

Town of Plympton

**RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND**



Plympton Planning Board, Plympton Massachusetts

Jack O'Leary, Chairman

Melissa Farrelly, Clerk

John Rantuccio

Ken Thompson

Brian Wick

Four handwritten signatures are written on horizontal lines. From top to bottom, they correspond to the names listed on the left: Jack O'Leary, Melissa Farrelly, John Rantuccio, and Ken Thompson. The signature for Brian Wick is not present.

Adopted June 8, 1955
Amendments to October 20, 2008

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RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND
PLYMPTON, MASSACHUSETTS

(Adopted under the Subdivision Control Law, Section 81-GG inclusive, Chapter 41, General Laws)

**SECTION 1
AUTHORITY, PURPOSE**

A. AUTHORITY

Under the authority vested in the Planning Board of the town of Plympton by Section 81-Q of Chapter 41 of the General Laws, said Board hereby adopts these Rules and Regulations governing the subdivision of land in the Town of Plympton. Such Rules and Regulations shall supersede and replace any previously adopted Town of Plympton Subdivision Control Laws Rules and Regulations and may be amended in accordance with the provisions of Section 81-Q of the General Laws.

B. PURPOSE

“The Subdivision Control Law has been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of the cities and towns in which it is, or may hereafter be, put in effect by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases parks and open areas. The powers of the Planning Board and a Board of Appeal under the Subdivision Control Law shall be exercised with due regard for the provisions of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in case of fire, flood, panic and other emergencies; for insuring compliance with the applicable zoning ordinances or by-laws; for securing adequate provisions for water, protection of natural water sources, flood control, wetland areas, sewerage, drainage, underground utility services, fire, police, and similar municipal equipment, and street lighting and other requirements where necessary in a subdivision for protecting, promoting and enhancing the natural beauty and amenities of the Town; and for coordinating the ways in a subdivision with each other and with the public ways in the Town in which it is located and with the ways of neighboring subdivisions. It is the intent of the Subdivision Control Law that any subdivision plan filed with the Planning Board shall receive the approval of such Board if said plan conforms to the recommendations of the Board of Health and to the reasonable Rules and Regulations of the Planning Board pertaining to subdivisions of land, provided, however, that such Board may, when appropriate, waive, as provided for in Section 81-B, such portions of the Rules and Regulations as it deemed advisable.” (Section 81-M of Chapter 41, G.L.)

SECTION 2 GENERAL

A. DEFINITIONS

APPLICANT: Applicant shall include the owner, or his agent or representative, or his assignee.

BOARD: The Planning Board of the Town of Plympton.

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 a Planning Board, or 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 Registrar of Deeds and recorder of the Land Court, signed by a majority of the Board.

DEFINITIVE PLAN: The plan of a subdivision as submitted to the Board for approval. Plan to be recorded in the Registry of Deeds or Land Court when approved by the Board.

GENERAL LAWS: The General Laws (G.L.) of the Commonwealth of Massachusetts as most recently amended.

LOT: Lot shall mean an area of land in one ownership, with definite boundaries, used, or available for use, as the site of one or ore buildings, complying with the area, frontage and other requirements of the By-Laws of the Town of Plympton (Chapter 41, Section 81-L, G.L.)

MAJOR STREET: Major street – a way that will be or will possibly be used to handle heavy through vehicular traffic.

MINOR STREET: Minor street – a way which will be used to service small subdivision or portions of large subdivisions, but will more than likely never become a secondary major street.

MUNICIPAL SERVICE: Municipal service shall mean public utilities furnished by the Town of Plympton, such as water, sewerage, gas, and electricity, telephone and surface water drains.

OWNER: As applied to real estate, the person (as hereinafter defined) holding the ultimate fee simple title to a parcel, tract, or lot of land as shown by the record in the Registry of Deeds and the Registry of Probate of the County of Plymouth.

PLANNING BOARD: Planning Board shall mean the Planning Board of the Town of Plympton established under Section 81-A.

PRELIMINARY PLAN: Preliminary plan shall mean a plan of a proposed subdivision or resubdivision of land drawn on tracing paper of a print thereof, showing (a) the subdivision name, boundaries, north point, date, scale, legend and title "Preliminary Plan"; (b) the names of the record owner and the applicant and the name of the designer, engineer or surveyor; (c) the names of all abutters, as determined from the most recent local tax list; (d) the existing and proposed lines of streets, ways, easements and any public areas within the subdivision in a general manner; (e) the proposed system of drainage, including adjacent existing natural waterways, in a general manner; (f) the approximate boundary line of proposed lots, with approximate areas and dimensions; (g) the names, approximate location and widths of adjacent streets; (h) and the topography of the land in a general manner.

RECORDED: Recorded shall mean recorded in the Registry of Deeds of Plymouth County except that as affecting registered land, it shall mean filed with the recorder of the Land Court.

REGISTER OF DEEDS: Register of Deeds means the Register of Deeds of Plymouth County and when appropriate shall include the recorder of the Land Court.

REGISTERED MAIL: Registered mail shall mean registered or certified mail.

REGISTRY OF DEEDS: Registry of Deeds shall mean the Registry of Deed of Plymouth County and, when appropriate, shall include the Land Court.

SECONDARY STREET: Secondary street – a way which will be used for through or heavy local traffic.

STANDARD SPECIFICATIONS: The latest version of the Standard Specifications for Highways and Bridges of the Massachusetts Department of Public Works.

SUBDIVISION: Subdivision shall mean the division of a tract of land into two or more lots and shall include resubdivision and, when appropriate to the context, shall relate to the process of subdivision of the land or territory subdivided; provided, however, that the subdivision of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the subdivision control law, if, at the time when it is made, every lot within the tract so divided has frontage on (a) a public way or a way which the Clerk of the City or Town certifies is maintained and used as a public way, or (b) a way shown on a plan theretofore approved and endorsed in accordance with Subdivision Control Law, or (c) a way in existence when the Subdivision Control Law became effective in the City or Town in which the land lies, 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. Such frontage shall be of at least such distance as is then required by zoning or

other ordinance or by-law, if any, of the Town of Plympton for erection of a building on such lot, and if no distance is so required such frontage shall be of at least twenty feet.

Conveyances or other instruments adding to, taking away from, or changing the size and shape of lots in such a manner as not to leave any lot so affected without the frontage above set forth, or the division of a tract of land on which two or more buildings were standing when the Subdivision Control Law went into effect in the City or Town in which the land lies into separate lots on each of which one of such building remains standing, shall not constitute a subdivision.

SUBDIVISION CONTROL: Subdivision Control shall mean the power of regulating the subdivision of land granted by the Subdivision Control Law.

WIDTH OF WAY: The width of a way shall be the width of the strip of land acquired or dedicated for as to the use of such way.

B. ADMINISTRATION

No plan shall be deemed to have been submitted to the Board until such a plan, together with all application forms, fees, and other items as required and executed as specified herein have been delivered to the Board or by Registered Mail through the Office of the Town Clerk by the owner of the land involved, or his authorized agent.

C. CERTIFICATION OF PLANS

All plans submitted to the Board shall include a certification as to their conformance with these Rules and Regulations as to the validity of their content executed by a person registered in the Commonwealth of Massachusetts as a Land Surveyor or Professional Engineer, or both as required by the Board. The owner or his legal representative shall be represented at any meeting with the Board by the person responsible for the design of the subdivision and preparation of plan.

D. VARIATION

The Board may waive such portions of these Rules and Regulations, when in its judgment such action is in the public interest and consistent with the Subdivision Control Law. By recorded vote. See Page 30.

E. INSPECTION

All work required by these Rules and Regulations shall be under the inspection of and with the approval of the respective Town Departments and utilities involved hereunder. See Section 6, paragraph C-4 for detailed inspection requirements.

F. DEPOSITS

The applicant shall reimburse the Town for all advertising fees, and for all reasonable engineering expenses incurred by the Board's Engineer for services rendered in reviewing and inspecting the proposed subdivision. Such review and inspections are mandatory and are required for the protection of the applicant, the future residents, and the public health and welfare of the Town. See Section 6, paragraph C-2 for specific fee and deposit schedule.

G. CORRECTING OF PLANS

The Board assumes any plans submitted for its Approval or Endorsement to be correct, unless otherwise notified. The acquisition of necessary rights and the presentation of complete and correct information to the Board are responsibilities of the applicant, and the failure to do so, including the failure to obtain all necessary permits, licenses, releases or rights may constitute a reason for the disapproval or rescission of approval of a subdivision plan.

H. ONE DWELLING PER LOT

Not more than one building designed or available for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in a subdivision or elsewhere in the Town.

SECTION 3 PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

A. SUBDIVISION APPROVAL REQUIRED

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

B. PLAN BELIEVED NOT TO REQUIRE APPROVAL (FORM A or ANR PLAN)

1. Procedure

Any person who wished to cause to be recorded in the Registry of Deeds or to be filed with the Land Court a plan of land and who believes that his plan does not require approval under the Subdivision Control Law shall submit said plan and five copies thereof, application Form A (See Appendix), completed Form A checklist, along with a copy of the electronic file and required fee to the Planning Board at a regular or special Planning Board meeting or by mailing the same by registered mail to the Planning Board, accompanied by the necessary evidence to show that the plan does not require approval.

