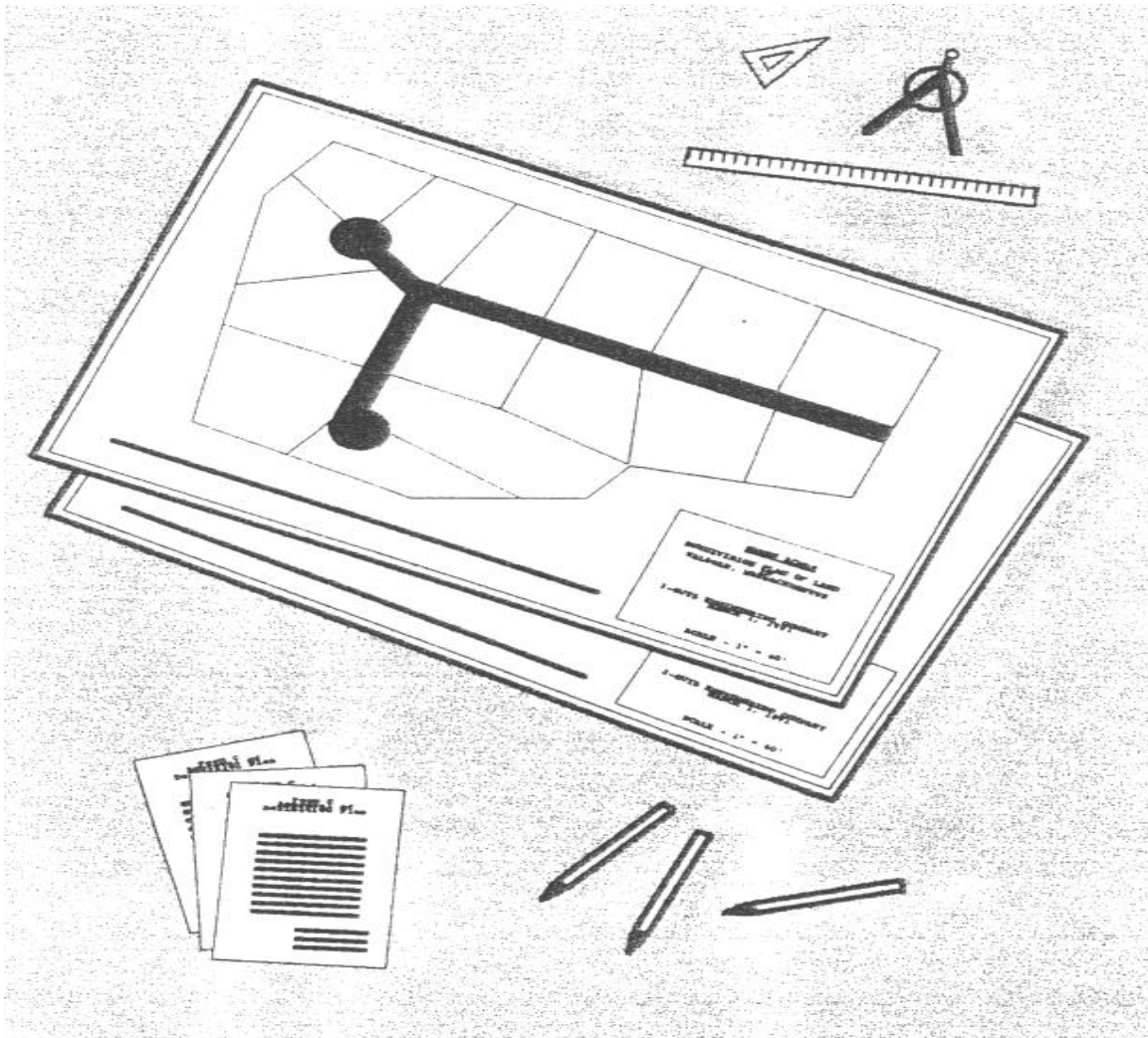


**Town of Walpole,
Massachusetts**



Planning Board



RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND

Amended through April 15, 2004

RULES AND REGULATIONS GOVERNING
THE SUBDIVISION OF LAND

| | |
|--|---------|
| <u>SUBDIVISION FEE SCHEDULE</u> | ----- v |
|--|---------|

SECTION I GENERAL

| | | |
|-----|---|---|
| I-1 | Authority and Purpose ----- | 1 |
| I-2 | Definitions ----- | 1 |
| I-3 | Plan Believed not to Require Approval ----- | 3 |
| I-4 | ANR Form and Content ----- | 4 |
| I-5 | Subdivision ----- | 5 |
| I-6 | Review Policy ----- | 5 |
| I-7 | Variation ----- | 5 |

SECTION II INFORMAL AND PRELIMINARY PLANS

| | | |
|------|---|---|
| II-1 | Departmental Review ----- | 6 |
| II-2 | Informal or Study Plan ----- | 6 |
| II-3 | Submission of Preliminary Plan----- | 6 |
| II-4 | Form and Content of Preliminary Plan ----- | 7 |
| II-5 | Tentative Approval for Preliminary Plan ----- | 9 |

SECTION III DEFINITIVE PLAN

| | | |
|--------|---|----|
| III-1 | Submission to the Planning Board ----- | 10 |
| III-2 | Notice to Town Clerk----- | 14 |
| III-3 | Review by Board of Health----- | 14 |
| III-4 | Requirements and Form----- | 14 |
| III-5 | Contents of Definitive Plan ----- | 15 |
| III-6 | Review by Certain Town Departments ----- | 17 |
| III-7 | Consultant Review Selection ----- | 18 |
| III-8 | Performance Guarantee ----- | 19 |
| III-9 | Public Hearing ----- | 21 |
| III-10 | Approval, Modification or Disapproval ----- | 21 |
| III-11 | Endorsement and Recording----- | 22 |
| III-12 | Reduction of Bond or Surety ----- | 23 |
| III-13 | Release of Performance Guarantee ----- | 24 |
| III-14 | Conveyance of Utilities and Easements to the Town ----- | 25 |
| III-15 | Certification of Monuments, As-Built Plans, and Street Acceptance Plans ----- | 25 |
| III-16 | Criteria for Satisfactory Partial Completion ----- | 26 |
| III-17 | Street Lighting Procedure ----- | 26 |

SECTION IV DESIGN STANDARDS

| | | |
|-------|---------------------------------------|----|
| IV-1 | Street System ----- | 27 |
| IV-2 | Dead-end Streets ----- | 27 |
| IV-3 | Street Alignment ----- | 28 |
| IV-4 | Intersections ----- | 28 |
| IV-5 | Width and Grade of Streets ----- | 29 |
| IV-6 | Drainage System ----- | 30 |
| IV-7 | Water and Sewerage Systems ----- | 34 |
| IV-8 | Lots ----- | 36 |
| IV-9 | Easements ----- | 36 |
| IV-10 | Open Spaces and Natural Features----- | 37 |

SECTION V WORK ON THE GROUND FOR TYPE A AND TYPE B SUBDIVISIONS

| | | |
|------|--------------------------------|----|
| V-1 | General ----- | 38 |
| V-2 | Inspections and Controls ----- | 38 |
| V-3 | Utilities ----- | 39 |
| V-4 | Underground Structures ----- | 39 |
| V-5 | Street Grading ----- | 39 |
| V-6 | Roadways ----- | 40 |
| V-7 | Curbs and Gutters ----- | 41 |
| V-8 | Sidewalks ----- | 41 |
| V-9 | Grass Plots ----- | 42 |
| V-10 | Side Slopes ----- | 42 |
| V-11 | Monuments ----- | 42 |
| V-12 | Street Trees ----- | 43 |
| V-13 | Cleaning Up ----- | 43 |

SECTION VI WORK ON THE GROUND FOR MULTI-FAMILY, BUSINESS & INDUSTRIAL SUBDIVISIONS

| | | |
|------|-------------------------|----|
| VI-1 | General ----- | 44 |
| VI-2 | Roadways ----- | 44 |
| VI-3 | Curbs and Gutters ----- | 45 |
| VI-4 | Sidewalks ----- | 45 |
| VI-5 | Grass Plots ----- | 45 |

| | |
|---|-----------|
| Dimensional Standards for Roadways within Subdivisions ----- | 46 |
|---|-----------|

FORMS

| | |
|--|----|
| FORM A ----- | 47 |
| FORM B ----- | 50 |
| FORM C ----- | 51 |
| FORM D ----- | 52 |
| FORM E ----- | 53 |
| FORM F ----- | 54 |
| FORM G ----- | 57 |
| FORM H ----- | 58 |
| FORM I ----- | 59 |
| FORM J ----- | 60 |
| Agreement for Performance Secured by Bank Passbook ----- | 61 |
| Tripartite Agreement ----- | 64 |
| Town of Walpole Development Impact Statement ----- | 66 |
| Request for Abutters List (Definitive Plan) ----- | 73 |

APPENDICES

| | |
|--|-----------|
| APPENDIX A TABLE OF RECENT AMENDMENTS ----- | 74 |
|--|-----------|

SUBDIVISION FEE SCHEDULE
Adopted April 15, 2004

ANR Plan:

- \$300 for an ANR application filing
- \$600 per buildable lot

Preliminary Subdivision:

- \$2,000

Definitive Subdivision:

- \$1,500 plus \$1,500 per lot (with preliminary filing)
- \$3,000 plus \$1,800 per lot (without preliminary filing)

Common Driveways:

- \$500 per lot

Bond Reductions:

- \$150 per reduction for the first three (3) reductions;
- \$500 per reduction for every reduction after three (3) reductions;
- 25% retain age of total value until final bond release

Definitive Subdivision Plan Revisions:

- | | |
|---|--|
| <ul style="list-style-type: none">• Public Hearing still open | <p>\$500 when revision is required because plan does not comply with regulations. \$0 when Planning Board requests revision.</p> |
| <ul style="list-style-type: none">• Public Hearing Closed | <p>\$200 when planning board determines that it is a minor revision. \$1,000 when the planning Board determines that it is major revision or the revision is required because work was not done in compliance with approved plans.</p> |
| <ul style="list-style-type: none">• Repetitive Petition | <p>\$250</p> |

I-1 Authority and Purpose

These Rules and Regulations governing the subdivision of land in Walpole have been adopted by the Planning Board of said town by virtue of and pursuant to the provisions of General Laws, Chapter 41, Sections 81K to 81GG, as amended.

The Subdivision Control Law has been enacted for the purpose of protecting the safety, convenience and welfare of inhabitants of the Town.

I-2 Definitions

For the purpose of these Rules and Regulations the following words and terms used herein are hereby defined or the meaning thereof is explained, extended or limited as follows:

APPLICANT - An owner or his agent or representative, or his assigns.

BOARD - The Planning Board of the Town of Walpole, Massachusetts, as established under M.G.L. c. 41 § 81-A.

CERTIFIED BY - "Certified by (or endorsed by) a Planning Board", as applied to a plan or other instrument required or authorized by the Subdivision Control Law to be recorded, shall mean bearing a certification or endorsement signed by a majority of the members of the Planning Board, or by its chairman or clerk or any other person authorized by its chairman or clerk or any other person authorized by it to certify or endorse its approval or other action and named in a written statement to the register of deeds and recorder of the land court signed by a majority of the board.

CUL-DE-SAC - A vehicular turnaround at the closed end of a dead-end-street.

DEAD END STREET - A street or system of streets which has only one exit to a thoroughfare.

DEFINITIVE PLAN - A plan of a proposed subdivision or resubdivision of land drawn in accordance with the provisions of Sections III-4 and III-5 of these Rules and Regulations.

ENGINEERING DEPARTMENT - The Engineering Department of the Town of Walpole, represented by the Town Engineer or other authorized agent.

LOCAL STREET - A street which in the opinion of the Board, is used or will be used primarily to provide access to abutting lots, or which otherwise is designed to discourage its use by through traffic.

LOT - An area of land in one ownership, with definite boundaries, used, or available for use, as the site of one or more buildings.

MUNICIPAL SERVICE - Public utilities furnished by the Town including, but not limited to, water and sewerage.

OWNER - The person having the ultimate fee simple title to all of the land included in the proposed subdivision, as shown by the records in the Norfolk County Registry of Deeds or Norfolk County Land Registry District.

PERSON - An individual, two or more individuals, a partnership, a corporation or a group or association of persons having common or individual interest in a tract of land.

PRELIMINARY PLAN - A plan of a proposed subdivision or resubdivision of land drawn in accordance with the provisions of Section II-4 of these Rules and Regulations.

PRIMARY STREET - A street which, in the opinion of the Board, is used or will be used as a collector to carry traffic from one or more Local Streets or to other Primary Streets.

RECORDED - Recorded in the Norfolk County Registry of Deeds, and, when appropriate, as affecting registered land, it shall mean filed with the recorder of the land court.

REGISTER OF DEEDS - The register of deeds of Norfolk County, and when appropriate, the recorder of the land court.

REGISTERED MAIL - Registered or certified mail.

REGISTRY OF DEEDS - The Norfolk County Registry of Deeds, and, when appropriate, the land court.

RULES AND REGULATIONS - The Town of Walpole Rules and Regulations Governing the Subdivision of Land, duly adopted and amended in accordance with M.G.L. c. 41 § 81Q.

STREET - A way with ascertainable boundaries, laid out, constructed and used for the passage or travel of vehicles, usually including a sidewalk for pedestrian use, and otherwise referred to as "avenue", "boulevard", "court", "drive", "lane", "road", "roadway" or "way".

SUBDIVIDER - The person undertaking the subdivision of land.

SUBDIVISION - A division of land as defined in M.G.L. c. 41 § 81-L, as amended.

SUBDIVISION CONTROL - The power of regulating the subdivision of land granted by the Subdivision Control Law.

SUBDIVISION CONTROL LAW - M.G.L. c. 41 §§ 81-K to 81-GG inclusive, as amended.

SUBDIVISION, TYPE A - A subdivision for one-family detached dwellings in which the area and frontage (as defined in the Zoning Bylaw) of each lot equals or exceeds 30,000 square feet and 150 feet, respectively, or where, in the opinion of the Board, the predominant lot area and average lot frontage equals or exceeds said amounts.

SUBDIVISION, TYPE B - A subdivision for one-family detached dwellings in which the area and/or frontage of lots is less than for Type A Subdivision.

SUBDIVISION, MULTI-FAMILY - A subdivision for dwellings of two or families, including, but not limited to, condominiums, town houses, or apartment houses.

SUBDIVISION, BUSINESS - A subdivision for commercial, retail, or other business uses.

SUBDIVISION, INDUSTRIAL - A subdivision for manufacturing or industrial uses.

THOROUGHFARE - A street affording an unobstructed exit at each end into another street.

TOWN - The Town of Walpole, Massachusetts.

I-3 Plan Believed not to Require Approval

- (a) 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 situated in Walpole and who believes that his plan does not require approval under the Subdivision Control Law, may submit his plan to the Board for a determination.
- (b) Application for a determination by the Board, shall, if such is requested, be made by the owner in triplicate on a form approved by the Board (Form A), accompanied by the original and three (3) copies of the plan. The applicant shall state in his application the particular provisions of law under which he believes that his plan does not require approval, and shall submit evidence of such immunity satisfactory to the Board. "Said application shall be accompanied by the filing fee as stated in the fee schedule.
- (c) The plan shall not be deemed to have been submitted to the Planning Board until the application forms, plans, and fee have been delivered to said Board at a regular or special meeting thereof, or by delivery to an authorized agent of the Planning Board (i.e., secretary to the Board, Town Planner) during posted office hours of said Board. The plan may also be delivered by postage prepaid registered mail to the Planning Board care of the Town Clerk.

If submission of the plan is made at a regular or special meeting of the Planning Board, receipt of said plan will be acknowledged by the signature of the Chairman of the Planning Board on each copy of the application form, two of which will be immediately returned to the applicant or his/her agent present at the meeting. Thereafter, the applicant or his/her agent shall file a notice with the Town Clerk as outlined in subsection (d) below, accompanied by a receipted copy of the application form.

If submission of the plan is by delivery to an authorized agent of the Planning Board (i.e., secretary to the Board, Town Planner) during posted office hours of said Board, the applicant shall be responsible for having the application forms time-stamped by the Town Clerk. The date of said time-stamp shall be considered the date of submission only after it has been determined that such a submission is complete (that is, the correct number of forms and plans are present, and the correct amount of the fee is present). The applicant shall be responsible for obtaining a time-stamped copy of the application form, and for providing notice to the Town Clerk as outlined in subsection (d) below.

If submission of the plan is by postage prepaid registered mail to the Planning Board care of the Town Clerk, the application forms shall be time-stamped by the Town Clerk and the date thereof shall be considered the date of submission only after it has been determined that such a submission is complete (that is, the correct number of forms and plans are present, and the correct amount of the fee is present). The applicant shall be responsible for obtaining a time-stamped copy of the application form, and for providing notice to the Town Clerk as outlined in subsection (d) below.

- (d) Every person submitting a plan to the Planning Board for a determination that approval is not required shall give written notice to the Town Clerk by delivery or by registered mail, postage prepaid, that such a plan has been submitted. If the notice is given by delivery, the Town Clerk shall, if requested, give a written receipt therefor. Such notice shall describe the land to which the plan relates sufficiently for identification, and shall state the date when such plan

was submitted and the name and address of the owner of such land; and the facts stated in such notice shall be taken by the Town Clerk as true, unless the contrary is made to appear.

- (e) If the Board determines that the plan does not require approval, it shall without a public hearing and within twenty-one (21) days of submission endorse on the original of the plan, or cause to be endorsed thereon by such member or employee thereof as may be hereafter designated, the words, "Walpole Planning Board Approval under the Subdivision Control Law not required." Said endorsement may be followed by a notation that "No determination of compliance with all Zoning requirements has been made," or words of similar import. The original drawing of the plan will then be delivered to the applicant or his agent by the Board.
- (f) If the Board determines that the plan does require approval, it shall, within twenty-one (21) days of submission, so inform the applicant in writing, and return the original of the plan to him. The Board shall also give written notice to the town Clerk of such determination. Said applicant may then submit his plan for approval as hereinafter provided by these Rules and Regulations.

I-4 ANR Form and Content

All plans shall be drawn to a scale of 1"=40', shall be a minimum size of eight and one-half inches by eleven inches (8 ½" x 11") and a maximum size of twenty-four inches by thirty six inches (24" x 36") with three-quarter inch (¾") borders, and shall show:

- (a) Locus map drawn at a scale of 1"=200' sufficient to identify the property;
- (b) Title, north point, date of survey and graphic scale;
- (c) Name of owner of record;
- (d) Name and address of Registered Land Surveyor;
- (e) Names of all abutters as they appear on the most recent tax list;
- (f) Existing covenants on the property, if any;
- (g) Lines of existing and proposed streets, ways (including private driveways and off street parking areas) and easements;
- (h) Names of all streets shown;
- (i) Lot and / or house numbers;
- (j) Location of all existing buildings, structures and bounds including distances to nearest property boundary lines;
- (k) Zoning District(s) and any Zoning District Boundary lines including Flood Plain, Aquifer Overlay District, Water Resource Protection Overlay District and Buffer Zone;
- (l) Water bodies including intermittent streams, bordering vegetated wetlands as specified in the Wetlands Protection Act, MGL chapter 131, Section 40(only required when creating new building lots);
- (m) Signature box for 5 Planning Board members;

- (n) A three and one-half inch (3 1/2") blank square reserved for the use of the Registry of Deeds;
- (o) A certification clause signed by the preparer stating that he/she has conformed with the rules and regulations of the Registry of Deeds in preparing the plan;
- (p) Zoning notes including but not limited to set back requirements, sideyard requirements, etc.; and,
- (q) Other information as may be required by the Board.

I-5 Subdivision

No person shall make a subdivision within the meaning of the Subdivision Control Law of land situated in Walpole, or proceed with the improvement or sale of lots in a subdivision in the Town, or the construction of streets, 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.

I-6 Review Policy

In order to give staff and/or consultants adequate time to advise the Planning Board on revisions to the (preliminary or definitive plan or special permit), all such revisions shall be submitted to the Planning Board, or its agent, not less than 14 days prior to the date the applicant is scheduled to return to the Planning Board. Failure by the applicant to submit said revisions by the deadline, may remove the applicant from the meeting agenda.

