

SUBDIVISION RULES & REGULATIONS

SUTTON, MASSACHUSETTS



With Amendments Through October 30, 2006

TABLE OF CONTENTS

SECTION I – TITLE, PURPOSE AND AUTHORITY

A. TITLE	1
B. PURPOSE	1
C. AUTHORITY	1

SECTION II – GENERAL

A. DEFINITIONS	2
B. GENERAL REQUIREMENTS	2
1. SUBDIVISION CONTROL LAW IN EFFECT	2
2. LIMITATION OF ONE DWELLING ON ANY LOT	3
3. WAIVERS	3
4. SUBMISSION OF PLANS	3
5. NOTICE TO CLERK & PUBLIC HEARING REQUIREMENTS	3
C. FEE SCHEDULE	3
1. APPROVAL NOT REQUIRED PLANS	3
2. PRELIMINARY PLANS	3
3. DEFINITIVE PLANS	3
4. INSPECTION FEES	4
5. ADDITIONAL FEES	4
6. PAYMENT OF FEES	4
D. LIMITATIONS OF SITE PREPARATION	4

SECTION III – PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

A. PLAN BELIEVED NOT TO REQUIRE APPROVAL	5
1. SUBMISSION	5
2. CONTENTS	5
3. BOARD ACTION	6
4. ADMINISTRATION	6
B. PRELIMINARY PLAN	7
1. GENERAL	7

2.	SUBMISSION	7	
3.	CONTENTS	7	
4.	BOARD ACTION	8	
5.	RELATION OF PRELIMINARY PLAN TO DEFINITIVE PLAN		8
C. DEFINITIVE PLAN			9
1.	GENERAL	9	
2.	CONTENTS	10	
3.	REVIEW BY THE BOARD OF HEALTH AS TO THE SUITABILITY OF THE LAND	12	
4.	SUPPLEMENTAL REQUIREMENTS	12	
5.	PUBLIC HEARING		13
6.	APPROVAL UNDER MASSACHUSETTS GENERAL LAW, CHAPTER 131, SECTION 40, 40A, WETLANDS PROTECTION ACT		13
7.	PERFORMANCE GUARANTEE		14
8.	REDUCTION OF BOND OR SURETY	15	
9.	RELEASE OF PERFORMANCE GUARANTEE		15
10.	EVIDENCE OF SATISFACTORY PERFORMANCE	15	
11.	FAILURE OF PERFORMANCE	17	
12.	CERTIFICATE OF APPROVAL	17	
13.	AMENDED DEFINITIVE PLAN	17	
14.	RECORDING OF A DEFINITIVE PLAN		18
15.	SUBSTANTIAL CONSTRUCTION REQUIREMENT	18	

SECTION IV – DESIGN STANDARDS

A. STREETS			18
1.	ROADWAY DESIGN	18	
2.	LOCATION AND ALIGNMENT		19
3.	WIDTH	20	
4.	GRADE	20	
5.	DEAD – END STREET	20	
6.	INTERSECTIONS	20	
7.	BRIDGES	21	
8.	SUBSURFACE DATA	21	
B. STORMWATER MANAGEMENT			21
1.	SUBSURFACE DRAIN OR SUBDRAINS		21
2.	STORM DRAINS	22	
3.	PERIMETER DRAINS	24	

C. WATER	24	
D. FIRE PROTECTION		
1. SUBSURFACE WATER STORAGE TANKS (FIRE TANKS)	26	
2. LOCATION	26	
3. TANK SPECIFICATION	26	
4. INSTALLATION	27	
5. EXCAVATION	27	
6. BED & BACKFILL	27	
7. ANCHORING	28	
8. BACKFILL COVER	28	
9. BARRICADING		28
10. INSPECTION	28	
11. MAINTENANCE	28	
E. SEWERAGE	29	
F. EASEMENTS	29	
G. OPEN SPACE	30	
H. PROTECTION OF NATURAL FEATURES	30	
I. LOT SIZE	30	
<u>SECTION V – REQUIRED IMPROVEMENTS FOR A NEW SUBDIVISION</u>		
A. DRAINAGE	31	
B. WATER & FIRE PROTECTION SYSTEMS	31	
C. SEWERAGE	31	
D. UNDERGROUND SERVICES	31	
E. STREET GRADING		32
F. ROADWAYS		32
G. CURBING	33	
H. STREET SIGNS AND HOUSE NUMBER		33

I. SIDEWALKS AND LIGHTING	33
J. PLANTING STRIPS	34
K. SIDE SLOPES	35
L. LOAMING	35
M. MONUMENTS AND MARKERS	35
N. CLEANING UP	35
O. CERTIFICATE	36
P. CONTROL	36
Q. SUPERVISION AND INSPECTION	36
1. PURPOSE	36
2. ACCESS	36
3. NOTIFICATION	37
4. MODIFIED INSPECTION SCHEDULE	37
5. DISAPPROVAL	38
6. INSPECTION REPORTS	38
7. AS BUILTS	38

SECTION VI – ADMINISTRATION

A. VARIATION	39
B. REFERENCE	39
C. ENFORCEMENT BY DENIAL OF BUILDING PERMITS	39
D. SEVARABILITY	40
E. AMENDMENTS	40

APPENDIX

FORM A	APPLICATION FOR ENDORSEMENT OF PLAN
BELIEVED	REQUIRE APPROVAL.
FORM B	APPLICATION FOR APPROVAL OF A PRELIMINARY PLAN

FORM C	APPLICATION FOR APPROVAL OF A DEFINITIVE PLAN
FORM D	CERTIFIED LIST OF ABUTTERS
APPENDIX E	REQUIRED DETAILS TYPICAL ROADWAY CROSS-SECTION

SECTION 1
TITLE, PURPOSE AND AUTHORITY

A. TITLE

These Rules and Regulations of the Sutton Planning Board shall be known and may be cited as the "Rules and Regulations Governing the Subdivision of Land, Town of Sutton, Massachusetts" which herein are called these "Rules and Regulations".

B. PURPOSE

These Rules and Regulations Governing the Subdivision of Land, Town of Sutton, Massachusetts have been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of Sutton by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases parking and open areas. The powers of the Board and the Board of Appeals under the Subdivision Control Law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision for travel; for lessening congestion in such ways and in the adjacent public ways; for reducing danger to safety in the case of fire, flood, panic and other emergencies; for ensuring compliance with the applicable zoning by-laws; for securing adequate provision for water, sewerage, drainage, and other requirements where necessary in a subdivision; and for coordinating the paved and green ways in a subdivision with each other and with the public ways in the town and with the ways in neighboring subdivisions. It is the intent of These Rules and Regulations that any subdivision plan filed with the Board shall receive the approval of such Board if said plan conforms to the recommendations of all Town Boards and Departments pertaining to subdivisions of land; provided, however, that such Board may, when appropriate, waive, as provided for in Section VI-A, such portions of These Rules and Regulations as is deemed advisable.

C. AUTHORITY

The Board shall be the administrative agency of these regulations and shall have all the powers assigned them by M.G.L., Ch. 41 § 81A - 81GG. The Board may assign as their agents appropriate town agencies or officials, and may, from time to time, hire professional assistance to review and inspect improvements at the cost of the subdivider, or the legal succeeding owners. The Board, on its own motion or on the petition of an interested person, shall have the power to modify, amend or rescind its approval of a plan of a subdivision, or to require a change in a plan as a condition of its retaining the status of an approved plan.

SECTION 2
GENERAL

A. DEFINITIONS

For the purpose of these Rules and Regulations, unless a contrary intention clearly appears, the terms and words defined in the Subdivision Control Law shall have the meaning given therein. The following other terms and words shall have the following meanings:

Applicant - Either the owner of the land stated in the application for subdivision or all the owners where title is held jointly, in common, or in tenancy by the entirety including corporations. An agency, representative, or his assigns may act for an owner, provided written evidence of such fact is submitted. Evidence in the form of a list of its officers and designated authority to sign legal documents shall be required for a corporation.

Board - The Planning Board of the Town of Sutton.

Construction Inspector - A person appointed by the Board to inspect the construction and installation of the improvements required by Section V.

Subdivision - See Chapter 41 § 81L

Subdivision Control Laws - Refers to Sections 81K to 81-GG; inclusive, of Chapter 41, of the General Laws of the Commonwealth of Massachusetts, entitled "Subdivision Control.

B. GENERAL REQUIREMENTS

1. Subdivision Control Law in Effect

No person shall make a subdivision within the meaning of the Subdivision Control Law of any land within the Town, or proceed with the improvement or sale of lots in a subdivision, or the construction of ways, or the installation of municipal services therein, unless and until a Definitive Plan of such subdivision has been submitted to and approved by the Board as hereinafter provided.

2. Limitation of One Dwelling on Any Lot

Not more than one building designed or available for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in a subdivision, or elsewhere in the Town of Sutton, without the consent of the Board.

Such consent shall be conditional upon the providing of adequate ways, furnishing access to each site for such building, in the same manner as otherwise required for lots in a subdivision.

3. Waivers

The Board may waive strict compliance with any of these Rules and Regulations if it deems it in the public interest, and if written record is kept of such waivers, and the reasons for them. The Planning Board shall endorse such waivers of conditions on the plan to which they relate.

4. Submission of Plans

All Definitive Plans shall be submitted to the Sutton Planning Board in accordance with the provisions of M.G.L., Ch. 41 § 81-T.

5. Notice to Clerk and Public Hearing Requirements

Written notice of such submission shall be given to the Town Clerk, and a Public Hearing shall be held, in accordance with M.G.L. Chapter 41 § 81-T.

C. FEE SCHEDULE

Approval Not Required Plans

All plans require a completed Form A and a Fee of \$100.00 per newly configured lot or remainder thereof.

Preliminary Plans

A Fee of \$100.00 for plans and, \$25.00 for each lot within the proposed Subdivision Tract will be charged to the applicant upon submittal of the Preliminary Plans.