Said person shall file, by delivery or registered mail, a notice with the Town Clerk stating the date of submission for such determination and accompanied by a copy of said application. If the notice is given by delivery, the Town Clerk shall, if requested, give a written receipt thereof. If the Planning Board determines that the plan does not require approval, it shall without a public hearing and without unnecessary delay endorse on the plan the words "Approval under the Subdivision Control Law not required."

The Planning Board may add to such endorsement a statement of the reason approval is not required. The plan will be returned to the applicant, and the Planning board shall notify the Town Clerk of its action.

If the Planning Board determines that the plan does require approval under the Subdivision Control Law, it will so inform the applicant in writing and return the plan. The Planning Board will also notify the Town Clerk in writing of its action.

If the Planning Board fails to act upon a plan submitted under this section within twenty-one (21) days, or the maximum number of days allowed by M.G.L., if the latter is greater than twenty-one (21) days after its submission, it shall be deemed to have determined that approval under the Subdivision Control Law it not required.

2. Plan Requirements

- 2.1 Preparation. An ANR plan shall be of a minimum dimension of nine and one-half inches by fourteen inches (9 1/2" x 14") but shall not exceed a dimension of twenty-four inches by thirty six inches (24" x 36"), and shall be drawn at a minimum of one (1) inch equals eighty feet and a maximum scale of one inch equals forty feet (1" = 40').
- 2.2 Contents. An ANR plan shall contain, but shall not necessarily be limited to, the following information and shall be based upon an on the ground survey:
 1. Name, address, telephone number, and e-mail address of the Applicant and each owner or record for the land to be divided under the ANR plan.
 2. North point.
 3. Date of ground survey performed and seal and signature of the registered professional who prepared said plan.
 4. Name, address, and seal of the Professional Land Surveyor who prepared, signed and stamped said plan.
 5. Names and addresses of all abutters from the most recent Town tax list.

6. The Assessor's Map reference for the land proposed to be divided.
7. Existing and proposed boundary lines, dimensions, and areas of each of the parcels and lots shown on said plan. If the division is within 500 feet of a highway or road which has been laid out by the Town of Plympton, Plymouth County Commissioners, or the Massachusetts Department of Public Works, the division shall also be tied into two or more permanent points or bounds of the existing highway or road by bearing and distance. If the division is more than 500 feet from such a way, then, at the Planning Board's discretion, at least two property corners shall reference the corresponding Massachusetts grid coordinates.
8. Existing and proposed lines of streets, ways, carpaths, common driveway, and easements and whether each is a public or private way.
9. Zoning classification and location of any zoning district boundaries that may lie within the locus.
10. Any present or proposed public areas within the property.
11. Location of all existing buildings or structures, if any, including setback and side and rear yard designations of any existing structures on any remaining adjoining land owned by the Applicant and dimensions of yards relating to such structures. A note shall be placed on the plan as follows: Endorsement of this plan shall not be deemed to be a verification of the location of the structures shown or setback indicated.
12. Proposed or existing permanent monuments. At least two such monuments must be shown on the land being divided.
13. The limits of all wetlands or a notation that there are no wetlands, if none exist. Wetland delineations must be either
 - A. performed by a Professional Wetland Scientist or Wetlands Professional in Training certified by the Society of Wetland Scientists, or hold a related certification (Soil Scientist, Naturalist, or Geologist) from another state or organization or
 - B. confirmed by an Order of Resource Area Delineation. A claim that no wetlands exist must also be confirmed as above or by a Determination of Applicability.
14. A locus map at a minimum scale of 1" = 1000' extending a minimum of one-half mile beyond the property limits.
15. Remaining adjoining land in the ownership of the Applicant, if any. If applicable, the Applicant shall furnish evidence on the plan indicating that the adjoining land has adequate frontage for later development.

16. Location of any easement, public or private, across the land, with a designation as to the use of the same.
17. A signature block shall be placed on the plan that provides sufficient space for the date of endorsement and the signatures of the members of the Planning Board.
18. In any instance in which ANR endorsement of a plan is sought based upon the assertion that the plan show a division of a tract of land on which two or more buildings were standing when the subdivision control law went into effect into separate lots on each of which one of such buildings remains standing, under G.L.c.41, §81L, ¶13, the Applicant shall provide information to satisfy the Planning Board that:
 - A. The buildings are presently substantial in nature.
 - B. The buildings were substantial in nature and in existence on or before the date Subdivision Control was adopted.
 - C. The buildings were on the same tract of land on or before the date Subdivision Control was adopted
 - D. Each of the new parcels to be created for each of the buildings will qualify as a “lot” within the meaning of G.L. c.41, §81L.

In the event that the Planning Board votes to endorse such an ANR Plan, a note shall be placed on each of the new parcels created as follows:

This parcel was created as a separate parcel under G.L. c.41, §81L, ¶31 and zoning compliance requirements shall be followed prior to conveyance of the parcel as a separate lot with a building that may be occupied either by: (1) obtaining a special permit that a lawfully pre-existing, nonconforming lot may be extended, changed or altered so as to allow the proposed division and conveyance; or (2) obtaining a variance to address all nonconformities.

19. A note shall be placed on every ANR plan as follows: “Approval Under the Subdivision Control Law Not Required”.
20. A note shall be placed on every ANR plan as follows: “Endorsement of this plan shall not be an indication, express or implied, that the parcels or structures shown on this plan conform to applicable zoning requirements.”
21. If a parcel is shown on the plan that does not have frontage as required by the Zoning Bylaw, each such parcel shall contain the following notation: “Not a building lot without further zoning relief”.

C. PRELIMINARY PLAN

1. General

The Board requires the submission of a Preliminary Plan for all proposed subdivisions. The purpose of s Preliminary Plan is to provide for the detailed review of the layout and features of the proposed subdivision by the Board, and other Town agencies and Boards. Changes required by the Board in the Preliminary Plan are to be recorded in the Definitive Plan, thus saving the effort and expense of the applicant. Tentative approval of a Preliminary Plan may be given by the Board.

See also Section 6, C-2, Design Review and Construction Inspection Deposit and Fees.

2. Procedure

Any person filing a Preliminary Plan shall file with the Board at a scheduled meeting or by registered mail in care of the Town Clerk:

- a. Two (2) completed “Application for Tentative Approval of Preliminary Plan”, (Form B) (See Appendix). One such form shall be directly forwarded by applicant to the Town Clerk.
- b. When feasible seven (7) copies of the Preliminary Plan showing the requirements of Section 3, paragraph C-3, below to be distributed to the Board as follows:

Planning Board	3 copies (1 to be returned)
Board of Selectmen	1 copy
Conservation Commission	1 copy
Board of Health	1 copy
Highway Surveyor	1 copy

The Board of Selectmen, Conservation Commission and Board of Health within thirty (30) days of receipt of such submission may each make a report in writing to the Board. Such report shall be considered by the Board in granting its approval and/or in making its comments.

3. Preliminary Plan Contents

The Preliminary Plan will be provided at a scale of 1” = 100’ or other suitable scale acceptable to the Planning Board.

The Preliminary Plan may be drawn on tracing paper with pencil and should be prepared so as to form a clear basis for a discussion, the results of which should for a form basis for design of the Definitive Plan.

The information indicated on the Preliminary Plan shall include:

- a. Subdivision name, boundaries, north point, date, scale, legend, and title “Preliminary Plan”.
- b. Names and addresses of record owner, and applicant, and the name of the designer, engineer, or surveyor.
- c. Names of all abutters, as determined from the most recent tax lists, and the names, approximate location, and width all adjacent streets.
- d. The existing and proposed lines of lots showing approximate areas and dimensions.
- e. The approximate boundary lines of streets, ways, easements, and any public or common areas within the subdivision.
- f. The topography of the land at two (2) feet contour intervals.
- g. The proposed drainage system, including adjacent existing natural waterways in a general manner.
- h. Location of existing buildings, species and size of large trees standing alone, the outline of wooded areas, marshy areas, areas subject to inundation, and other data which may serve to affect the street or building layout.
- i. General indication as to the intended method of water supply and sanitary sewage disposal or system.
- j. Zoning Classifications including wetland zones of the area as indicated on the most recent zoning map of the Town of Plympton.
- k. Other information which due to the particular nature of the subdivision may be necessary to indicate the impact of the proposed subdivision on traffic patterns and the impact of the proposed subdivision on municipal services.
- l. Development schedule to indicate developer’s building timeframe.
- m. Zoning of proposed subdivision and contingent parcels.
- n. Physical, environmental, geological and other characteristics unique to the parcel not covered above.

4. Preliminary Plan Approval

As soon as is practicable, and in no case more than sixty (60) days after the submission of the Preliminary Plans, the Board shall notify the applicant and the Town Clerk whether such submission has been approved or approved with modifications, or disapproved giving specific reasons for disapproval. Approval in no case constitutes approval of the proposed subdivision, but does provide for the direct processing of the Definitive Plans.