I-7 Variation

Strict compliance with the requirements of these Rules and Regulations may be waived when, in the opinion of the Board, such action is in the public interest and not inconsistent with the Subdivision Control Law and the Zoning Bylaw of the Town.

II-1 Departmental Review

Notwithstanding the provisions of Section II-2 (Informal or Study Plan) below, and in order to minimize development planning costs, avoid misunderstanding or misinterpretation, and ensure compliance with the requirements of all applicable statutes, by-laws, and regulations of the Commonwealth of Massachusetts and the Town of Walpole, pre-application consultation between the applicant and the various development-related departments is strongly encouraged. Such a consultation shall take place before the submission of a preliminary or definitive plan. To facilitate such a consultation, the applicant shall contact the Town Planner, who shall make arrangements for a meeting, the attendance at which will consist of the Town Planner, the Town Engineer, the Health Agent, the Conservation Agent, the Building Inspector, the Superintendent of Sewer and Water, the Director of the Department of Public Works, the Recreation Director, the Fire Chief, the Police Chief, and any other Town official who may be concerned with the particular development proposal to be discussed. Such a meeting will be conducted informally, and shall have the purpose of soliciting concerns, suggestions, ideas, and comments regarding a proposed site, plans, and other issues relative to the proposed project. However, any advice, opinion, or information given to the applicant by any Town official or employee prior to a public hearing shall not be binding on the Planning Board.

II-2 Informal or Study Plan

- (a) Any person before submitting a Definitive Plan for approval as hereinafter prescribed may, at his own election, submit to the board for discussion purposes only an informal or study plan, showing his proposed subdivision in a general way. Such a plan shall not be designated as a "Preliminary Plan" nor given any approval by the board (tentative or otherwise), unless it is prepared and submitted in accordance with the detailed requirements of statute applicable to a "Preliminary Plan" and with the pertinent requirements of these Rules and Regulations (in Section II-3 and II-4).
- (b) The preparation and submission of such an informal or study plan is strongly recommended, however, except in the simplest cases. It affords the applicant the opportunity to have the Board review his proposed subdivision on an informal basis before the expenditure of time and money for the detailed engineering work necessary to prepare either an official "Preliminary Plan" and/or the final "Definitive Plan".

II-3 Submission of Preliminary Plan

- (a) In the case of a subdivision showing lots in a residential zoning district, any person, before submitting a Definitive Plan for approval, may submit to the Planning Board and to the Board of Health, a Preliminary Plan, and shall give written notice to the Town Clerk by delivery or by registered mail, postage prepaid, that such a plan has been submitted. If said notice is given by delivery, the Town Clerk shall, if requested, give a written receipt therefor.
- (b) In the case of a non-residential subdivision, any person before submitting a Definitive Plan for approval shall submit to the Planning Board and the Board of Health, a Preliminary Plan, and shall give notice to the Town Clerk by delivery or by registered mail, postage prepaid, that such a plan has been submitted. If said notice is given by delivery, the Town Clerk shall, if requested, give a written receipt therefor.

- (c) Application for tentative approval by the Planning Board, if such approval is desired or required, shall be made in triplicate on a form approved by the Board (Form B), signed by the owner(s) of all land within the proposed subdivision, and accompanied by the original and three (3) copies of the Preliminary Plan and the applicant may be required to submit eight (8) 11" x 17" reduced size copies prepared as hereinafter described.
- (d) The application and plans shall be accompanied by the fee as stated in the fee schedule.
- (e) The applicant may submit three (3) copies of a draft Town of Walpole Development Impact Statement to the Board for discussion, requesting any waivers from said document contemplated for the Definitive Plan stage of the subdivision.
- (f) If proposed street names are not taken from the most current list of suggested street names compiled by the Street Name Committee, the application shall be accompanied by a completed "Request for Street Name Approval" form (Town of Walpole Street Name Committee).
- (g) The Preliminary Plan shall not be deemed to have been submitted to the Planning Board until the application forms, plans, and fee have been delivered to said Board at a regular or special meeting thereof, by postage prepaid registered mail to the Planning Board care of the Town Clerk, or by delivery to an authorized agent of the Planning Board (i.e., secretary to the Board, Town Planner) during posted office hours of said Board. If submission of the Preliminary Plan is made at a regular or special meeting of the Planning Board, receipt of said plan will be acknowledged by the signature of the Chairman of the Planning Board on each copy of the application form, two of which will be immediately returned to the applicant or his/her agent present at the meeting. Thereafter, the applicant or his/her agent shall file, by delivery or by postage prepaid registered mail a notice with the Town Clerk stating the date of submission of the plan and accompanied by a receipted copy of the application form.

If submission of the Preliminary Plan is by postage prepaid registered mail to the Planning Board care of the Town Clerk, the application forms shall be time-stamped by the Town Clerk and the date thereof shall be considered the date of submission only after it has been determined that such a submission is complete (that is, the correct number of forms and plans are present, and the correct amount of the fee is present). The applicant shall be responsible for obtaining a time-stamped copy of the application form, and for providing notice to the Town Clerk as outlined in subsection (a) and (b) above.

If submission of the Preliminary Plan is by delivery to an authorized agent of the Planning Board (i.e., secretary to the Board, Town Planner) during posted office hours of said Board, the applicant shall be responsible for having the application forms time-stamped by the Town Clerk. The date of said time-stamp shall be considered the date of submission only after it has been determined that such a submission is complete (that is, the correct number of forms and plans are present, and the correct amount of the fee is present). The applicant shall be responsible for obtaining a time-stamped copy of the application form, and for providing notice to the Town Clerk as outlined in subsection (a) and (b) above.

II-4 Form and Content of Preliminary Plan

The Preliminary Plan shall be drawn on tracing paper with pencil, preferably on a horizontal scale of one inch to each forty feet and shall show:

- (a) Name of the subdivision, boundaries, North Point, date and scale. The Planning Board may require a locus plan at a scale of 200 feet to the inch showing the layout of the entire subdivision (bearings, distances and areas are not required to be shown) including street names and lot numbers.
- (b) Legend and designation "Preliminary Plan."
- (c) Name and address of owner, subdivider, and designer, engineer or surveyor.
- (d) Names of all abutters as they appear in the most recent Town tax list.
- (e) An indication of the prospective character of the subdivision (whether one-family, multi-family, business, or industrial).
- (f) Names, widths and exterior lines of existing and proposed streets, the boundaries of existing public areas and any proposed parks, and the location and character of existing and proposed easements, within and adjacent to the subdivision.
- (g) Width and location of existing roadways and sidewalks within and adjacent to the subdivision.
- (h) Major surface features, such as rock outcroppings, stone walls, wetlands, trees over twelve (12) inches in diameter, and existing buildings, within and adjacent to the subdivision.
- (i) Size and location of existing storm drains, within and adjacent to the subdivision.
- (j) Proposed system of drainage, including existing natural waterways, in a general manner.
- (k) Approximate boundary lines of all proposed lots or divisions of land, with their approximate areas and dimensions, within the subdivision, as well as any building or portion thereof which lies adjacent to, or within, fifty feet of the subdivision.
- (l) Topography of land in a general manner.
- (m) Preliminary profiles of proposed streets, showing the approximate grades, existing and proposed, along the center lines.
- (n) Size and location of proposed water system where applicable.
- (o) Size and location of proposed sewer system where applicable.

Where the owner or subdivider also owns or controls unsubdivided land adjacent to that shown on the Preliminary Plan, a sketch plan shall be submitted showing a possible or prospective street layout for such adjacent land. This sketch plan, and items (l) and (m) above, may be submitted separately from the other items, but the Preliminary Plan will not be deemed to be before the Board until they are submitted.

II-5 Tentative Approval for Preliminary Plan

The Planning Board shall act on the Preliminary Plan within forty-five (45) days of submission and shall notify the owner or subdivider of their decision by certified mail. They may tentatively approve said Plan, with or without modifications, or disapprove said Plan, stating reasons for such disapproval. Tentative approval, if given, does not constitute approval of the Definitive Plan. The Planning Board shall notify the Town Clerk of its approval or disapproval, as the case may be.

III-1 Submission to the Planning Board

- (a) Application for approval of the Definitive Plan by the Planning Board shall be made in triplicate in a form approved by said Board (Form C), signed by the owner of all land within the proposed subdivision and delivered to the Board in the manner hereinafter provided. Whenever the applicant proposes to use land outside the boundaries of the subdivision tract in order to satisfy requirements of these Regulations pertaining to access, utilities or drainage, the applicant shall attach to the Form C copies of all deeds, easements or use agreements granting the applicant and its successors and assigns the unrestricted rights to use such land for the purposes proposed in the definitive plan application.
- (b) The applicant shall state in his application the time within which the required work on the ground will be completed by the subdivider, which time shall not be greater than two years from the date of approval of the Definitive Plan.
- (c) The application shall be accompanied by the fee as stated in the fee schedule for a modification or amendment, a subdivision if such subdivision is derived from a Preliminary Plan or a subdivision plan if no Preliminary Plan is filed.
 - (1) An original drawing of the Definitive Plan, together with six (6) prints thereof (dark line on white background), prepared as hereinafter described in Section III-4 and eight (8) 11" x 17" reduced size prints if required by the Board.
 - (2) A designer's certificate in a form approved by the Board (Form D)
 - (3) The application and plans shall be accompanied by the fee as stated in the fee schedule.
 - (4) 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 town tax list, certified by the Assessing Department, and in a form approved by the Board (Form E).
 - (5) A sketch plan showing a possible or prospective street layout for any adjacent unsubdivided land owned or controlled by the owner or subdivider of the subdivision, where such plan has not already been submitted with a Preliminary Plan.
 - (6) A location plan of the subdivision, at a scale of 800 feet to the inch, 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, shown and readily identifiable as to locus on the "Map of Town of Walpole, Massachusetts, prepared for the Walpole Planning Board" as most recently revised. (It is intended that this location plan be so drawn and oriented as to permit the later transfer of the new street lines directly from said plan to the original copy of the new street lines directly from said plan to the original copy of the aforementioned map of the Town.) If space permits, this location plan may be drawn as an insert on the Definitive Plan.
 - (7) A locus plan at a scale of 200 feet to the inch, showing the layout of the entire subdivision (bearings, distances and areas not required) including street names and lot numbers. (It is intended that this locus plan be so drawn and oriented as to permit the later transfer of the street and lot lines directly from said plan to the original copies of the Town Assessor maps.)

- (8) Eight copies of a completed Town of Walpole Development Impact Statement, which shall include a Municipal Systems Analysis as detailed below, together with any necessary supporting documentation.

MUNICIPAL SYSTEMS IMPACT ANALYSIS

Municipal Systems (water, sewer, storm drain and connecting street construction adequacy) Analysis.

A municipal systems impact analysis shall be prepared for subdivision plans proposing to divide or re-divide one or more parcel(s) of land into two or more lots containing 5 or more dwelling units, or involving 2 or more acres by an engineer registered in the Commonwealth of Massachusetts having expertise in civil engineering and traffic and transportation engineering. The report(s) shall include the following information:

- 1) A narrative including data to show the existing capacities of water and sewer distribution systems before construction. If in the opinion of the Sewer AND Water Commissioners, Town Engineer and the Planning Board the data shows that the Town's water or sewer systems will not accommodate the maximum development potential of the subdivision, not less than two alternative designs shall be proposed and described to address the problem(s). The engineering and cost of construction and implementation of these remedial measures shall be the full responsibility of the applicant.
- 2) A narrative including data to show the capacity of storm drains receiving the subdivision discharge. If in the opinion of the Town Engineer and the Planning Board the data shows that the receiving storm drain system will be inadequate, not less than two alternative designs shall be proposed and described to address the problem(s). The engineering and cost of construction and implementation of these remedial measures shall be the full responsibility of the applicant.
- 3) A narrative including data to show characteristics of the street(s) providing access to the development measured from the entrance of the development to the nearest cross street. If the distance from the entrance of the development to the nearest cross street is more than 1000 feet, then the required data shall include the first 1000 feet. The street(s), as defined in this paragraph, providing access to the development, shall be hereinafter referred to as the "street system". If in the opinion of the Planning Board the data shows that the street system is not adequate, not less than two alternative designs shall be proposed and described to address the problem(s).

The engineering and cost of construction and implementation of required improvements shall be the full responsibility of the applicant.

The applicant is hereby notified that the design standards outlined in Sections 4, 5 and 6 shall be used by the Planning Board in determining the adequacy of the street system described above in paragraphs 1, 2 and 3.

If the Planning Board determines, based on the data submitted, that the street system does not meet these guidelines, the Planning Board, in the interest of public safety, shall identify those improvements which must be made and shall give written notice to the applicant. The Planning Board may condition a subdivision approval on these improvements being made or legally secured or guaranteed in accordance with the following:

- i. Prior to improvement of a street system involving private way(s), the applicant shall show evidence, satisfactory to the Planning Board, of the applicant's right to perform such work within the limits of the private way(s). In the event that the applicant does not have the right and cannot obtain the right to make all required improvements, then the applicant shall report these facts to the Planning Board for a determination by the Planning Board of what further action is to be taken. The Planning Board may propose to the Board of Selectmen that the street(s) be accepted by the Town with the undone improvements to be completed by or paid for by the applicant.
 - ii. Prior to any improvement of a street system involving public way(s), the applicant shall receive approval from the Town DPW Director, Board of Selectmen and other Town boards and other Government Agencies or Commissions having jurisdictions over the roadways as applicable.
 - iii. With respect to improvements, which cannot be made by the applicant due to the inability to obtain the necessary approvals, the Planning Board shall be the final arbiter in determining those improvements, which are conditions of subdivision approval.
 - 4) A narrative including data to show the projections of costs arising from increased demands for municipal systems as a result of the proposed subdivision.
- (9) Traffic Impact Data and Analysis.

The following items shall apply to every subdivision:

- 1) A description of possible hazardous pedestrian and bicycle crossings at the proposed point of intersection of the new street system with the public street system shall be submitted. If required by the Planning Board at least two alternative designs shall be proposed and described to address the problem(s). The engineering and cost of construction and implementation of these remedial measures shall be the full responsibility of the applicant.

A plan and narrative shall be submitted which delineates and describes existing and proposed sight lines and sight distances, at the at the proposed point(s) of intersection of the new street system with the sideline of the public street system. Where sight lines and distances are not sufficient for public safety purposes (see Section IV), in the opinion of the Planning Board, it may require that at least two alternative designs shall be proposed and described to address the problem(s). The engineering and cost of construction and implementation of these remedial measures shall be the full responsibility of the applicant. The design to be implemented shall be approved by the Planning Board. A traffic impact analysis shall be prepared by an engineer registered in the Commonwealth of Massachusetts having expertise in traffic and transportation for subdivisions, which will, in the reasonable opinion of the Planning Board, generate 30 or more vehicle trips in any single hour of the day. In the case of a disagreement between the Planning Board and the applicant as to the expected traffic generation of a subdivision, the applicant may submit evidence from a traffic engineer, as above qualified, to support a different estimate for review.

- 2) The traffic impact analysis shall be based on actual field counted traffic data, and shall include but not be limited to the following information:

- i. An analysis of the existing traffic conditions at the existing connections or intersecting street(s) including average daily and peak hour volumes, peak hour and other hour(s) speeds as determined by the Planning Board, accident data, and levels of service (LOS) at the proposed point(s) of intersection(s) of the new street system with the public / private street system.
- ii. A description of the projected impacts of the proposed development in terms of projected peak hour and daily traffic generated by the development on roads and ways; sight lines / distances; existing and proposed traffic controls; and projected post-development traffic volumes and levels of service of intersections and streets at the proposed point of intersection of the new street system with the public / private street system. If in the opinion of the Planning Board the data shows that the street system does not have adequate construction or will not have adequate capacity to accommodate the maximum development potential of the subdivision or has vehicular safety hazards or concerns, not less than two alternative designs shall be proposed and described to address the problem(s). The engineering and cost of construction and implementation of these remedial measures shall be the full responsibility of the applicant
- iii. Locations through which 30 or more vehicles pass in one or more hour(s) of the day. If in the opinion of the Planning Board the data shows that any such location will experience operational problems as a result of the subdivision then not less than two alternative designs shall be proposed and described to address the problem(s). The engineering and cost of construction and implementation of these remedial measures shall be the full responsibility of the applicant.

(10) If proposed street names are not taken from the most current list of suggested street names compiled by the Street Name Committee, a completed "Request for Street Name Approval" form (Town of Walpole Street Name Committee). The "Request for Street Name Approval" form need not accompany a Definitive Plan application if proposed street names have been approved under a related preliminary plan.

- (d) The Definitive Plan shall not be deemed to have been submitted to the Planning Board until the application forms, plans, fee, and other necessary supporting documents herein required have all been delivered to said Board at a regular or special meeting thereof, or by delivery to an authorized agent of the Planning Board (i.e., secretary to the Board, Town Planner) during posted office hours of said Board. The Definitive Plan may also be delivered by postage-prepaid registered mail to the Planning Board.

If submission of the Definitive Plan is made at a regular or special meeting of the Planning Board, receipt of said plan will be acknowledged by the signature of the Chairman of the Planning Board on each copy of the application form, two of which will be immediately returned to the applicant or his/her agent present at the meeting. Thereafter, the applicant or his/her agent shall file a notice with the Town Clerk as outlined in Section III-2 below, accompanied by a receipted copy of the application form.

If submission of the Definitive Plan is by delivery to an authorized agent of the Planning Board (i.e., secretary to the Board, Town Planner) during posted office hours of said Board, the applicant shall be responsible for having the application forms time-stamped by the Town Clerk. The date of said time-stamp shall be considered the date of submission only after it has been determined that such a submission is complete (that is, the correct number of forms and

plans, the correct amount of the fee, and the necessary supporting documents as required herein are present). The applicant shall be responsible for obtaining a time-stamped copy of the application form, and for providing notice to the Town Clerk as outlined in Section III-2 below.

If submission of the Definitive Plan is by postage prepaid registered mail to the Planning Board, the date of receipt shall be considered the date of submission only after it has been determined that such a submission is complete (that is, the correct number of forms and plans, the correct amount of the fee, and the necessary supporting documents as required herein are present). The applicant shall be responsible for obtaining a time-stamped copy of the application form, and for providing notice to the Town Clerk as outlined in Section III-2 below.

- (e) Concurrent with the submission of the Definitive Plan, the applicant also submit a proposed development schedule to the Planning Board in compliance with Section 2.7 of the Zoning Bylaw.

III-2 Notice to Town Clerk

Every person submitting a Definitive Plan to the Planning Board for its approval shall give written notice to the Town Clerk by delivery or by registered mail, postage prepaid, that such a plan has been submitted. If the notice is given by delivery, the Town Clerk shall, if requested, give a written receipt therefor. Such notice shall describe the land to which the plan relates sufficiently for identification, and shall state the date when such plan was submitted and the name and address of the owner of such land; and the facts stated in such notice shall be taken by the Town Clerk as true, unless the contrary is made to appear.

III-3 Review by Board of Health

At the time of submission of the Definitive Plan, the subdivider shall also file with the Board of Health one print of the Definitive Plan (dark line on white background). The Board of Health shall, within forty-five (45) days after such filing of the plan, report to the Planning Board in writing its approval or disapproval of said plan. If the Board of Health disapproves said plan, it shall make specific findings as to which, if any of the lots shown on such plan cannot be used for building sites without injury, to the public health, and include such specific findings and the reasons therefor in such report and, where possible, shall make recommendations for the adjustment thereof.

III-4 Requirements and Form

- (a) The Definitive Plan shall be prepared, properly stamped, and endorsed by a registered Professional Engineer and Registered Land Surveyor, in accordance with the requirements of M.G.L. Chapter 112, Sections 81D-T.
- (b) The horizontal scale shall be forty (40) feet to an inch and the vertical scale four (4) feet to an inch, unless the Board approves a more convenient scale.
- (c) All surveying shall conform to the requirements of the Land Court, Class A, set forth in the most recent Manual of said Court.

