after a public hearing, a declaration of revocation must be filed with the county register of deeds no sooner than 30 days after written notification to the applicant, or 30 days after the public hearing, whichever is later. The declaration must be recorded under the same name as that on the original approval, dated, endorsed in writing by the Planning Board, and contain reference to the recording information of the plan being revoked.]

Notice is hereby given that Canaan Planning Board voted on (DATE) to revoke the approval of (Plan Name) granted to (Applicant Name) on (DATE). The Plan was recorded in the Grafton County Register of Deeds as (Plan Name) and filed on (DATE). The approval was revoked for the following reasons:

Respectfully Submitted,

Planning Board Chair

APPENDIX I:

APPLICATION FOR VOLUNTARY MERGER OF LOTS OF RECORD

(Application is found on next page. Leave space at top of page for Registry use)

Above for Registry use only

**TOWN OF CANAAN
VOLUNTARY MERGER OF LOTS OF RECORD**

The undersigned, being the owner of two certain parcels of land situate in Canaan, in the County of Grafton and State of New Hampshire, as more particularly described in a deed(s) to the undersigned, dated: _____, and recorded in the Grafton County Registry of Deeds, book: _____ page: _____, and a deed dated: _____, and recorded in the Grafton County Registry of Deeds, book: _____ page: _____, to which reference is made, and having requested approval by the Planning Board of the Town of Canaan to declare the land described in said deed(s) to be, in fact, a single lot of record, in consideration of mutual agreements, does hereby covenant, grant and agree to and with the Town of Canaan, its successors, and assigns, as follows:

- A. On behalf of himself, and his successors in title of this tract of land, agrees that those portions of this parcel or tract cannot be sold separately without lawful subdivision from the Canaan Planning Board.
- B. On behalf of himself, and his successors in title of this tract or parcel of land, understands and agrees that this tract or parcel will be treated as a single parcel of land for tax and other purposes.
- C. This Covenant shall run with and be binding upon the forgoing tract of land and every part thereof and shall be recorded in the Grafton County Registry of Deeds as evidence thereof. In each and every Deed to this parcel or tract the owner will undertake to insert a clause referring to this Covenant and binding the Grantee to it.

The written consent of each mortgage holder shall be required as a condition of approval. (NH RSA 674:39-a)

TAX MAP # _____ LOT # _____ TAX MAP # _____ LOT# _____

SIGNATURE OF PROPERTY OWNER: _____ Date: _____

NAME OF PROPERTY OWNER: (type or print) _____

Approved by Canaan Planning Board, Date _____

Planning Board Signatures:

APPENDIX J:

Application for Additional Dwelling Unit

Planning Board, Canaan NH

See instructions on page 2

Applicant Name: _____ Date: _____

Mailing Address, Street: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

Lot address: Street: _____

Tax map number: _____ Lot number: _____ Sub number: _____

Water supply (town, new onsite well, other): _____

Septic system (town, new onsite septic, other): _____

New driveway? Yes or no _____ Length? _____

Distance between existing and new driveway? _____

Existing dwelling units: Total number _____ Mobile home number _____

Is added dwelling unit a mobile home? Yes or no _____

Include rough sketch of lot. Show buildings, drives, wells, septic, wetlands

Additional Dwelling requires: 1) Building permit, 2) State approved septic system or municipal connection, 3) Drinking water well constructed to state standards or municipal connection, 4) Driveway permit, if new curb cut, 5) For Mobile homes, a Licensed installer & Certificate of Compliance. (Mobile home shall mean manufactured housing as defined in RSA 205-A:1)

Signature of owner(s) or agent: _____

Print name(s): _____

+++++

Approved by _____ Title _____ Date _____

Conditions of approval: _____

Application for Additional Dwelling Unit

Planning Board, Canaan NH

Instructions for completing page 1

The purpose of this application is to safeguard public health, safety, and welfare.

This application is required for any additional Dwelling Unit placed upon a tax map lot. It does not apply to the first dwelling placed upon a lot, since that was reviewed prior lot recording at Registry of Deeds.

A dwelling unit provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation (RSA 674:71). There may be multiple dwelling units in a single building, such as a mother-in-law apartment or an apartment building.

Detailed instructions:

Name, address, phone, and email may be either the lot owner(s) or an authorized agent.

Lot address: provide the street number and name assigned to any existing dwelling on lot.

Tax map number is found on your tax bill or call town office. Not all lots have sub-numbers.

Indicate whether water and sewerage will be on Canaan Village system, onsite well, onsite septic system, spring water, lake water, or other approach.

Indicate if a new driveway will be required. Specify length of new driveway or any addition to a shared driveway. Indicate distance along street frontage between existing and new driveway. Placement and length estimates in increments of 25 feet are acceptable.

Provide a count of all existing dwelling units on the lot. Include mobile homes in this count, and also enter the mobile home count in the space provided. Doublewides are not considered mobile homes.

The sketch should include streets, driveways, wells, septic systems, wetlands, lot lines, lakes, rivers, and buildings. Indicate existing and proposed items. For large lots, show items within 250 feet of proposed construction. Remainder of lot does not need to be sketched. Sketch doesn't need to be drawn to scale, although it is helpful.