D. DEFINITIVE PLAN

1. General

The Board requires the submission of a Definitive Plan for all proposed subdivisions. The Definitive Plan provides the basis for the formal review and approval of the subdivision and after a public hearing entitles the applicant to cause such plan to be recorded and to proceed with the subdivision and improvement of the land as provided by these Rules and Regulations.

A Definitive Plan of a subdivision shall be submitted to the Board at a regularly scheduled meeting, or by certified mail, care of the Town Clerk. The Definitive Plan must state the date of submission and be accompanied by a copy of the completed application (Form C).

The subdivision Rules and Regulations and zoning in effect at the time of submission of the Preliminary Plan shall govern the Definitive Plan if it is duly submitted within six (6) months of the approval of said Preliminary Plan.

The Definitive Plan must be complete upon initial submission, including waiver requests and all other matters required by these Rules and Regulations. The Planning Board will act upon the *initial submission only*. If the Planning Board determines that the initial submission is incomplete, the Planning Board shall return the entire Definitive Plan to the applicant who may submit the complete Definitive Plan at a later date. The date of submittal for a Definitive Plan shall be that date that the Planning Board determines that the submittal is complete. Said determination shall be made no later than 15 days from the date of submittal.

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

- a. An original drawing of the Definitive Plan, a reproducible sepia, and nine (9) contact prints thereof, dark lines on white background. The original drawing will be returned after approval or disapproval. Copies will be given to the Board of Health, Conservation Commission, Fire Chief, Highway Surveyor, Tree Warden, Planning Board Engineer and Planning Board (3 copies).

- b. A properly executed application Form C (See Appendix).
- c. A deposit for design review and advertising in accordance with Section 6, paragraph C-2, Design Review and Construction Inspection Deposit and Fees, following the Review Fee Account Policy in effect at the time of submittal.

2. Contents

The Definitive Plan shall be prepared by a Registered Professional Engineer and a Registered Land Surveyor and shall be clearly and legibly drawn in black India Ink upon tracing cloth. The plan shall be at a scale as the one inch equals forty feet or such other scale as the Planning Board may accept to show details clearly and adequately. Sheet sizes shall not exceed 24" x 36". If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision at a scale of 1 inch equals 400 feet. The Definitive Plans shall contain the following information:

- a. Subdivision, name, locus, boundaries, north point, date, scale, and bench mark and datum, all elevations to refer to U.S.G.S. mean sea level base.
- b. Name and address of record owner, subdivider and seal of the engineer and surveyor.
- c. Names of all abutters, appearing the same as in the most recent tax list.
- d. Lines of existing and proposed streets, ways, lots, easements, and public or common areas within the subdivision. (The proposed names of proposed streets shall be shown in pencil until they have been approved by the Planning Board and Selectmen.)
- e. Sufficient data to determine the location, direction and length of every street and way line, lot line, easement line and boundary line, and to establish these lines on the ground.
- f. Location of all permanent monuments properly identified as to whether existing or proposed.
- g. Location, names, and present width of streets and pavements, boundaries, approaching or within reasonable proximity of the subdivision, and the location of nearby utilities including waterlines, roadway drainage, sewerage, and electrical lines.
- h. Indication of purpose of easements both existing and proposed.
- i. Suitable space to record the action of the Planning Board and the signatures of the members of the Planning Board.

- j. Existing and proposed topography at two (2) foot contour level. Sufficient information to clearly indicate areas within the subdivision where gravel removal or filling is proposed, and the approximate volumes in cubic yards. The areas in question shall be shaded on two (2) copies of the plan. Existing topography to show dotted; proposed topography to show solid. Topography shall be indicated on plans drawn at a scale of 1 inch equals 40 feet or other scales that the Planning Board may require.
- k. Existing profiles on the exterior lines and proposed profile on the centerline of proposed streets at a horizontal scale of one inch equals forty feet and vertical scale of one inch equals four feet, or such other scales acceptable to the Planning Board. All elevations shall refer to the nearest U.S. Coast & Geodetic Benchmark. Profiles must show on curves, all banks and grades.
- l. Proposed layout of storm drainage, subdrainage and other required utilities.
- m. An identifying number for each lot and lot area shown in square feet.
- n. Zoning classifications including wetlands zones of the area as indicated on the most recent zoning map.
- o. Profiles of drainlines, culverts, proposed drainage swales not otherwise indicated on roadway profiles at a scale of 1 inch equals 40 feet horizontal. The profile shall indicate existing and proposed drainage grades and the size, location, slope and invert elevations of the proposed drainage improvements.
- p. Details indicating the proposed construction of all catch basins, manholes, channels, swales, headwalls, endwalls, roadways, sidewalks, and all other improvements required by these Regulations and by the Planning Board.
- q. An indication of natural and man made land features including watercourse, marches, ledge outcroppings, significant trees, walls, fences, existing buildings, paths and roads.
- r. Location of all of the following improvements unless specifically waived in writing by the Board, street lighting supports, all utilities above and below ground, sidewalks, curbs, gutters, street trees, storm drainage, and easements.
- s. A plan for the control of erosion and siltation both during and after construction phases. Such plan shall include the proposed construction sequencing, temporary and permanent erosion control plantings, special constructions and swale and stream scour protection.
- t. Vegetation and special features showing the outline of all wooded areas, trees 12" caliper and above located within the proposed right of way having a potentially significant effect on the construction and its future aesthetics, ledge and outcroppings,

roads and trails, flowing streams, drainage ways, lakes and ponds, nothing those being distributed by ways, easements or any change in topography.

- u. Location of percolation tests, both satisfactory and unsatisfactory, as observed by the Board of Health shall be shown within the subdivision. The probable area of each septic system shall be indicated.
- v. All other requirements on the Preliminary Plan.
- w. Any change in an approved Definitive Plan may require at the Planning Board's discretion new public hearings and/or a re-submission of said Plan.

3. Environmental Impact Assessment:

The applicant shall include with the Definitive Plan an environmental impact assessment (EIA). The purpose here will be to permit Town of Plympton officials to determine the methods which are to be utilized by the applicant to assess necessary environmental issues directly attributable to the development of the subdivision. Overall objectives here are to promote environmental health and public health, to minimize any adverse effects upon local natural resources and to mitigate any and all significant environmental impacts before they develop. By complying with the above issues, it is the Town's goal to maintain the quality of all public and private water supplies and surface waters and to protect the safety, convenience and well being of the residents.

The EIA should contain supporting data to set forth the impact, if any, or effect of the proposed subdivision on the neighborhood and Town. Local officials having knowledge, experience and authority on similar issues should be consulted.

In preparing the EIA, the applicant should refer to the Soil Survey Maps and Manual, prepared for Plympton by the Soils Conservation Service, U.S. Department of Agriculture, on file at the Town Hall. The assessment should include specific references to appropriate plans and maps and should serve as the proper technical document with references for all comments whenever possible.

In reviewing the assessment, the Town will consider the flow, quantity and quality of surface and ground waters, the preservation of wildlife, historical sites, open space and conservation lands, the increase in supporting Town services, unique geological, botanical and archeological features, and the health and safety of the Town and its inhabitants.

The Planning Board may waive any section or sections of the assessment which it deems appropriate to the proposed project. It is requested that the applicant discuss these requirements with the Board prior to the preparation of the EIA, preferably prior to the completion of the Definitive Plan.

The assessment shall include the following:

a. Physical Environment:

- 1) Describe the physical conditions of the site including amounts and type of vegetation, topography, geological and historical sites, trails and open spaces and affected wildlife.
- 2) Provide a complete physical description of the subdivision and its relationship to the surrounding area.
- 3) Describe the effects the subdivision will have on these features.

b. Surface Water and Soils:

- 1) Describe location, extent and type of existing water, ponds and wetlands, including existing surface drainage characteristics both within and abutting the proposed subdivision. A stormwater management report meeting the requirements of the Massachusetts Department of Environmental Protection Stormwater Management Standards must be prepared for the full build-out of the subdivision and be included in the EIA.
- 2) Describe methods to be used during construction to control erosion and sedimentation; i.e., use of sediment basins and mulching, matting or temporary vegetation; describe acreage and location of land to be cleared; covering of soil stockpiles, and other methods of control. Evaluate effectiveness of proposed methods on the site and the surrounding areas.
- 3) Describe the permanent methods to be used to control erosion and sedimentation including the following:
 - a) Areas subject to flooding or ponding.
 - b) Proposed surface/subsurface drainage system.
 - c) Proposed grading and vegetation cover.
 - d) Methods to be used to protect existing vegetation.
 - e) Relationship of the development to the topography.
 - f) Any proposed alterations to the marshes or the wetlands.
 - g) Proposed flood control devices or wetlands easements.