- (d) All elevations shall be referred to the U.S.C. & G base, and the plan shall show or describe at least two bench marks used.

III-5 Contents of Definitive Plan

The Definitive Plan shall show:

- (a) A title on each separate sheet constituting the Definitive Plan, stating the name of the subdivision, date, scale, true north point, and the name of the owner, subdivider, engineer, and surveyor.
- (b) An indication of the prospective character of the subdivision (whether one-family, multi-family, business, or industrial).
- (c) Suitable space in the lower right hand corner of each sheet of the Definitive Plan to record the action of the Board and the signatures of the members of the Board. 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.....,subject to covenant conditions set forth in a covenant
executed by....., dated.....and to be (recorded) (registered) herewith.*

- (d) Names of all owners of abutting land as they appear in the most recent Town tax list, and the location of abutting land.
- (e) Lengths and bearings of subdivision boundary lines, with a table of the traverse closure.
- (f) Lengths and bearings of all lot lines within the subdivision, and lengths of all lot frontages, measured as defined in the Zoning By-Law.
- (g) Areas of all lots within the subdivision, (broken down into upland area and wetland area, when applicable), and areas of other adjoining land of the applicant, not included in the subdivision. Lots shall be designated numerically and conform with the Assessors Parcel Numbering System, as determined by the Engineering Department.
- (h) Names, widths and exterior lines of existing and proposed streets, location of existing public areas and any proposed parks, and location and character of existing and proposed easements, within and adjacent to the subdivision. Names of proposed ways shall be taken from the most current list of suggested street names compiled by the Street Name Committee. If a proposed name does not appear on said list, it must be approved by the Street Name Committee and the Planning Board. In any event, the Street Name Committee and the Planning Board reserve the right to approve all street names.

Except as provided for in Section IV-1-(d) of these Subdivision Rules and Regulations, the following are suggested suffixes to be used for each way which serves the stated number of lots:

| <u>Lots Served</u> | <u>Suffix to be Used</u> |
|---------------------------|---------------------------------|
| <7 | "Way" or "Court" |
| 7-14 | "Lane" |
| 15-30 | "Drive" |
| 31-50 | "Road" or "Avenue" |
| >50 | "Street" |

- (i) Size and location of existing storm drains, sewers, water mains, and their appurtenances, within and adjacent to the subdivision.
- (j) A separate layout plan for each proposed street showing:
 - (1) Lengths and bearings of all straight center lines and lengths of all straight exterior lines.
 - (2) All angle points, or intersections of tangents along center lines, with computed coordinates.
 - (3) Lengths, radii, tangents, and central angles of all curves in center and exterior lines.
 - (4) Location of all permanent monuments.
 - (5) Size and location of existing and proposed storm drains, sewers, and water mains, together with their appurtenances (but not necessarily any service connections required to lots).
 - (6) All lot lines, and all existing buildings, roadways, sidewalks, driveways, and major surface features within forty (40) feet of the exterior lines.
 - (7) The location of all proposed street lights, together with the location of any conduits and other appurtenances, if any, to serve each light.
- (k) Cross-sections of each proposed street, drawn on the corresponding layout plan, with each cross-section properly located and identified by station number, at such intervals along the street as will adequately indicate any variations in its section, and supplemented where necessary by lines on the layout plan showing the width and location of proposed roadways, grass plots, gutters, sidewalks and similar physical features, provided, however, that where all cross-sections of the street will coincide with the appropriate cross-section shown on the Typical Cross-Section Plan of the Engineering Department, such agreement may be indicated by proper notation on the layout plan, and the cross-section drawings may be omitted therefrom.
- (l) A profile of each proposed street drawn on the corresponding layout plan, and showing:
 - (1) Existing center line grades in solid lines.
 - (2) Existing exterior line grades in dash lines.
 - (3) Proposed finished center line grades.
 - (4) Proposed grade elevations at fifty (50) foot stations, and on vertical curves, at twenty-five (25) foot stations; and proposed rates of gradient in percentage by figures.
 - (5) Size and location of existing and proposed storm drains, sewers, water mains and their appurtenances.
 - (6) All existing intersections, sidewalks and driveways on both sides of the street.

- (m) A current set of Town of Walpole Department of Public Works Typical Detail Sheets for roadway, drainage, water main, and sewerage construction, if applicable. Said sheets shall be modified, where authorized and applicable, to the applicant's subdivision. Each Typical Detail Sheet shall be inscribed with a title block containing information sufficient to identify the Definitive Plan to which they correspond, and shall be considered as part of said plan.
- (n) Major surface features, such as existing waterways, rock outcroppings, stone walls, wetlands, and existing buildings, within and adjacent to the subdivision. The location of flags on the ground, with corresponding flag numbers, indicating the delineation of existing wetlands shall be shown on the Definitive Plan. In addition, the one hundred foot (100') buffer zone, as required under an application to perform activities affecting protected resource areas as regulated and defined by the Town of Walpole Wetland Protection By-Law, shall also be shown.
- (o) Existing and proposed topography, with two (2) foot contour intervals.
- (p) Any land within a subdivision subject to an order restriction by the Dept. of Environmental Management under M.G.L. Chapter 131, Section 40A, as adopted by the Town on December 18, 1975, shall be outlined/shown on the plan.
- (q) Subdivisions greater than 50 lots or 5 acres, whichever is the lesser, shall require base flood elevation data, applicable only to unnumbered "A" Zones as noted on the FIRM map.
- (r) The location of proposed sedimentation and erosion control barriers (staked hay bales, nylon fencing, etc.), in order to mitigate any adverse impacts of soil erosion and sedimentation upon abutting properties.

The information required by item (n), (surface features), and item (o), (topography), shall be shown on one or more sheets separate from the sheet or sheets on which are shown items (a) through (i). The information required by items (j) through (l), (layout plan, cross-sections, and profile), shall also be shown on separate sheets, with one or more sheets for each street in the subdivision.

All separate sheets, except any showing only items (n) and (o) information, shall be considered as part of the Definitive Plan.

III-6 Review by Certain Town Departments

Before approval of the Definitive Plan, the Board will transmit one (1) print or notification thereof to each of the following departments, and will, within thirty (30) days, obtain therefrom the special requirements, approval and/or estimates listed below:

- (a) The Engineering Department, for approval of the proposed water, sewer and drainage systems, including the location, size and grade of all mains, valves, catchbasins, culverts, and other appurtenances, and the location and width of all related easements; approval of the layout, cross-sections and profiles of all proposed streets; special construction requirements, if any, applicable to the subdivision; and estimates of the cost of performing the various items of work, where a performance bond or other surety is to be filed.
- (b) Conservation Commission, for comments concerning wild life, wetlands, fisheries, water resources, flood plain areas and agriculture.

- (c) Sewer and Water Commission, for approval of the proposed water, drainage and sewer system, if any.
- (d) The Fire Department, for approval of the proposed water system for fire protection, including the location of hydrants shown on the plan.
- (e) The Tree Warden, for requirements as to species and location of trees to be planted by the subdivider.
- (f) Recreation Commission, for comments concerning their particular interest.
- (g) The Police Department, for comments concerning their interests.

At least two weeks prior to the Public Hearing as required by Section III-9, the centerline of all proposed roadways shall be clearly marked on the ground at fifty (50) foot intervals with colored flags or stakes. The applicant shall then, to the extent practicable, make arrangements with the Planning Board and/or any of its agents for an on-site visit of the land to be subdivided.

III-7 Consultant Review Selection

If the Planning Board determines that the assistance of one or more qualified professional consultants is necessary in order to assist the Board in the evaluation of any application for approval of a Definitive Plan, the Board may require the applicant to pay a review fee in an amount equal to the reasonable costs incurred by the Board for the employment of such consultants in accordance with M.G.L. c. 44 § 53G. For the purposes of this regulation, the Planning Board may engage planners, landscape architects, engineers, attorneys, or other appropriate specialists who can assist the Board in analyzing a Definitive Plan to ensure compliance with applicable statutes, by-laws, rules, and regulations and with accepted professional standards, procedures, programs, or policies. Said review fee shall be assessed, collected, and expended in accordance with the following provisions:

- (a) To the extent practicable, the Planning Board shall determine the need for the assistance of one or more professional consultants no later than at the first Public Hearing on the Definitive Plan. Upon the determination of the need for such assistance, the Planning Board shall direct the applicant to pay said review fee within a reasonable and specified time limit. Unless otherwise agreed upon between the Planning Board and the applicant, the determination of the need for the assistance of such consultants, the selection of such consultants, the execution of contracts with such consultants, and the provision of the services of such contracts shall not entitle the Board to an extension of the required time limit for action upon the Definitive Plan by the Board. However, if the ability of the Planning Board to act within such time limit is impaired by the unreasonable delay or failure of an applicant to pay said review fee, such a delay or failure shall be grounds for disapproval of the Definitive Plan.
- (b) Funds payable to the Planning Board pursuant to this regulation shall be deposited with the Finance Director who shall establish a special account for receiving and expending such funds. Expenditures of funds from this special account, including accrued interest, if any, shall be made only upon authorization by the Planning Board without further appropriation and such expenditures shall be made only for services rendered under contract to the Board in connection with the review of the specific Definitive Plan for which the review fee was assessed. Funds from this special account shall not be used to offset or substitute for routine expenditures associated with the review of the Definitive Plan that are normally funded under the general municipal budget. After such services rendered under contract to the Planning Board are completed and before the Public Hearing on the Definitive Plan is closed, the Board

shall authorize that all unexpended funds in the special account, including accrued interest, if any, be returned to the applicant or to the applicant's successor in interest and a final report of said account shall be made available to the applicant or to the applicant's successor in interest. For the purposes of this regulation, any person or entity claiming to be a successor in interest to an applicant shall provide the Planning Board with documentation establishing such successor in interest.

- (c) The applicant may take an administrative appeal from the selection of a professional consultant by the Planning Board to the Board of Selectmen., provided said appeal is taken no later than ten days after the Planning board's notification to the applicant of said selection. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest, that the consultant selected does not possess an educational degree in the field at issue or a related field, or that the consultant selected has not practiced three or more years in the field at issue or a related field. By virtue of this regulation and G.L. c.44, §53G, the required time limit for action upon a Definitive Plan by the Planning Board shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Board of Selectmen within one month following the filing of the appeal, the selection of the professional consultant by the Planning Board shall stand.
- (d) The Finance Director shall be solely responsible for ensuring compliance with all provisions of M.G.L. c. 44 § 53G as it relates to the establishment, expenditure of moneys, maintenance of records, and reporting of the activities of such accounts. The execution of these duties by the Finance Director shall have no bearing on the duties and responsibilities of the Planning Board under these rules and regulations.

III-8 Performance Guarantee

- (a) Before endorsement of approval of the Definitive Plan, the Planning Board shall require that the construction of ways and the installation of municipal services be secured by one, or in part by one and in part by the other, of the performance guarantees described below, as set forth in Section 81-U of M.G.L. Chapter 41:
 - (1) By a proper bond, sufficient in the opinion of the Planning Board to secure performance of the construction of ways and installation of municipal services required for lots in the subdivision shown on the plan. Such bond shall be approved as to form and manner by the board and shall be contingent upon the completion of such improvements within two years of the date of the bond.
 - (2) 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 installation of municipal services required for lots in the subdivision shown on the plan. Such deposit of money or negotiable securities shall be approved as to form and manner by the Board and shall be contingent upon the completion of such improvements within two years of the date of the deposit of money or negotiable securities. Said deposit of money or negotiable securities shall be in the name of the applicant and or party required to complete the subdivision.
 - (3) By delivery to the Planning Board of a Tripartite Agreement executed after the recording of a 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, the lender and the Planning board 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 installation of municipal services for lots in the subdivision shown on the plan. Said agreement shall

also provide for a schedule of disbursements which may be made to the applicant upon completion of various stages of the work, and shall further provide that in the event the work is not completed within two years of the date of the agreement, any funds remaining undisbursed shall be available for its completion.

- (4) By a covenant (Form F), executed and duly recorded by the owner of record, running with the land, whereby the construction of ways and installation of municipal services not covered by (a), (b), or (c) above shall be provided to serve any lot before such lot may be built upon or conveyed, other than by mortgage deed.

Any covenant given under the preceding paragraph and any condition required by the Board of Health shall either be inscribed on the plan or contained in a separate document, referred to on the plan.

- (b) To establish cost estimates for the construction of ways and installation of municipal services upon which a performance guarantee will be based, the following procedures shall be followed:
 - (1) The applicant shall submit a written request to the Planning Board stating a desire to have a pre-construction conference held and a cost estimate ("bond figure") to be prepared. Upon receipt of the written request, the Planning Board shall forthwith transmit the request to the Engineering Department.
 - (2) The Town Engineer shall then convene the pre-construction conference at which the attendance shall consist of him/herself, the applicant or a duly authorized representative, the Town Planner, and any other person who the Town Engineer considers relevant to the discussion. The purpose of the pre-construction conference is for the Town Engineer and Town Planner to explain and clarify any procedures, technical issues, or assumptions to be used in the calculation of the cost estimate, and for the applicant to present any information relevant to the same (including a construction schedule).
 - (3) Within thirty (30) days after receipt of the request by the Planning Board, unless otherwise extended by written request or consent by the applicant, the Town Engineer shall prepare the cost estimate and transmit it to the Planning Board. If no pre-construction conference is held for reasons beyond the control of the Town, or if the applicant waives the right to such a conference, then there is no time limit within which the Town Engineer must prepare the cost estimate. Failure of the applicant or a duly authorized representative to appear at the pre-construction conference shall be construed as a waiver of the applicant's right to such a conference.
 - (4) At the next available regular meeting of the Planning Board after the receipt of the cost estimate from the Town Engineer, the Planning Board shall schedule the approval or modification and approval of the estimate.
- (c) Said cost estimate shall reflect the reasonable costs to be assumed by the Town of Walpole for the completion of the work in the event that the default terms of the performance guarantee must be enforced by the Planning Board. To this end, within the discretion of the Planning Board, Town Planner, and/or Town Engineer, the "construction of ways and installation of municipal services" shall mean any item of work required by these rules and regulations, any item of work shown on the Definitive Plan, or any item of work imposed as a condition or otherwise legally agreed upon in the approval of the Definitive Plan. The Town Engineer and/or Planning Board reserves the right to include an amount not exceeding twenty-five percent (25%) of the total construction cost estimate for completion of the work for engineering and contingency purposes.

- (d) Any advice, information, or opinions given by a municipal official, including the cost estimate itself, shall not be binding on the Planning Board. However, if the Planning Board modifies and approves the cost estimate as prepared by the Town Engineer, reasons for the modification must be given by the Planning Board, and the applicant must be so notified.
- (e) The cost estimate shall be valid for six (6) months after final approval by the Planning Board. If no performance guarantee is submitted to the Planning Board for approval and acceptance within this six month period, then a new cost estimate shall be prepared only in accordance with the foregoing procedures.
- (f) Any such bond may be enforced and any such deposit may be applied by the Planning Board for the benefit of the Town upon failure of the performance for which any bond or deposit was given to the extent of the reasonable cost to the Town of completing any incomplete or unsatisfactory item of work required by these rules and regulations, shown on the Definitive Plan, or imposed as a condition or otherwise legally agreed upon in the approval of the Definitive Plan and/or the performance guarantee.

III-9 Public Hearing

- (a) Before approval of the Definitive Plan, a public hearing shall be held by the Planning Board. Notice of the hearing shall be given by the applicant in a form satisfactory to the Board (Form G) at least ten (10) days prior thereto, by advertisement in a newspaper of general circulation in the Town of Walpole and by sending a copy of such advertisement by registered mail (return receipt requested) to all abutters listed and certified on Form E. In addition, the required newspaper advertisement shall be republished during the week following its initial publication, but no later than four (4) days before such hearing.
- (b) The applicant shall arrange and pay for such publications and transmission of the notices of the hearing. At least three (3) days before such public hearing he shall deliver to the Planning Board Office:
 - (1) The return postal receipts.
 - (2) A copy of each edition of the newspaper in which the notice was published.
- (c) After the third request for an extension of time on which to take action on the subdivision, the applicant may be required to re-notify abutters pursuant to Section III-9-(a).

III-10 Approval, Modification or Disapproval

- (a) In the case of a nonresidential subdivision where a preliminary plan has been duly submitted and acted upon or where forty-five (45) days has elapsed since submission of the preliminary plan, and then a definitive plan is submitted, the Planning Board shall take action within ninety (90) days after such submission, or at such further time as may be agreed upon at the written request of the applicant.
- (b) In the case of a subdivision showing lots in a residential zone, where a preliminary plan has been acted upon by the Planning Board or where at least forty-five (45) days has elapsed since submission of the preliminary plan, an applicant may file a definitive plan. The Planning Board shall take action within ninety (90) days after such submission, or at such further time as may be agreed upon at the written request of the applicant.

- (c) In the case of a subdivision showing lots in a residential zone, where not preliminary plan has been submitted and the applicant files a definitive plan, the Planning Board shall take action within one hundred and thirty-five (135) days after such submission, or at such further time as may be agreed upon at the written request of the applicant.
- (d) The action of the board in respect to said Plan shall be by vote, notices of which action shall be certified and filed with the Town Clerk and sent by registered mail to the applicant. If the Board modifies or disapproves said Plan, it shall state in its vote the reasons for its action.
- (e) In the event the Plan is given conditional approval the 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 part of the plan.
- (f) Before approval of a Definitive Plan by the Planning Board, said Board shall also in proper cases require the plan to show a park or parks suitably located for playground or recreation purposes or for providing light and air and not unreasonable in area in relation to the area of the land being subdivided and the prospective uses of such land, and if so determined said Board shall by appropriate endorsement on the plan require that no building may be erected on such park or parks for a period of not more than three (3) years without its approval.

III-11 Endorsement and Recording

- (a) Final approval, if granted, shall be acknowledged by endorsement of the signatures of a majority of the Planning Board on the original drawing of the Definitive Plan, and the plan shall be returned to the applicant by the Board. Said endorsement shall not be inscribed until the twenty (20) day appeal period provided by M.G.L. c. 41 § 81-V has elapsed following the filing of the certificate of action of the Board with the Town Clerk and the Town Clerk has endorsed his signature upon the Definitive Plan or otherwise notified the Board that no appeal has been taken pursuant to the Subdivision Control Law or, if appeal has been taken, that a final decree has been entered by the court sustaining approval of the plan. Endorsement of approval must be sought by the applicant within sixty (60) days of the expiration of the aforementioned twenty-day appeal period or within sixty (60) days after the entry of a final decree by the court sustaining the approval of the plan if appeal has been taken. If endorsement of approval is not sought within this sixty-day period, the approval of the Definitive Plan is automatically void by virtue of this regulation, and the Planning Board shall so notify the Town Clerk and the applicant.
- (b) Within thirty (30) days after the return of an approved Definitive Plan, the applicant shall obtain and deliver to the board or it's Clerk, four (4) prints of said Plan, as so completed, for the Board's files and for subsequent distribution to appropriate Town Agencies, and one copy on transparent cloth of the layout plans and profiles of each proposed street, for the files of the Engineering Department. The applicant shall also submit to the Building Inspector, prior to the issuance of any building permit within the subdivision, three (3) sets of microfilm aperture cards showing the Definitive Plan as approved by the Planning Board.
- (c) The applicant shall cause to be recorded with the Norfolk Registry of Deeds, and, in the case of registered land, with the Recorder of the Land Court, a copy of said Plan and the covenant, if any, and shall notify the Board or its Clerk of such recording, submitting evidence thereof satisfactory to the Board. The Planning Board will not approve any revision of the Definitive Plan, release of lots, or reduction of surety until the Definitive Plan and related instruments have been recorded and filed in the above manner.

- (d) Upon receipt of notification of recording, the Board or its Clerk shall file one copy of the Definitive plan with the Inspector of Buildings. Where approval with covenant is noted thereon, he shall issue no permit for the construction of a building on any lot within the subdivision except upon receipt from the Board of a copy of the certificate of completion describing the lot in question, as provided in paragraph III-14.
- (e) Failure to comply with the procedural and other requirements of these Rules and Regulations may result in rescission of the approval given hereunder by the Board. However, approval of the Definitive Plan shall not be deemed to constitute the laying out or acceptance by the town of any streets within the subdivision.

