

# **TITLE LXIV PLANNING AND ZONING**

## **CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS**

### **Regulation of Subdivision of Land**

#### **Section 674:35**

##### **674:35 Power to Regulate Subdivisions. –**

I. A municipality may by ordinance or resolution authorize the planning board to require preliminary review of subdivisions, and to approve or disapprove, in its discretion, plats, and to approve or disapprove plans showing the extent to which and the manner in which streets within subdivisions shall be graded and improved and to which streets water, sewer, and other utility mains, piping, connections or other facilities within subdivisions shall be installed.

II. The planning board of a municipality shall have the authority to regulate the subdivision of land under the enactment procedures of RSA 675:6. The ordinance or resolution which authorizes the planning board to regulate the subdivision of land shall make it the duty of the city clerk, town clerk, clerk of district commissioners or other appropriate recording official to file with the register of deeds of the county in which the municipality is located a certificate of notice showing that the planning board has been so authorized, giving the date of such authorization.

III. The planning board shall not limit the number of building permits that may be issued except in accordance with an innovative land use control ordinance addressing timing incentives and phased development under RSA 674:21 and adopted under RSA 674:16; or an ordinance to regulate and control the timing of development, adopted under RSA 674:22; or an ordinance establishing a temporary moratorium or limitation on the issuance of building permits, adopted under RSA 674:23. This paragraph shall not be construed to limit the planning board's authority to deny a subdivision application on the basis that it is scattered or premature.

**Source.** 1983, 447:1. 2004, 71:3. 2005, 51:1, eff. July 22, 2005. 2009, 200:2, eff. Sept. 13, 2009.