- h) Increase in peak run-off caused by construction and new impervious areas, and the methods to reduce the generated run-off.
 - 4) Describe sewerage disposal methods based on percolation tests results. Evaluate any impact of disposal on surface water, soils and vegetation.
 - c. Sub-surface Conditions:
 - 1) Describe any restrictions on the proposed subdivision caused by existing soil and water conditions and the methods used to overcome them.
 - 2) Describe results of percolation testing, location of test pits and proposed extent of systems.
 - 3) Evaluate the impact of the sewage disposal methods on the quality of sub-surface water.
 - d. Town Services:
 - 1) Evaluate increase on traffic flow and its effect on existing roadway conditions and systems.
 - 2) Evaluate and describe the effect of the subdivision on police and fire protection services.
 - 3) Describe effect on highway department services including roadway life and storm drainage facilities.
 - 4) Describe impact/effect on local and regional educations systems.
 - 5) Describe the impact on Town recreational facilities, parks and playgrounds.
 - e. Human Environment:
 - 1) Describe proposed building construction by type and size of building, ground cover, percentage of lot to be occupied by buildings, pervious/impervious parking areas and useable space.
 - 2) Describe type of construction materials to be used and location of common areas.
 - 3) Describe proximity of subdivision to transportation, schools, shopping and Town facilities.
 - 4) Describe any proposed recreational facilities.
 - f. General Impact:

Briefly summarize environmental assessment and its effect on the entire Town.
Provide supporting documentation.

4. Review by Board of Health

The subdivider shall also file with the Board of Health one contact print of the Definitive Plan, dark line on white background.

Every lot shall be served by an individual sewage system of the type and construction meeting the approval of the Board of Health. If the proposed sewerage does not meet with its approval, the Board of Health 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 specific findings and the reasons therefore in such report, and, where possible shall make recommendations for the adjustment thereof.

The Board of Health shall send a copy of its report to the applicant.

5. Public Hearing

Before approval, modification and approval, or disapproval of the Definitive Plan is given, a public hearing shall be held by the Planning Board, notice of the time and place of which and of the subject matter, sufficient for identification, shall be given by the Planning Board by advertisement in a newspaper of general circulation in the Town one in each of two successive weeks. The first publication shall be not less than fourteen days before the day of such hearing. A copy of said notice shall be mailed to the applicant and to all owners of land abutting upon the subdivision as appearing in the most recent tax list.

6. Certificate of Approval

The action of the Planning Board in respect to such plan shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent by delivery, certified, or registered mail to the applicant. If the Planning Board modifies or disapproves such plan, it shall state in its vote the reasons for its action. Final approval, if granted, shall be endorsed on the original drawing of the Definitive Plan by the signatures of a majority of the Planning Board, but not until the statutory 20 day appeal period had elapsed following the filing of the certificate of action of the Planning Board with the Town Clerk and said Clerk has notified the Planning Board that no appeal has been filed. After the Definitive Plan has been approved and endorsed, the applicant shall furnish the Planning Board with three (3) prints thereof showing all changes required by said approval. Final approval of the Definitive Plan does not constitute the laying out or acceptance by the town of streets within a subdivision.

7. Performance Guarantee

Before approval of a Definitive Plan of a subdivision, the subdivider shall agree to complete the required improvements specified in Section 5 for any lots in a subdivision, such construction and installation to be secured by one, or in part by one and in part by the following methods which may from time to time be varied by the applicant:

- a. Final approval with a passbook account: The subdivider shall provide a passbook account in the amount determined by the Planning Board to be sufficient to cover the cost of all or any part of the improvements specified in Section 56 not covered by a covenant under “b” hereof. Such account, if deposited, shall be approved as to form and manner of acceptance by the Town Counsel and Town Treasurer and shall be contingent on the completion of such improvements within two years of the date of the passbook account.
- b. Final approval with covenant: The subdivider shall file a covenant (Form D), executed and duly recorded by the owner of record, running with the land, whereby such ways and services as specified in Section 5, not covered by bond or deposit under “a” hereof, shall be provided to serve any lot before such a lot may be built upon or conveyed other than by mortgage deed. The covenant will expire two (2) years from the date of approval, unless the Board determines that special circumstances make an extended term appropriate in which case the Board will indicate its findings in writing. Expiration of the covenant will constitute rescission of Definitive Plan Approval.

8. Reduction of Passbook Account

The penal sum of any deposit held under clause “a” above, may, from time to time, be reduced by the Planning Board and the obligations of the parties thereto released by said Board in whole or in part. If release is by reason of covenant, a new plan of the portion to be subject to the covenant may be required.

9. Release of Performance Guarantee

Upon completion of improvements required under Section 5, 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 developer or owner, will send by registered mail to the Town Clerk and the Planning Board a written statement that the said construction or installation in connection with which such bond, deposit or covenant has been secured and has been completed in accordance with the requirements contained under Section 5. Such statement to contain:

- a. Name and address of the applicant.

- b. A compliance Certificate (Form E) signed under oath by the developer's Engineer that the development has been completed according to the Rules and Regulations of the Planning Board and that the Acceptance Plan shows the true location of all improvements.
- c. Copies of or references to the requisite number of inspection Forms and Reports.
- d. An Acceptance Plan (See paragraph 10, and Section 4b)
- e. Written evidence from the Planning Board's Agent as to the construction of all roadways, ways, sidewalks, monuments, street signs, pavement, lighting, gutters and curbs, required grading and drainage, plantings and seeding, all in accordance with the Definitive Plan.
- f. Written evidence from the Board of Health as to the installation of sewerage facilities, if applicable.

If the Planning Board determines that said construction or installation has not been completed, it shall specify to the Town Clerk and to the developer, in writing, by registered mail, the details wherein said construction and installation shall have failed to comply with the requirements contained under Section 5. Upon failure of the Planning Board to act on such application within forty-five (45) days after the receipt of the application by the Town Clerk all obligations under the bond shall cease and terminate by operation of law, and any deposit shall be returned and any such covenant shall become void.

In the event that said forty-five (45) days period expires without such specification, or without the release and return of the deposit or release of the covenant as aforesaid, the Town Clerk shall issue a certificate to such effect, duly acknowledged, which may be recorded.

10. Acceptance by the Town

Prior to acceptance by the Town of roadways and utilities, the applicant shall furnish an acceptance, "as-built," plan in accordance with the standards contained within these Regulations.

11. Unencumbered Title

By filing for a subdivision, the Owner agrees to convey and transfer to the Town of Plympton unencumbered title to all municipal services, roadway rights of way, and drainage and other special purpose easements without monetary cost and with clear title, free from liens, encumbrances, and perpetual rights.

Any and all expenses involved in obtaining an unencumbered title shall be the responsibility of the Owner.

SECTION 4

GENERAL REQUIREMENTS AND DESIGN STANDARDS

The subdivider shall observe all design standards for land subdivision as hereinafter provided. The design standards recognize the rural character of the Town and encourage design features that will maintain that character in the new subdivision. The standards incorporate requirements that minimize the effects of new roadways on the environment and on the streetscape of the surrounding roadway network. In order to minimize the affect of the proposed subdivision on Town services, design requirements that extend these services into the subdivision at the developer's expense are included. Wherever possible designs requiring minimum maintenance are standard.

These standards shall be considered as minimum standards and shall be varied or waived only as provided for in Section 6.

A. RELATION TO SURROUNDING AREAS

The subdivision shall be conformity with the respective zoning requirements, and the general layout shall harmonize and conform with plans for Plympton, as adopted by the Planning Board.

B. AS-BUILT "ACCEPTANCE" PLAN

The developer shall provide the Planning Board with one (1) set of reproducible plans and three (3) sets of prints of the completed subdivision. The plans must be prepared by a Registered Engineer and/or Surveyor and clearly indicate the as-built location and elevation or roadways, utilities, and other required improvements.

C. STREETS

1. Location and Alignment:

- a. All streets in the subdivision shall be designed so that, in the opinion of the Planning Board, they will provide for safe vehicular travel. Due consideration shall also be given by the subdivider to the attractiveness of the street layout in order to obtain the maximum amenity of the subdivision. Long straight roadway sections should be avoided on minor streets where possible.
- b. Provision satisfactory to the Planning Board shall be made for the proper projection of streets, or for access to adjoining property which is not yet subdivided.
- c. Reserve strips prohibiting access to streets or adjoining property shall not be permitted, except where, in the opinion of the Planning Board, such strips shall be in the public interest.
- d. Street jogs with centerline offset of less than one hundred and twenty-five (125) feet shall be avoided.
- e. The minimum centerline radius of curved streets shall be one hundred fifty (150) feet. Greater radii may be required for secondary or major streets.
- f. All reverse curves shall be separated by a tangent at least one hundred (100) feet long.
- g. Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than seventy-five (75) degrees.
- h. Property lines at street intersections shall be rounded or cut back to provide for a paved curb radius of not less than twenty-five (25) feet.

2. Width:

- a. The minimum width of street rights-of-way shall be fifty (50) feet. Greater width shall be required by the Planning Board when deemed necessary for sight distance at the intersections, right of way lines shall be rounded by tangent arcs with a minimum radius of fifty (50) feet. This will result in the right of way width totaling at least one hundred fifty (150) feet at the intersection.
- b. The typical cross section for minor streets shall conform to that indicated on Plate 4 (contained in the Appendix to the Regulations). The Planning Board may require greater paving sidewalk, and planting strip widths and curb requirements for major streets and secondary streets.

