RULES AND REGULATIONS

OF THE

SHERBORN PLANNING BOARD

Including amendments approved through February 9, 2011

RULES AND REGULATIONS

OF THE

SHERBORN PLANNING BOARD

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February 9, 2011

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RULES AND REGULATIONS GOVERNING SPECIAL PERMIT REQUESTS AND SITE PLAN REVIEW

SECTION 1. INSTRUCTIONS

All applicants for a site plan review under Section 5.3 of the Zoning Bylaws or an exemption on minimum street frontage requirements under Section 4.4 of the Zoning Bylaws or other special permit requests from the Planning Board shall submit to the Planning Board a completed Petition for Special Permit on the form annexed hereto.

Applicants are required to pay for all associated and related costs, including, but not limited to, advertising, abutter notification and outside consultants including engineers, planners, architects, landscape architects, attorneys or other professionals, which the Planning Board determines are needed to review the plans and make recommendations thereof.

SECTION 2. PERSONAL WIRELESS COMMUNICATIONS FACILITIES

2.1 DETERMINATION OF EXEMPTION FROM SPECIAL PERMIT REQUIREMENT

a. In accordance with Section 5.8 of the Zoning By-Laws, all applications for the installation of wireless communications facilities shall be submitted to the Planning Board for either a Special Permit or a determination that the proposal qualifies for a lesser level of review and permitting as follows:

1. Whether the proposal needs only a building permit by virtue of meeting the standards specified in Section 5.8.4 of the Zoning Bylaw; or
2. Whether the proposal requires a Preliminary Site Plan Review as provided for in Section 5.8.4 of the Zoning By-Law;

b. Applicants seeking a Determination of Exemption From Special Permit shall submit sufficient architectural and/or engineering drawings to the Planning Board to demonstrate that they meet the standards of Section 5.8.4. Such plans must include (but are not limited to) elevations indicating the planned exterior alterations to any existing building or structure and/or the elevations of any new building or structure; a site plan indicating the size and location of existing and proposed buildings or structures including any support equipment, fencing, landscaping, lighting, parking, access ways, etc.; a narrative description describing the proposed changes and explaining how they meet the standards of Section 5.8.4 of the Zoning By-Law; and the Form entitled Determination of Exemption From Special Permit for Wireless Communications.

2.2 PRE-APPLICATION CONFERENCE

Prior to the submission of an application for a Special Permit under Section 5.8 of the Zoning Bylaw, the applicant is strongly encouraged to meet with the Planning Board at a public meeting to discuss the proposed personal wireless communications facility in general terms and to clarify the filing requirements. The purpose of the conference is to inform the Planning Board as to the nature of the proposed personal wireless communications facility. As such, no formal filings are required for the pre-application conference. However, the applicant is encouraged to prepare sufficient preliminary architectural and/or engineering drawings to inform the Planning Board of the location of the proposed facility, as well as its scale and overall design.

2.3 APPLICATION FILING REQUIREMENTS

The following shall be included with an application for a Special Permit for all personal wireless communications facilities:

2.3.1 General Filing Requirements

a. Name, address and telephone number of applicant and any co-applicants as well as any agents for the applicant or co-applicants. A 24-hour emergency telephone contact number shall be included.

b. At least one licensed carrier and the landowner(s) of the proposed site of the personal wireless communications facility shall be applicants or co-applicants.

c. Original signatures are required for the applicant and all co-applicants applying for the Special Permit. If the applicant or co-applicant will be represented by an agent, original signature authorizing the agent to represent the applicant and/or co-applicant is required. Photo reproductions of signatures will not be accepted.

2.3.2 Locus Plan Requirements

a. Identification of the subject property including the name of the nearest road or roads, street address, if any, and Assessors Map and Parcel number of subject property.

b. A map to scale prepared and stamped by a registered professional engineer or land surveyor showing the subject property and all properties (including lot lines) within 500 feet and the location of all buildings, including accessory structures, and driveways on all properties shown to the extent observable or determinable by Town or other records.

c. A map showing the locations of all pre-existing and proposed future personal wireless communications facilities in Sherborn and abutting towns for the applicant carrier, and all other pre-existing and proposed (to the extent determinable through public records) personal wireless communications facilities of other carriers in Sherborn and abutting towns.