III-12 Reduction of Bond or Surety

Prior to the final release of the performance guarantee under Section III-12, the penal sum of any required bond, or the amount of any deposit held hereunder, may be reduced three (3) times by the Planning Board, at no charge to the applicant, and the obligations of the parties thereto released by said Board in whole or in part. Any request for such a reduction in excess of three, as stated herein, shall be accompanied by the fee as stated in the fee schedule. The reduction of a bond or deposit accepted as a performance guarantee by the Planning Board shall be in accordance with the following procedures:

- (1) The applicant shall submit a written request to the Planning Board stating a desire to have the bond or deposit reduced. Upon receipt of the written request, the Planning Board shall forthwith transmit the request to the Engineering Department.
- (2) The Town Engineer shall then conduct a field inspection of the subdivision to determine the progress of the work for the construction of ways and installation of municipal services as required in these rules and regulations and shown on the approved Definitive Plan..
- (3) Within thirty (30) days after receipt of the request by the Planning Board, unless otherwise extended by written request or consent by the applicant, the Town Engineer shall prepare a cost estimate of the work remaining to be completed and transmit it to the Planning Board.
- (4) Said cost estimate shall reflect the reasonable costs to be assumed by the Town of Walpole for the completion of the remaining work in the event that the default terms of the performance guarantee must be enforced by the Planning Board. To this end, within the discretion of the Planning Board, Town Planner, and/or Town Engineer, the "construction of ways and installation of municipal services" shall mean any incomplete or unsatisfactory item of work required by these rules and regulations, shown on the Definitive Plan, or imposed as a condition or otherwise legally agreed upon in the approval of the Definitive Plan and/or the performance guarantee. The Town Engineer and/or Planning Board reserve the right to include an amount not exceeding twenty-five percent (25%) of the total construction cost estimate for completion of the work for engineering and contingency purposes.
- (5) At the next available regular meeting of the Planning Board after the receipt of the cost estimate from the Town Engineer, the Planning Board shall schedule the approval of the estimate. Upon approval of the estimate and written notification from the Board of such, the applicant shall then be entitled to the proceeds of the difference of the amount being held as security for the performance of the required work and the amount of the approved estimate.

- (6) Any advice, information, or opinions given by a municipal official, including the cost estimate itself, shall not be binding on the Planning Board. However, if the Planning Board modifies and approves the cost estimate as prepared by the Town Engineer, reasons for the modification must be given by the Planning Board, and the applicant must be so notified.

Notwithstanding the above, any reduction in a bond or deposit accepted as security for the performance of the required work shall only be granted in accordance with the terms of such performance guarantee.

III-13 Release of Performance Guarantee

- (a) Upon completion of all items of work required by these rules and regulations, all items of work shown on the approved Definitive Plan, and all items of work imposed as conditions or otherwise legally agreed upon in the approval of the Definitive Plan, 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 the Planning Board a written statement that the said work in connection with which such bond, deposit, or covenant has been given has been completed in accordance with said rules and regulations, Definitive Plan, and conditions of approval. Such statement shall contain the address of the applicant and shall include and be accompanied by all items required in Section III-14, and a current listing of the names and addresses of all residents of the subdivision.
- (b) The Town Engineer shall be duly notified by the Planning Board of the receipt of said statement of completion by the applicant. Before the Residents Hearing required under Section III-12-(c), the Town Engineer shall conduct a field inspection of the subdivision to determine if the construction of ways and installation of municipal services is complete and in accordance with these rules and regulations, the approved Definitive Plan and any conditions of approval, and shall submit a recommendation to the Planning Board.
- (c) The Board, within forty-five (45) days of receipt of the statement of completion, shall hold a Residents Hearing for the purpose of notifying the residents, if any, of the release of the performance guarantee and to hear any compliments, grievances, or other matters which generally pertain to the subdivision. The applicant and all residents shall be notified by mail of the subject of the hearing, its date, time, and place. After the hearing, but within the forty-five (45) day period specified by M.G.L. c. 41 §81-U relating to the release of a performance guarantee, the Board shall make a determination as to the release of the performance guarantee as outlined in (d) or (e) below.
- (d) If the Planning Board determines that all items of work required by these rules and regulations, all items of work shown on the approved Definitive Plan, and all items of work imposed as conditions or otherwise legally agreed upon in the approval of the Definitive Plan have been completed to its satisfaction, it shall release the interest of the Town in such bond and return the bond or the deposit to the person who furnished the same, or release the covenant by appropriate instrument (Form I) duly acknowledged, which may be recorded.
- (e) If the Board determines that said items of work required by these rules and regulations, shown on the approved Definitive Plan, or imposed as conditions or otherwise legally agreed upon in the approval of the Definitive Plan have not been completed to its satisfaction, it shall specify in a notice sent by registered mail, within forty-five (45) days of the date the Town Clerk received the applicant's statement, to the applicant and to the Town Clerk the details wherein said items of work fail to comply with these rules and regulations, approved Definitive Plan, or conditions of approval.

- (f) Upon failure of the Planning Board to act under the foregoing procedures, all obligations under the bond shall cease and terminate by operation of law, any deposit shall be returned and any such covenant shall become void, and the Town Clerk shall issue a certificate to such effect, duly acknowledged, which may be recorded.
- (g) Notwithstanding the foregoing, in no event shall the Planning Board release the performance guarantee in its entirety if any portion of the required work does not comply with an applicable Order of Conditions issued by the Conservation Commission under M.G.L. c. 131 § 40. The applicant must demonstrate such compliance by providing the Planning Board with a copy of the recorded certificate of compliance prior to requesting final release of the performance guarantee, as required under Sections V-1-(d) and VI-1-(d).

III-14 Conveyance of Utilities and Easements to the Town

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 release of covenant, the applicant shall execute an instrument, in a form approved by the Board (Form J), and accompanied by a recording fee as stated within the fee schedule, transferring to the Town, without cost, valid unencumbered title to all sanitary and storm sewers, water mains and appurtenances thereto, constructed and installed in the subdivision or approved portion thereof, and shall convey to the Town, without cost and free of all liens and encumbrances, perpetual rights and easements to construct, inspect, repair, renew, replace, operate and forever maintain such sanitary and storm sewers and water mains, with any manholes, pipes, conduits and other appurtenances, and to do all acts incidental thereto, in, through and under the whole of all streets in the subdivision or approved portion thereof, and if any such sewers or water mains has been constructed and installed in land not within such streets, then in, through and under a strip of land identified as a utility easement on the subdivision plans, for all such sewer and water mains.

III-15 Certification of Monuments, As-Built Plans, and Street Acceptance Plans

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, the applicant shall file with the Board a Certification of Monuments (Form H), and a set of reproducible As-Built Plans at the same scale as the corresponding Definitive Plan, which shall show at a minimum the actual location and elevation of all streets, sidewalks, utilities and structures as required to be constructed and installed in accordance with the approved Definitive Plan.

For purposes of accepting duly completed subdivision roadways as public ways, the applicant shall retain title to the fee of each street, road, way, or walkway in the subdivision, and will convey to the Town said fee without encumbrance and for the nominal consideration upon layout of the street by the Board of Selectmen.

Also the applicant shall present to the Board a set of Acceptance Plans, prepared by a Registered Professional Engineer or Land Surveyor on reproducible mylar, said plans shall be recordable at the Registry of Deeds, shall be in accordance with current practice for the preparation of such plans and shall at least include the following:

- (a) The layout (including all bearings, distances, etc.) of all streets to be taken (accepted).
- (b) Parcels (consecutively numbered), their owners, and their areas to be taken.

- (c) Center line stationing of each street to be taken (accepted).
- (d) North point, scale, and date.
- (e) Plan reference (if any)
- (f) Suitable title box.
- (g) The words "Approval Under Subdivision Control Law Not Required" and a place for signatures by the Planning Board.
- (h) The words "Town of Walpole-Board of Road Commissioners" and a place for signatures by the Road Commissioners.
- (i) A separate metes and bounds description of the roadway to be accepted, prepared and properly stamped by a Registered Land Surveyor.

III-16 Criteria for Satisfactory Partial Completion

- (a) When only a portion of the streets and other improvements shown on the Definitive Plan have been constructed or installed and a release of covenant is requested, the Board shall consider as satisfactorily completed only such lengths and parts thereof as will (in and of themselves) form convenient and adequate systems without the necessity of further extension or improvement and shall consider as eligible for release only such lots as front on, are connected, or are otherwise swerved by such streets, utilities and other improvements.
- (b) Work on the ground adjacent to a particular lot will normally be considered by the Board as work necessary to adequately serve such lot, regardless of the degree to which the lot is dependent on said work for its access or utility service. In any case, the board will not issue a release of covenant for the entire subdivision, or for the final lot or group of lots therein where progressive improvements are made, until all items of required work on the ground are completed, regardless of locations

III-17 Street Lighting Procedure

- (a) All locations of street lights shall be approved by the Engineering Department, and shall be shown on the Definitive Plan.
- (b) For street lights that are to be serviced by underground electric utilities, the applicant shall be responsible for providing and installing all conduits, pole bases and other appurtenances necessary for street light operation, in conformance with the applicable specifications of Boston Edison for street light design, construction, and installation.
- (c) All necessary preparatory work for the installation of street lights shall be completed by the applicant before the first dwelling within the subdivision is to be occupied.
- (d) Before the first occupancy permit is issued for any dwelling within the subdivision, the applicant shall inform the Planning Board that residents will be occupying the subdivision. The Planning Board shall then notify the Engineering Department of same, upon which said department shall then make the necessary arrangements with Boston Edison for the installation of street lights within the subdivision.

IV-1 Street System

- (a) Where the Future Street System Map, as adopted in whole or in part by the Board, shows a proposed primary or local street on land of the subdivision, the street system of the subdivision shall also provide a primary or local street, which shall have the same general location and alignment as that of the corresponding street shown on the Master Plan.
- (b) Local streets shall be so located and designed that their use by through traffic will be discouraged.
- (c) Streets shall be continuous and in alignment with existing streets, as far as practicable, and shall comprise a convenient system with connections adequate to insure free circulation of vehicular travel.
- (d) Proposed streets which are obviously in alignment with other streets already existing and named shall bear the names of such existing streets. No other proposed streets shall duplicate the name of existing streets, irrespective in the use of the suffix "street", "avenue", "boulevard", "driveway", "place", or "court".
- (e) Street signs shall be furnished and installed at all intersections. The signs and poles shall conform to the "Standard Street Sign Detail" provided on the Town of Walpole Department of Public Works Typical Detail Sheet for roadway construction. Street signs shall be installed prior to occupancy of any dwelling within the subdivision, and shall be the responsibility of the applicant to maintain them and to provide for their complete visibility until final release of the performance guarantee.
- (f) If adjoining property is not subdivided but is, in the opinion of the Board, suitable for ultimate development provision shall be made for proper projection of streets into such property by continuing appropriate streets within the subdivision to the exterior boundary.
- (g) Temporary dead-end streets, laid out to permit future projection, shall conform to the provisions of alignment, width, and grade that would be applicable to such streets if extended.

IV-2 Dead-end Streets

- (a) Dead-end streets, shall not exceed seven hundred fifty (750) feet in length.
- (b) No street or system of streets in a proposed subdivision may continue an existing dead-end street so that on its completion the total length of the dead-end street exceeds seven hundred and fifty (750) feet.
- (c) Dead-end streets shall be provided with cul-de-sacs at the closed end with a turnaround having an outside street line diameter of at least one hundred and four (104) feet.
- (d) All temporary dead-end streets (to be eventually extended) which have a length beyond any intersection of more than two hundred (200) feet shall also be provided with a turnaround having an outside street line diameter of at least one hundred and four (104) feet. However, in such cases the turnaround may be established by easement on the lot or lots abutting the turnaround, which said easement shall terminate upon extension of the way, as provided by statute.

IV-3 Street Alignment

- (a) When the alignment of a street deviates from a continuous straight line, the tangents shall be connected by means of a horizontal curve. The minimum radii of the inner street line curves shall be as follows:

| | |
|------------------|---------------------------------|
| Local streets: | one hundred and fifty (150 feet |
| Primary streets: | three hundred (300) feet |

- (b) All reverse curves on primary streets shall be separated by tangents at least one hundred (100) feet long.

IV-4 Intersections

- (a) Streets shall be located to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than sixty (60) degrees.
- (b) Multiple intersections involving the junction of more than two streets be avoided. Where this proves impossible, in the opinion of the Board, such intersections shall be designed with extreme care for both pedestrian and vehicular safety.
- (c) Streets entering opposite sides of another street shall be laid out either directly opposite one another, or with a minimum offset of one hundred fifty (150) feet between their center lines.
- (d) A minimum offset of one hundred-fifty (150) feet shall be required between the centerlines of any street or street system and any other existing or proposed street or street system having an access point on the same side of the roadway.
- (e) Street lines at all intersections shall be rounded with a curve at each corner having a radius of not less than thirty (30) feet. However, when the intersection of two ways varies more than ten (10) degrees from a right angle, the radius of the curve at the acute angle may be less and at the obtuse angle shall be greater than twenty (20) feet to the extent approved or required by the Board.
- (f) All proposed roadways within subdivisions, and all intersections with existing roadways, shall be designed so that the following stopping sight distances are provided at a minimum:

Design Speed of Roadway
(miles per hour)

| | | |
|--------------------|---------------------|---------------------|
| <u>0-30</u> | <u>35-40</u> | <u>45-50</u> |
| 200 feet | 275 feet | 350 feet |

A note shall be placed on the Definitive Plan, stating that all proposed roadways and road intersections conform to these stopping sight distances, at a minimum, and that the calculations are based on the "Geometric Design Standards for Highways Other than Freeways", American Association of State Highway Officials.

Applicants shall be responsible for providing any necessary off-site improvements that will bring the Definitive Plan into conformance with the above standards.

IV-5 Width and Grade of Streets

- (a) The minimum width of street right-of-way for Type A and Type B (one-family) subdivisions shall be as follows:

| | |
|------------------|---------------------|
| Local streets: | forty-six (46) feet |
| Primary streets: | forty-six (46) feet |

- (b) The minimum width of street right-of-way for multi-family subdivisions and for business subdivisions shall be as follows:

| | |
|------------------|---------------------|
| Local streets: | fifty-two (52) feet |
| Primary streets: | fifty-two (52) feet |

- (c) The minimum width of street right-of-way for industrial subdivisions shall be as follows:

| | |
|------------------|---------------------|
| Local streets: | fifty-two (52) feet |
| Primary streets: | fifty-two (52) feet |

- (d) The centerline grade for any street shall not be less than eight-tenths of one percent (.8%).

- (e) The maximum centerline grades in all subdivisions shall be as follows:

| | |
|------------------|--------------------|
| Local streets: | seven percent (7%) |
| Primary streets: | six percent (6%) |

- (f) All changes in grade shall be connected by vertical curves of sufficient length to afford, in the opinion of the Board, adequate sight distances.

- (g) Where the grade of any street entering another street (whether said other street is within or adjacent to the subdivision) exceeds three (3) percent, a leveling area shall be provided on said entering street for a distance of not less than fifty (50) feet, measured from the nearest edge of the traveled way of the street. Within said leveling area, the grade of the centerline or of any vertical curve tangent shall not exceed one (1) percent. (In the case of cross streets, the street having the lower functional classification shall be considered as entering the other street on both sides hereof. If the two crossing streets have the same classification, each shall be considered as entering the other.)

- (h) The Board may require subsurface soil information to evaluate the adequacy of the roadway design. Such information may include test pits, borings, or probings along each proposed roadway, primarily at locations such as cut sections, areas of questionable foundation material, and areas of potentially high groundwater elevations. The requirement for and location of test points shall be established by the Planning Board during the Preliminary Plan approval process. If a Preliminary Plan did not precede a Definitive Plan submittal, test pit data will be required at locations every three hundred fifty (350) feet along roadway centerlines or a minimum of two equally spaced test pits along the proposed roadway, plus areas where the proposed grade is three feet or more below existing grades, and probings will be required along the centerline and sideline at twenty-five (25) foot intervals where the roadway crosses wetlands or other areas of unsuitable material.

Borings and test pits shall be to a depth at least four feet below proposed finished grades and the logs submitted to the Board shall indicate their location and ground elevation, a classification of the soil strata by depth, depth at which groundwater or rock is encountered, if any, and the date of the test.

Probing shall show the depth of unsuitable material and shall indicate the existing ground elevation. Locations of each probing shall be indicated with respect to the roadway stations.

All soil information to be submitted to the Board shall be stamped by a Registered Professional Engineer.

IV-6 Drainage System

- (a) A complete storm drainage system, designed to the satisfaction of the planning board, shall be so laid out and of sufficient capacity, in the opinion of the planning board, so as to:
 - (1) Permit unimpeded flow of all natural water courses and provide adequate disposal of surface water from all streets within the subdivision and, including surface water flowing onto the subdivision streets from adjacent lots and from land outside the subdivision, so that there will be no undesirable accumulation of water thereon or on any land in or abutting the subdivision resulting from the development.
 - (2) Insure adequate drainage of all low points along all streets.
 - (3) Intercept excessive ground water in the subsoil along all streets.
 - (4) Intercept storm water runoff along all streets at intervals reasonably related to the extent and grade of the area drained.
 - (5) Insure that the lots are prepared and graded in such a manner that development of one shall not cause detrimental drainage on another; if it is necessary to carry drainage to or across a lot, an easement or drainage right-of-way of adequate width and proper side slope shall be provided.
 - (6) Insure that the rates of runoff from the site after development of the subdivision do not exceed the rates and volume of runoff before development, at any discharge point along the subdivision boundaries for the 24-hour storms for both the 10 and 100-year frequencies. Run-off calculations must be submitted to substantiate the adequacy of the proposed storm drainage system within and outside of the subdivision, together with the existing system to be utilized for discharge from the subdivision. Runoff methodologies should be based on Soil Conservation Service (SCS) methods or other equivalent hydrologic computational techniques.

Storm drainage facilities shall be designed to accommodate all stormwater runoff currently flowing onto the site, whether from inside or outside the subdivision, as well as the stormwater runoff which may be expected to flow onto the site under conditions of full development permitted under the Zoning By-Law in effect at the time of the submission of the Definitive Plan application. Drainage calculations shall be prepared by a Registered Professional Engineer and shall be submitted to the Planning Board for review and approval.

- (b) Use of natural areas to control, mitigate, and/or alter rates of runoff is preferred. When such areas are utilized, their existing vegetation shall be left undisturbed to the maximum extent that is practicable, as approved by the Town Engineer. However, if such natural drainage areas are insufficient or non-existent, other methods of controlling runoff including, but not limited to detention basins and stormwater infiltration pits may be considered. Newly constructed drainage areas shall be planted with trees, shrubs, and other vegetation necessary

to stabilize any slopes and to facilitate percolation of stormwater. A landscape plan shall be prepared which shows proposed vegetation and existing vegetation to be saved. Newly constructed drainage areas shall be designed to be as maintenance free and aesthetically pleasing as is practicable.