3. Grade:

- a. Grades of streets shall be not less than 1.0%. Grades shall not be more than 6.0% for major or secondary streets nor more than 8.0% for minor streets.
- b. All changes in grade exceeding one (1) percent shall be connected by vertical curves of sufficient length to afford, in the opinion of the Planning Board, adequate sight distances.
- c. At all intersections grades of streets shall not exceed three (3) percent within a distance of 100 feet from the beginning of the intersection. Similarly grades of streets shall not exceed one (1) percent within 50 feet from the beginning of the intersection. Proposed streets shall also have a negative slope for a distance of at least 50 feet from the beginning of the intersection.

4. Dead-End Streets:

- a) A dead-end street shall include any single, continuous stretch of street that is open at one end and closed at the other end. For purposes of this section, any proposed street which intersects solely with a dead-end street shall be deemed to be an extension of the dead-end street. Dead-end streets and their extensions, if any, shall not be longer than 500 feet (measured between the side-line intersecting street and the center of the turnaround), unless in the opinion of the Board, a greater length is necessitated by topography or other local conditions. The side-line intersecting street shall mean the nearest intersecting street that does not end in a dead end.
- b) A dead-end street shall not serve as frontage or access for more than 8 dwellings or structures.
- c) A dead-end street shall be provided at any closed point with a cul-de-sac or turn-around having an outside paved roadway diameter of at least 120 feet or a temporary turn-around as directed by the Planning Board at its option. The width of pavement on the turn-around shall equal that of the servicing street.
- d) All permanent cul-de-sacs or turn-arounds shall be profiled along the centerline turning radius, and the center shall remain in a natural or landscaped conditions in a manner acceptable to the Board. The maximum profile grade for a cul-de-sac or turn-around shall be 3 percent.
- e) When and if a through connection is made in the future, the cul-de-sac or turn-around where the through connection is made shall be eliminated.

5. Street Cross-Section

- a. The following information shall be the minimum acceptable for all streets. The Planning Board may require more where circumstances and intended use dictate.
 - 1) Two (2) twelve foot travel lanes for all minor and major secondary streets.
 - 2) At least four (4) feet in width for road shoulder to be graded very closely to the profile of the street and sloped gradually toward the edge of the paved road unless otherwise directed.
 - 3) Location of roadway to conform to cross-section in Figure 4 (see Appendix).
 - 4) All utilities including electric, telephone, gas and cable TV shall be underground unless directed otherwise by the Board.
 - 5) All poles servicing telephone, electric and other wires shall be located at least five (5) feet from the edge of all new roads.

D. EASEMENTS

Easements for utilities across lots or centered on rear or side lot line shall be provided where necessary and shall be at least twenty (20) feet wide. All stormwater structures not located in the roadway shall be placed in easements within subdivision lots with dimensions that contain all aspects of the structure needed for it to function, along with access for maintenance. In order to differentiate these easements from areas available to the lot owner, some landscape feature or other naturalistic measure shall be placed along its boundary. Possibilities include grade changes, existing treelines or stone walls, landscape plantings, tec.

Town Counsel: Potential Language to consider:

Easements for all surface and subsurface drainage structures shall be provided, as necessary and in a form that is acceptable to the Planning Board in consultation with Town Counsel, and shall be recorded prior to or simultaneously with the endorsed definitive plan to ensure that individual lot owners shall properly maintain or allow proper maintenance, repair and replacement of said structures and said easements shall run to a Homeowners Association.

E. OPEN SPACES

Before approval of a plan the Planning Board may also in proper cases require the plan to show a park or parks suitable located for playground or recreation purposes. The park or parks shall not be unreasonable in area in relation to the land being subdivided and to the prospective uses of such land. The Planning Board may upon its endorsement of such plans require that no building be erected upon such park or parks without its approval for a period of three (3) years.

F. PEDESTRIAN WAYS

Pedestrian ways with sidewalk improvements should be located to provide convenient pedestrian circulation or access to nearby residential areas, schools, playgrounds, shopping centers, churches, transportation, parks, conservation areas, and other areas where improved pedestrian access is desirable. The pedestrian way shall consist of an easement or dedicated way having a right-of-way width of at least fifteen (15) feet.

SECTION 5

SPECIFICATIONS FOR STREET CONSTRUCTION

Unless otherwise specified or waived by the Planning Board (upon recommendation by the Planning Board Engineer or by the Highway Surveyor), all aspects of roadway construction, including materials and methods of construction, inspections, reporting, etc. shall be in accordance with the specifications of the Massachusetts Highway Department in effect at the time of construction.

A. STREETS AND ROADWAYS

1. Clearing, Grubbing and Excavation

The entire area within the right of way shall be cleared of all trees, stumps, brush roots, rocks or boulders and all unsuitable materials. No loam suitable for reuse shall be removed from the subdivision unless adequate loam will remain or is otherwise assured to provide all disturbed areas within the subdivision with a loam depth of at least four (4) inches and also that there is assurance that all streets from which loam is being removed will be brought to sub-grade with the approved foundation materials within six (6) months.

The entire area to be occupied by the roadway and an additional four (4) feet wider than the paved width or extending outward to the top of slopes in fill areas, shall be excavated a minimum of fifteen and one-half (15 ½) inches below finish grade in cut sections or as necessary to remove the topsoil in fill sections. Only areas directly in path of pavement, sidewalks and Cape Cod Berms are to be excavated. The Planning Board Engineer or his representative may require greater depths of excavation if soft or yielding material detrimental to the sub-grade is encountered. All fill or undisturbed material shall be non frost susceptible for a minimum depth of three (3) feet below the finished road grade.

An inspection of this phase of the work will be made when completed.

2. Gravel Base

A minimum of twelve (12) inches of clean gravel, approved by the Planning Board Engineer, shall be deposited for the full width of the traveled way and shoulders, so as to

form a roadway centerline grade, allowing for the pavement thickness, below the proposed finished grade at all points.

The gravel shall be compacted to ninety-eight (98) percent of the maximum dry density as determined by the modified Proctor Test in accordance with ASTM F 1557, Method "D."

Gravel shall consist of the following as set forth in the Standard Specifications for Highways and Bridges for the Massachusetts Department of Public Works.

a. M 1.03.0 Gravel Borrow

Gravel Borrow shall consist of inert material that is hard, durable stone and coarse sand, free from loam and clay, surface coatings and deleterious materials. Gradation requirements for gravel shall be determined by AASHTO-T11 and T27 shall conform to the following:

Sieve	Percent Passing
½ "	50-85
No. 4	40-85
No. 50	8-28
No. 200	0-8

Maximum size of stone in gravel shall be as follows: 3" largest dimension.

The following may be considered as alternative specifications only if approval is given by the Planning Board Engineer.

b. M1.03.1 Processed Gravel for sub-base gravel shall consist of inert material that is hard, durable stone and coarse sand, free from loam and clay, surface coatings and deleterious materials. The coarse aggregate shall have a percentage of wear, by the Los Angeles Abrasion Test, of not more than 50.

The gradation shall meet the following requirements:

Sieve	Percent Passing
3"	100
1 ½"	70-100
¾"	50-85
#4	30-60
#200	0-12 (based on fraction passing No. 4)

The approved source of bank run gravel shall be processed by mechanical means. The equipment for producing crushed gravel shall be of adequate size and with sufficient adjustments to produce the desired materials. The processed material shall

be stockpiled in such a manner to minimize segregation of particles sizes. All processed gravel shall come from approved stock piles.

c. M2.01.7 Dense graded crushed stone for sub-base.

This specification covers the quality and gradation requirements for a sub-base material combining crushed run coarse aggregates of crushed stone or gravel and fine aggregates of natural sand or stone screenings uniformly mixed with a pre-determined quantity of water.

Coarse aggregate shall consist of hard durable particles or fragments of stone or gravel. Materials that break up when alternately frozen and thawed or wetted and dried shall not be used.

Coarse aggregate shall have a percentage of wear by the Los Angeles test, of not more than 42.

Fine aggregate shall consist of natural or crushed sand. The composite material shall be free from clay, loam or other plastic material and shall conform to the following grading requirements.

Sieve	Percent Passing
2"	100
1 ½"	70-100
¾"	50-85
No. 4	30-55
No. 50	8-24
No. 200	3-10

Sampling and testing shall be in accordance with the following standard methods:

Sieve Analysis	T27
Passing No. 200 Sieve	T11

3. Roadway Surface

- a. All roadways shall be paved to conform with the finished grade and width as specified, with Class I Bituminous Concrete Paving, Type I-1 in accordance with the standard specifications and subject to the approval of the Planning Board Engineer. The applicant shall submit a specification job mix formula to the Planning Board Engineer for approval prior to starting work. All material shall conform to the current Standard Specifications for Highways and Bridges for the Mass. D.P.W.
- b. The total thickness of bituminous concrete (compacted) shall be three and one-half (3 ½) inches. It shall be applied in two (2) courses: two (2) inches binder and one and

one-half (1 ½) top course. Spreading and rolling shall also be in conformance with these specifications. Bituminous concrete shall not be placed on muddy or frozen surface. The air temperature must be at least 40 degrees F and rising.