2.3.3 Site Plan Filing Requirements

a. A vicinity plan prepared and stamped by a registered professional engineer or land surveyor at a scale of 1”=40’ (or at an alternate scale appropriate for the size of the property as may be approved by the Planning Board) showing the following:

1. Property lines for the subject property.
2. Property lines of all properties adjacent to the subject property within 500 feet.
3. Tree cover on the subject property and abutting properties distinguishing between coniferous and deciduous species, and indicating average height as measured by or available from a verifiable source, for a distance of 500 feet
4. Outline of all pre-existing buildings, including purpose (e.g. residential buildings, garages, accessory structures, etc.) on subject property and all properties adjacent to the subject property to the extent observable or determinable by Town or other records.

b. A Proposed Development Plan prepared and stamped by a registered professional engineer or land surveyor including the following:

1. Proposed location of antenna, mount, equipment shelter(s) and other appurtenant facilities.
2. Proposed security barrier around tower and/or equipment shelter, indicating type and extent as well as point of controlled entry.

3. Location of all roads, public and private, and utility easements on the subject property and on all properties adjacent to the subject property including driveways proposed to serve the personal wireless communications facility.
4. Distances, at grade, from the proposed personal wireless communications facility to each building on the vicinity plan.
5. Contours at each two feet above mean sea level for a distance of 500 feet around the proposed site.
6. All proposed changes to the pre-existing property, including grading, vegetation removal and planting, and temporary or permanent roads and driveways.
7. Representations, dimensioned and to scale, of the proposed mount, antennas, equipment shelters, cable runs, parking areas and any other construction or development attendant to the personal wireless communications facility.
8. Lines representing the sight line showing viewpoint (point from which view is taken) and visible point (point being viewed) from "Sight Lines" subsection below.
9. All conservation lands and conservation easements on the subject property or within 1000 feet of the proposed site.

c. Sight lines and photographs as described below:

1. Sight line representation. A sight line representation shall be drawn from the nearest point of the nearest public way within 500 feet and the closest facade of each residential building (viewpoint) within 500 feet (subject to the owner's permission to do so) to the highest point (visible point) of the personal wireless communications facility. Each sight line shall be depicted in profile, drawn at one inch equals 40 feet. The profiles shall show all intervening trees and buildings. In the event there is no residential building or public way within 500 feet, there shall be at least two sight lines from the closest habitable structures or public roads, if any.
2. Pre-existing (before condition) photographs. Each sight line shall be illustrated by one four-inch by six-inch color photograph of what can currently be seen from any public road and any residential building within 300 feet.
3. Proposed (after condition). Each of the pre-existing condition photographs shall have the proposed personal wireless communications facility superimposed on it to show what will be seen from public roads and residential buildings if the proposed personal wireless communications facility is built.
4. Siting elevations. Elevations shall be at either one-quarter inch equals one foot or one-eighth inch equals one foot scale and show the following:

(a). Antennas, mounts and equipment shelter(s), with total elevation dimensions and AGL of the highest point.
(b). Security barrier. If the security barrier will block views of the personal wireless service facility, the barrier drawing shall be cut away to show the view behind the barrier.
(c). Any and all structures on the subject property.
(d). Pre-existing trees and shrubs at current height and proposed trees and shrubs at proposed height at time of installation, with approximate elevations dimensioned.
(e). Grade changes, or cuts and fills, to be shown as original grade and new grade line, with two-foot contours above mean sea level.

5. Photographs, from multiple viewpoints, of any crane or balloon used to test visibility or viability of any proposed site.

2.3.4 <u>Design Filing Requirements</u>

a. Materials of the proposed personal wireless communications facility specified by generic type and specific treatment (e.g. anodized aluminum, stained wood, painted fiberglass, etc.). These shall be provided for the antennas, mounts, equipment shelters, cables as well as cable runs, and security barrier, if any.

b. Colors of the proposed personal wireless communications facility represented by a color board showing actual colors proposed. Colors shall be provided for the antennas, mounts, equipment shelters, cables as well as cable runs, and security barrier, if any.

c. Dimensions of the personal wireless communications facility specified for all three directions: height, width and breadth. These shall be provided for the antennas, mounts, equipment shelters and security barrier, if any.

d. Landscape plan including pre-existing trees and shrubs and those proposed to be added, identified by size of specimen at installation and species.

e. During the application process the applicant shall schedule with the Planning Board a balloon or crane test at the proposed site, at the expense of the applicant, to illustrate the height of the proposed facility. The date, time and location of such test shall be advertised, at the expense of the applicant, in a newspaper of general circulation in the Town at least one week in advance of the proposed date. At least one alternate date shall be published in the event inclement weather requires rescheduling. The Planning Board may, in its discretion, waive the advertising requirement if adverse weather conditions result in the cancellation of the test on both the original and alternate dates.

f. If lighting of the site is proposed, the applicant shall submit documentation from an engineer that the foot-candle level at the property lines shall not exceed 0.0.