- (c) Detention basins shall, to the maximum extent possible, be located outside of wetlands. A basin may be constructed in a wetland providing that the applicant receives approval from the Conservation Commission. The design of the detention basin, other than those approved to be located within a wetland, shall meet the following standards:
 - (1) The floor of the basin shall remain dry except during periods of storm events.
 - (2) The bottom elevation of the basin shall be at least two feet above the seasonal high groundwater table and above bedrock.
 - (3) The bottom of the basin shall pitch a minimum of 1/4 inch per foot toward the outlet.
 - (4) The material used for the dike construction shall be specified and a cross-section detail provided. The dike shall provide for suitable access for equipment necessary for maintenance of the basin. Side slopes of the basin shall be no steeper than 3:1.
 - (5) Where stormwater drains into the basin, silt-trap swales shall be provided to localize sedimentation. In addition, a stone-lined channel shall be constructed from the discharge point to the outlet structure. Dead storage space below the outlet shall be designed for the build-up of sedimentation. This information shall be shown on the plans.
 - (6) The outlet structure shall be as maintenance free as possible and designed to prevent debris from plugging the outlet structures. Details of the outlet structure shall be shown on the plans.
 - (7) An emergency spillway shall be provided to allow release of runoff for the storm frequency greater than the 100 year storm. Spillways shall be constructed of properly-sized stone carefully placed and hand chinked. Spillway details shall be shown on the plans.
 - (8) Drainage easements shall be provided to include all of the detention basins and its appurtenant structures. At a minimum the easement shall extend twenty feet from the toe of the basin slope, and there shall be a minimum twenty foot wide access easement from the nearest public way. The easements pertinent to the detention basin together with the basin shall be held by the legal entity formed by the covenant as noted in Section IV-6-(c)-12.
 - (9) The proposed basin shall be located entirely on private property and to the maximum extent possible on one lot.
 - (10) An Operation and Maintenance Plan shall be prepared as part of the design of the basin. The plan shall include the types of maintenance normally required and the frequency of necessary inspections and maintenance activities. Sediment monitoring and removal shall be part of the maintenance plan. The plan shall be submitted to the Planning Board for approval, and shall be included on the Definitive Plans.
 - (11) The construction of the detention basin shall precede all other construction, excepting that clearing which is necessary for access to the basin site.

- (12) An enforceable covenant, running with the land, to the benefit of the Town, shall be imposed on every lot within the subdivision, as designated by the Planning Board, which covenant shall obligate each lot owner for a pro-rated share of the detention basin(s) and appurtenances thereto. Said covenant shall include a provision for its extension pursuant to M.G.L. c. 184 § 27 as may be amended from time to time. The operation and maintenance requirements of the basin as described in Section IV-6-(c)-10 shall be incorporated in this covenant. The covenant shall be reviewed by Town Counsel and shall be subject to approval by the Planning Board. The covenant shall provide the Town the perpetual right and or authority to enter upon easements pertinent to the detention basin for purposes of emergency repairs or maintenance, but this shall not be construed to impose any legal obligation upon the Town to render such services
- (d) The design of infiltration pits (stormwater recharge systems) shall at a minimum meet the following standards;
- (1) The bottom of the infiltration pit shall be a minimum of two (2) feet above the seasonal high groundwater table and bedrock. Subsurface exploration shall be conducted within the areas of the proposed infiltration structures to estimate the infiltration capacity of the soil material.
 - (2) A filter fabric shall be placed between the excavation and the stone aggregate.
 - (3) The aggregate fill material for the infiltration shall consist of a clean aggregate with a maximum diameter of 3" and a minimum diameter of 1 1/2". The maximum allowance void space for the aggregates shall be forty percent (40%).
 - (4) The infiltration of stormwater runoff shall not cause any adverse effects of seepage zones on nearby building foundations, roads, and other structures.
 - (5) An access way with a heavy duty lockable cover shall be provided for all infiltration pits.
 - (6) Drainage easements shall be provided to include all of the infiltration pit and its appurtenant structures. The easement shall extend twenty feet around the infiltration pit, and there shall be a twenty foot wide access easement from the nearest public way. The easement pertinent to the infiltration pit together with the infiltration pit shall be held by the legal entity formed by the covenant as noted in Section IV-6-(d)-9.
 - (7) An Operation and Maintenance Plan shall be prepared as part of the design of the infiltration pit. The plan shall include the types of maintenance normally required and the frequency of necessary inspections, and maintenance activities. Sediment monitoring and removal shall be part of this plan. The plan shall be submitted to the Planning Board for approval, and shall be included on the Definitive Plans.
 - (8) The proposed infiltration pit shall be located entirely on private property and to the maximum extent possible on one lot
 - (9) An enforceable covenant, running with the land, to the benefit of the Town, shall be imposed on those lots within the subdivision, as designated by the Planning Board, which covenant shall obligate each lot owner for a pro-rated share of the infiltration pit(s) and any appurtenances thereto. Said covenant shall include a provision for its extension pursuant to M.G.L. c. 184 § 27 as may be amended from time to time. The operation and maintenance requirements of the infiltration pit as described in Section IV-6-(d)-7 shall be incorporated in this covenant. The covenant shall be reviewed by Town Counsel and

shall be subject to their approval. The covenant shall provide the Town the perpetual right and or authority to enter upon easements pertinent to the infiltration pit for purposes of emergency repairs or maintenance, but this shall not be construed to impose any legal obligation upon the Town to render such services.

- (e) Catch basins, with granite curb inlets, will be required on both sides of the roadway on continuous grades at intervals of not more than three hundred (300) feet, at all low points in the grade, and at the point of curvature and point of tangency for the curves at all intersecting streets.
- (f) All drain pipes shall be a straight line and grade. At every change in direction or grade, a manhole shall be provided.
- (g) Provision for the adequate disposal of surface water intercepted or collected by catch basins shall be made in such manner that no flow will be conducted over Town ways, or over the land of other unless an easement in proper form is obtained permitting such drainage.
- (h) Proper connections shall be made with the existing public drainage system. Where adjacent property is not subdivided, provision shall be made for extension of the system by continuing appropriate drains to the exterior boundaries of the subdivision, at such size and grade as will allow for their proper projection.
- (i) The Board may also require provision for subsoil drains, along or near the edge of the traveled way (in addition to the trunk line system), wherever, in its opinion, ground water conditions in the subsoil warrant such drains.
- (j) All drain pipe shall be reinforced concrete pipe having a minimum diameter of twelve (12) inches. It shall be laid on a slope of not less than one-half of one percent (0.5%).
- (k) No drainage outfall shall discharge below the high water line of a stream, swamp, or body of water.
- (l) A suitable headwall shall be provided at the outfall end of all drains.
- (m) All drain manholes over five (5) feet in depth shall be provided with suitable steps.
- (n) No bell ends are to be laid in manholes or catch basins.
- (o) Suitable grates are to be installed at the discharge or inlet end of all drains eighteen (18) inches in diameter or larger.
- (p) All catch basins are to be constructed with sumps having a minimum depth of three (3) feet
- (q) The closed storm drain system shall be of adequate capacity to accommodate flows from a fifty (50) year storm at a minimum. The calculations used to determine the size of pipes, structures and culverts in the drainage system shall be based on the rational method, and shall be submitted to the board for review and approval.
- (r) All Definitive Plans shall be reviewed to determine whether such proposals will be reasonably safe from flooding. If any part of a subdivision proposal is located within the Flood Plain District, established under the Zoning By-Law, it shall be reviewed to assure compliance with the following:

- (1) the subdivision is designed consistent with the need to minimize flood damage;
- (2) all public utilities and facilities, such as sewer, water, gas and electrical systems are located and constructed to minimize or eliminate flood damage; and
- (3) adequate drainage systems are provided to reduce exposure to flood hazard.

Planning Board approval of plans designed under this subsection shall not substitute for compliance with the requirements of Section 3-C of the Town of Walpole's Zoning By-Law.

- (s) To avoid misunderstanding and confusion, and to minimize unnecessary costs and delays by amendments or modifications to approved Definitive Plans, applicants are strongly encouraged to seek the approval of the Conservation Commission before the submission of the Definitive Plan, particularly as the plan relates to drainage affecting wetlands under the jurisdiction of said commission.

IV-7 Water and Sewerage Systems

- (a) The water system within the subdivision shall be laid out to the satisfaction of the Board, which will require provision of such facilities and arrangement thereof as, in its opinion, are necessary to:
 - (1) Furnish all lots on each proposed street with adequate water supply for domestic use.
 - (2) Serve all parts of the subdivision with water for fire protection from hydrants which are well distributed (generally every 500 feet, subject to the approval of the Fire Chief) and will have an adequate fire flow.
 - (3) Isolate lengths of water main to permit repairs.
- (b) The sewerage system within the subdivision shall be laid out to the satisfaction of the Board, which will require provision of such facilities and arrangement thereof as, in its opinion, are necessary to provide all lots on each proposed street with adequate disposal of sanitary sewage. However, no sewerage system shall be required in a Type A subdivision (or portion thereof), containing lots all of which equal or exceed 40,000 square feet in area, nor in Type A subdivision (or portion thereof), containing smaller lots where, in the opinion of the Board, subdivision is either outside the planned limits of the Town's sewerage system or not readily accessible to any existing public sewer main.
- (c) Where adjacent property is not subdivided, provision shall be made for proper projections of the water and sewerage systems by continuing appropriate mains to the exterior boundaries of the subdivision, at such size and grade as will allow for the projections.
- (d) Proper connections shall be made with the existing public water and sewerage systems. Where, in the opinion of the Board, the capacity of an existing public system is inadequate to accommodate the entire subdivision, only that portion thereof which, in its opinion, can be adequately accommodated shall be approved.
- (e) All water mains shall be subject to hydrostatic tests (pressure and leakage) in accordance with the American Water Works Association (AWWA) procedures. A letter of certification must be submitted to the Board by a Registered Professional Engineer.

- (f) All sanitary sewer pipe lines shall be given combined pressure and leakage tests. All manholes shall be given leakage tests.

Where the groundwater level is more than one (1) foot above the top of the pipe at its upper end, the Contractor shall conduct either infiltration tests or low pressure air tests.

Where the groundwater level is less than one (1) foot above the top of the pipe at its upper end, the Contractor shall conduct either exfiltration tests or low pressure air tests.

The leakage test using low-pressure air shall be made on each manhole-to-manhole section of pipeline after placement of the backfill.

All air used shall pass through a single control panel.

Low-pressure air shall be introduced into the sealed line until the internal air pressure reaches 4 psig. (pounds per square inch gauge) greater than the maximum pressure exerted by groundwater that may be above the invert of the pipe at the time of the test. However, the internal air pressure in the sealed line shall not be allowed to exceed 8 psig. When the maximum pressure exerted by the groundwater is greater than 4 psig., the Contractor shall conduct only an infiltration test.

At least two minutes shall be allowed for the air pressure to stabilize in the section under test. After the stabilization period, the low-pressure air supply hose shall be quickly disconnected from the control panel. The time required in minutes for the pressure in the section under test to decrease from 3.5 to 2.5 psig. (greater than the maximum pressure exerted by groundwater that may be above the invert of the pipe) shall not be less than that shown in the following table:

| <u>Pipe Diameter in Inches</u> | <u>Minutes</u> |
|---------------------------------------|-----------------------|
| 4 | 2.0 |
| 6 | 3.0 |
| 8 | 4.0 |
| 10 | 5.0 |
| 12 | 5.5 |
| 15 | 7.5 |
| 18 | 8.5 |
| 21 | 10.0 |
| 24 | 11.5 |

When the sewer section to be tested contains more than one size of pipe, the minimum allowable time shall be based on the largest diameter pipe in the section, and shall be the time shown in the table reduced by 0.5 minutes.

Upon completion of a section of the sewer, the Contractor shall de-water it and conduct a satisfactory test to measure the infiltration for at least 24 hours. The amount of infiltration, including manholes, tees, and connections, shall not exceed 300 gallons per inch diameter per mile of sewer per 24 hours.

For making the exfiltration tests, the sewers shall be subjected to an internal pressure by plugging the pipe at the lower end and then filling the pipelines and manholes with clean water to a height of two (2) feet above the top of the sewer at its upper end. Where conditions between manholes may result in test pressures which would cause leakage at the stoppers in branches, provisions shall be made by suitable ties, braces, and wedges to secure the stoppers against leakage resulting from the test pressure.

The rate of leakage from the sewers shall be determined by measuring the amount of water required to maintain the level two (2) feet above the top of the pipe.

Leakage from the sewers under test shall not exceed the requirements for leakage into sewers as hereinbefore specified.

The sewers shall be tested before any connections are made to buildings.

Manholes shall be tested prior to placing the shelf and invert. Groundwater level shall be lowered during the test. The manhole shall be filled with water to the top of the cone section. If the excavations has not been backfilled and observation indicates no visible leakage, that is, no water visibly moving down the surface of the manhole, the manhole may be considered to be satisfactorily water tight. If the test as described above is unsatisfactory or if the manhole excavation has been backfilled, the test shall be continued. A period of time may be permitted, if requested, to allow for absorption. At the end of this period, the manhole shall be refilled to the top of the cone, if necessary, and the measuring time of at least 8 hours begun. At the end of the test period, the manhole shall be refilled to the top of the cone, measuring the volume of water added. This amount shall be extrapolated to a 24 hour rate and the leakage determined on the basis of depth. The leakage for each manhole shall not exceed one (1) gallon per vertical foot for a twenty four (24) hour period.

IV-8 Lots

- (a) All lots shown on the Plan shall comply with the area, width, and frontage requirements of the Zoning Bylaw of the Town of Walpole.
- (b) Land subdivided into lots shall be of such general character that it can be used for building purposes without danger to public health or safety.

IV-9 Easements

- (a) Where water mains, sewer mains, or storm drains, require, in the opinion of the Board, a location outside of any street line, there shall be reserved, and shown on the Plan, easements to accommodate such utilities having a minimum width of twenty (20) feet. Where such easements are proposed to be located outside the limits of the proposed subdivision, the location and extent of such easements shall be shown on the Definitive Plan and the applicant shall provide to the Board all necessary documents that demonstrate to the satisfaction of the Board that the applicant has the legal and unencumbered right to construct, access, and maintain any utilities and other appurtenances within said easements. The interests of the applicant in such easements shall be transferred to the Town when said utilities have been deeded and dedicated to the Town. Prior to the approval of the Definitive Plan, the applicant shall show evidence to the Planning Board that all easements have been duly and properly recorded at the Norfolk County Registry of Deeds.

- (b) Where a subdivision is traversed by a water course, drainage way, channel or stream, the Board may require that there a provided a storm water easements of adequate width to conform substantially to the lines of such water course, drainage way, channel or stream, for construction or other necessary purposes, and may further require that such water course, drainage way, channel or stream be enclosed.
- (c) Where the side slopes hereinafter required will extend outside of the street right-of-way lines, suitable slope easements shall be provided of sufficient dimensions to accommodate all portions of the slope above or below the finished grade of abutting lots.
- (d) Easements for Town owned and maintained utilities shall be shown on the Definitive Plans as "Access and Utility Easements" and shall be conveyed to the Town as such. Said conveyance shall be executed only in accordance with any restrictions, exceptions, or other conditions as stipulated within the easement.

IV-10 Open Spaces and Natural Features

- (a) Although not required by these Rules and Regulations, it is recommended that consideration be given in proper cases to the provision of a park or parks suitably located for playground or recreation purposes in residential subdivisions or for providing light and air in business and industrial subdivisions. Areas may be reserved for such purposes by appropriate endorsement of the Definitive Plan.
- (b) It is also recommended that due regard be shown for all natural features, such as large trees, streams, scenic points, and similar assets, which, if preserved, will add attractiveness and value to the property.

V-1 General

- (a) In subdivisions for one-family detached dwellings (i.e., Type A and B subdivisions), the streets shall be constructed and services installed in accordance with the requirements for work on the ground set forth in this Section. (Requirements applicable to multi-family, business, and industrial subdivisions are set forth in subsequent Section VI.)
- (b) All work on the ground hereinafter specified shall be performed by the subdivider in conformity with the approved Definitive Plan and the specifications and other construction requirements of the Engineering Department, and to the satisfaction of that Department and the Board.
- (c) Earth removal is restricted in a subdivision to that which is necessary for site preparation and construction (unless a special permit is obtained from the Board of Appeals as set forth in the Zoning Bylaw of the Town of Walpole).
- (d) Any required work within a wetland or wetland buffer zone must comply with any applicable Order of Conditions issued by the Conservation Commission under M.G.L. c.131 § 40. The applicant must demonstrate such compliance by providing the Planning Board with a copy of the recorded certificate of compliance prior to requesting final release of the performance guarantee under Section III-12.
- (e) All electrical (Primary circuits) primary conduit within the right-of-way of all proposed streets shall be placed and packed in a concrete envelope, meeting the requirements of the Town of Walpole wiring inspector. It shall be the responsibility of the subdivider to assure that all underground electrical conduit within the right-of-way of all proposed streets is inspected by the wiring inspector prior to backfill.

V-2 Inspections and Controls

- (a) The subdivider shall employ, at his own expense, a Registered Professional Engineer or Land Surveyor to set all lines and grades in a manner satisfactory to the Engineering Department. An Engineer/Surveyor shall also set all permanent monuments referred to in Section V-11.
- (b) At the points hereinafter indicated, the construction or required improvements shall be inspected by the Engineering Department. Unless approval of the work already completed (including approval of materials used) to each such point has been given in writing, no further work shall be done until the work is subsequently completed to such point to the written satisfaction or said Engineering Department.
- (c) Inspections shall be requested by the subdivider at least forty-eight (48) hours in advance by notice to the Engineering Department.

V-3 Utilities

- (a) Storm drains, culverts and related installations, including catch basins, gutters and manholes, shall be installed within the subdivision as shown on the Definitive Plan. Such installation, including the methods or construction and the quality of materials used, shall conform to the written specifications of the Engineering Department, or if none, shall be in accordance with the latest "Standard Specifications for Highways and Bridges" of Massachusetts Department of Public Works, including any subsequent amendments thereto.
- (b) Water pipes with hydrants, shut-off valves and other related equipment, and sanitary sewers, with manholes and other appurtenances shall be installed within the subdivision as shown on the Definitive Plan and the applicable Town of Walpole Department of Public Works Typical Detail Sheets. Such installation, including the quality of materials used shall conform to the written specifications of the Engineering Department or if none, shall be in accordance with current practices of the Town for installing water and sewer facilities in Town ways.
- (c) In all subdivisions, service connections (i.e., "service stubs") for water supply and sewage disposal from the main in the street to the exterior lines thereof shall be installed for each lot shown on the Plan (whether or not there is a building thereon).

Furthermore, all fire hydrants shall be installed and operational prior to occupancy of any dwelling on any street within the subdivision, and it shall be the responsibility of the developer to assure that all hydrants are accessible, maintained, and operational until the final release of the performance bond.

V-4 Underground Structures

- (a) In rock excavation, trenches shall be excavated to a depth of six (6) inches below the bottom of any water pipe, storm drain or sewer, and filled with suitable base materials.
- (b) All water pipes and sewers (including service stub), storm drains, culverts, manholes, valves and other appurtenances, and any gas mains or underground light or power conduits, shall be installed in the street and shall be inspected, as hereinbefore provided (first inspection), prior to any backfilling of trenches or covering of structures. (The inspection of the water pipes and related facilities will normally include leakage tests.) If these services are covered prior to inspection, they must be uncovered and inspected before release of bond.
- (c) Following inspection, the fill material shall be carefully placed around the structure and rammed and compacted to a depth of one (1) foot above the structure or to finish grade, before completing the filling.

V-5 Street Grading

- (a) In order to minimize the adverse impacts of soil erosion and sedimentation upon abutting properties during construction of all roadways within the subdivision, sedimentation and erosion control barriers (e.g., staked hay bales, nylon fencing) shall be installed at all appropriate locations within the subdivision, as shown on the Definitive Plan, prior to the commencement of such construction.
- (b) The entire area for the full length and width of each street (between exterior lines) shall be cleared of all stumps, brush, roots, rocks, or boulders and like material, and of all trees not intended for preservation.

- (c) Within each street, the full length and width of the roadway (including any shoulders), shall be excavated or filled, as necessary, to a subgrade parallel to the finished grade herein specified. If the soil is soft or yielding, or contains stones over six (6) inches in diameter, clay, sand pockets, peat or other material detrimental to the subgrade, such material shall be removed and replaced with suitable well-compacted material. Where fills are very deep, the material shall be placed in layers of approximately one (1) foot, and thoroughly compacted.
- (d) The roadway subgrade shall be inspected, as hereinbefore provided (second inspection), prior to any further roadway construction.

V-6 Roadways

- (a) Roadways shall be constructed for the full length of all streets within the subdivision. The centerline of such roadways shall coincide with the centerline of the street rights-of-way. The minimum paved width of roadways shall be as follows:

| | |
|------------------|----------------------|
| Local streets: | twenty-six (26) feet |
| Primary streets: | thirty (30) feet |

The minimum outside diameter of roadways within turnarounds on both permanent cul-de-sacs and temporary dead-end streets shall be eighty-eight (88) feet.