B. UTILITIES

1. Underground Utilities

All utilities within a subdivision shall be placed underground and shall be shown on the plan. Adequate provisions for street lighting shall be made where underground electrical service is provided.

2. Disposal of Surface Water

Town Counsel Note: The Board should review the impact of controlling so as to require no increase of rate in addition to no increase in volume with a stormwater drainage expert.

Adequate disposal of surface water shall be provided such that no increase in runoff rate or runoff volume leaves the subdivision. Runoff quality and quantity shall be addressed in accordance with the Massachusetts Department of Environmental Protection Stormwater Management Standards, except as modified in this Regulation.

In order to minimize the maintenance requirements of the subdivision, protect the safety of the inhabitants, and enhance the aesthetics of the completed subdivision, the applicant shall submit a drainage design based on “Low Impact Design” principles, employing the concepts of “country drainage”. Drainage systems shall consist of an integrated series of surface features, such as roadside grassed swales, bioretention areas, infiltration trenches, sheetflow to conserved open space, and constructed wetlands. “Traditional” drainage systems employing catchbasins, water quality inlet structures, pipe networks, and detention basins are discouraged and shall only be allowed by waiver if no other alternative exists.

- a. Stormwater Management Report. Each drainage plan submitted for approval shall be accompanied by a Stormwater Management Report prepared by a qualified Registered Professional Engineer. The analysis shall follow the requirements of the Stormwater Management Regulations, and any local regulations in effect at the time of submittal. In order to facilitate the employment of the Low Impact Design principles stated above, the designer may vary from the Stormwater Management Regulations and employ the credits for runoff reduction cited in the Center for Watershed Management Technical Memorandum: The Runoff Reduction Method (4-18-2008 and as revised). All rainfall intensities shall be computed using the Atlas of Precipitation Extremes for the Northeastern United States and Southeastern Canada (the “Cornell Study”).

- b. DESIGN STORM. Where a “traditional” drain system has been permitted by waiver, a rainfall having a frequency of occurrence of once in 10 years has been selected for design computations for drain lines.. Intensities for small areas correspond to the time of concentration for the area. A rainfall having a frequency of once in 50 years shall be used for roadway culvert design.
- c. COMPUTATION OF RUNOFF. Runoff for any area shall be calculated using the Natural Resource Conservation Service TR-55 or TR-20 methodologies. The analysis shall assume the development of each lot to the maximum extent permitted by the zoning regulations, unless a restrictive covenant is to be enforced. If the latter, then a copy shall be submitted to the Planning Board along with the Stormwater Management Report.
- d. SELECTION OF DRAIN SIZE. Where a “traditional” drain system has been permitted by waiver the proper drain size may be calculated by using “Manning’s Formula” with a “Kutter’s” “n” value of .013 for concrete pipe, and .024 for corrugated metal pipe. For culverts less than 30 feet in length and all drains, the minimum size of pipe shall be 12 inches in diameter. The culverts and drains shall be large enough to pass the design storm without surcharge.
- e. TYPE OF PIPE. Where a “traditional” drain system has been permitted by waiver, pipe storm drains shall be reinforced concrete of adequate strength except that in off-street locations bituminous coated, galvanized, corrugated metal pipe or pipe arch may be used if approved by the Planning Board. Concrete pipe shall conform to the Commonwealth of Massachusetts Standard Specifications for highways and Bridges, as amended.
- f. SLOPE OF PIPE. Where a “traditional” drain system has been permitted by waiver , all pipes shall be laid on a slope so that the minimum velocity with the pipe flowing full shall be 2.0 feet per second. Drain lines shall be laid on a slope of not less than 0.5%. Consideration may be given to flatter slopes if adequate self-cleaning velocity is demonstrated. All plans having drains with slopes which will produce actual velocities less than 2.0 feet per second, excepting catchbasin leaders, shall not be permitted. The maximum allowable velocity with the pipe flowing full shall be the 10.0 feet per second.
- g. INLETS. Where a “traditional” drain system has been permitted by waiver , inlets shall have an adequate waterway opening to pass the design storm with not more than 0.2 feet of surcharge. Grates and frames shall be cast iron suitable for the loads which can occur either during the construction or afterward. Inlets shall be constructed either of brick and mortar with 8” thick walls, precast segmental concrete blocks not less than 6” thick mortared in place, or of precast pipe sections. Inlets shall be set on a base of either poured concrete 8” in thickness, or precast segmental base blocks not less than 4” in thickness. Inlets shall be used in off-street locations and the grate frame shall be mortared in position with the top .02 feet below the grade of the finished ground surface. Side openings may be used in lieu of a grate if the

quantity of runoff exceeds the capacity of a grate of reasonable size as approved by the Planning Board or its agent. Inlets shall be 4.0 feet inside diameter below the corbelling and shall not be used on drains greater than 30 inches in diameter. A shaped invert is not required but the bottom of the inlet shall be finished at the same grade as the lowest pipe invert. At inlets where the outlet pipe is larger shall be at the same elevation or lower than the crown of the inlet pipe.

- h. **CATCH BASINS – MANHOLES.** Where a “traditional” drain system has been permitted by waiver, catch basins shall be installed on both sides of the roadway on continuous grades at intervals not to exceed 300 feet, at low points and sags in the roadway, and at or near the corners of the roadway at intersecting streets. The Planning Board may require a lesser distance if deemed advisable by the Board because of unusual local conditions. All catch basins must have a three (3) foot sump and discharge directly into manholes. Basins shall be provided with granite headers containing storm inlets as necessary. (See Detail Plate 4-A) Manholes shall be required at every change in direction, slope, or diameter in the drainpipe and also at every intersection of drain pipes (See Detail Plates 1, 1A, 2, 2A, 3, 3A, 3B).
- i. **EXCAVATION.** Where a “traditional” drain system has been permitted by waiver, the trench for the pipe shall be excavated to the required line and grade including earth boulders and ledge. Trenches for storm drains shall be no wider than the outside diameter of the pipe plus 16 inches for pipes through 18 inches nominal diameter, and the outside diameter plus 24 inches for pipes larger than 18 inches. This trench width shall apply from the top of the pipe to the bottom of the trench. Above the top of the pipe the trench may be as necessary to properly install the pipe. Trenches with side slopes steeper than the natural angle of repose of the soil shall be sheeted in an approved manner, as necessary to avoid cave-ins and sloughing. All excavations shall be properly barricaded and lighted at night where they are close to pedestrian or vehicular traffic. Before any pipe is placed in a newly constructed fill, the Contractor shall, as directed, place the filling two (2) feet above the top of the pipe after which the pipe trench may be excavated. If any cross pipes, conduits, drains or other unforeseen obstacles are encountered in the excavation which cannot be relocated, the drain shall be redesigned to avoid the obstruction in a manner suitable to the Planning Board or its agent. Possible obstructions to the line shall be investigated prior to the construction of the drain in its immediate vicinity.
- j. **BEDDING.** Where a “traditional” drain system has been permitted by waiver, trenches may be excavated with a flat bottom but the full length of the pipe, except the bell, must rest upon undisturbed soil except as herein after specified where trenches have been over-excavated with a flat bottom or gravel foundation, thoroughly compacted, shall be provided for proper pipe bedding. Soil, which is considered to be unstable by the Planning Board or its agent, shall be removed to a depth of not less than two (2) feet below the bottom of the pipe and replaced with compacted sand and gravel to the bottom of the pipe. Unstable soil or other excavated material shall be disposed of off site as directed by the Planning Board or its agent.

- k. **PIPE LAYING.** Where a “traditional” drain system has been permitted by waiver, pipes shall be laid starting with the downstream end. Grade boards, lasers, or other approved devices shall be provided to insure that the pipe is laid true to line and grade. Reference bench marks shall be clearly marked to elevations. The joints of all pipes shall be filled with mortar composed of one part Portland Cement to three parts clean sharp sand. Lime may be added up to 25 percent of the cement and enough water to make a workable mix. The downstream pipe shall be laid with groove or bell end facing upstream in the proper position, and a dab of mortar shall be placed in the bell or groove. The spigot or tongue end shall be placed in the bell or groove, such that the inverts match and, the peripheral space shall be filled with stiff mortar. All mortar squeezed out on the inside of the pipe shall be removed before it sets.
- l. **BACKFILLING.** Where a “traditional” drain system has been permitted by waiver, after the pipe has been laid and inspected, the trench shall be backfilled. The space under the pipe haunches shall be carefully filled with selected material, free from stones or frozen earth, and compacted carefully to prevent the pipe from moving. The layer of backfill up to twelve (12) inches over the top of the pipe shall also be selected material free from stones and frozen earth, well compacted. The remainder of the trench shall be backfilled in twelve (12) inch layers except as noted below, and each layer shall be fully compacted in an approved manner. Under roads or other traffic areas the trench shall be backfilled in six (6) inch layers with each layer compacted to the density of the surrounding soil. Pavement and base course materials removed during the excavation process shall be replaced with pavement and base course to match those removed. When, in the opinion of the Planning Board or its agent, the excavation is deep enough to warrant it, temporary pavement shall be provided as directed. Trenches not in pavement shall be left in a mounded condition as directed by the Planning Board or its agent.
- m. **SECURITY BARS.** Security bars shall be provided at the entrance and outface of all culverts or open pipe drains. Bars shall be constructed according to the detail indicated on Plate 9 or of a design approved by the Planning Board or its agent, and the grate shall be installed in a manner approved by the Planning Board or its agent. A suitable drawing of the grate and method of installation shall be submitted for approval with the plans for the drains and appurtenances.
- n. **HEADWALLS.** Concrete or Field Stone masonry headwalls shall be provided at both ends of culverts and the discharge ends of storm drains. They shall conform to the tables on Detail Plate 8 and be placed at a distance of not less than sixty-five (65) feet from the way line.
- o. **SCOUR PROTECTION.** The discharge of all drains shall be protected with a riprap apron of a width not less than ten (10) times the normal pipe diameter from the end of the discharge pipe. The riprap for exit velocities of ten (10) feet per second or less shall be composed of a layer of stones twelve (12) inches in thickness or more, placed upon a bed of sand and gravel six (6) inches in thickness. The stones shall be sized so