Definitive Plans

A Fee of \$3000.00 for the Plans and \$200.00 per lot within the proposed Subdivision Tract will be charged to the applicant upon submittal of the Definitive Plan.

Inspection Fee

All newly Proposed Subdivisions will be charged an additional \$2.50 linear foot of roadway, and appropriate fees paid to the Sewer Commission. This fee shall be paid upon approval of the Definitive Plan, and prior to construction. In the event inspection costs exceed the amount of the initial deposit, the applicant shall reimburse the Town for the additional amount which shall not exceed the actual cost of the inspection. No bond, security or condition shall be released by the Board until such expenses have been paid to the Town. Failure to pay road inspection fee prior to construction may result in rescission of the Definitive Plan.

Additional Fees

For all developments requiring subdivision review, the applicant will be responsible for all reasonable fees or costs incurred in reviewing such plans. The Planning Board is authorized to retain a Registered Professional Engineer, Architect, Landscape Architect, Attorney,

and/or other professional consultant to review and advise the Board on any aspect of the plan.

One thousand dollars will be deducted from the filing fee to cover costs for staff review of the plan, all billings received from the Town's consultants will be deducted from the filing fee. If the billings exceed the amount of the filing fee, the Town will bill the applicant for the difference. All bills must be paid prior to issuance of approval. If monies are left after all fees and billings are paid, any excess funds will be returned to the applicant.

The Board will deposit fees in an account established pursuant to M.G.L., Ch. 44 § 53G, as amended, and in accordance with a vote by the Planning Board on January 28, 1991.

Payment of Fees

All payments to the Board may be made either by check or money order and shall be made out to the "Town of Sutton". No cash will be accepted.

D. LIMITATIONS OF SITE PREPARATION

Upon the filing of a Definitive Plan, no tract of land proposed for use in a Subdivision shall be stripped of its vegetation or have earth removed until approval of the Definitive Plan has been granted and the appeal period has expired for a Definitive Plan.

A pre-construction meeting shall be held prior to any construction. The meeting will be between the Planning Board and/or its agent, the applicant and the applicant's contractor. The applicant shall be responsible for additional cost to remediate and correct site deficiencies. The minimum notification and inspection schedule is in Section V.Q.

SECTION 3 **PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLAN**

A. PLAN BELIEVED NOT TO REQUIRE APPROVAL

1. Submission

Any person who wishes to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land, and who believes that his plan does not require approval under the Subdivision Control Law, may submit his plan and application Form A (see Appendix) to the Board accompanied by the necessary evidence to show that the plan does not require approval. Submission of a plan believed not to require approval shall be accompanied by a fee required in Section II.C.1. Said person shall file said plan in accordance with M.G.L., Ch. 41 § 81T.

2. Contents

The original of the drawn plan and four prints shall be submitted and contain the following information:

- a. Title, boundaries, north point, locus, date and scale.
- b. Locus plan sufficient in scale and detail to show relationship of proposed lot(s) to surrounding ways and parcels.
- c. Name and address of owner of record for property. Current abutters names, including those directly across a way.
- d. Name, address and stamp of Registered Professional Land Surveyor who prepared the plan.
- e. Reference to the Assessor Map, Block and Lot number and Deed, Book and Page reference of the existing lot or parcel that is being divided shall be placed on the plan.
- f. Frontage and area of any remaining adjoining land owned in whole or in part by the applicant shall be shown as well as noted.
- g. Suitable space to record the action of the Board and signature of Members of the Board.
- h. Sufficient data to determine existing width, condition (to demonstrate safe and adequate access) and status of every street and way shown on the plan (not including locus plan).
- i. The following information shall be provided for each lot or parcel, and/or remainder thereof, shown on the plan:
 1. zoning classification and requirements, including overlay districts
 2. lot line dimensions, bearings and distances
 3. total area in square feet and acres of lot and of easements
 4. width as defined by the Zoning Bylaw
 5. flood plains and zones & wetlands and resource areas pursuant to the Wetlands Protection Act and Riverway Protection Act from the frontage of the lot and encompassing a contiguous area until the upland requirement is met.
 6. uplands determination as defined by the Zoning Bylaw
 7. regularity factor as defined by the Zoning Bylaw
 8. location and description of all existing buildings and structures, septic systems and wells.
 9. Location and description of all easements and/or encumbrances, including their square footage.
- j. All parcels considered non-buildable shall be appropriately indicated on the plan.

3. Board Action

- a. If the Board determines that the plan does not require approval, it shall without a public hearing and within twenty one days of submission endorse on the plan the words "Approval under the Subdivision Control Law not required". Said plan shall be returned to the applicant.
- b. If the Board determines that the plan does require approval under the Subdivision Control Law, it shall within twenty-one days of submission of said plan so inform the applicant and the Town Clerk of its determination and return the plan to the applicant. If the Board fails

to act upon the plan within the prescribed twenty one (21) days, it shall be determined that approval under the Subdivision Control Law is not required.

c. In determining whether a way has been used and maintained, as a public way, the Town Clerk shall submit to the Board written evidence of public maintenance under vote of the Town and of continued substantial use by the general public with permission of the landowners along the way, continuous for at least 20 years. Sporadic use, use by a few persons or use by agreement of the abutters shall not suffice.

4. Administration

One print of the endorsed plan shall be retained in the files of the Board and the other endorsed prints shall be filed by the Board with the Building Commissioner, Town Clerk, and Board of Assessors.

B. PRELIMINARY PLAN

1. General

A Preliminary Plan of a subdivision may be submitted by the applicant for discussion and approval by the Board. The submission of such a Preliminary Plan will enable the subdivider, the Board, other municipal agencies and owners of the property abutting the subdivision to discuss and clarify the problems of such subdivision before a Definitive Plan is prepared. Therefore, it is strongly recommended that a Preliminary Plan be filed in every case.

2. Submission

If such review and approval are desired, a properly executed Application Form B (see Appendix) shall be filed with the Preliminary Plan submitted to the Board. The Preliminary Plan shall be submitted in accordance with M.G.L., Ch. 41 §81S. Submission of a Preliminary Plan shall be accompanied by a fee as required by Section II.C.2.

3. Contents

The Preliminary Plan shall be drawn on tracing paper, polyester, or drafting film, at a suitable scale not less than 1"=200'. Said Preliminary Plan should show sufficient information about the subdivision to form a clear basis for discussion of its problems and for the preparation of the Definitive Plan. The applicant shall submit sixteen (16) copies of the Plan for further distribution as determined by the Planning Board.

Said plan will contain the following information:

- a. A Title Block, in the lower right hand corner, with Subdivision name, boundaries, north point, locus, date, scale, legend, and title "Preliminary Plan". Name and address of the owner of record, subdivider, engineer and surveyor, and dates of revisions.
- b. Page numbers will appear in the lower right corner of each page.
- c. Names of all abutters as they appear in the most recent tax list, existing lot numbers, existing street names, easements.
- d. Existing and proposed lines of streets including approximate grade, radii of curves, ways, lots, easements and public and common areas within the subdivision in a general manner. A typical street cross section should be included.
- e. Proposed system of drainage, including the location of all swamp, marsh and lowland, water bodies, streams, open drains and ditches, natural or man-made, and flowage right, public and private, adjacent to or within the proposed subdivision, in a general manner.
- f. The approximate boundary lines of proposed lots, with approximate areas and dimensions.
- g. The names, approximate locations and widths of adjacent streets.
- h. The topography of the land in a general manner (10 ft. contour interval) and proposed major topographic changes.
- i. Any and all easements and rights-of-way appurtenant to the land shall be shown by exact location on the plan.
- j. Zoning classifications of all land shown in the plan, including overlay zoning such as flood-plain, watershed or aquifer districts.
- k. Major site features such as existing stone walls, fences, buildings, large trees, rock ridges outcroppings and historical features.

4. Board Action

The Board may give such Preliminary Plan its approval, with or without modification. Such approval does not constitute approval of a subdivision but does facilitate the procedure in securing approval of the Definitive Plan.

The Board may also disapprove the plan. A disapproval will be accompanied by a detailed statement of reasons for the action.

Notice of its action must be given by the Board to the applicant and Town Clerk within 45 days of the date of submission. Failure to act within that time shall be considered as approval of the Preliminary Plan.

5. Relation of a Preliminary Plan to Definitive Plan

Approval of a Preliminary Plan does not constitute approval of a subdivision, and a Preliminary Plan cannot be recorded in the Registry of Deeds. If a Definitive Plan is duly submitted within seven months from the date of submission of the Preliminary Plan, the subdivision rules and regulations in effect at the time of the submission of the approved Preliminary Plan shall govern the approval process of the Definitive Plan.

C. DEFINITIVE PLAN

1. General

Any person who submits a Definitive Plan of a Subdivision to the Board for approval shall file with the Board the following:

- a. Sixteen (16) copies of the Definitive Plan shall be submitted to the Planning Board for its review and distribution. Plans shall be prepared with dark ink on white background. The original plan which shall be drawn on polyester drafting film or linen should not be submitted with the copies. However, the original will be needed for endorsement, if the Definitive Plan is approved.
- b. A properly executed application Form C (see Appendix) in duplicate signed by the applicant and property owner(s).
- c. A list of all abutters to the subdivision, as shown on the Definitive Plan, together with the address of each as determined from the most recent local tax list, certified by the Assessors on Form D (see Appendix).
- d. Envelopes addressed to each abutter prepared for certified mail, return receipt requested.
- e. A fee as required by Section II.C.3.
- f. A location plan of the subdivision at a scale of 200 ft. to the inch, (1"=200') showing the exterior lines of all proposed streets in the subdivision and their location in relation to one or more existing streets, or portions thereof, lots, easements, street names and lot numbers, drawn with ink on mylar. One plan to be submitted with the initial definitive plan and another showing the subdivision as finally approved by the Board.
- g. The plan will show the overall location of streets, lots, storm drains, sanitary sewer, water systems, fire protection systems and other underground utilities.

h. A sketch plan showing a possible or prospective street layout for any adjacent un-subdivided land owned or controlled by the owner or applicant of the subdivision, unless such a plan has already been submitted to the Board.

i. A complete set of Drainage Calculations, certified by the Registered Professional Engineer who prepared them.

j. The applicant shall file by delivery or registered mail a notice with the Town Clerk describing the land and stating the name and address of the owner and the date of submission of the plan to the Board for such approval.

k. The submission of supplemental information and/or an Impact Report as may be required by the Board. (Section II.C.4).