- (b) Roadways shall be provided with a foundation consisting of at least nine (9) inches of clean bank gravel, rolled and compacted to a center line grade seven and one-half (7 ½) inches below the proposed finished grade as shown on the profile, and having a transverse grade parallel to that shown on the applicable cross-section plan. Gravel shall be spread in two equal courses, (cobbles larger than 4 inches shall be removed) each of which shall be rolled true to line and grade. Where shoulders are to be constructed (as hereinafter provided), the width of the second course shall be reduced by the width to be occupied by the shoulders. Any depressions that appear during after the rolling shall be filled with gravel and re-rolled until the surface is true and even. All rolling of roadways shall be done with a roller of not less than twelve (12) tons. At this point, the bank run gravel course shall be inspected (third inspection).

Atop the bankrun gravel shall be placed a course of processed gravel of at least four inches, rolled and compacted to a center line grade three and one-half (3½) inches below the proposed finished grade as shown on the profile and having a transverse grade parallel to that shown on the applicable cross-section plan. Rolling shall be done with a roller of not less than twelve (12) tons. Prior construction of the pavement, the roadway shall again be inspected (fourth inspection).

- (c) All roadways shall be paved to a thickness of three and one-half (3½) inches of Class I Bituminous concrete Pavement, Type 1. The pavement shall be laid in two courses, the first being two (2) inches (compacted) of asphalt concrete binder. The second course being one and one-half (1½) inches of asphalt concrete top (compacted). The aggregate shall be composed, mixed and laid not in two courses as specified in Section 460 of the "Standard Specifications for Highways and Bridges" of the Massachusetts Department of Public Works, with any subsequent amendments, and as specifically set forth in Section 460 thereof. The roadways shall be paved to the full width specified above except for any portion of such width to be occupied by shoulders, as hereinafter provided.

- (d) Upon completion of the roadway surfacing and any shoulders, the roadway shall again be inspected (fifth inspection).

V-7 Curbs and Gutters

- (a) In all subdivisions, Type SA (sloped granite edging) shall be furnished and installed in accordance with Section M9 of the 1988 Mass. DPW Standard Specifications for Highways and Bridges. The sloped granite edging shall be inspected continuously along the edge of the entire roadway(s) except as described in paragraphs (b) and (c) below.
- (b) In all subdivisions granite curb Type VA-4 shall be installed at intersections and at the entrances and exits or cul-de-sacs along the circumference of the roadway for the full length of the rounded curve plus a straight section at each end at least six (6) feet long. Granite curb Type VA-4 shall also be required along the full outside circumference of the roadway of all permanent cul-de-sacs.
- (c) Six (6) foot granite transition stones are to be installed where granite curbing meets existing roadways that do not have berms or curbing or anywhere that curbing ends for any reason. Two (2) foot transition stone are required at all sidewalk ramps.
- (d) Granite curbing and edging required hereunder, unless otherwise noted, shall be acceptable to the Walpole Planning Board and such curbing and any valley gutters shall conform to the written specifications of the Engineering Department or if none, shall be in accordance with current practices of the Town where such facilities are installed in Town ways.

V-8 Sidewalks

- (a) Sidewalks shall be constructed on both sides of the roadway in all streets in a Type B subdivision.
- (b) Sidewalks shall be constructed on at least one side of the roadway in a Type A subdivision:
 - (1) In all primary streets
 - (2) In all local streets within one and one-quarter (1 1/4) mile of the entrance to a school, park, playground or similar facility existing or shown as proposed on the Board's Master Plan, and which street, in the opinion of the Board, will be used as the route to and from such facility by substantial numbers of children or other pedestrians.
- (c) Required sidewalks have a width of not less than five (5) feet. The finished grade of all sidewalks in relation to the finished grade of the roadway shall be as shown on the applicable cross-section plan.
- (d) In constructing required sidewalks, the material shall be removed for the full width of the sidewalk to a subgrade at least ten (10) inches below the approved finished grade. All soft spots and other undesirable material below such subgrade shall be replaced with a good binding material and rolled. This excavated area shall then be filled with eight (8) inches of a good quality gravel containing some binding material, and rolled with three-eighth (3/8) inch to the foot pitch toward the roadway. Forms shall then be set to grade, filled with two (2) inches of asphaltic concrete, and rolled; provided, however, that if a granolithic surface is desired, specifications of the Massachusetts Department of Public Works shall be complied with.

- (e) In accordance with the provisions of M.G.L. Chapter 83, the developer shall be required to install at all pedestrian crosswalks and at all other locations s required by the Architectural Access Board (Massachusetts Executive Office of Public Safety), slanted curbing that must meet the requirements of the Rules and Regulations of the A.A.B.

V-9 Grass Plots

- (a) A grass plot shall be provided on each of the roadways, having a minimum width as follows:

| | |
|------------------|----------------|
| Local streets: | three (3) feet |
| Primary streets: | four (4) feet |

However, in a street where no sidewalk is constructed, the grass plot on at least one side of the roadway shall be widened an additional five (5) feet to allow space for emergency walking and to provide a graded area for a possible future sidewalk.

- (b) The finished grade of such grass plots in relation to the finished grade of the roadway shall be as shown on the applicable cross-section plan. Where unusual topographic conditions require, the Board may approve the construction of a grass plot irregular or sloped in cross-section, provided such variation is indicated on the Definitive Plan and accompanying cross-sections and that no portion of the grass plots will project above or below a two to one slope from the edge of the roadway.
- (c) No utility poles or trees shall be placed or retained within the grass plot so as to be closer than two (2) feet from the edge of the roadway.
- (d) The top six (6) inches of all required grass plots shall consist of good quality loam, rolled and seeded. A good quality grass seed shall be adequately spread, together with a proper mixture of lime and fertilizer, to insure a grass crop of acceptable consistency and maturity.

V-10 Side Slopes

- (a) The area in back of the sidewalk, or where no sidewalk is constructed, in back of the required grass plot, 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 two to one upward from the edge of the sidewalk or grass plot, or be below a plane sloped two to one downward.
- (b) Loam shall be applied to a depth of not less than six (6) inches, rolled and seeded.

V-11 Monuments

- (a) Permanent monuments shall be installed on the exterior street lines at a points of change in direction or curvature of streets, at all points where streets intersect the boundary lines of the subdivision, and at such other points where, in the opinion of the Engineering Department, monuments are necessary.

- (b) Required monuments shall be granite, four (4) feet in length, dressed to six (6) inches at the top with a three-eighths (3/8) inch drill hole in the center, and not less than six (6) inches square at the bottom. They shall be set with their tops at the proposed finished surface grade, unless the engineering Department directs otherwise.
- (c) No permanent monuments shall be installed until all construction which could destroy or disturb the monuments are completed.

V-12 Street Trees

- (a) Street shade trees, of a species appropriate for the specific locations, as specified by the Tree Warden, shall be planted by the subdivider on each side of every street in the subdivision except where, in the opinion of the Board, existing woodlands or suitable individual trees to be retained are adequate.
- (b) All trees required to be planted by the subdivider shall be minimum of eight (8) feet in height (or a minimum of one and one-half (1 1/2) inches in diameter measured one foot above the ground), and spaced approximately fifty (50) feet apart. They shall be planted on the lots approximately ten (10) feet, no more than twenty (20) feet behind the exterior street lines.

V-13 Cleaning Up

- (a) The entire subdivision must be cleaned up so as to leave a neat and orderly appearance free from debris and other objectionable materials.
- (b) Following the completion of this and all other items of work, a final inspection (sixth inspection) shall be made.

SECTION VI

WORK ON THE GROUND FOR MULTI-FAMILY, BUSINESS & INDUSTRIAL SUBDIVISIONS

VI-1 General

- (a) In multi-family, business, and industrial subdivisions, the streets shall be constructed and municipal services installed in accordance with such requirements of the Board as will carry out the purposes of the Subdivision Control Law, giving due consideration to the prospective of the subdivision, the prospective amount of travel upon the various ways therein, and other relevant factors.
- (b) In such subdivisions, the requirements for inspection, utilities, street grading, underground structures, side slopes, monuments and cleaning up shall be no less than those specified for Type B subdivisions (in Section V). The requirements for roadways, curbs, sidewalks and grass plots shall be no less than those set forth in the following paragraphs of this Section (generally, more stringent than for Type B subdivisions).
- (c) Earth removal is restricted in a subdivision to that which is necessary for site preparation and construction (unless a special permit is obtained from the Board of Appeals as set forth in the Zoning Bylaw of the Town of Walpole).
- (d) Any required work within a wetland or wetland buffer zone must comply with any applicable Order of Conditions issued by the Conservation Commission under M.G.L. c. 131 §40. The applicant must demonstrate such compliance by providing the Planning Board with a copy of the recorded certificate of compliance prior to requesting final release of the performance guarantee under Section III-12.
- (e) All electrical (Primary circuits) underground conduit within the right-of-way of all proposed streets shall be placed and packed in a concrete envelope, meeting the requirements of the Town of Walpole wiring inspector. It shall be the responsibility of the subdivider to assure that all underground electrical conduit within the right-of-way of all proposed streets is inspected by the wiring inspector prior to backfill.

VI-2 Roadways

- (a) Roadways shall be constructed for the full length of all streets within the subdivision. The center line of such roadways shall coincide with the center line of the street rights-of-way. The minimum paved width of roadways shall be as follows:
 - (1) For multi-family and for business subdivisions:

| | |
|------------------|----------------------|
| Local streets: | thirty-two (32) feet |
| Primary streets: | thirty-six (36) feet |
 - (2) For industrial subdivisions:

| | |
|------------------|----------------------|
| Local streets: | thirty-two (32) feet |
| Primary streets: | thirty-six (36) feet |
- (b) Roadways for multifamily subdivision shall be provided with the same gravel base and pavement thickness as the roadways for Type A and B subdivisions. for business and industrial subdivisions, roadways shall be provided with a gravel foundation consisting of at

least twelve (12) inches of clean bank gravel, rolled and compacted in two equal lifts to a center line grade which is seven and one-half (7 1/2) inches below finished grade. Gravel shall be spread and rolled in the manner as specified for Type A and B subdivisions.

- (c) In the case of industrial and business subdivisions, there shall be laid on top of the gravel foundation four (4) inches compacted of Type 1 base course asphalt concrete composed and laid as specified in Section 460 of the "Standard Specifications for Highways and Bridges" of the Massachusetts Department of public works. This base course shall be laid to the full width of the roadway except for any portion of such width to be occupied by shoulders, as hereinafter provided.
- (d) All roadways shall be paved to a thickness of three and one-half (3 1/2) inches compacted with two coats of Class I Bituminous Concrete Pavement composed, mixed and laid in the same manner as specified for Type A and B subdivisions (in Section V-6).

VI-3 Curbs and Gutters

- (a) Granite edging and gutters shall be constructed in the same manner as specified for Type A and B subdivisions.

VI-4 Sidewalks

- (a) Sidewalks having a width of not less than five (5) feet shall be constructed on both sides of each roadway, except in low-density industrial subdivisions, where a sidewalk need be constructed on one side only.
- (b) Sidewalks shall be constructed in the same manner as specified for Type A and B subdivisions (in Section V-8).

VI-5 Grass Plots

- (a) A grass plot shall be provided on each side of the roadway, having a minimum widths as follows:
 - (1) For multi-family and for business subdivisions:

| | |
|------------------|------------------------------|
| Local streets: | four (4) feet |
| Primary streets: | four and one-half (4 ½) feet |
 - (2) For industrial subdivisions:

| | |
|------------------|---------------|
| Local streets: | five (5) feet |
| Primary streets: | ten (10) feet |
- (b) Grass plots shall be graded, constructed and maintained free of obstructions in the same manner as specified for Type A and B subdivisions (in Section V-9). However, in the case of business subdivisions, the required grass plot may be replaced, in whole or in part by a widening of the sidewalk, provided the total width between the curb line and the outer edge of the sidewalk is not less than the specified grass plot width plus five (5) feet.

DIMENSIONAL STANDARDS FOR ROADWAYS WITHIN SUBDIVISIONS

(For reference only. Not a legally adopted part of these rules and regulations. For specific context, refer to appropriate sections as noted herein.)

| | <u>LENGTH</u> | <u>DIAMETER OF TURNAROUND</u> | <u>DIAMETER OF PAVEMENT</u> |
|----------------------------------|----------------------|--|--|
| DEAD END STREET | 750 | 104 | 88 |
| TEMPORARY DEAD END STREET | - | 104 ^a | 88 ^a |

| TYPE OF ROADWAY | <u>LOCAL</u> | <u>PRIMARY</u> |
|------------------------|---------------------|-----------------------|
|------------------------|---------------------|-----------------------|

| | | |
|---|-----|-----|
| <u>CURVES AND INTERSECTIONS</u> | | |
| MIN. RADIUS OF STREET-LINE CURVE | 150 | 300 |
| REVERSE CURVE TANGENT | - | 100 |
| MINIMUM INTERSECT ANGLE | 60° | 60° |
| MIN. OFFSET OF CROSS STREETS | 150 | 150 |
| MIN. OFFSET OF CENTERLINES | 150 | 150 |
| STREET-LINE INTERSECT - 90° | 30 | 30 |
| STREET-LINE INTERSECT - <80° | 20 | 20 |

| | | |
|---------------------------------|------|------|
| <u>CENTERLINE GRADES</u> | | |
| MINIMUM | 0.8% | 0.8% |
| MAXIMUM | 7.0% | 6.0% |

| | | |
|--|---------|---------|
| <u>RIGHT-OF-WAY/PAVEMENT WIDTHS</u> | | |
| TYPE A OR B | 46 / 26 | 46 / 30 |
| MULTI-FAMILY OR BUSINESS | 52 / 30 | 52 / 36 |
| INDUSTRIAL | 52 / 36 | 52 / 36 |

| | | |
|---------------------------------|----------------|------------------|
| <u>GRASS PLOT WIDTHS</u> | | |
| TYPE A OR B | 3 ^c | 4 |
| MULTI-FAMILY OR BUSINESS | 4 ^d | 4 ½ ^d |
| INDUSTRIAL | 5 | 10 |

| | | |
|---------------------------------|----------------|----------------|
| <u>SIDEWALK WIDTHS</u> | | |
| TYPE A OR B | 5 ^e | 5 ^f |
| MULTI-FAMILY OR BUSINESS | 5 | 5 |
| INDUSTRIAL | 5 ^g | 5 ^g |

a - see Section IV-2-(d)

b - see Section VI-2-(e)

c - see Section V-9-(a)

d - see Section VI-5-(b)

e - see Section V-8-(b)-(2)

f - see Section V-8-(b)-(1)

g - see Section VI-4-(a)

FORM A

APPLICATION FOR A DETERMINATION OF PLANNING BOARD JURISDICTION

(to be filed in triplicate)

Walpole, Massachusetts

_____, 20____

To the Planning Board of the Town of Walpole:

The undersigned wishes to record the accompanying plan and requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons (check as appropriate):

- ☐ 1. The accompanying plan is not a subdivision because the plan does not show a division of land.
- ☐ 2. The division of the tract of land shown on the accompanying plan is not a subdivision because every lot shown on the plan has frontage of at least such distance as is presently required by the Town of Walpole Zoning Bylaw under Section 6-B which requires _____ feet for the erection of a building in the _____ District; and every lot shown on the plan has frontage on (check one):
- ☐ a. a public way or way which the Town Clerk certifies is maintained and used as a public way, namely _____, or
- ☐ b. a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, namely _____ on _____ and subject to the following conditions: _____; or
- ☐ c. a private way in existence on February 23, 1954, the date when the Subdivision Control Law became effective in the Town of Walpole, having, in the opinion of the Planning Board sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely _____.
- ☐ 3. The division of the tract of land shown on the accompanying plan is not a "subdivision" within the meaning of the subdivision control law because it shows a proposed conveyance/other instrument, namely _____, which adds to/takes away from/changes the size and shape of lots in such a manner so that no lot affected is left without frontage as required by the Town of Walpole Zoning Bylaw under Section 6-B, which requires _____ feet in the _____ District.

☐ 4. The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings were standing on the land prior to February 23, 1954, the date when the Subdivision Control Law went into effect in the Town of Walpole, and one of such buildings remains standing on each of the lots as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the Subdivision Control Law is submitted herewith.

☐ 5. Other reasons or comment (refer to M.G.L. Chapter 41, Section 81-l): _____

_____.

(Note: Necessary evidence to show that the plan does not require approval must be filed with this application.)

.....

The owner's title to the land is derived under deed from _____, dated _____, _____, and recorded in _____ Registry of Deeds, Book _____, Page _____ or Land Court Certificate of Title No. _____, registered in _____ District Book _____, Page _____.

Town of Walpole Assessor's Parcel
No.(s) _____.

1. Name of Applicant _____
Address _____
Telephone No. (____) _____

2. Name of Owner (if other than Applicant) _____
Address _____
Telephone No. (____) _____

3. Name of Engineer or Surveyor _____
Address _____
Telephone No. (____) _____

Signature of Applicant _____

Signature of Owner (if other than Applicant) _____

.....

Received this _____ day of _____, 20_____.

WALPOLE PLANNING BOARD

By _____

.....

Received this _____ day of _____, 20_____.

WALPOLE TOWN CLERK

.....

FORM B

APPLICATION FOR TENTATIVE APPROVAL OF PRELIMINARY PLAN
(to be filed in triplicate)

Walpole, Massachusetts

_____, 20____

To the Planning Board of the Town of Walpole:

The undersigned herewith submits the accompanying Preliminary Plan of property located in the Town of Walpole for approval as a subdivision under the requirements of the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of land of the Planning Board in the Town of Walpole.

1. Name of Subdivider _____
Address _____
2. Name of Engineer or Surveyor _____
Address _____
3. Deed of property recorded in Norfolk Registry, Book _____ Page _____
4. Location and description of property: _____

Signature of Owner(s) _____

Address _____

NOTE: This application must be filed in accordance with Section II-3-(g) of the Subdivision Rules and Regulations of the Town of Walpole Planning Board.

Received this _____ day of _____, 20____

WALPOLE PLANNING BOARD

By _____

FORM C

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

(to be filed in triplicate)

Walpole, Massachusetts

_____, 20____

To the Planning Board of the Town of Walpole:

The undersigned herewith submits the accompanying Definitive Plan of property located in the Town of Walpole for approval as a subdivision under the Subdivision Control Law and the Rules and Regulations Governing Subdivision of Land of the Planning Board in the Town of Walpole.

1. Name of Subdivider _____

Address _____

2. Name of Engineer or Surveyor _____

Address _____

3. Deed of property recorded in Norfolk Registry, Book _____ Page _____

4. Location and description of property:

5. Easements and restrictions, if any, on or over property:

6. Easements and restrictions, if any, appurtenant to the property on or over land of others:

Signature of owner(s) _____

Address _____

NOTE: This application must be filed in accordance with Section III-1-(d) of the Subdivision Rules and Regulations of the Town of Walpole Planning Board.

Received this _____ day of _____, 20____

WALPOLE PLANNING BOARD

By _____

FORM D

DESIGNER'S CERTIFICATE

_____, 20____

To the Planning Board of the Town of Walpole:

I hereby certify that the accompanying Definitive Plan entitled _____

_____ and dated _____, 20____, is true and correct to the accuracy required by the Rules and Regulations of the Walpole Planning Board, and that all pertinent data are shown.

Registered Professional Engineer
or Registered Land Surveyor

Address

FORM E

CERTIFIED LIST OF ABUTTERS

Walpole, Massachusetts

_____, 20____

Fill in this space with rough sketch of land described in the application, and write, against boundary lines, the names of adjoining owners in their relative positions. Repeat the names in a list given below the sketch (or on an attached sheet), and indicate the address of each abutter. Include owners of land separated from the subdivision only by a street.