that not less than sixty (60) percent shall have one dimension twelve (12) inches or more. The stones after being laid shall be carefully chinked by hand to make a reasonable smooth and shaped surface. Where exit velocities are greater than ten (10) feet per second, the thickness of stones and the dimensions of the individual pieces shall be sized to prevent displacement by the flow. In this case, details shall be submitted to the Planning Board or its agent for approval. In addition, riprap will be required for all drainage channels having design flow velocities greater than five (5) feet per second and for any change in direction or intersection of drainage channels.

C. SIDEWALKS AND BIKEWAYS

1. General

Two (2) sidewalks shall be required for all minor, major, and secondary streets. Bikeways shall be considered as separate from sidewalks and should be located according to Planning Board recommendations. Where bikeways and sidewalks are adjacent, the minimum right-of-way shall be twenty-five (25) feet. The profile dimensions and location of separately located sidewalks and bikeways shall be subject to the approval of the Planning Board. The grade shall be at least one (1) inch above curb elevation. Sidewalks and bikeways shall be in accordance with either specification (a) or (b) below:

- a. Four (4) inch thick cement concrete, reinforced with No. 4, 4" x 6" mesh, 3,000 lb. concrete, wood float finished, laid on a base of at least six (6) inches of well compacted bank gravel. An expansion joint (3/4" open) shall be provided at least every twenty (20) feet dividing joints shall be scored into walk every four (4) feet. Base gravel material shall be in accordance with the specifications outlined above for street construction, provided that no stone shall have a dimension in excess of 2 1/2". It shall be thoroughly compacted, using a sidewalk roller weighing at least two tons. (See Detail Plate 4A)
- b. Bituminous Concrete: The foundation shall be eight (8) inches of bank gravel as specified in (a) above (material and compaction). The wearing surface shall be laid in two courses, a 1 1/2" binder course and a 1" top course, the thickness to be measured after compaction. The material and application shall conform to the specifications for roadway surfacing. All edges of the walks shall be formed with wood screeds which are securely anchored and left in place. (See Detail Plate 4A)

2. Design Standards

The following design guidelines shall be observed during the design and construction of bikeways:

- a. Minimum pavement width: ten feet (10')
- b. Maximum gradient: five percent (5%)

- c. Minimum center line radius: twenty-five feet (25')
- d. Vertical curves shall be required for changes in grade which exceed one percent (1%)
- e. Curb cuts shall be provided at the intersection of bikeways and streets.
- f. Signs of a design approved by the Board shall clearly mark each "Bikeway."

D. CURBING AND BERMS

1. General

Curbing is not required where the subdivision is designed incorporating roadside swales as part of a "country drainage" system. When a waiver is granted for a "traditional" drainage system, it is required where needed to contain runoff and shall be one of the type specified under sub-section D as determined by the Planning Board except that granite curb shall be used in the following cases:

- a. All finished grades over six (6) percent. Vertical Granite – Granite curbing will be required on both sides of the roadway in this case.
 - b. All headers for catch basins. Vertical Granite.
 - c. All street intersections along turning radii and extending six (6) feet tangent along each side of each roadway at the intersection.
 - d. Approved types of curbing:
 - 1) Sloped granite curb (See Detail Plate 5).
 - 2) Granite curbing type VA 4 (See Detail Plate 6).
 - e. Terminal curb section. A tapered terminal curb section of vertical granite curb construction having a minimum length of four (4) feet and a tapered section two (2) feet in length will be required as the first and last stones along each section of granite curbing and adjacent to each separately placed curb inlet.
2. Where a "traditional" drain system has been permitted by waiver, Cape Cod berms will be required on all cul de sacs and in other locations as specified by the Planning Board. Berm shall consist of Class I bituminous concrete, Type I-1, and shall conform to the requirements for either top course or dense mix. All berms to be placed over a suitable foundation for support. (See Detail Plate 5A)

E. SIDE SLOPES

The area in back of the sidewalk, shall be sloped at the rate of three to one (maximum) to a point where it precisely coincides with the finished grade of abutting lots, except as required to facilitate “country drainage”.

F. TOPSOIL AND ITS REMOVAL AND LOAMING AND SEEDING

On all areas within roadway, walkway, and bikeway right of ways except areas not receiving treatment or areas requested by the Planning Board to be left in a “natural condition” the ground shall be cleared and grubbed and at least six (6) inches of an approved loam topsoil shall be applied. These areas shall be protected from erosion and seeded with an acceptable perennial lawn grass or other approved ground cover. Planted areas will not be accepted until there is a substantial, uniform, and healthy growth for a period of not less than two (2) years and until building construction has been completed. This portion of the passbook account will be held for this period in an amount to be determined by the Planning Board and the Town Engineer.

A six (6) inch thickness of loam shall be provided throughout the entire disturbed area of all lots and on the planting strips along the roadway. Only such areas as roadway, driveways, building sites and areas requiring filling may be stripped of topsoil. Areas on a lot where cut or fill is not required for construction of the buildings on that lot, shall not be stripped of topsoil.

G. MONUMENTS

Monuments shall be installed at all street intersections, at all points of change in directions or curvature of streets and at other points where, in the opinion of the Planning Board, permanent monuments are necessary. Such monuments shall be at least 5” x 5” reinforced concrete or granite posts and must extend to not more than 4” above finished ground unless otherwise specifically authorized by the Planning Board in writing.

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

H. STREET TREES & STONE WALLS

Existing trees which, in the opinion of the Planning Board, are suitable for street trees shall be maintained and left as such. Where trees are inadequate, new trees of at least two (2) inch caliper measured at a height of forty-two (42) inches from the ground and at least twelve (12) feet in height shall be planted. All trees shall be planted within the right of way at a distance not to exceed thirty (30) feet. The species and variety of the trees shall be selected and approved by the Tree Warden. No evergreen trees such as fir, pine, hemlock or spruce shall be planted along the way. No trees shall be planted at any intersection so as to obstruct vision of safe vehicle traffic. All planted tree shall be planted in one-half (1/2) cubic yards of loam, mulched with four (4) inches of wood chips and guyed in a manner to ensure their

survival. Developer shall warrantee all planted trees for two (2) years as determined by the Tree Warden.

Every effort shall be made to maintain existing stone walls and significant trees within the subdivision. Significant trees are any tree (excepting white pine) with a girth of 16 inches or greater at 42 inch height. All existing stone walls and significant trees shall be field located and shown on the subdivision plan, and a notation made as to whether they will remain or be disturbed. There shall be no disturbance greater than 20% of either significant trees or stone walls.

I. STREET SIGNS

The Developer shall furnish and erect necessary signs to designate the name of each street in his development. Said signs to conform with those used by the Town.

J. STREET LIGHTS

The Developer shall be responsible for furnishing and erecting street lights at location approved by the Planning Board and the Board of Selectmen. Any such street lights shall meet the requirements of the Lighting Bylaw. Use of lampposts on each lot is encouraged.

K. FIRE PROTECTION

In recognition that no municipal water system is present to provide hydrants convenient to the proposed subdivision, and that each new subdivision presents an incremental burden on the existing fire department resources, a secure water source shall be provided for all subdivisions consisting of five (5) lots or more, and an additional source shall be provided for each five (5) additional lots. This water source shall consist of a dry hydrant connected to a storage tank with minimum capacity of 10,000 gallons (or such other capacity as may be designated by the Chief of the Town Fire Department), which tank shall be automatically maintained at full capacity by recharge from a well and pump system satisfactory, as shown to the Board in writing, to the Chief of the Town Fire Department. This water source shall be located within an easement on a lot within the subdivision, located at or near a roadway intersection. The easement shall be graded and provided with access meeting the Chief's requirements.

L. CLEANING UP

The entire area must be cleaned up so as to leave a neat and orderly appearance free from debris and other objectionable materials.

SECTION 6 ADMINISTRATION

A. VARIATION

Strict compliance with the requirements of these Rules and Regulations may be waived only by a recorded vote of the Planning Board. When in the judgment of the Planning Board such action is in the public interest and not inconsistent with the Subdivision Control Law.