1. Applicant shall submit proof of ownership, deed restrictions and covenants.

NOTE: The Planning Board shall deem that failure to file/submit all of the above items shall be reason to disapprove the Definitive Plan application.

2. Contents

The Definitive Plan shall be prepared by a Registered Professional Civil Engineer and Registered Professional Land Surveyor and shall be clearly and legibly drawn in black permanent ink upon polyester drafting film or linen. The plan shall be at a scale of 1" = 40' or such other scale as the Board may accept to show details clearly and adequately. Sheet sizes shall be 24" X 36". If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision at a scale of 1" = 200'. The Definitive Plan shall contain the following information:

a. A TITLE BLOCK, in the lower right hand corner, with Subdivision name, boundaries, north point, date, scale, names and addresses of owner of record and applicant, date, names, signatures and seals of the Engineer and Surveyor that actually prepared the plan, and space for revision dates.

b. Page numbers will appear in the lower right corner of all pages.

c. Full names of all abutters as determined from the most recent local tax list, including owners of land separated from the subdivision only by a street, and zoning district boundaries, if any.

d. Existing and proposed lines of streets, lots, rights-of-ways, easements, and any public or common areas within the subdivision. The proposed names of proposed streets shall be shown in pencil until they have been approved by the Board. The Plan shall show the overall layout to include lots, streets, water systems, storm drainage and sanitary sewer systems, fire protection systems, and all other underground utilities. Utility Drawings will also show the plan view directly above the profile view.

- e. Sufficient data including lengths, bearings, radii, curve lengths, and central angles to determine the exact location, direction, and length of every street and way line, easement line, lot line and boundary line, and to establish these lines on the ground.
- f. Location of all existing permanent monuments and bench marks. A minimum of three (3) permanent bench marks shall be set. Elevations shall be on a sea level basis.
- g. Location, names and present widths of streets bounding, approaching, or within at least 800 feet of the perimeter of the subdivision on the 1" = 200' scale map.
- h. Boundary lines, areas in square feet and acres, and dimensions of all proposed lots, parcels and roads, with all lots and parcels designated numerically and in sequence.
- i. Location of natural waterways, water bodies, as well as areas governed by the Wetlands and Riverway Protection Act, within and adjacent to the subdivision.
- j. Suitable space to record the action of the Board and the signatures of the members of the Planning Board on each sheet of the Definitive Plan. Where the applicant elects to secure completion of required improvements by covenant (rather than bonds or surety), there shall be a notation above such space as follows:

Approved on _____, subject to covenant conditions set forth in a covenant executed by _____, dated _____, and to be (recorded) (registered) herewith, and subject to conditions listed within the plan.

Items k, l, m, n, and o may be submitted on the same sheet as the Definitive Plan or on separate sheets.

- k. Existing and proposed topography of the entire subdivision at 2' contour interval extending at least 50' beyond the subdivision boundary. Actual pavement grades, accurate to 0.1 feet, within 100' of proposed street intersections shall be shown. All buildings and physical features of abutting property that are within 50' of the boundary must be shown. Additional topographic data shall be required to identify potential off-site drainage problems related to the proposed development, if the Board determines it to be necessary. The need for additional topographic data may be identified during the Preliminary Plan review process. The above data is to be derived from recent field surveys. Recent aerial mapping, augmented by field surveys, may be used providing that the accuracy of the data submitted for the contour interval stated above meets established standards for this method. All plans submitted showing topographic data shall bear a note indicating how the data was derived.
- l. Profiles on the center lines and side lines of proposed streets at a horizontal scale of one inch equals forty feet (1"=40') and vertical scale of one inch equals four feet (1"=4'), or such other scales acceptable to the Board. Profiles shall show elevations of existing sills and of all existing structures, the location of existing and proposed storm drains, water mains, sewers

and their appurtenances, and the location of any intersecting public or private ways. Present and proposed elevations must be shown at least every 50', and must refer to mean sea level.

m. The relative error of closure shall not be greater than 1" to 15,000'. The Registered Professional Land Surveyor shall state this on the plan.

n. Proposed layout of storm drainage, water supply, sewage disposal systems as well as electrical, telephone and cable distribution including grades.

o. Major site features, such as existing stone walls, fences, buildings, large trees, rock ridges and outcroppings and resource areas protected by M.G.L., Ch. 131.

p. Size, material type, slope and location of existing and proposed storm drains, water mains and sewers including all appurtenances, within and adjacent to the subdivision to the point of connection to existing utilities.

q. Construction details as required to depict the size, material type and slope, of proposed drains, water mains and sewers, including all appurtenances, and a typical cross-section of the proposed street. Additional cross-sections may be required to adequately indicate any variations in the proposed street.

r. All variances and waivers granted by the Board, shall be listed on the final plans.

3. Review by the Board of Health as to the Suitability of the Land

When a Definitive Plan of a subdivision is submitted to the Planning Board, a copy thereof shall be filed with the Board of Health or its officer having like power and duties. Such Health Board or Officer shall, within forty-five (45) days after the plan has been filed, report to the Planning Board in writing, approval or disapproval of said plan, and in the event of approval or disapproval, shall make specific findings as to which, if any, areas shown on such plan cannot be used for building sites, without injury to the public health, and include such specific findings and reasons therefore in such report, and where possible, shall make recommendations for the adjustment thereof. Failure of such Board or Officers to report shall be deemed approval by such Board or Officers. Such Health Board or officers shall send a copy of such report, if any, to the person who submitted said plan.

4. Supplemental Requirements

a. The Board may request, at the expense of the applicant more detailed information in the form of specialized studies (i.e., geological, hydrological, soils, engineering, environmental etc.) and/or professional services, (i.e., professional engineer, landscape architect, lawyer, geologist, -etc) to assist the Board in its review process; in an effort to aid the Board render a more accurate and definitive decision regarding a prospective subdivision development.

b. The Board may require the submission of an Impact Report by the Applicant. The report shall address the probable impact on Town facilities and services directly attributable to the uses as proposed on the subdivision plan. The following items, at a minimum, must be included: traffic – average daily traffic generation (trips per day); public school enrollment – total students at full development; water usage – average daily and peak demand; waste water (sewage) flow – average daily and peak flow; police and fire protection, including man hours and equipment; and street maintenance, including drainage and other improvements. This impact analysis shall consider all current and proposed subdivisions within the Town or as determined by the Board.

c. Plans of perimeter and other drainage systems to be connected to a drainage structure to be accepted by the Town will be submitted for approval as soon as they are determined, and prior to lot releases.

d. Should the Board approve the plan, AutoCad™ files showing, at a minimum, the approved street and lot boundaries, lot numbers, lot dimensions and road centerline stations, shall be provided in a format acceptable to the Board of Assessors.

5. Public Hearing

Before action on the Definitive Plan, a public hearing shall be held by the Board. Notice of such hearing shall be given by the Board at the expense of the subdivider, by advertisement in a newspaper of general circulation in the Town once in each of two successive weeks, the first publication being not less than fourteen days before the day of such hearing. A copy of said notice shall be mailed postage prepaid, to the subdivider and to all owners of the land abutting upon the subdivision and property owners on the opposite sides of any streets abutting the subdivision, as appearing in the most recent tax list.

6. Approval Under Massachusetts General Law, Chapter 131, Sections 40, 40A. Wetlands Protection Act

Any person submitting a subdivision for endorsement or approval by the Board, said subdivision to be built within 100' of any resource area, shall file for an Order of Conditions from the Conservation Commission to perform such activity under the Wetlands & Riverway Protection Acts (M.G.L., Ch. 131 § 40, 40A) . The filing must be prior to approval of the Plan by the Board.

7. Performance Guarantee

Before approval of a Definitive Plan for a subdivision, the applicant shall agree to complete the required improvements specified in Section V for all the lots in the subdivision, such construction and installation to be secured by one or in part by one and in part by the other, of the following methods which may from time to time be varied by the applicant:

- a. By a proper bond, sufficient in the opinion of the Planning Board to secure performance of the construction of ways and the installation of municipal services required for all lots in the subdivision shown on the plan. Such Bond shall be approved as to form and the manner of execution by the Town Counsel and shall be contingent on the completion of such improvements within such time as the Board shall determine.
- b. By a deposit of money or negotiable securities, sufficient in the opinion of the Planning Board to secure performance of the construction of ways and the installation of municipal services required for all lots in the subdivision shown on the plan. Such security shall be approved as to form the manner of execution by the Town Counsel and shall be contingent on the completion of such improvements within such time as the Board shall determine.
- c. By a Board approved covenant, executed and duly recorded by the owner of record, running with the land, whereby such ways and services shall be provided to serve any lot before such lot may be built upon or conveyed, other than by mortgage deed; provided, that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lot, subject to that portion of the any such lot, subject to that portion of the covenant which provides that no lot shall be built upon until such ways and services have been provided to serve such lot; and provided further, that nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to such covenant, of either the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board. A deed of any part of the subdivision in violation hereof shall be voided by the grantee prior to the release of the covenant but not later than three years from the date of such deed.
- d. By delivery to the Planning Board of an agreement, in a form acceptable by the Town, executed after the recording of the first mortgage covering the premises shown on the plan or a portion thereof given as security for advances to be made to the applicant by the lender, which agreement shall be executed by the applicant and the lender and shall provide for the retention by the lender of funds sufficient in the opinion of the Planning Board and otherwise due the applicant, to secure the construction of ways and the installation of municipal services. Said agreement shall also provide for a schedule of disbursements which may be made to the applicant, upon written approval of the Planning Board or its assigned agent and upon completion of various stages of work, and shall further provide that in the event work is not completed within the time set forth by the applicant, and funds remaining un-disbursed shall be available for completion.