2.3.5 Noise Filing Requirements

The applicant shall provide a statement certified by an acoustical engineer that the facility will comply with the noise standards of Section 2.6 (b).

2.3.6 Radiofrequency Radiation (RFR) Filing Requirements

The applicant shall provide the following:

a. A statement signed by a licensed RF engineer that the proposed or existing transmitting facility does or will comply with FCC radiofrequency emission guidelines for both general population/uncontrolled exposures and occupational/controlled exposures as defined in FCC rules (as they may be amended or updated from time to time).

b. A statement or explanation as to how the personal wireless service provider determined that the transmitting facility will comply, e. g., by calculation methods, by computer simulations, by actual field measurements, etc. Actual values for predicted exposure should be provided to further support the statement. An exhaustive record of all possible exposure locations is not necessary, but, for example, the “worst case” exposure value in an accessible area could be mentioned as showing that no exposures would ever be greater than that level. Reference should be given to the actual FCC exposure limit or limits relevant for the particular transmitting site.

c. An explanation as to what, if any, restrictions on access to certain areas will be maintained to ensure compliance with the public or occupational exposure limits. This includes control procedures that are established for workers who may be exposed as a result of maintenance or other tasks related to their jobs.

d. A statement as whether other significant transmitting sources are located at or near the transmitting site, and, if required by the FCC rules, whether their RF emissions were considered in determining compliance at the transmitting site.

2.3.7 Federal Environmental Filing Requirements

a. The applicant shall present a copy of any Environmental Assessment (EA) that may be required by the FCC through its administration of the National Environmental Policy Act (NEPA) via procedures adopted as Subpart 1, Section 1.1301 et seq. (47 CFR Ch. I).

b. If no such EA needs to be submitted to the FCC, documentation of that fact must be submitted.

c. The applicant shall list location, type and amount (including trace elements) of any materials proposed for use within the personal wireless communications facility that are considered hazardous by the federal, state or local government.

2.3.8 Alternatives Analysis

All applications for new tower locations shall be accompanied by a narrative statement endorsed by a qualified radiofrequency engineer explaining why the proposed location (or locations) was (were) selected. Such statement shall include supporting documentation demonstrating that no feasible alternative location within the Town of Sherborn was available. For locations outside Overlay District 1, such statement shall include additional supporting documentation demonstrating that at least three alternative scenarios to provide comparable service utilizing existing structures, locations within Overlay District 1, and/or camouflaged facilities were considered and rejected.

2.4 CO-LOCATION

a. Licensed carriers shall share personal wireless communications facilities and sites where feasible and appropriate, thereby reducing the number of personal wireless communications facilities that are stand-alone facilities. All applicants for a Special Permit for a personal wireless communications facility shall demonstrate a good faith effort to co-locate with other carriers. Such good faith effort includes:

1. A survey of all pre-existing structures that may be feasible sites for co-locating personal wireless communications facilities;
2. Contact with all other carriers for wireless communications operating or licensed to operate in Sherborn or abutting Towns, and
3. Sharing information necessary to determine if co-location is feasible under the design configuration most accommodating to co-location.

b. In the event that co-location is found to be not feasible, a written statement of the reasons for the unfeasibility shall be submitted to the Town. The Town may retain a technical expert in the field of RF engineering to verify if co-location at the site is not feasible or is feasible given the design configuration most accommodating to co-location. The cost for such a technical expert will be at the expense of the applicant. The Town may deny a Special Permit to an applicant who has not demonstrated a good faith effort to provide for co-location.

c. If the applicant does intend to co-locate or to permit co-location, the Town shall request drawings and studies which show the ultimate appearance and operation of the personal wireless communications facility at full build-out.

d. If the Planning Board approves co-location for a personal wireless communications facility site, the Special Permit shall indicate how many facilities of what type shall be permitted on that site. Facilities specified in the Special Permit approval shall require no further zoning approval. However, the addition of any facilities not specified in the approved Special Permit shall require a new Special Permit.