Signature of owner(s) or agent. If agent signs, a letter authorizing the agent is required to be signed by owner(s). Where there are multiple owners, one signature is sufficient.

You are welcome to meet with the Planning Board for conceptual discussions before or while completing this application. The Board meets on the second and fourth Thursday of each month except November and December where meetings are only on the second Thursday.

APPENDIX K:

APPLICATION FOR EARTH EXCAVATION PERMIT

TOWN OF CANAAN, NEW HAMPSHIRE

Name of Property Owner(s): _____

Mailing Address: _____

Email Address: _____

Signature of Owner(s): _____ Date Signed: _____

Telephone Number(s): (Day): _____ (Night) _____ (Mobile) _____

Name of Owner's Designee/Agent: _____
(A notarized letter required indicating assigned agent, agent's address, telephone numbers and the amount of authority given.)

Name of Person Actually Doing the Excavating: _____

Location of Proposed and/or Existing Excavation: _____

Tax Map #: _____ Lot #: _____

Type of Operation: _____

Reason for Application: [] New Excavation Site [] Permit Expired [] Exception [] Amendment
(RSA 155-E:3 155-E:8 155-E:5-b 155-E:6)

A complete application includes this application form, fees (Section XI: C 1) and all Application Submission Items (Section XII):

Date Application Received by Town: _____ Received by: _____

Date Application Sent to Conservation Commission by Applicant: _____

Application Determined to be Complete: [] YES [] NO Date: _____

Chairman

Secretary

COMMENTS: _____

APPENDIX L :

**Application for New Building on
Class VI Roads or Certain Private Roads**

Town of Canaan, New Hampshire

In accordance with Canaan Class VI & Private Road Policy

View policy at <https://tiny.one/app-rd>

TO BE FILLED OUT BY LOT OWNER:

1. Name of class VI or private road providing access to lot: _____

2. Describe new building: _____

3. Tax Map and Parcel Number: _____

4. Owner of Record: _____

Address: _____

Telephone: _____ email: _____

5. Has an agent been appointed to represent the owner? Yes ___ No ___

Agent's Name: _____

Address: _____

Telephone: _____ email: _____

6. Fire Chief must be contacted before submitting this application for assessment of road & drive accessibility compared to fire code. Submit Fire Chief's written assessment with application.

7. Scaled drawings are preferred. Mark ups of Google maps, zoomed appropriately, and with multiple sheets, may be used to convey information requested. Use photos where appropriate. The following questions may be answered by including information on scaled drawings or may be answered below:

Total length of driveway & walkway to new building door: _____

Width and maximum grade of driveway: _____

Distance from town-maintained road to new building door: _____

Road width of traveled right-of-way: _____

Road right-of-way width: _____

Road bed condition, including the depth and quality of gravels: _____

Curve radii and grades: _____

Describe large rocks or ledge in the road bed: _____

During rainy periods:

Location flood areas: _____

Location muddy areas: _____

Location of poor drainage: _____

Culvert location, condition and plans: _____

Bridge location, condition and plans: _____

Location of existing dwelling units accessed from the road: _____

Emergency vehicle turn around location and size: _____

List any other condition of the road that would affect its suitability for development:

- 8. Names and addresses of all road abutters, who have dwelling accessed via this road, as indicated in town records not more than live (5) days before the filing of this application:

Abutter's Name

Address

_____	_____
_____	_____
_____	_____
_____	_____

(continue on additional sheet as necessary)

- 9. The undersigned hereby requests a recommendation by the Planning Board and final approval by the Select Board of the above-identified new building on a Class VI or certain private roads.

Signature (owner): _____ Date: _____

APPENDIX M:

Lot Line Adjustment Subdivision Checklist:

Applicant's Name _____

Date of Application _____

The items on this page are considered to be the minimum requirements for a completed minor subdivision plat. The Board may, in certain cases, need to request additional information.

Items 1 through 8 are required in all cases. Other items should be included if pertinent.

Submitted			Waived	
Yes	No		Yes	No
		1. Name of subdivision: name and address of subdivider.		
		2. Name, license number and seal of surveyor; north arrow scale, and date of plan.		
		3. Locus plan, showing zoning designations.		
		4. Boundary survey and location of permanent markers. Monuments are set on property.		
		5. Location of property lines, lot areas in square feet and acres; setback lines; lots numbered according to Canaan tax map system.		
		6. Names of abutting subdivisions, streets, easements, building lines, & other facts regarding abutting properties. New street names approved by selectmen or delegate.		
		7. Existing and proposed easements, rights-of-way, driveways, buildings, and other structures.		
		8. Water courses, ponds, standing water, rock ledges, stonewalls, and other natural features; existing and proposed.		
		9. Location of perc tests and test results and of 4,000 square-foot septic area; location of 75-foot well radius on property.		
		10. Plan for control of sedimentation and erosion.		
		11. Copy of state septic approval or certification from septic designer.		
		12. Copy of driveway permit.		
		13. Copy of any other state or federal permits.		
		14. Copy of any deed restrictions.		
		15. Copy of deeds covering land to be used for public easements, and rights-of-way.		
		16. Comprehensive Shoreland Protection Act boundary delineated.		
		17. Copy of Comprehensive Shoreland Protection Act permit.		
		18. Base flood elevations and flood hazard areas, based on available FEMA maps.		