8. Reduction of Bond or Surety

The penal sum of any such bond, or the amount of any deposit held under clause "all above, may from time to time, be reduced by the Board and the obligations of the parties thereto released by said Board in whole or in part. If release is by reason of covenant, a new plan of the portion to be subject to the covenant may be required. The Town shall retain 20% contingency until the ways are released from surety as a completed private way or the deed is accepted by the Board of Selectmen after vote of Town Meeting to accept the way as public.

9. Release of Performance Guarantee

Upon the completion of improvements required under Section V, security for the performance of which was given by bond, deposit or covenant, or upon the performance of any covenant with respect to any lot, the applicant shall send by registered mail to the Town Clerk and to the Board a statement in duplicate that the said construction or installation in connection with which such bond, deposit or covenant has been given, has been completed in accordance with the requirements continued under Section V, such statement to contain the address of the applicant. If the Board determines that said construction or installation has not been completed, it shall specify to the applicant by registered mail and to the Town Clerk the details wherein said construction and installation fails to comply with the requirements contained under Section V. Upon failure of the Board to act on such application within 45 days after the receipt of the application by the Town Clerk, all obligations under the bond shall be returned and a such covenant shall be returned and any such covenant shall become void. In the event that said 45 day period expires without such specification, or without the release and return of the bond or return of the deposit or release of the covenant as aforesaid, the Town Clerk shall issue a certificate to such effect, duly acknowledged, which may be recorded.

10. Evidence of Satisfactory Performance

Before the Board will release the interest of the Town in a performance bond or deposit or, in the case of approval with covenant, issue a release of covenant:

- a. The applicant shall file with the Board an As-built Plan for each street in the subdivision, along with a statement by the engineer and surveyor employed by the applicant at his own expense, indicating that all streets, sidewalks, sewers, storm drains, and water mains, and their appurtenances have been constructed in accordance with the lines and grades of said plan and are accurately located as shown thereon in accordance with Section V.Q "As Builts".
- b. The Board shall obtain in writing from the Board's designated Construction Inspection Agent a statement that all work required by these Rules and Regulations has been inspected by him and completed in each street in the subdivision (or the street or streets serving the lots in question), including storm drains, bridges, and sidewalks and that he has approved the methods of construction and materials used in the performance of such work.
- c. The Board shall obtain in writing from the appropriate Water Commissioners and Sewer Commissioners, if any, and within whose jurisdiction the subdivision is located, a statement that they have inspected and the applicant has completed each water main and sanitary sewer and their appurtenances in accordance with the requirements of these Rules and Regulations and they have approved the methods of construction and materials used in the performance of such work.

d. The Board shall obtain in writing from the Board of Health a statement that each already installed on-lot sewage system was installed in accordance with Title 5, Environment Code of the Commonwealth of Massachusetts, 310 CMR 11.00 - 17.00.

e. The applicant shall execute an instrument, in a form approved by the Board, transferring to the Town or to an approved public utility company without cost, valid unencumbered title to all sanitary sewers, water mains and appurtenances thereto, constructed and installed in the subdivision or approved portion thereof, and to the Town or to an approved district or public utility company without cost and free of liens and encumbrances, perpetual rights and easements to construct, inspect, repair, renew, replace, operate, and forever maintain such sanitary sewers and water mains, with any easements and rights-of-way, manholes, pipes, conduits and other appurtenances, and to do all acts incidental thereto, in, through, and under the whole of all streets in the subdivisions or approved portion thereof, and if any such sewers or water mains have been constructed in, through, and under a strip of land extending 10 ft. in width on each side of the centerline of all such sewers and water mains.

f. Approval by the Sewer Commissioners of "off-site" sewer plans for connection to the nearest public sewers.

g. Approval by the Highway Superintendent of off site storm drainage for connection to the nearest public storm drains (if required).

11. Failure of Performance

Any such bond may be endorsed and any such deposit may be applied by the Board for the benefit of the Town, as provided in M.G.L., Ch. 41 § 81Y upon failure of the performance for which any such bond or deposit was given to the extent of the reasonable cost to the Town of completing such construction and installation.

12. Certificate of Action

After said public hearing and after the report of the Board of Health, the Board shall approve, or, if such plan does not comply with the subdivision control law or the rules and regulations of the Board or the recommendations of the Board of Health, shall modify and approve or shall disapprove such plan, shall file a certificate of its action with the Town Clerk, a copy of which shall be recorded by the Town Clerk in a book kept for that purpose, and shall send notice of its action by registered mail, postage prepaid, to the subdivider at his address stated on the application.

Failure of the Board to take final action regarding the plan submitted by the subdivider within 90 days after such submission, or such further time as may be agreed upon at the written request of the subdivider, shall be deemed to an approval thereof. Notices of such extension of time shall be filed forthwith by the Board with the Town Clerk, in accordance with M.G.L., Ch. 41 § 81U.

The action of the Board with respect to such a plan shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent by registered mail to the applicant. If the Board modifies or disapproves such plan, it shall state in its vote the reasons for such action. Final approval, if granted, shall be endorsed on the original drawing of the Definitive Plan by the signature of a majority of the Board (or by the signature of a person officially authorized by the Board) but not until the statutory 20-day appeal period has elapsed following the filing of the certificate of the action with the Town Clerk and said clerk notified the Board that no appeal has been filed. After the Definitive Plan has been approved and endorsed, the applicant shall furnish the Board with ten revisions, if any, for the Board to endorse prints thereof. Final approval of the Definitive Plan does not constitute the laying out of or acceptance by the Town of the streets within the subdivision.

13. Amended Definitive Plan

Any amended plan must be submitted within six months of the disapproval. An amended plan will be accompanied by a fee in the amount required in Section II.C.3., or any lesser amount as determined by the Planning Board.

14. Recording of a Definitive Plan

Within 10 days after endorsement of the definitive plan, the property line plan, as approved and endorsed, shall be recorded at the Worcester County Registry of Deeds or, in the case of Registered Land, with the Recorder of the Land Court. The applicant shall notify the Planning Board in writing of the date of such recording with the plan book and plan reference.

Within fourteen (14) days after recording, the applicant shall file six copies of the complete approved Definitive Plan with the Board. The Board will distribute one to the Town Clerk, Board of Assessors, Building Inspector, Planning Board, Highway Department and Town Engineer. In accordance with the statute, where approval with covenant is noted thereon, the Building Commissioner shall issue no permit for the construction of a building on any lot within the subdivision except upon release of the lot in question by the Board.

A plan approved and endorsed must be recorded, in any case, within 60 days of said endorsement or the Definitive Plan shall become null and void.

15. Substantial Construction Requirement

A developer must begin infrastructures within two (2) years of endorsement and approval of a Definitive Plan of a subdivision or the plan will be rescinded.

If a Planning Board approved "phasing" schedule is used, each phase has a two year period to complete construction, but cannot exceed eight years in total. Infrastructures shall mean those requirements of Section V, sub-sections A through K.

SECTION 4 **DESIGN STANDARDS**

A. STREETS

1. Roadway Design

Roadways shall be designed and stamped by a Massachusetts Registered Professional Engineer.

2. Location and Alignment

- a. All streets in the subdivision shall be designed so that they will provide safe vehicular travel. Due consideration shall also be given by the subdivider to ease of future maintenance of the roadways as well as the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision.
- b. The proposed streets shall conform so far as practicable to the Master or Study Plan as adopted in whole or in part by the Board.
- c. Provision satisfactory to the Board shall be made for the proper projection of streets, or for access to adjoining property which is not yet subdivided.
- d. Reserve strips prohibiting access to streets or adjoining property shall not be permitted.
- e. The centerline offset of two streets which intersect the same third street on opposite sides shall be a minimum of 200 feet. The centerline offset of two streets that intersect the same third street on the same side of the roadway shall be a minimum of 400 feet. Wherever possible four way intersections shall be utilized.
- f. The minimum centerline radii of curved streets shall be 270 feet. A minimum stopping sight distance of 200 feet, or other as required by the Board, shall be provided.
- g. Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than 60 degrees.
- h. Intersecting streets should be planned with a minimum amount of obstructions blocking a driver's view of the intersection.

- i. Cuts or fills in excess of eight (8) feet or roadway locations resulting in lots being more than eight (8) feet above or below the grade of the roadway shall be substantiated by the submission of a cross section showing the proposed grading within 200 feet of the roadway of both sides.
- j. Street patterns designed for the sole purpose of providing maximum lot development will be cause for disapproval.
- k. Roadway Cross Section will be like that shown in Appendix.

3. Width

The minimum width of street right-of-way shall be 50 feet. Greater width shall be required by the Board when deemed necessary for present and future vehicular travel, safety and snow removal. The minimum roadway width for a 50 foot right-of-way shall be 26 feet. The minimum road width for a 60 foot right-of-way shall be 36 feet. This section may also be applied to access roads to the subdivision. Sidelines and centerline shall be parallel.

4. Grade

- a. Grades of streets shall not be less than 0.5 percent nor more than 9.0 percent.
- b. All changes in grade exceeding eight tenths of one percent (0.8%) shall be connected by vertical curves with a minimum length of one hundred feet (100').
- c. Where a grade is five percent or greater within 150' of the intersection of a street right-of-way line, there shall be provided a leveling area on the proposed street of at least 100', with a maximum grade of three percent.