To the Planning Board of the Town of Walpole:

This is to certify that at the time of the last assessment for taxation made by the Town of Walpole, the names and addresses of the parties assessed as adjoining owners to the parcel of land shown above were as above written.

for the Board of Assessors

NOTE: This list must accompany the application for approval of the Definitive Plan (Form C).

FORM F
COVENANT

_____, 20____
Walpole, Massachusetts

KNOW ALL MEN by these presents that the undersigned has submitted an application dated _____ to the Walpole Planning Board for approval of a Definitive Plan of a subdivision of land entitled _____, drawn by _____, dated _____, and owned by _____, and showing _____ lots. The undersigned has requested that the Planning Board acknowledge final approval of the Definitive Plan by endorsement of the signatures of a majority of the Planning Board on the original drawing of the Definitive Plan, without requiring a performance guarantee of the type described in Sections III-7-(a)-(1), (2), or (3) of the Rules and Regulations Governing the Subdivision of Land.

IN CONSIDERATION of said request, the undersigned hereby covenants and agrees with the Walpole Planning Board and the successors in office of said Board to the following:

- (1) That the undersigned is the owner in fee simple absolute of all the land included in the subdivision and that there are no mortgages of record or otherwise on any of the land, except for those described below, and that the present holders of said mortgages have assented to this covenant prior to its execution by the undersigned.
- (2) That this covenant shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the undersigned and shall constitute a covenant running with the land included in the subdivision and shall operate as restrictions upon the land.
- (3) That the undersigned will not sell or convey any lot in the subdivision or erect or place any permanent building on any lot until the construction of ways and installation of municipal services necessary to adequately serve such lot has been completed in accordance with the covenants, conditions, agreements, terms and provisions as specified in the following:
 - (a) The Application for Approval of Definitive Plan (Form C);
 - (b) The Subdivision Control Law and the Walpole Planning Board's Rules and Regulation Governing the Subdivision of Land;
 - (c) The certificate of approval and the conditions of approval specified therein, issued by the Planning Board, dated _____.
 - (d) The Definitive Plan as approved and as qualified by the certificate of approval; and
 - (e) Other document(s) specifying construction to be completed, namely: _____

_____.

However, a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of the mortgaged premises or part thereof may sell or convey any lot subject only to that portion of this covenant which provides that no lot be sold or conveyed or shall be built upon until such ways and services have been provided to serve such lot

- (4) That particular lots within the subdivision may be released from the foregoing conditions only upon the recording of a certificate of performance (Form I) executed by a majority of the Planning Board and enumerating the specific lots to be released.
- (5) That nothing herein shall be deemed to prohibit a conveyance by a single deed subject to this covenant of either the entire parcel of land shown on the subdivision plan or all lots not previously released by the Planning Board.
- (6) That the undersigned agrees to inscribe a reference to this covenant on the Definitive Plan, and to record this covenant with the Norfolk County Registry of Deeds concurrently with the recording of the Definitive Plan.
- (7) A deed of any part of the subdivision in violation of the covenant shall be voidable by the grantee prior to the release of the covenant; but not later than three (3) years from the date of such deed.
- (8) That this covenant shall be executed before endorsement of approval of the Definitive Plan by the Planning Board and shall take effect upon the endorsement of approval.
- (9) Unless otherwise extended by a majority vote of the Planning Board, the construction of all ways and the installation of all municipal services shall be completed in accordance with the applicable rules and regulations of the board within twenty-four (24) months from the date of this instrument. Failure to so complete shall result in automatic rescission of approval of the plan. Notice of any such automatic rescission shall be recorded by the Planning Board in accordance with the provisions of M.G.L. c. 41 § 81-W.
- (10) That nothing herein shall prohibit the applicant from securing the construction of ways and installation of municipal services by a performance guarantee as described in Sections III-7-(a)-(1), (2), or (3) of the Walpole Planning Board's Rules and Regulation Governing the Subdivision of Land.

For title to the property, see deed from _____, dated _____, recorded in Norfolk County Registry of Deeds, Book _____, Page _____, or registered in Norfolk County Land Registry as Document No. _____, and noted on certificate of title no. _____, in Registration Book _____, Page _____.

The present holder of a mortgage upon the property is _____ of _____, _____, _____. The mortgage is _____ (Address) _____ (City or Town) _____ (State) dated _____ and recorded in Norfolk County Registry of Deeds, Book _____, Page _____, or registered in Norfolk County Land Registry as Document No. _____, and noted on certificate of title no. _____, in Registration Book _____, Page _____. The mortgagee agrees to hold the mortgage subject to the covenants set forth above and agrees that the covenants shall have the same status, force and effect as though executed and recorded before the taking of the mortgage and further agrees that the mortgage shall be subordinate to the above covenant.

_____, spouse of the undersigned applicant, hereby agrees that such interest as I, we, may have in the premises shall be subject to the provisions of this covenant and insofar as is necessary releases all rights of tenancy by the dower or homestead and other interests therein.

IN WITNESS WHEREOF we have hereunto set our hands and seals this _____ day of _____, 20____.

Signature of Owner

Signature of Spouse of Owner

.....

COMMONWEALTH OF MASSACHUSETTS

Norfolk County, ss. _____, 20____

Then personally appeared before me the above named _____ and acknowledged the foregoing instrument to be his/her free act and deed.

(Signature of Notary Public)

My commission expires _____, 20____

.....

Signature of Mortgagee (if any)

.....

COMMONWEALTH OF MASSACHUSETTS

Norfolk County, ss. _____, 20____

Then personally appeared before me the above named _____ and acknowledged the foregoing instrument to be his/her free act and deed.

(Signature of Notary Public)

My commission expires _____, 20____

.....

FORM G

NOTICE OF PUBLIC HEARING

Planning Board
Public Hearing

_____, having submitted a Definitive Plan of subdivision of
land in Walpole, MA, entitled _____
located _____
as shown on a plan by _____
dated _____, 20_____, a public hearing will be held thereon at the Town Hall
_____, 20_____, at _____ P.M., in accordance with the provisions of
General Laws, Chapter 41, Section 81-T, as amended.

_____, Chairman
WALPOLE PLANNING BOARD

FORM H

CERTIFICATION OF MONUMENTS

To the Planning Board of the Town of Walpole:

I hereby certify that on _____, 20____, I verified the stone bounds on the bonded portion of _____ and found them to be set accurately in the proper locations and to the proper grade according to the approved Definitive Plan.

_____ Seal:
Registered Land Surveyor

Name of company: _____

Address: _____

FORM I

RELEASE OF COVENANT

Walpole, Mass., _____, 20____

In consideration of the provision of an alternative performance guarantee, sufficient in the opinion of the Planning Board of the Town of Walpole to secure the performance of the construction of ways and installation of municipal services required by the covenant dated _____, 20____, and recorded in Norfolk Registry of Deeds, Book _____ Page _____ (or registered in the Land Court as Document No. _____ and noted on Certificate of Title No. _____, in Registration Book _____, Page _____) for the following enumerated lots shown on a Plan entitled _____ recorded with said Registry of Deeds, Plan Book _____ Plan _____ (or registered in said Land Court, Plan Book _____, Plan _____), the undersigned, being a majority of the Planning Board, hereby releases the below designated lots from the restrictions as to sale and building specified within said covenant.

Majority of the Planning Board
of the Town of Walpole

COMMONWEALTH OF MASSACHUSETTS

_____ SS. _____, 20____

The personally appeared _____
one of the above named members of the Planning Board of the Town of Walpole, Massachusetts, and
acknowledged the foregoing instrument to be the free act and deed of said Planning Board, before me.

Notary Public

My commission expires: _____, 20____

FORM J

CONVEYANCE OF EASEMENTS AND UTILITIES

_____, of _____
_____ County, Massachusetts, for consideration paid, grant to the Town of Walpole, municipal corporation in Norfolk County, Massachusetts, with quitclaim covenants, the perpetual rights and easements to construct, inspect, repair, renew, replace, operate and forever maintain, water mains, sanitary and storm sewers, with any manholes, pipes, conduits and other appurtenances (including any related retention or detention basins, swales, and channels) thereto, and to do all acts incidental thereto, in, through and under the following described land:

And for the consideration aforesaid, the said grantor does hereby give, grant, sell, transfer and deliver unto the said grantee and its successors and assigns forever, all water and sewer pipes, manholes, conduits and all appurtenances thereto that are now or hereafter constructed or installed in, through or under the above described land by the grantor and the grantor's successors and assigns.

And I, wife/husband of said grantor hereby release to said grantee and its successors and assigns forever, all rights of tenancy by the courtesy/dower and homestead interests therein.

For grantor's title, see deed from _____ dated _____
_____, 20____, and recorded in Norfolk District Deeds, Book _____ Page _____.

And _____ a banking corporation in _____ County, Massachusetts, the present holder of a mortgage on the above described land, which mortgage is dated _____, 20____, and recorded in said Deeds, Book _____ Page _____, for consideration paid, hereby releases unto the said grantee and its successors and assigns forever from the operation of said mortgage, the rights and easements hereinabove granted and assents thereto.

IN WITNESS WHEREOF we have hereunto set our hands and seals this _____ day of _____, 20____.

COMMONWEALTH OF MASSACHUSETTS

_____, SS. _____, 20____

Then personally appeared the above named _____ and
acknowledged the foregoing instrument to be _____ free act and deed, before me.

Notary Public

My commission expires _____, 20____

NOTE: This conveyance is not effective until accepted by Town Meeting

**AGREEMENT FOR
PERFORMANCE SECURED BY BANK PASSBOOK**

_____, 20 _____
Walpole, Massachusetts

AGREEMENT made this date between the Town of Walpole and _____
(name of applicant)

hereinafter referred to as "the applicant" of _____,
(address of applicant)

to secure construction of ways and installation of municipal services in the subdivision of land shown on a
plan entitled _____, drawn by _____
_____, dated _____, owned
by _____, and showing _____ proposed lots.

KNOW ALL MEN by these presents that the applicant hereby binds and obligates himself, his, or its
executors, administrators, devisees, heirs, successors and assigns to the Town of Walpole, a Massachusetts
municipal corporation, acting through its Planning Board, in the sum of _____
dollars, and has secured this obligation by a deposit of money in a joint account in the
name of the applicant and the Town of Walpole for the above sum represented by Bank Passbook
No. _____ with an order signed by the applicant drawn on the _____
Bank of _____, payable to the order of the applicant and the
Planning Board of the Town of Walpole, said sum to be used to insure the performance by the applicant of
all covenants, conditions, agreements, terms and provisions contained in the following.

- (a) The Application for Approval of Definitive Plan (Form C);
- (b) The Subdivision Control Law and the Walpole Planning Board's Rules and Regulations
Governing the Subdivision of Land;
- (c) The certificate of approval and the conditions of approval specified therein, issued by the
Planning Board, dated _____.
- (d) The Definitive Plan as approved and as qualified by the certificate of approval; and
- (e) Other document(s) specifying construction to be completed, namely:

_____.

This agreement shall remain in full force and effect until the applicant has fully and satisfactorily
performed all obligations, or has elected to provide another method of securing performance as provided in
M.G. L., Chapter 41 Section 81-U.

Upon completion by the applicant of all obligations as specified herein on or before twenty-four
months from the date of this instrument or such later date as may be specified by vote of the Planning
Board with the written concurrence of the applicant and the bank, and after compliance with Section III-12
of the Town of Walpole Planning Board Rules and Regulations Governing the Subdivision of Land, the
bank passbook shall be returned to the applicant by the town and this agreement shall become void. In the
event the applicant should fail to complete the construction of ways and installation of municipal services

as specified in this agreement and within the time period herein specified, the funds on deposit in the account represented by the aforesaid bank passbook and order drawn thereon including any accrued interest, may be applied in whole, or in part, by the Planning Board for the benefit of the Town of Walpole to the extent of the reasonable cost to the town of completing such construction or installation as specified in this agreement. Any unused funds and the bank passbook will be returned to the applicant upon completion of the work.

The Town of Walpole acting by and through its Planning Board hereby agrees to accept the aforesaid bank passbook and order drawn thereon as security for the performance of this project.

The _____ Bank of _____ hereby agrees not to release any funds from the account represented by the aforesaid bank passbook or otherwise amend or make a change to the aforesaid bank passbook or to the order drawn thereon without written agreement by the Planning Board.

The _____ Bank of _____ hereby agrees that the funds in the account are due the applicant only upon the completion of all obligations specified herein and that, until the Town notifies the Bank in writing that all obligations have been satisfied, these funds are not due the applicant. Accordingly, the Bank agrees that the funds in this account cannot be attached, cannot be subject to trustee process, and the Bank will so represent to the court in any relevant proceeding.

There shall be no amendments to this agreement and/or to the aforesaid security amount unless such amendment is in writing, signed by all parties to this agreement.

IN WITNESS WHEREOF we have hereunto set our hands this _____ day of _____, 20 ____.

Signatures of a Majority of the Planning
Board of the Town of Walpole

.....
COMMONWEALTH OF MASSACHUSETTS

Norfolk County, ss. _____, 20____

Then personally appeared before me the above named _____ and acknowledged the foregoing instrument to be his/her free act and deed.

(Signature of Notary Public)

My commission expires _____, 20____

.....

Signature of Applicant

.....

COMMONWEALTH OF MASSACHUSETTS

Norfolk County, ss. _____, 20____

Then personally appeared before me the above named _____ and acknowledged
the foregoing instrument to be his/her free act and deed.

(Signature of Notary Public)

My commission expires _____, 20____

.....

Signature of Authorized Representative of the

BANK

TITLE OF BANK REPRESENTATIVE

NOTE: A corporate certificate of authority from the bank granting authorization for the above person to
sign this agreement must be submitted with this form.

.....

COMMONWEALTH OF MASSACHUSETTS

Norfolk County, ss. _____, 20____

Then personally appeared before me the above named _____ and acknowledged
the foregoing instrument to be his/her free act and deed.

(Signature of Notary Public)

My commission expires _____, 20____

TRIPARTITE AGREEMENT

Agreement made this _____ day of _____, 20____

_____ a corporation duly organized and existing under the laws of the Commonwealth of Massachusetts and having a usual place of business in _____, Massachusetts, hereinafter called "Applicant" and _____ BANK a Massachusetts banking corporation with offices in _____, Massachusetts, hereinafter called the "Lender", with the PLANNING BOARD of the TOWN OF WALPOLE, hereinafter called the "Board".

WITNESSETH:

WHEREAS the Applicant is the owner of a subdivision of land on _____ in Walpole, Massachusetts entitled _____ Plan of Land in Walpole, Mass., Scale 1" = 40', dated _____, 20____, drawn by _____ Consulting Engineers and Land Surveyors _____ Mass., revised _____, 20____ said plan is recorded with Norfolk County Registry of Deeds as Plan No. _____ of _____, Plan Book _____ to which plan reference is hereby made for a more particular description of the conveyed premises.

WHEREAS the Applicant has covenanted with the Planning Board to construct ways and install services within said subdivision and must perform the obligations of the covenant or otherwise post security for their performance before any individual lots may be sold or the covenant released with respect to said lots as provided under M.G.L., Chapter 41, Section 81-U; and

WHEREAS the Applicant has mortgaged to the lender the lots within said subdivision in order to finance a portion of the cost of constructing _____ and the installation of municipal services in said roads and to the adjoining lots.

WHEREAS the Applicant is desirous of obtaining the release of all lots adjoining said _____ without posting bond or depositing money and is desirous of having the Lender retain sufficient funds otherwise due the Applicant to secure the full performance of his obligation to construct the roads and install municipal services to the mortgaged premises, all as provided in Section 81-U of Chapter 41 of the General Laws of Massachusetts; and

WHEREAS the Lender does agree to retain sufficient funds otherwise due the Applicant to secure the construction of _____ and installation of municipal services to said roads and to the adjoining lots of said roads; and

WHEREAS the Board is agreeable to an arrangement whereby the Lender is to retain sufficient funds to secure the construction of said roads and the installation of municipal services as aforesaid.

NOW, THEREFORE, the Applicant, Lender, and Board agree as follows:

1. In order to secure the construction of _____ and the installation of municipal services within said roads and to the adjoining lots, the Lender agrees to retain in its possession first mortgage proceeds in the amount of _____ DOLLARS and to disburse said money to the Applicant when the Board has notified the Lender that work required has been satisfactorily completed according to the following schedule, and Planning Board approval of said disbursements at the designated time:
2. The Applicant agrees to complete the construction of the roads and the installation of services within two (2) years of this date and that if said work is not completed within said time; then the Board and/or the Lender may complete said construction and installation and charge the same to the Applicant and all retained funds may be applied to this end.
3. WALPOLE PLANNING BOARD hereby releases Lots _____ on said street, being of the lots shown on said plan (plan No. _____ of _____, Plan Book _____ from the operation of the covenant dated _____, 20____ and recorded with Norfolk Deeds in Book _____ Page _____).

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in their behalf as of the day and year first written

By: _____
President

By: _____
Treasurer

WALPOLE PLANNING BOARD

Signature of Authorized Representative of the _____ Bank

Title of Representative

Town of Walpole Development Impact Statement

To be completed in full. DO NOT LEAVE ANY LINE BLANK, except where otherwise allowed. If some sections do not apply, enter "N/A". If you wish that a section be waived, enter "Waiver Requested".

I. SUMMARY

A. Project Identification

1. Project Name _____
Address/Location _____
2. Applicant _____
Address _____
3. Owner _____
Address _____

B. Areas of Potential Impact

Check all areas in which an impact related to this project may occur, both on-site and off-site, positive as well as adverse.

| | Construction Impact | Long-term Impact |
|--|------------------------|---------------------|
| Traffic | _____ | _____ |
| Air quality | _____ | _____ |
| Surface/Groundwater Quality | _____ | _____ |
| Flooding/Erosion/Sedimentation | _____ | _____ |
| Wetlands | _____ | _____ |
| Hazardous Waste | _____ | _____ |
| Microclimate (wind, temperature, etc.) | _____ | _____ |
| Solar Access | _____ | _____ |
| Noise | _____ | _____ |
| Light | _____ | _____ |
| Water System Capacity | _____ | _____ |
| Solid/Liquid Waste Disposal System | _____ | _____ |
| Tax Revenues | _____ | _____ |
| Property Values | _____ | _____ |
| Historical/Archaeological | _____ | _____ |
| Neighborhood Character/Aesthetics | _____ | _____ |
| Open Space/Recreation | _____ | _____ |
| Master Plan/Regional Plan | _____ | _____ |

II. DETAILS

1. ZONING: R _____ Is any portion of the project within the Water
RA _____ Resource Protection Overlay District?
RB _____
GR _____ YES _____
IND _____ NO _____
LM _____
B _____ If yes, specify WRPOD Area(s):
CBD _____
1 _____
2 _____
3 _____
4 _____

2. TOTAL AREA OF PROJECT: _____ square feet (_____ acres)

BREAKDOWN: Developed _____ square feet
Open Space/Recreation _____ square feet
Wetlands _____ square feet
Floodplain _____ square feet
Agricultural _____ square feet
Woodlands _____ square feet

3. Provide the following only if applicable:

Length of proposed roadway _____ feet
Number of proposed parking spaces _____
Proposed number of retention basins _____
Number of proposed housing units _____
Number of proposed stories _____
Proposed gross floor area _____ square feet

A. Narrative Description

Describe site and project:

B. Permits and Other Actions

List the Federal, state, and local agencies from which permits or other actions will or have been sought:

| AGENCY | PERMIT | DATE FILED/FILE NUMBER |
|--------|--------|------------------------|
|--------|--------|------------------------|

III. TRAFFIC IMPACT ASSESSMENT

A. Existing Traffic Conditions

For all streets and intersections adjacent to or within 1,000 feet of the proposed project boundaries, provide the following data (attach separate sheet or report, if necessary):

AVERAGE DAILY AND PEAK HOUR VOLUMES

LEVEL OF SERVICE (LOS) RATINGS

AVERAGE AND PEAK SPEEDS

SIGHT DISTANCES

B. Projected Traffic Impacts

For all streets and intersections adjacent to or within 1,000 feet of the proposed project boundaries, as well as proposed access and egress routes, streets, and intersections within the project boundaries, provide the following data (attach separate sheet or report, if necessary):

PROJECTED AVERAGE DAILY AND PEAK HOUR VOLUMES

LEVEL OF SERVICE (LOS) RATINGS

PROJECTED AVERAGE AND PEAK SPEEDS

SIGHT DISTANCES

For all streets and intersections analyzed in A. and B. above, how will background traffic growth affect traffic conditions in the design year of occupancy of this project?