B. REFERENCE

For matters not covered by these Rules and Regulations, reference is made to Section 81-K to 81-GG, inclusive of Chapter 41 of the General Laws.

C. DESIGN REVIEW AND CONSTRUCTION INSPECTION DEPOSIT AND FEES

1. General

The Planning Board may assign as their agents appropriate Town Agencies or Officials and may at their discretion employ professional assistance to review plans and inspect construction, at the cost of the subdivider.

2. Fees and Deposits

A minimum deposit of one thousand dollars (\$1000.00) shall be made by the applicant to the Town of Plympton to cover the cost of reasonable fees incurred by the Planning Board for outside consultants to review the project under G.L. c.44, §53G. Payment shall be made at the time the plan is presented to the Planning Board. A minimum balance of five hundred dollars (\$500.00) shall be kept in the account at all times.

When the Definitive Plan is filed with the Planning Board then the following schedule of review fee deposits shall be made by the applicant to the Town of Plympton Planning Board to cover the cost of reasonable fees incurred by the Planning Board for outside consultants to review the project under G.L. c.44, §53G shall apply:

- a. An initial, minimum deposit of one thousand dollars (\$1000.00) plus two hundred dollars (\$200.00) for each lot in the subdivision shall be placed into the G.L. c.44, §53G review account established for the project.

- b. A minimum deposit in the amount of one hundred dollars (\$100.00) for each boundary monument shown on the Plan and as required by the Rules and Regulations that has not already been installed and certified at the time of application shall be made into the review fee account established for the project under G.L. c.44, §53G.
- c. A minimum deposit in an amount to be determined by the Planning Board (in consultation with the Town Engineer or peer review consulting engineer) shall be made into the review fee account established for the project under G.L. c.44, §53G in an amount that shall provide sufficient funds for the Board's review consultant to review the Definitive Plans.
- d. Following approval and endorsement of a definitive subdivision plan and upon initiation of construction, a minimum deposit in an amount to be determined by the Planning Board (in consultation with the Town Engineer or peer review consulting engineer) shall be made into the review fee account established for the project under G.L. c.44, §53G to cover the cost of construction inspections and review of as-built plans performed by outside consultants for the Planning Board.
- e. Definitive subdivision approval shall be contingent upon receipt of payment of all review fee costs for outside consultants.
- f. Failure of the applicant to comply with the requirements of the fee schedule shall be deemed adequate cause for disapproval of the plan.

3. Return of Deposit

Excess funds paid upon deposit to a review fee account shall be returned to the applicant as required under G.L. c.44, §53G..

4. Inspections

a. General

- 1) All work performed as a consequence of these Rules and Regulations shall be subject to the review of the Planning Board which shall approve and accept or disapprove and reject each phase or portion of such work and at completion shall recommend the acceptance of all work or disapproval of the work with reasons therefore.

The Planning Board Engineer, or his representative, will act as agent for the Planning Board in the inspection of the work to insure compliance with those Rules and Regulations and to report to the Board his recommendations as to approval or disapproval of the work. As Engineer for the Planning Board, he or

his representative, shall have the authority to enforce all Subdivision Rules and Regulations of the Town.

The Planning Board, its Engineer, and such other persons as the Board may designate, shall have the right to inspect the work at any time.

All aspects of roadway construction, including materials and methods of construction, inspections, reporting, etc. shall be in accordance with the specifications of the Massachusetts Highway Department in effect at the time of construction, unless waived by the Planning Board. When a conflict arises, this Bylaw shall govern unless waived.

- 2) All work which has been disapproved or is not acceptable to the Planning Board shall be removed and replaced or otherwise corrected to the point of complying with the requirements of the Planning Board for acceptance. Any work which has been covered by subsequent work prior to acceptance or is otherwise not available or obscured to the point of rendering inspection of the work difficult shall be considered unacceptable to the Planning Board.

Such subsequent work shall be removed as directed by the Planning Board Engineer to insure availability of the work to be inspected as required herein. The release of the Performance Guarantee shall depend upon the acceptance of all work prescribed herein and on the Definitive Plan and as directed by the Planning Board.

- 3) At points indicated in Section 5 and as further described hereinafter, the construction of the required improvements may be inspected by the Planning Board Engineer, or authorized agent, and unless approval of the work completed, including approval of the materials used, to each such point has been given in writing, no further work shall be commenced. Such inspections may include the taking of certain samples, in such cases, the applicant shall insure that the Planning Board Engineer is in no way hindered or obstructed in the course of obtaining such samples.

Where such samples are removed from the completed work, the applicant shall replace and restore such work to the satisfaction of the Planning Board Engineer, or its condition prior to the taking of the sample.

The Planning Board Engineer may require certified copies of delivery receipts or bills of lading, or other certification as to the description of the materials used or incorporated in the work.

The Planning Board Engineer may also require a sample of any materials or supplies which may be incorporated in the work. Such samples shall be furnished at the expense of the applicant and the applicant shall be liable for all costs and

fees incurred by the Planning Board as a result of transporting and testing such materials.

- 4) The applicant shall keep the Planning Board Engineer fully informed as to the status and progress of the work and shall notify the Planning Board Engineer at least one (1) working day in advance that the work has progressed to a stage that an inspection is required.
- 5) In the event the Planning Board Engineer makes an inspection of the work at the time designated and finds such work is not at the proper stage of completion, or that the work has been covered or otherwise obscured, the Planning Board Engineer shall notify the applicant and the Planning Board as to the additional steps the applicant shall take to complete the work to the point required, or to the extent the work shall be uncovered or exposed to full view. The applicant shall notify the Planning Board Engineer again when the work is ready.
- 6) The applicant shall be liable for all costs and fees incurred by the Planning Board as a result of requests by the applicant for an inspection of the work which in the opinion of the board, was not at an acceptable stage of completion for such inspection.

b. Lines and Grades

- 1) The Planning Board Engineer will advise the Planning Board at any time during the construction, if in his opinion, he believes that the work has not been laid out to the lines and grades as shown on the Definitive Plan.
- 2) Any costs, which in the opinion of the Board are the responsibility of the applicant shall be in addition to the fees required elsewhere herein.

c. Inspection of Required Improvements

The following inspections of the required improvements will be made by the Planning Board Engineer. These inspections will be made in addition to any other inspections the board may make or cause to be made.

- 1) First Inspection: An inspection will be made of the work upon completion of all clearing, grubbing and excavation and all work incidental thereto as may be required or implied. No fill shall have been placed at the time of this inspection.
- 2) Second Inspection: An inspection will be made of the completed drainage system (without backfill) as required or implied herein or on the Definitive Plan. At the same time, or such other time as the work may be available, an inspection will be made of the completed municipal services (without backfill), as required on the Definitive Plan. The inspection of the required municipal services will be made by the agency responsible for the particular service.

Each agency involved will notify the Planning board Engineer in writing of the approval of such work.

Backfill of any portion of the drainage system or municipal services shall not be made until after notification of approval of acceptance by the Planning Board Engineer, or agency responsible.

The inspection of the construction of the ways shall include the inspection of the backfilling and completion of all utility trenches as may be installed by utility companies and such work shall be performed in the manner as required by these Rules and Regulations.

If in the opinion of the Planning Board, the backfilling and compaction of utility trenches has not been performed in accordance with these Rules and Regulations, the Planning Board may not release the Bond or Covenant applicable until such work has been performed to the satisfaction of the Planning Board.

- 3) Third Inspection: An inspection will be made of the compacted fill and as may be required to bring the roadways to their proposed grades. The applicant shall notify the Planning Board Engineer as to his source of gravel for fill as soon as such information is known, so that samples may be taken and analyzed by the Planning Board Engineer. The applicant is advised not to proceed with the filling operation until such time as the Planning Board Engineer notifies the applicant that the gravel proposed for the fill is acceptable.

If the applicant proceeds with the fill prior to such notice, he does so at his own risk. The applicant shall not use a gravel source, other than the one designated without prior notice to the Planning Board Engineer.

- 4) Fourth Inspection: An inspection will be made of the compacted roadway foundation. A gravel sample or samples may be taken at the option of the Planning Board Engineer, in the same manner as prescribed for the third inspection.
- 5) Fifth Inspection: Inspections will be made during the application of the bituminous concrete binder course and top course. Samples of the mix may be taken by the Planning Board Engineer for purposes of performing an extraction test in order to compare the sample with the job mix formula previously submitted.

Core samples for the purpose of checking depths of pavement may be taken at the discretion of the Planning Board Engineer.

- 6) Sixth Inspection: An inspection will be made of all work as required on sidewalks, curbing, grass plots, side slopes, monuments and street signs.

- 7) Seventh Inspection: A final inspection will be made of all subsequent work as required herein, or on the Definitive Plan to include the final clean up.

5. Return of Bond

Upon acceptance of road at Town Meeting, the subdivider shall provide the Town Clerk with proof of filing said public ways at the Plymouth County Registry of Deeds within sixty (60) days.

APPENDIX A
LEGAL FORMS

APPENDIX B
CONSTRUCTION STANDARDS