5. Dead-End Street

- a. Dead-end streets shall not be longer than 500 feet (measured from the centerline of the intersecting street to the furthest curb line, along the centerline, on the dead end street) unless, in the opinion of the Board, a greater length is necessitated by topography or other local conditions. Future extension must be shown to the nearest proposed or constructed street. Sidelines and centerline shall be parallel. The minimum sideline radii shall be 30 feet.
- b. Dead-end streets shall be provided at the closed end with a turnaround having an outside diameter of 176 feet, with a minimum 100' diameter island, 26' of pavement and a 12' grass strip/sidewalk area.

c. Maximum grade of the roadway in a cul-de-sac shall be 3 percent, and the minimum shall be 1 percent.

6. Intersections

a. Curb lines at street intersections shall be rounded to a radius of not less than 30 feet and property lines shall be rounded to a radius of not less than 30 feet for 50 feet right-of-way streets.

b. Curb lines at street intersections shall be rounded to a radius of not less than 50 feet and property lines shall be rounded to a radius of not less than 50 feet for 60 feet of right-of-way streets.

7. Bridges

a. Bridges shall be designed in accordance with the design criteria of the Massachusetts Department of Public Works.

8. Subsurface Data

a. Sufficient subsurface data shall be obtained by the applicant for the proper design of subdivision roadways.

b. Subsurface soil sampling shall be performed in the presence of the Board or its Agent.

c. Soil logs shall be certified and stamped by a Massachusetts Registered Professional Engineer.

d. Subsurface soil data shall be reviewed and approved by the Board or its Agent

B. STORMWATER MANAGEMENT

All stormwater management calculations and designs shall be in accordance with the Stormwater Management Guidelines issued by the Department of Environmental Protection and regulations promulgated in accordance with those Guidelines. This applies to all facilities, regardless of their proximity to areas regulated by the Wetlands Protection Act.

1. Subsurface Drain or Subdrains

a. In areas where the finished grade of the roadway is less than four (4) feet above the water table or in areas where less than four (4) feet of fill is placed above water in swampy places or any standing water, or in other areas, where in the opinion of the Board, the roadway subgrade or slopes in cut sections must be drained, a system of sub-drains shall be installed in all ledge cuts, and shall extend at least fifty (50) feet beyond the limits of such

cuts. The subdrain shall consist of a minimum of one longitudinal drain for each side of the paved roadway. In addition, laterals may be required as directed by the Board in areas in which an undue amount of water could accumulate in the subgrade or within the slopes of cut sections. The system of subdrains shall be discharged into the storm drain system or otherwise disposed of in a manner satisfactory to the Board.

b. Subdrains shall be a smooth interior perforated corrugated High Density Polyethylene (HDPE) Pipe. All pipe, couplings and fittings shall conform to the applicable requirements of AASHTO Designation M252 & M294 and ASTM D3350. The minimum depth of cover shall be 2 feet. The minimum inside diameter of the pipe shall be 6 inches. Cleanouts shall be provided.

2. Storm Drains

A complete storm drain system shall be designed for each street of the subdivision and to the satisfaction of the Board and shall be so laid out and of sufficient size to permit unimpeded flow of all natural waterways, to provide adequate drainage of all portions of the street system so that water does not accumulate thereon, to intercept storm water runoff from the adjacent lots of the subdivision, and to eliminate undesirable or unnatural accumulation of water on any portion of the subdivision or surrounding property. The storm drain system shall include gutters, catch basins, manholes, culverts, drain lines, concrete headwalls and such other items as may be required to complete the system to the satisfaction of the Board. Manhole and storm drains pipe will be off-center and be located between the centerline and the gutter on the side opposite the water line. The Board encourages storm drain systems that reflect state-of-the-art drainage management.

a. The quantity of storm water carried by drains and other drainage facilities shall be determined by a method acceptable to the Board, and the design storm shall be 25 year rational method except for bridges, in which case it shall be 100 years. Systems for infiltration, detention and attenuation of storms shall be designed for 100 year frequency storm and shall not cause water to be discharged within 10 feet of the perimeter of the subdivision.

b. Storm drains shall have a minimum diameter of 12 inches, a minimum slope of 0.5%, and minimum cover of 4 feet. The maximum flow velocity in the pipes shall be 12 feet/second when flowing full, and the minimum flow velocity shall be 2 feet/second at depth of design storm, however there may be consideration for minimum velocity for other depths.

Storm drains shall be constructed of reinforced concrete pipe (RCP) or High Density Polyethylene (HDPE) Corrugated and Smooth Lined Pipe & Fittings. HDPE pipe shall be manufactured in accordance with requirements of ASTM F 2306, latest editions, from virgin PE compounds which conform with the requirements of cell class 335400C as defined and described in ASTM D 3350, latest editions.

Foundation and bedding for HDPE pipe shall meet the requirements of AASHTO M 145, A-1, A-2-4, A-2-5, or A-3. A stable and uniform bedding shall be provided for the pipe and any protruding features of its joint and/or fittings. The middle of the bedding equal to 1/3rd of the pipe O.D. may be loosely placed, while the remainder shall be compacted to a minimum 95% of maximum density per AASHTO T99. A minimum of 4" of bedding shall be provided prior to placement of the pipe, unless an unyielding material (rock cuts) is present in the trench bottom, then a 6" cushion of bedding is recommended. Bedding material size shall be 1.5" maximum granular material.

c. Catch basins with curb inlets shall be located in pairs, one on each side of the roadway, at all low points or sag curves in the roadway, at intervals of not more than three hundred (300) feet on continuous grades of the roadway, and at or near the corners of the roadway at intersecting streets. Invert and grate elevations shall be shown. Catch basins shall connect only to manholes.

d. Manholes shall be located at all changes in direction, either horizontally or vertically, of a drain line or at the intersection of two (2) or more drain lines, or so located that a drain line greater than (300) feet in length would exist without either a catch basin or manhole. This distance may be less if the Board determines it is necessary. Invert and cover elevations shall be shown.

e. Provision shall be made for the disposal of surface water intercepted collected by the system in such a manner that no flow is conducted over Town ways, or over the land or others unless a drainage easement is obtained or unless such flow is essentially the same quantity as previously existed in the same location.

Drainage easements provide that the Town shall have the right to enter thereupon if the Town is charged with the responsibility of maintaining same. Said easement must be in a form recordable at the Worcester District Registry of Deeds.

f. A headwall shall be provided at the outfall end of all drains. Headwall and wing walls are required on all exposed drainage inflows.

g. Storm water runoff, except in areas where the minimum lot size is 40,000 square feet or larger or where it is in existing open stream channels, shall not be permitted to flow upon the surface for a longer distance than 4,000 feet before it enters the underground system.

h. If existing or potential downstream flooding problems are identified Board shall require that the storm drains system for the proposed development be designed so that the storm water volume, peak discharge rate and pollution load leaving the site are no greater after development than before development. The criteria to be used to establish the peak rate of discharge from the site as it presently exists is that peak rate of runoff associated with a 25 year storm. There are many ways to accomplish this, with detention ponds being the least desirable. If site detention areas and/or storm water leaching pits are used, easements will be required for these areas and the detention area must be completely fenced.

3. Perimeter Drains

a. All perimeter drains that will in any way drain onto existing Town property or easements, or any property or easements to be accepted by the Town, must be shown on the Definitive plan. It will not be construed that the town is responsible for such drains or assumes ownership of said types of drains. These drains are the sole responsibility of the land owner.

C. WATER

1. Public water mains shall be not less than 8 in. unless approved otherwise by the Board. Fire hydrants shall be located not more than 500 feet hose lay (within roadways) from any existing or proposed building in residential subdivisions. Hydrants in non-residential subdivisions shall be located so as not to be more than a 500 separation as measured along roadways. Hydrant locations should be at street intersections, at other locations to comply within the above 500 foot distance requirements and at locations determined by the Fire Department. Water lines will be on the side opposite storm drain line.

2. Each hydrant shall be served directly from the water main through a 6 inch lateral connection. It shall be gated with a minimum 5 inch bottom valve and shall have two 2 1/2 inch hose outlets and on 4 1/2 inch pump outlet. Sectional control valves shall be located in such number and locations that lines by individual block may be isolated for maintenance purposes.

3. A minimum of 750 gallons per minute (gpm) of water flow at a minimum residual water pressure of 20 pounds per square inch (psi) shall be available at every hydrant intended to serve a building within a proposed residential subdivision. Minimum flow requirements for non-residential subdivisions shall be determined on an individual case basis using accepted industry standards and methodology applied toward the proposed building size, construction, location and usage, and shall be at least equal to that for residential subdivisions.

4. Before lot release and subsequent issuance of any building permit for a building within a subdivision, the Fire Department shall be provided with a certification of compliance of available flows for hydrants located within 500 feet of that building. This certification shall be prepared by the applicant's or owner's Professional Engineer and shall show the actual water flow and residual pressure which shall meet or exceed the above mentioned minimum requirements. This certification shall be based upon actual hydrant flow tests performed within one year of the date of certification and the results of each hydrant flow test shall be included as part of the certification.

5. If the minimum flow and pressure requirements cannot be met with a gravity flow system and pumping is necessary, and allowed by the authority having jurisdiction, all fire pumping equipment shall be in accordance with the latest edition of the National Fire Protection Association (NFPA) Standard 20, Standard for the Installation of Centrifugal

Fire Pumps. Every pumping facility shall include an approved emergency pumping by-pass feature.

6. Where the proposed subdivision public water system is located within 1000 feet of the subdivision, the subdivider shall connect to the public water system. Where a public water system is not located within 1000 feet, the subdivider may install private on-lot water systems and such systems shall be designed in conformity with the standards of the Board of Health.

7. Water systems shall be of redundant looped design.

8. Community-type systems or the joint use of wells shall be subject to the standards of the Massachusetts Department of Environmental Protection.

9. Should there exist within a proposed subdivision, a surface body of water (a pond, stream, brook or wetland area) that has potential as a source of water for fire fighting purposes, a permanent easement shall be established to provide access to the water sources.