IV. ENVIRONMENTAL IMPACT ASSESSMENT

A. Air Quality

Will the project create any significant emissions of dust, fumes, or other noxious gases?
Describe.

B. Surface/Groundwater Quality

Will the project adversely affect surface and groundwater in the area, either by runoff, leaching, or other similar methods?

C. Flooding

Will any buildings within the project be sited within 100 feet of an established floodplain?

What proportion of the project will be subject to flooding?

D. Erosion/Sedimentation

Will the project create significant amounts of erosion of topsoil?

Will sedimentation of adjacent streams or wetlands occur?

Describe proposed mitigation measures for the control of stormwater runoff.

E. Wetlands and Wildlife

Will construction of the project take place within 100 feet of any wetlands?

Will the project adversely impact any areas of critical wildlife habitat?

F. Hazardous Waste

Are hazardous wastes present on the site?

Will the project generate hazardous wastes of any form?

Will there be any hazardous wastes stored on-site?

G. Microclimate

Describe any significant impacts on wind pattern or surface temperatures the project may generate.

H. Solar Access

Will the project impede the solar access of adjacent properties?

I. Noise

Will the project generate a significant increase in noise?

J. Light

Will artificial light be used in the project? If so, will it be directed toward adjacent properties or streets?

V. SYSTEMS IMPACT ASSESSMENT

A. Water System Capacity

Estimate water demand for the project in gallons per day.

Will water be supplied by the Town of Walpole or by private wells?

Have flow tests been conducted on water mains that will serve the project? If so, give summary of results.

B. Sewer System Capacity

Estimate, in gallons per day, the amount of sewage to be generated by the project.

Will the project be serviced by Town of Walpole sewer, or managed on-site?

C. Solid Waste

Will the project generate a significant amount of solid waste?

How will the disposal of this waste be managed?

VI. FISCAL IMPACT ASSESSMENT

A. Projected Costs

Estimate projected costs to the Town of Walpole for municipal services related to the project (police, fire, public health, cultural/recreational, general government) for all years of construction and/or phasing, as well as for a five year period thereafter.

Estimate projected costs to the Town of Walpole for educational services related to the project for all years of construction and/or phasing, as well as for a five year period thereafter.

B. Projected Revenues

Estimate projected property tax revenues generated by this project for all years of construction and/or phasing, as well as for a five year period thereafter.

List other sources of revenue that may be generated by this project.

C. Property Values

Will this project positively or adversely affect adjacent property values?
Explain.

VII. COMMUNITY IMPACT ASSESSMENT

A. Historic/Archaeological

Will any site or structure of historic significance be affected by this project?

Will any archaeological site be affected by this project?

B. Neighborhood Character/Aesthetics

Will the architectural, landscape, and urban design scheme fit into the existing neighborhood character?

Will the project be creating any new open space/recreation areas?

Will the project affect any woodlands or agricultural lands?

VIII. MASTER PLAN/REGIONAL PLAN CONSISTENCY

Will the project have any significant affect on the implementation of any existing Master Plan or Regional Plan affecting the Town of Walpole? Explain.

Date:_____ Seal:

Signature:_____

Address:_____

Signature of Owner:_____Address:_____

Signature of Applicant:_____Address:_____

(Definitive Plan - Subdivision)

Date_____20____

TO: Town of Walpole Board of Assessors

I request a list of direct abutters for the Town of Walpole Planning Board under their authority to approve a Definitive Plan for a subdivision entitled_____.

Name of Applicant_____

Address_____

Telephone # (_____) _____

Location of property (give Assessor's Parcel number[s] if known): _____

I understand that I am to pay a fee of \$1.50 per abutter to the Board of Assessors for this list.

Received by Assessors - Date_____20_____
Time_____

APPENDIX A TABLE OF RECENT AMENDMENTS

For reference purposes only. Not a legally adopted part of these Rules and Regulations. The Planning Board assumes no responsibility for the accuracy of the information contained herein.

| <u>Date</u> | <u>Section</u> | <u>Subject Matter</u> |
|--------------------|-----------------------|---|
| December 27, 1950 | - | the Board adopted new Rules and Regulations |
| May 4, 1965 | - | recorded new Rules and Regulations with Registry of Deeds |
| October 16, 1975 | Section IV-2 | increase of dead end street length to 750 feet |
| October 16, 1975 | Section V-7-(c) | substitution of granite with "acceptable to the Walpole Planning Board" |
| October 16, 1975 | Form H | addition of punch list |
| October 16, 1975 | Section V-1 and VI-1 | addition of paragraph (c), Earth Removal |
| August 11, 1977 | Section III-5-(0) | the outlining of land subject to an order of restriction under M.G.L. Chapter 131, Section 40A |
| August 11, 1977 | Section III-16 | adoption of Street Lighting Procedure |
| August 11, 1977 | Form F - Covenant | addition of paragraph 8 |
| October 13, 1977 | Section III-5 | the addition of base flood elevation data for subdivisions consisting of 50 lots or 5 acres |
| October 13, 1977 | Section V-8-(e) | requirement of slanted curbing |
| May 11, 1978 | Section I-2 | Dead End Street Definition |
| May 11, 1978 | Section IV-2-(b) | Dead End Street Length, turnaround area |
| January 10, 1980 | Section III-5-(n) | addition to submission of a Definitive Plan |
| January 6, 1983 | Section III-1-(c)-(3) | revising of Filing Fee for Definitive Plan |
| January 6, 1983 | Section V-2-(a) | Engineer shall set permanent monuments |
| January 6, 1983 | Form H & K | Adoption of "Completion List and Certification of Compliance" form |
| June 23, 1987 | Section II-3 | size and location of proposed water and sewer systems |
| June 23, 1987 | Section III-1-(c)-(6) | addition of "at a scale of 800 feet to the inch" |
| June 23, 1987 | Section III-1-(c)-(7) | addition of a locus plan at a scale of 200 feet to the inch |
| June 23, 1987 | Section IV-2 | add "at least one-hundred (100) feet" |
| June 23, 1987 | Section IV-2-(c) | add "at least one-hundred (100) feet" |
| June 23, 1987 | Section IV-4 | add "one hundred and fifty feet (150)" |
| June 23, 1987 | Section IV-5-(f) | delete "exceeding one (1) percent" |
| June 23, 1987 | Section V-6-(b) | add new section v-6-b |
| June 23, 1987 | Section V-6-(c) | increase the thickness of roadways |
| June 23, 1987 | Section V-6-(c) | stating the correct section of the "Standard Specifications for Highways and Bridges" of the Mass Dept. of Public Works |
| June 23, 1987 | Section V-7 | replace this section with a new section V-7 |
| June 23, 1987 | Section VI-2-(b) | replace this section with a new Section VI-2-(b) |
| June 23, 1987 | Section VI-2-(c) | replace this section with a new Section VI-2-(c) |
| June 23, 1987 | Section VI-2-(d) | increase the thickness of roadways |
| June 23, 1987 | Section VI-3 | add new section VI-3-(a) |
| June 23, 1987 | Section IV-7 | replace this section with a new section IV-7 |
| June 23, 1987 | Section III-14 | addition of "Certificate of Completion and Acceptance Plans" |
| September 11, 1987 | Section II-4 | adopting the change in M. G. L. Chapter 41 with regard to the time constraints of acting on a Preliminary Plan |
| January 22, 1988 | Section III-5-(g) | the addition of lot areas on Definitive Plans being shown as upland area and wetland area, when applicable, and showing adjoining area owned by applicant |
| April 27, 1989 | Section I-3-(b) | fee for ANR plan, \$25.00 |
| April 27, 1989 | Section II-2-(c) | fee for a Preliminary Plan \$50.00 plus \$25.00 for each lot |

| Date | Section | Subject Matter |
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| April 27, 1989 | Section II-2-(b) | suggesting the submittal of a Town of Walpole Development Impact Statement |
| April 27, 1989 | Section II-2-(d) | refining this section to reflect the fee |
| April 27, 1989 | Section III-1-(c)-(3) | fee for a Definitive plan if a Preliminary Plan is filed is \$500.00 plus \$100.00 for each lot and if no preliminary plan is filed the fee is \$1,000.00 plus \$200.00 for each lot |
| April 27, 1989 | Section III-1-(c) | requiring the submittal of a Town of Walpole Development Impact Statement |
| April 27, 1989 | Section III-4-(a) | refining this section to conform with the requirements of the Massachusetts Board of Registration of Professional Engineers and of Land Surveyors |
| April 27, 1989 | Section III-5-(a) | refining this section to conform with the requirements of the Massachusetts Board of Registration of Professional Engineers and of Land Surveyors |
| April 27, 1989 | Section III-7 | deletion of existing section and addition of a new section to bring the Rules and Regulations into conformance with M.G.L. Chapter 41, Section 81-U |
| April 27, 1989 | Section III-10-(b) | to require applicants to submit microfilmed copies of their approved subdivisions |
| April 27, 1989 | Section III-10-(c) | to ensure that the requirements of recording Definitive Plans and covenants are enforced |
| April 27, 1989 | Section III-11 | requiring a \$300.00 charge on each request for a bond reduction in excess of three |
| April 27, 1989 | Section V-8-(e) | replace this section with a new section V-8-(e) |
| April 27, 1989 | Section III-12-(c) | refining this section to conform to M.G.L. Chapter 41, Section 81-U |
| April 27, 1989 | Section III-12-(d) | refining this section to conform to M.G.L. Chapter 41, Section 81-U |
| April 27, 1989 | Section IV-6 | clarifying the standards of design for drainage systems for subdivisions |
| January 4, 1990 | Section I-3 | refining this section to conform to M.G. L. Chapter 41, Section 81K-81GG |
| January 4, 1990 | Section II-2 | refining this section to conform to M.G. L. Chapter 41, Section 81K-81GG |
| January 4, 1990 | Section III-1 | refining this section to conform to M.G.L. Chapter 41, Section 81K-81GG |
| January 4, 1990 | Section III-2 | refining this section to conform to M.G. L Chapter 41, Section 81K-81GG |
| January 11, 1990 | Section II-1 | addition of "Departmental Review" |
| January 11, 1990 | Section III-5 | requiring that Typical Detail Sheets be attached to the Definitive Subdivision |
| January 11, 1990 | Section III-5 | requiring the wetland buffer zone to be shown on the Definitive Plan |
| January 11, 1990 | Section III-5 | requiring the location of sedimentation and erosion control barriers to be shown |
| January 11,1990 | Section III-5 | to show the location of proposed street lights |
| January 11,1990 | Section V-5 | to provide a measure of control for the sedimentation and erosion of topsoil onto abutting properties |
| January 11, 1990 | Section III-6 | encouragement of a site visit |
| January 11, 1990 | Section III-12 | requirement of a residents hearing before the performance guarantee is released |
| January 11, 1990 | Section III-14 | fee in the street will be retained by the applicant |
| January 11,1990 | Section III-14 | applicant must prepare the metes and bounds description of the roadway for the inclusion in the legal taking documents |
| January 11, 1990 | Section III-16 | provides direction for applicants when choosing a system of street lighting |
| January 11, 1990 | Section IV-1 | refining this section to include direction as to when, how, and by whom street signs are to be installed |

| <u>Date</u> | <u>Section</u> | <u>Subject Matter</u> |
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| January 11, 1990 | Section IV-2-(c) & (d) | increase in the outside diameter of cul-de-sac turnarounds to 104 feet |
| January 11, 1990 | Section V-6-a | increase in the paved width diameter of cul-de-sac turnarounds of 88 feet |
| January 11, 1990 | Section IV-4 | addition of sight distance standards |
| January 11, 1990 | Section IV-5 | giving the Board the option of having the applicant submit information of subsurface soil data along centerlines |
| January 11, 1990 | Section IV-2 | standards for cul-de-sac islands |
| January 11, 1990 | Section IV-6 | specifies the location of catch basins along roadways |
| January 11, 1990 | Section IV-6 | encouragement of applicants to seek the approval of the Conservation Commission before submitting the Definitive Plan |
| January 11, 1990 | Section IV-7 | specifies where fire hydrants are to be located |
| January 11, 1990 | Section V-3-(b) | to insure proper operation of fire hydrants and to clarify who is to maintain them before the roadway is accepted as a public way |
| January 11, 1990 | Section V-7 | requirement of granite curbing around the circumference of cul-de-sacs |
| January 11, 1990 | Form J | referencing of retention/detention basins as part of the conveyance |
| January 11, 1990 | New Form for Special Permits | Request for Abutters List for a Special Permit & Application for Special Permit |
| January 11, 1990 | Definitive Plan, new form | Request for Abutters List for Definitive Plans |
| March 7, 1991 | Section I-2 | total revamping of Definitions |
| March 7, 1991 | Section III-1 | to suggest the submission of a subdivision phasing schedule with Definitive Plan application |
| March 7, 1991 | Section III-7 | to codify the procedures for the preparation of an estimate for a performance guarantee |
| March 7, 1991 | Section III-9 | to provide notice that certain lots on a Definitive Plan may be reserved as parks for three years |
| March 7, 1991 | Section III-10 | to require that endorsement of an approved Definitive Plan must be sought within 60 days after appeal period |
| March 7, 1991 | Section III-11 | to codify the procedures for the reduction of a performance guarantee |
| March 7, 1991 | Section III-12 | to codify the procedures for the release of a performance guarantee |
| March 7, 1991 | Section III-14 | to require the submission of As-Built plans |
| March 7, 1991 | Section IV-4 | to require a 150' offset of centerlines for streets that intersect another roadway on the same side of said roadway |
| March 7, 1991 | Section IV-9 | redefines easements to be for "Access and Utility" only |
| March 7, 1991 | Section V-1 | to require that work must be performed in compliance with any applicable Orders of Conditions |
| March 7, 1991 | Section VI-1 | to require that work must be performed in compliance with any applicable Orders of Conditions |
| March 7, 1991 | Form A | adoption of new Form A (Approval not Required) |
| March 7, 1991 | Form F | adoption of new Form F (Covenant) |
| March 7, 1991 | Form J | adds note that conveyance is not effective until accepted by Town Meeting |
| March 7, 1991 | Passbook Acceptance Form | adoption of Passbook Acceptance Form to standardize an agreement for such performance guarantee |
| March 21, 1991 | Section IV-6 | total revamping of Drainage System design standards |
| January 7, 1993 | Section III-7 | addition of Consultant Review Selection renumber existing sections III-7 to III-16 to Sections III-8 to III-17 |
| January 7, 1993 | Section III-1 | Proof of development rights , add to the end of Section III-1-(a) |
| January 7, 1993 | New Form I | adopted New Form I, Release of Covenant |
| January 7, 1993 | Section IV-6-(c)-(12) | changing the language to allow the Planning Board the flexibility to impose the covenant for maintenance of detention basins or infiltration pits on certain lots |

| Date | Section | Subject Matter |
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| January 7, 1993 | Section IV-6-(d)-(9) | changing the language to allow the Planning Board the flexibility to impose the covenant for maintenance of detention basins or infiltration pits on certain lots |
| January 7, 1993 | Section IV-9 | Proof of Easement |
| January 7, 1993 | Form H | New Form H, Certification of Monuments |
| May 4, 1995 | New Fee Schedule | adopted new filing fees |
| January 18, 1996 | New Fee Schedule | adopted new filing fees |
| January 18, 1996 | Section I-3-(b) | reflect new fee schedule |
| January 18, 1996 | Section II-3-(d) | reflect new fee schedule |
| January 18, 1996 | Section III-1-c-(3) | reflect new fee schedule |
| January 18, 1996 | Section III-12 | reflect new fee schedule |
| January 18, 1996 | Section III-14 | reflect new fee schedule |
| January 18, 1996 | Special Permit Section I-2-(d) | reflect new fee schedule |
| January 18, 1996 | Special Permit Section II-2-(d) | reflect new fee schedule |
| July 18, 1996 | Section I-2, Definitions | deleting the definitions for Major, Minor and Secondary street and adding Local and Primary street |
| July 18, 1996 | Section I-4, ANR Form & Content | new language which includes the form and content of an ANR plan |
| July 18, 1996 | Section I-5 | Make existing Section I-4 Section I-5 |
| July 18, 1996 | New Section I-6 | 14 day policy added |
| July 18, 1996 | Section I-6 | Make existing Section I-5 Section I-7 |
| July 18, 1996 | Section II-3-(c) | may require eight (8) 17 x 11 reduced size copies |
| July 18, 1996 | Section II-4 | may require a locus plan |
| July 18, 1996 | Section II-3-(c) | typo error, deleting "by owner or subdivider of their decision" This sentence was repeated. |
| July 18, 1996 | Section III-1-(d) | deleting "care of the Town Clerk" |
| July 18, 1996 | Section III-1-(d) | deleting "care of the Town Clerk, the application forms shall be timestamped by the Town Clerk and the date of the postmark". This reflects the change in M.G.L. |
| July 18, 1996 | Section III-1-(d) | after "Planning Board" add the following words "the date of receipt" |
| July 18, 1996 | Section III-1-(e) | Delete the words "Although not required by this regulation, it is strongly suggested that," |
| July 18, 1996 | Section III-6 | delete the words "Section III-8" and replace with Section III-9 |
| July 18, 1996 | Section III-8 | add the following words "Said deposit of money or negotiable securities shall be in the name of the applicant and or party required to complete the subdivision." |
| July 18, 1996 | Section III-9-(b) | add language which requires the applicant to deliver the return receipts to the office at least 3 days before the public hearing |
| July 18, 1996 | Section III-9 | add the requirement that after 3 continued hearings the applicant may be required to renotify the abutters |
| July 18, 1996 | Section III-14 | reflect the recording fee |
| July 18, 1996 | Section III-14 | delete the words "through and under a strip of land extending ten (10) feet on either side of the center line of all such sewers and water mains" and replace with "through and under a strip of land identified as a utility easement on the subdivision plans, for all such sewer and water mains" |
| July 18, 1996 | Section IV-1 | reflection of Local streets |
| August 6, 1996 | Section IV-2-(e) | delete requirement of island in cul de sac |
| August 6, 1996 | Section IV-3 | amend to reflect Local and Primary streets |
| August 6, 1996 | Section IV-5(a),(b),(c), (d), and (e) | amend to reflect Local and Primary streets |

| Date | Section | Subject Matter |
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| August 6, 1996 | Section V-1 | add language to require underground conduits to be packed and encased in concrete |
| August 6, 1996 | Section V-6 | reflect Local and Primary streets |
| August 6, 1996 | Section V-7 | require that sloped granite curbing be installed |
| August 6, 1996 | Section V-8-b-1 | reflection of Local and Primary street |
| August 6, 1996 | Section V-9 | reflection of Local and Primary street |
| August 6, 1996 | Section VI-1 | language which requires underground conduits to be packed and encased in concrete envelope. |
| August 6, 1996 | Section VI-2 | reflection of Local and Primary street |
| August 6, 1996 | Section VI-2 (e & f) | delete these entirely |
| August 6, 1996 | Section VI-3 | granite edging and gutters shall be constructed in the same manner as specified for type A and B subdivisions |
| August 6, 1996 | Section V-9 | reflection of Local and Primary street |
| February 6, 2003 | Section I-4 | Amend the language on the requirements for the form and content of an ANR plan |
| February 6, 2003 | Section III-1 | Amendments to the entirety of Section III-1, Submission to the Planning Board, notably to include the new requirements for a MUNICIPAL SYSTEMS IMPACT ANALYSIS (Section III-1(c)(8), and the new requirements for Traffic Impact Data and Analysis (Section III-1(c)(9) |
| February 6, 2003 | Section IV-6 | Amendments to the entirety of Section VI-6, Drainage System |
| April 15, 2004 | Subdivision Fee Schedule | Adopted new SUBDIVISION FEE SCHEDULE |