2.5 MODIFICATIONS

A modification of a personal wireless communications facility may be considered equivalent to an application for a new personal wireless communications facility. Applicants for such modifications shall appear before the Planning Board to present its proposed modifications in order that the Board may determine whether the modifications are substantial and require the submission of a new Special Permit application

2.6 MONITORING AND MAINTENANCE

a. After the personal wireless communications facility is operational, the applicant shall submit to the Planning Board copies of any documents required by the FCC to demonstrate compliance with its RF emission standards.

b. After the personal wireless communications facility is operational, the applicant shall submit, within 10 days of any request from the Town in response to complaints received, documentation that noise emissions from the facility, measured at its property plane, do not exceed 50 decibels from 10:00 PM to 7:00 AM or 55 decibels from 7:00 AM to 10:00 PM. Such measurements shall be signed by an acoustical engineer, stating that noise measurements are accurate and meet the foregoing standard. In the event these standards are not met, appropriate noise inhibiting measures shall be implemented and compliance with the standards demonstrated within 30 days of the initial request for documentation.

c. The carrier(s) operating the wireless communications facility and/or its owner shall maintain the personal wireless communications facility. Such maintenance shall include, but shall not be limited to, painting, structural integrity and landscaping.

2.7 ABANDONMENT OR DISCONTINUATION OF USE

a. At such time that a licensed carrier plans to abandon or discontinue operation of a personal wireless communications facility, such carrier will notify the Town by certified US mail of the proposed date of abandonment or discontinuation of operations. Such notice shall be given no less than 30 days prior to abandonment or discontinuation of operations. In the event that a licensed carrier fails to give such notice, the personal wireless communications facility shall be considered abandoned if the annual certification required in Section 2.9 d. is not received within 10 days of its due date. If the Town suspects that a facility is abandoned, it may request a confirmation of continued operations at any time, and a facility shall be considered abandoned if no such confirmation is received within 30 days of the request.

b. Upon abandonment or discontinuation of use, the carrier shall physically remove the personal wireless communications facility within 12 months from the date of abandonment or discontinuation of use. "Physically remove" shall include, but not be limited to:

1. Removal of antennas, mount, equipment shelters and security barriers from the subject property.
2. Proper disposal of the waste materials from the site in accordance with local and state solid waste disposal regulations.

3. Restoring the location of the personal wireless communications facility to its original condition, except that any landscaping and grading shall remain.

c. If a carrier fails to remove a personal wireless communications facility in accordance with this section of this Bylaw, the Town shall have the authority to enter the subject property and physically remove the facility. As provided for in Section 2.9 (c), the Planning Board will require the applicant to provide security, in an amount set by the Planning Board, prior to issuance of the Special Permit to cover costs for the removal of the personal wireless communications facility in the event the Town must remove the facility.

2.8 RECONSTRUCTION OR REPLACEMENT OF PRE-EXISTING NONCONFORMING PERSONAL WIRELESS SERVICE FACILITIES

Personal wireless service facilities that were in existence at the time of adoption of this Bylaw may be reconstructed, altered, extended or replaced by Special Permit, provide that the Planning Board finds that such reconstruction, alteration, extension or replacement will not be substantially more detrimental to the neighborhood and/or the Town than the pre-existing non-conforming structure. In making such a determination, the Planning Board shall consider whether the proposed reconstruction, alteration, extension or replacement will create public benefits such as opportunities for co-location, improvements in public safety, and/or reduction in visual and environmental impacts.

2.9 PERFORMANCE GUARANTEES

a. Insurance in a reasonable amount determined and approved by the Planning Board after consultation at the expense of the Applicant with one (1) or more insurance companies shall be in force to cover damage from the structure, damage from transmissions and other site liabilities. Annual proof of said insurance shall be filed with the Town Clerk.

b. An initial bond to cover annual maintenance for the access road, site tower(s), antennas, and related equipment will be posted in an amount approved by the Planning Board.

c. Security shall be established prior to the issuance of a Special Permit to ensure that funds are available for the removal of the wireless communications facility and restoration of the site to as close to its original condition as is feasible. Such security shall consist of special cash account, held by the Town, and dedicated to the specific purpose of removing and disposing of the wireless communications facility and restoring its site. The account shall be established by the Town upon receipt of the funds from the applicant in an amount determined by the Planning Board after consultation with an appropriate consultant (at the expense of the applicant). At the discretion of the Planning Board, a comparable security such as a letter of credit may be substituted for the cash account.

d. Annual certification as to continuing operations and compliance with applicable standards of the Federal Communications Commission, Federal Aviation Administration and the American National Standards Institute shall be filed with the Planning Board by the Special Permit holder, no later than January 31 of each year.