If the Fire Chief requires the installation of a dry hydrant, such installation will be at the expense of the developer.

D. FIRE PROTECTION

For all residential developments or common drives which serve greater than (3) three proposed home sites that are not located near a municipal or private water company water fire hydrant district or service are required to meet the following.

For all commercial developments that are not located near a municipal or private water company, water fire hydrant district, or service, are required to meet the following criteria if said structure or structures within said commercial development exceed in (7,500) seventy-five-hundred square feet in each commercial building.

1. Subsurface Water Storage Tanks (Fire Tanks)

Subsurface water storage tanks for fire protection shall be installed within all subdivisions, or common driveways, which serve (3) three or more residential homes, or for all commercial developments, or when in the opinion of the Sutton Planning Board and the concurrence with the Chief of the Sutton Fire Department when such tanks are necessary to protect the public by providing adequate water availability for fire protection. No tank installation(s) shall be started until the developer or contractor has obtained a permit from the Sutton Fire Department. Said tank shall be filled and maintained at the expense of the developer.

2. Location

All subsurface water tanks shall be located within easements provided exclusively for this purpose. Tanks shall be not more than (1,500) feet apart. The fire tank located closest to an existing intersection shall be located within (50) feet of the proposed new roadway. Each suction pipe installed upon each tank shall be located at least (7) feet but not more that (9) feet from the edge of the traveled way.

3. Tank Specifications

a. Tanks shall be of a water tight fiberglass design capable of holding not less than ten thousand (10,000) gallons for residential developments. Tanks shall be from a manufacturer approved and reviewed by the Sutton Planning Board and the Sutton Fire Department.

b. Tank size for commercial buildings shall be determined by using (ISO) Insurance Service Organization Calculations or the National Fire Protection Association- Standard #1231 or equivalent.

c. Warranty-Tanks shall carry an implied warranty by said approved manufacturer, which covers defects and other failures for at least (30) thirty years. Said warranty shall be transferable to the Town of Sutton, when the Town assumes ownership of said tank. Each tank installed shall be submitted prior to the installation with a complete copy of all warranties, checklists, certificates and other written materials, which accompany each tank.

d. Suction Pipe-Each tank will be equipped with a (6) six inch diameter, seamless suction pipe composed of steel or equivalent with a minimal wall thickness of one-eighth (1/8) inch and terminating in a (6) six inch 90° degree elbow with a (6) six inch cap. Said suction pipe shall be screened and shall extend (4) four inches from the bottom of the tank to a point not greater than (32) thirty-two inches above the finish grade at the edge of the traveled way. That portion of pipe within said tank shall be composed of PVC pipe. Metal hold down strapping shall be required and bolted holding and preventing said suction pipe from falling into or walking away from the finished grade pad.

e. Fill Pipe-Each tank shall be equipped with a (4) four inch diameter fill pipe having (2.5) two and one-half inch fire department national standard thread. Said pipe shall extend (3) three feet above finish grade, be screened to prevent stones and debris from being placed into said tank or openings. Said fill line shall also be equipped with a cap and chain, which will be screwed into said fitting. Said fill pipe shall terminate in a tee so as to allow measurement of the water level in the tank.

f. Vent Pipe-Each tank shall be equipped with a vent pipe at least (6) six inches in diameter. Said vent pipe shall extend (3) three feet above finish grade, terminating in an elbow at 180° degrees so as to allow the opening of the pipe to face the ground. The opening shall be screened with a one-fourth-inch mesh steel screening.

4. Installation

All tanks shall be handled, stored, installed, anchored and tested in accordance with the manufacturer's instructions.

5. Excavation

For all tanks with a 10,000 gallon capacity, the tank hole size in stable soil conditions shall allow for (24) twenty-four inches between the tank sides and ends and the banks of the hole. The tank hole shall be deep enough to allow a minimum of (12) twelve inches of required backfill material over the hole bottom (or over the concrete slab if required), a concrete slab, backfill cover over the tank as specified within other sections of this by-law.

6. Bed and Backfill

All excavated native soil must be replaced with backfill approved by the Town Engineer or certified to meet the manufacture requirements pertaining to particle size, roundness, quality and soundness. No sand or native soil shall be mixed with the approved gravel. In areas of unstable soils, changing groundwater levels, or watery conditions, or where in the opinion of the Town Engineer may require the installation of a concrete slab below the tank, and may specify other modifications such as anchoring, filter fabric, or change the size of the tank in accordance with the manufacturer's instructions. All such installations will be reviewed and approved by the Planning Board, Fire Department and the Town Engineer.

7. Anchoring

Provisions for anchoring, where required, shall be in accordance with the manufacturer's instructions, and approved by the Town Engineer.

8. Backfill Cover

The tank shall be covered by a minimum of (69) sixty-nine inches of backfill or other minimum as required by the manufacturer's recommendations.

9. Barricading

The tank area shall be barricaded using temporary fencing to prevent vehicular traffic over said tank until the installation is complete. Thereafter, the pipes shall be protected by bollards placed in accordance with the Fire Departments recommendations.

10. Inspection

a. Tank Permit & Inspection Fees-A fee of \$100.00 per tank will be required for all tank(s). No inspections can be made until an "Application For Permit" has been obtained from the Fire Department.

b. The developer or contractor shall provide the Town Engineer, Planning Board and Fire Department with soil test and water table results, and backfill material certification prior to the tank has been installed for their review. Where the groundwater is a consideration, buoyancy calculations by a registered engineer must be submitted to verify whether concrete hold-down structures are necessary for said tank(s).

c. Request for inspection-The developer or contractor shall submit a “request for inspection” (5) five days prior to the day of inspection to the Fire Department.

d. The tank shall be tested in accordance with the manufacturer’s instructions at the expense of the developer or contractor. The Fire Department shall be present during all stages of tank installation and testing and shall inspect the tank before it is installed, the excavation, backfill, concrete pads or anchoring provisions, if required, pipes and fittings, and all other items and installations such as the final filling of water.

11. Maintenance

Underground water storage (fire) tank easements shall be maintained free of all vegetation and during snow conditions to allow access to the site by fire department vehicles and personnel at all times during the year.

E. SEWERAGE

1. A sewerage collection system, including pipes, connecting Y's, manholes, lift stations, if necessary, and other related equipment shall be installed to serve all lots in the subdivision, except in the following cases:

a. For subdivision not within 2500 feet of an already existing sewer line.

b. For subdivisions not within the 2500 feet of an existing sewer line and which the Board of Sewer commissioners determine cannot be connected to sewers likely to exist within 10 years from the date the last performance guarantee was given by the subdivider to the Town.

2. The sewerage collection system shall be installed under supervision of and in accordance with the requirements of the Board of Sewer Commissioners. Said system shall be tested and approved before paving commences.

a. Sewer manholes and pipes shall be located at the center of the road to maximum extent possible.

3. Where a sewerage collection system is deemed not to be required, individual on-site subsurface sewage disposal systems shall be installed under the supervision of the Board of Health and in strict compliance with the latest edition of Title 5 of the State Environmental Code, and CMR #11.00-17.00.

F. EASEMENTS

1. Easements for utilities across lots or centered on rear or side lot lines shall be provided where necessary and shall be at least 30 feet wide.
2. Where a subdivision is traversed by watercourse drainage way, channel or stream, the Board shall require that there be provided storm water easement or drainage right-of-way of adequate width to conform substantially to the lines of such water course, drainage way, channel or stream, and to provide for construction or other necessary purpose.
3. Temporary construction easements shall be shown on all lots adjacent to the proposed roadways to allow for construction of back slopes from the road onto the lots. The easements shall extend a minimum of 10 feet into each lot, or a greater distance if required by the proposed construction. The easements shall terminate upon acceptance of the street by the Town.
4. Signed copies of easements and agreements affecting land not within the subdivision but necessary for provision of utilities shall be submitted to the Board before approval of the Definitive Plan.

G. OPEN SPACE

Before approval of a plan, the Board may also, in site specific cases, require the plan to show a park or parks suitably located for playground or recreation purposes or for providing light and air. The park or parks shall not be unreasonable in area in relation to the land being subdivided and to the prospective uses of such land. The Board may, by appropriate endorsement on the plan, require that no building be erected upon this park land for a period of not more than three (3) years without its approval.

H. PROTECTION OF NATURAL FEATURES

All natural features, such as stone walls, trees, wooded areas, water courses, scenic points, historic spots, will be preserved under the discretion of the Board.

Any clearance, back filling, cutting, thinning or other disturbance to trees twelve inches or over in diameter measured four feet (41) above finished ground level, located within the minimum front setback distance shall be prohibited unless deemed proper by the Board. Any such proposed clearance shown on the plan and written reasons therefor may be requested by the Board. Tree wells or retaining walls shall be installed whenever necessary for suitable grading around trees. Tree wells or retaining walls shall be of such design to meet the standards as set forth in the Tree Experts Manual or some similar publication. Also refer to the Sutton General By-Laws, Section 16, "Scenic Road By-Law".

I. LOT SIZE

Proposed lots shall be in conformance with the Town's Zoning By-Law for the zoning district(s) in which the subdivision is located.

SECTION 5
REQUIRED IMPROVEMENTS FOR A NEW SUBDIVISION

In subdivisions, the ways shall be constructed and municipal services installed in accordance with the Massachusetts Highway Department (MHD) Standard Specifications for Highways and Bridges and in the event of conflict, the more stringent specification will govern and the following specific requirements:

A. DRAINAGE

The construction of the drainage system, including methods of construction and quality of materials used, shall be in conformity with the Definitive Plan and the details shall conform with the details of the MHD Specifications and Standards, unless specifically excepted by the Board.

B. WATER & FIRE PROTECTION SYSTEMS

The water and fire protection systems shall be installed in accordance with the Definitive Plan and shall be in conformity with these Rules and Regulations as well as Water District Regulations and Fire Department Regulations.

C. SEWERAGE

The sewerage system shall be installed in accordance with the Definitive Plan and shall be in conformity with these Rules and Regulations of the Board and Rules and Regulations of the Sutton Sewer Commissioner. Said system shall be tested and approved before paving.

D. UNDERGROUND SERVICES

1. All water mains and laterals within the exterior lines of the street shall be installed at least 5 feet below the finished grade.
2. In rock, clay or peat excavation, trenches shall be excavated to a depth of 6 inches or more below the bottom of any water pipe, storm drain, or sewer and filled with suitable base materials (select gravel or 2 1/2 inches trap rock as is found necessary).
3. All water pipes, storm drains and/or sewers, and any gas mains or underground light and power conduits shall be installed in the street prior to completion of the roadway foundation. This includes the installation of service pipes and conduits to the front lot line of each residential lot shown in the subdivision. Underground utilities should be located under a grass area.

4. All storm drains, sewers, culverts, manholes, water mains and laterals, shutoff valves and hydrants shall be inspected prior to any back filling of trenches or other covering of structure. Following such inspection, the fill material shall be carefully placed around the structure and rammed and compacted in 1 foot layers.

5. All wire shall be placed underground in conduits. Such wires shall include electric, telephone or cable television and other wire which would normally be placed on a utility pole.

6. The developer shall work with the cable provider during subdivision planning. A plan for the cable Distribution Plant shall be included in the definitive plan. A copy of the approved plan that relates to installation of the Distribution Plant will also be provided to the cable provider by the developer after approval.

E. STREET GRADING

1. The entire area of each street within the exterior lines shall be cleared of all stumps, brush, roots, rock or boulders and like material and of all trees not intended for preservation. All loam and other yielding material shall be removed from the roadway area of each street or way and replaced with suitable material.

2. Within each street, the full length and width of roadway shall be excavated to a depth of at least 21 inches below the finished surface or filled, as necessary, to a subgrade parallel to the finished grade herein specified. If the soil is soft or yielding, or contains rocks or boulders, clay, sand pockets, peat or other material detrimental to the subgrade, such materials shall be removed to such additional depth as required by the Board's designated Construction Inspector and replaced with well-compacted material such as 2 1/2 inch trap rock approved by him. Where fills are very deep, the material shall be placed in layers of approximately 1 foot and thoroughly compacted. No gravel shall be placed on the finished subgrade until approval is given by the Board following an inspection as here-in after provided.

3. Off-set stakes for construction shall be set and maintained by the developer at 50 foot intervals on each side of the right-of-way and to indicate the location of each drainage and sewerage structure and at each hydrant. Stakes shall be set under the direction of a Registered Land Surveyor and shall indicate the exact amount of cut, fill or grade. Stakes shall be maintained during construction until first asphalt course is placed.

F. ROADWAYS

1. Roadways shall be constructed for the full length and width. The centerline of such roadways shall coincide with the centerline of the street right-of-way.

2. Roadways shall be provided with a gravel base course consisting of at least 18 inches compacted thickness of binding gravel satisfactory to the designated construction inspector. The gravel shall be clean, free of organic matter, and containing no stones over three (3) inches in diameter. The gravel shall be spread in two equivalent layers, each thoroughly

watered and rolled true to line and graded to conform with the typical street cross-section and the street profiles. Rolling shall be with an approved three wheel roller or equal, weighing not less than ten (10) tons. The complete gravel base shall be inspected as hereinafter provided, prior to any further construction.

3. The wearing surface of roadways and driveways within the right-of-way shall be a two course type I Bituminous Concrete Pavement, applied with a 1 1/2 inch base course, after compaction, with a 1 1/2 inch finish course, after compaction, in accordance with the MHD Standard Specifications for Highways and Bridges or a Cement/ Concrete Pavement constructed in accordance with the MHD Standard Specifications for Highways and Bridges. A tack coat will be required between the two courses if they are not completed within the same construction season.

G. CURBING

1. Curbing shall be provided along each side of all roadways and shall be granite.
2. The need for curbing may be eliminated along certain roadways, when drainage is provided in swales, which are designed to reduce the rate of runoff, restore or supply needed water to vegetation in the street right-of-way.

H. STREET SIGNS AND HOUSE NUMBERS

1. Street signs which, in the opinion of the Board are the type commonly used on the public ways in the town and bearing the names of the street as indicated on the Definitive Plan, shall be erected at all intersections of streets in the subdivision. The lettering on such signs shall be so arranged that the word "Private" appears below the street name and may be painted out or removed when the street is accepted by the Town as public way.
2. The use of approved street names and house numbers, as assigned by the Board of Assessors, shall be utilized in early construction of a project to aid emergency services and prospective buyers in locating the correct addresses. After construction, permanent house numbers shall be affixed to each residence and shall be clearly visible from the street.

I. SIDEWALKS AND LIGHTING

1. Sidewalks of not less than 4 feet in width shall be constructed as shown on the Definitive Plan on at least one side of each roadway on all streets. Sidewalks on both sides of a roadway may be required near schools or other generators of pedestrian travel, as determined by the Board. Sidewalks shall be no closer than one foot (1') to the edge of pavement.
2. Sidewalks shall have a finished grade in relation to the finished grade of the roadway as shown on the applicable cross-section plan. When unusual physical land characteristics or topographic conditions require, the Board may approve the placement of a lower elevation in relation thereto, provided such variation is indicated on the Definitive Plan.

3. In constructing all sidewalks, the material shall be removed for the full width of the sidewalk to a subgrade of at least eleven (11) inches below the approved finished grade, and also all soft spots and other undesirable material below such subgrade shall be replaced with a good binding material and rolled with a 2 ton roller or equivalent.
4. Unless the applicant elects to install cement concrete sidewalks (built according to specifications of MHD) the excavated area shall be filled with at least 8 inches of select gravel containing some binding material and compressed and rolled to a surface with a pitch parallel to than shown on the applicant cross-section plan. Sidewalks shall be constructed of Portland cement concrete to a minimum thickness of 4", with an 8" gravel base. In all other respects the sidewalk shall be constructed in accordance with MHD specifications. The cross slope shall be ¼" per 1' of width to provide proposed drainage.

J. PLANTING STRIPS

1. A four foot wide grass plot shall be constructed between the back edge of the curb and the front edge of the sidewalk on each side of the roadway.
2. The finished grade of such planting strips in relation to the finished grade of the roadway shall be as shown on the applicable cross-section plan.
3. If the subdivider finds it necessary to remove any of the Town's trees or if the Board finds it necessary to have the subdivider remove any of the Town's trees, the subdivider shall replace any and all at his own expense. The species of trees may include Silver Maple, Red Maple, Sugar Maple, Northern Red Oak, Pin Oak, Scarlet Oak, or any other species that is acceptable to the Planning Board. These new plantings shall be guaranteed by the subdivider for a period of one year. The location for the new plantings shall be designated by the Tree Warden or the appointed representative.
4. Along each street and on both sides, the subdivider shall plant trees so that with existing trees they shall be an average of 100 feet apart within twenty feet of the roadway. The new plantings will be one and one half (1 1/2) to two (2) inches caliper with a minimum height of ten (10) feet. Each tree shall be supported with a 2" x 2" x 8' wooden stake and shall be fastened at the top with loop of rubber or suitable fabric hosing. All trees shall be guaranteed by the subdivider until the street is accepted by the Town as a public way.
5. No utility poles or trees shall be placed or retained within the planting strip so as to be closer than three (3) feet from the edge of the roadway.

K. SIDE SLOPES

The area in back of the sidewalk, or where no sidewalk is constructed, in back of the required planting strip, shall be graded to a point where it coincides with the finished grade of abutting lots in such a manner that no portion thereof within the exterior lines of the street will project above a plane sloped three horizontal to one vertical from the edge of the sidewalk or grass lot, or be below a plane sloped three horizontal to one vertical downward.

L. LOAMING

The top 4 inches of planting strips and side slopes shall consist of good quality loam, screened, raked, and rolled with a hand roller to grade.

The loam shall be seeded with lawn grass seed applied in sufficient quantity to assure adequate coverage, rolled when the loam is moist.

M. MONUMENTS AND MARKERS

1. Granite monuments shall be installed at all street intersections, at all points of change in direction or curvature of streets, and at other points as shown on the Definitive Plan and where, in the opinion of the Board, permanent monuments are necessary.

2. An iron pipe or iron rod marker at least 36 inches long shall be installed at all corners of each lot shown on the Definitive Plan and granite monuments shall be set to mark all Town related easements.

3. No permanent monuments shall be installed until all construction which could destroy or disturb the monuments is completed.

4. Monuments must be set to be flush with finished grade. Reference points to be drilled holes in the top.

N. CLEANING UP

The entire area must be cleaned so as to leave a neat and orderly appearance free from debris and other objectionable materials. All catch basins shall be properly cleaned. Such work shall be guaranteed by the developer through the performance bond and/or covenant.

O. CERTIFICATE

Just prior to the completion of the subdivision, the subdivider shall furnish a certificate from the Massachusetts Registered Land Surveyor or Massachusetts Registered Civil Engineer that the plan and profile of the subdivision are according to the Board's approved plan and that all bounds and monuments are set correctly and according to Board approved plan.

Prior to the final release, the subdivider shall file with the Board an "as-built" plan of completed improvements. The plan shall show all plan and profile views correct and verified by the subdivider's land surveyor to be actual as-built locations and profiles of all streets, ways and utilities, including those installed by others, such as the gas company, cable company, or telephone company and the location of all lines, including service connections.

P. CONTROL

The applicant shall employ, at his own expense, a Registered Professional Land Surveyor to set all lines and grades in a manner satisfactory to the Board.

Q. SUPERVISION AND INSPECTION

1. PURPOSE

All work performed as a consequence of these Rules and Regulations shall be subject to the review of the Board which shall approve and accept, or disapprove and reject, each phase or portion of such work, and at completion shall recommend the acceptance of all work or disapproval of the work with reasons therefor. The Board may employ a registered professional engineer or other qualified agent to act to inspect the work to insure compliance with These Rules and Regulations, and to report to the Board his recommendations as to approval or disapproval of the work. Such agent will make certain inspections as prescribed herein in order to check the adequacy of the work at various stages prior to such work being covered by subsequent work. However, the Board, its engineer, or agent shall have the right to inspect the work at any time.

2. ACCESS

The applicant will provide safe and convenient access to all parts of the subdivision, for the purposes of inspection, to representatives of the Board or other Town agencies and Boards.

3. NOTIFICATION

a. After approval of the Definitive plan, the Board will notify the applicant of the name and address of the engineer designated as its representative to perform the inspection as required herein, and otherwise act as the Board's agent to insure compliance with these Rules and Regulations. The applicant shall keep the engineer fully informed as to the status and progress of the work, and shall notify the engineer directly (by mail or in person or by telephone) at least forty-eight hours in advance that the work has progressed to a stage that an inspection is required.

b. A "pre-construction" meeting will be held by the Board's agent before any work can begin on the subdivision.

c. In the event the engineer makes an inspection of the work at the time designated and finds that such work is not at the proper stage of completion, or that the work has been covered or otherwise obscured, the engineer shall notify the applicant and the Board as to the additional steps the applicant shall take to complete the work to the point required, or to the extent the work shall be uncovered or exposed to full view. The applicant shall notify the engineer again when the work is ready as prescribed in a. above.

d. The applicant shall notify all applicable Town agencies and Boards when prepared for other inspections not within the jurisdiction of the Planning Board. Such inspections shall include water line and sewer line test and inspections.

4. MODIFIED INSPECTION SCHEDULE

Inspection shall be continuous except a modified schedule may be authorized by the Board or certain subdivisions. This modified schedule shall be for the following purposes:

INSPECTION	TIMING	PURPOSE
1	Prepared site Open trenches Grade stakes placed	Correct materials Proper site Preparation
2	Installed drains, water mains, sewer, and utilities	Correct install- ation of lines
3	After preparation of road sub-grade and prior to place- ment of gravel	Correct prepara- tion of sub-grade
4	After compaction of roadway before paving	For correct place- ment of fill and compacting
5	After street con- struction	Correct construct ion of pavement, curb and sidewalks
6	After Cleanup	For installation of grass plots, street signs, monument in- stallation and general cleanup.

5. DISAPPROVAL

All work which has been disapproved, or is not acceptable to the Board, shall be removed and replaced or otherwise corrected to the point of complying with the requirements of the

Board for acceptance. Any work which has been covered by subsequent work prior to acceptance, or is otherwise not available or obscured to the point of rendering inspection of the work difficult, shall be considered to be not acceptable to the Board. Such subsequent guarantee shall depend upon the acceptance of all work prescribed herein and on the Definitive plan and as directed by the Board.

6. INSPECTION REPORTS

Timely inspection reports shall be provided to the applicant/developer or his agent with copies to the Planning Board.

7. AS BUILTS

The "as-built" drawings are an assembly containing a print of each original drawing, or revised sheet.

They should be the most current set of drawings showing the latest approved changes; such as, changes of location of pipe, inlets, manholes, finished pavement grades, etc. They should be clean, neat and accurately prepared and are maintained for the purpose of recording approved field changes, which are usually of minor nature. More significant changes require documented revisions to the plans. The prints shall be maintained at the work site and be used for the purpose of showing approved field construction changes. Upon completion of the services, ways and street bounds, the applicant will have the original approved construction drawings corrected and certified by a Registered Professional Land Surveyor and or Engineer to show the actual "as-built" location and elevations of pavement and utilities to include the driveway openings, trees, signs and changes approved by the Planning Board. A complete set of mylars together with the set maintained in the field must be submitted prior to acceptance by the Town.

SECTION 6 **ADMINISTRATION**

A. VARIATION

The Planning Board may in any particular case, where such action is in the public interest and not inconsistent with the intent and purpose of the subdivision control law, waive strict compliance with its rules and regulations, and with the frontage or access requirements specified in said law, and may, where the ways are not otherwise deemed adequate, approve a plan ' on conditions limiting the lots upon which buildings may be erected and the number of buildings that may be erected on a particular lots and the length of time for which particular buildings may be maintained without further consent by the Planning Board to the access provided. The Planning Board shall endorse such conditions on the plan to which they relate, or set them forth in a separate instrument attached thereto to which

reference is made on such plan and which shall for the purpose of the subdivision control law be deemed to be a part of the plan.

B. REFERENCE

For matter not covered by these Rules and Regulations, reference is made to M.G.L., Ch. 41 § 81-K to 81-GG, and MHD Standard Specifications for Highways and Bridges, each as amended or updated from time to time.

C. ENFORCEMENT BY DENIAL OF BUILDING PERMITS

No building shall be erected within a subdivision without written permission from the Board in the form of a lot release. The Board reserves the right to rescind prior permission to build (lot release) for cause.

D. SEVARABILITY

If any section, paragraph, sentence, clause or provision of these Rules and Regulations shall be adjudged not valid, the adjudication shall apply only to the material so adjudged, and remainder of these Rules and Regulations shall be deemed valid and effective.

E. AMENDMENTS

These Rules and Regulations or any portion thereof may be amended, supplemented, or repealed from time to time by the Board after a public hearing on its own motion or by petition.

APPENDIX

<u>FORM A</u>	APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL
<u>FORM B</u>	APPLICATION FOR APPROVAL OF A PRELIMINARY PLAN
<u>FORM C</u>	APPLICATION FOR APPROVAL OF A DEFINITIVE PLAN/LDRD PLAN
<u>FORM D</u>	CERTIFIED LIST OF ABUTTERS
<u>APPENDIX E</u>	REQUIRED DETAILS TYPICAL ROADWAY CROSS-SECTION

**TOWN OF SUTTON, MASSACHUSETTS
FORM A
Application for Endorsement of Plan Believed Not to Require Approval**

An application fee in the amount of \$100.00 per lot, including reconfigured residue land, made out to "Town of Sutton", must be attached to this form. Please submit at least two(2) copies of this application and four(4) copies of the plan.

To the Planning Board:

The undersigned, believing that the accompanying plan of his property in the Town of Sutton does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

Date: _____

1. Name of Land Owner: _____
Address: _____
Phone: _____ Fax: _____

2. Name of Applicant: _____
Address: _____
Phone: _____ Fax: _____

3. Name of Registered Land Surveyor: _____
Address: _____
Phone: _____ Fax: _____

4. Location of Property: _____ Area: _____
Deed Recorded at Worcester District Registry of Deeds at Book: _____
Page: _____ OR Land Court as Cert #: _____

5. Type of plan:

<input type="checkbox"/> Boundary Survey	<input type="checkbox"/> Conveyance
<input type="checkbox"/> New Lot(s) - # _____	<input type="checkbox"/> Other: _____

6. Owner's Signature: _____
Applicant's Signature: _____

Note: The plan to be filed with this application must be prepared in conformance with the requirements of the Registry of Deeds or Land Court

TOWN OF SUTTON, MASSACHUSETTS
FORM B
Application for Approval of a Preliminary Plan

The application fee of \$100.00 for plans, plus \$25.00 per lot, check made out to "The Town of Sutton", must be attached to this form.

To the Planning Board, _____,

The undersigned, being the Applicant as defined under M.G.L., Ch. 41 § 81-L, for approval of a proposed subdivision shown on a plan entitled:

Dated _____, _____.
Located (off of . . .) : _____
as shown on Assessor's Map # _____ Parcel # _____
By Engineer and Surveyor:

Address: _____
Phone: _____ Fax: _____

hereby submits said plan as a PRELIMINARY subdivision plan in accordance with the Rules and Regulations of the Sutton Planning Board and makes application to the Board for approval of said plan.

The undersigned's title to said land is derived from: _____
by deed dated _____ and recorded in the Worcester District Registry of Deeds Book _____, Page _____, OR Land Court Certificate Number _____

Applicant's Name & Signature: _____
Applicant's Address: _____
Phone: _____ Fax: _____

Owner's Name & Signature: _____
Owner's Address: _____
Phone: _____ Fax: _____

Received by the Planning Board: _____ Meeting Certified

TOWN OF SUTTON, MASSACHUSETTS
FORM C
Application for Approval of a Definitive Subdivision

The application fee of \$3000.00 for plans, plus \$200.00 per lot, check made out to "The Town of Sutton", must be attached to this form.

Date of filing by certified mail or in open meeting: _____

The undersigned, being the applicant as defined under M.G.L., Ch. 41 § 81-L, for approval of a proposed definitive subdivision plan hereby submits said definitive plan in accordance with the Rules and Regulations of the Town of Sutton and M.G.L., Ch. 41.

Subdivision Name: _____

Plans Dated: _____ Calculations Dated: _____ Fee: \$ _____

Engineer and/or Land Surveyor: _____

Address: _____

Phone: _____ Fax: _____

Owner's Name, Address, Phone Number and Fax #:

Applicant's Name, Address, Phone Number and Fax #(if different than owner):

Assessor's map and parcel number of land: Map _____ Parcel _____

Land Recorded in Worcester District Registry of Deeds or Land Court:

Book _____ Page _____ or Certificate Number _____.

Dated: _____

Owned By: _____ Phone: _____

Address: _____ Fax: _____

Land is free of encumbrances, except for: _____

Said plan has has not evolved from a preliminary plan submitted to the Board on

_____.

The undersigned hereby applies for the approval of said definitive plan by the Planning Board and hereby agrees to abide by the Town's Rules and Regulations.

Owner's Signature: _____

Applicant's Signature: _____

LIST OF ABUTTERS