2.10 COLOR

a. Personal wireless service facilities which are side-mounted on buildings shall be painted or constructed of materials to match the color of the building material directly behind them.

b. Wireless communications facilities shall be of an appropriate color to minimize visibility. The colors may vary by site, type of facility and/or location of each portion of the facility in relation to its immediate environs.

2.11 EQUIPMENT SHELTERS

Equipment shelters for personal wireless communications facilities shall be designed consistent with one of the following design standards:

a. Equipment shelters must be located in underground vaults; or
b. Equipment shelters must be designed consistent with traditional materials, color and design of the area.
c. Equipment shelters must be camouflaged behind an effective year-round landscape buffer, equal to the height of the proposed building, and /or wooden fence acceptable to the Planning Board.

2.12 LIGHTING AND SIGNAGE

a. Personal wireless service facilities shall be lighted only if required by the Federal Aviation Administration (FAA). Lighting of equipment structures and any other facilities on site shall be shielded from abutting properties. There shall be total cutoff of all light at the property lines of the parcel to be developed, and foot-candle measurements at the property line shall be 0.0 initial foot-candles when measured at grade.

b. Signs shall be limited to those needed to identify the property and the owner and warn of any danger.

c. All ground mounted personal wireless communications facilities shall be surrounded by a security barrier.

2.13 HISTORIC BUILDINGS

a. Any personal wireless communications facilities located on or within a historic structure (a structure listed or eligible for listing on the State or National Register of Historic Places) shall not alter the character-defining features, distinctive construction methods, or original historic materials of the building; or

b. Notwithstanding the foregoing, approval, where required, of the Sherborn Historic District Commission or the Massachusetts Historic Commission shall constitute compliance with this Subsection 2.13.

2.14 COMMENTS FROM OTHER BOARDS

The Planning Board shall request comments from the Town Forest Committee for any proposed locations within Town Forest, or from other boards of commissions as may be relevant (e.g. Cemetery Commission for locations near a cemetery, Open Space Committee for locations near the Bay Circuit Trail).

2.15 TERM OF SPECIAL PERMIT.

A Special Permit issued for any personal wireless communications facility shall be for a maximum initial term of 5 years**.** Such permits shall be renewable for additional maximum terms of five years upon application by the Special Permit holder at least 90 days prior to the expiration

of a current term. Renewal applications shall contain documentation that the conditions of the original Special Permit (or any previous renewals) were met and maintained during the previous term.

SECTION 3 SITE PLAN REVIEW

3.1. AUTHORITY

The administrative requirements herein are authorized by the Town of Sherborn Zoning Bylaws, Section 5.3.1 (b) Special Permits for Site Changes in the Business District, and Section 6, Special Permit Granting Authority

3.2. PRECEDENCE

In case of conflict among the zoning bylaw, and/**or** these regulations, and/**or** an approved site plan, the order of precedence shall be:

1. Zoning Bylaw; then 2. these regulations; then 3. the approved site plan.

3.3. APPLICABILITY

These regulations shall apply to projects subject to a Site Plan Special Permit under Section 5.3.1 of the Zoning Bylaw.

3.4. REQUIREMENTS

In order to facilitate the review process, the applicants may schedule a meeting with the Town Planner to review the requirements and the process. At the discretion of the Town Planner, a pre-submission meeting with the Planning Board may also be scheduled prior to submitting an application for a Site Plan Special Permit. Other resources that are available to the applicant that will aid the application and review process include the Sherborn Permitting Procedures Manual (available at http://planning.sherbornma.org and for sale at Town Hall) as well as copies of the regulations and fee schedules of other Town Departments/Boards. It is recommended that these resources be consulted before preparing plans in order to minimize or avoid plan changes after submittal.

3.4.1. The Site Plan shall be drawn at a scale 1” = 20', and on a maximum sheet size of 24" X 36", all existing (dash line) and proposed (solid line) features and elevation contours in compliance with the requirements of Site Plan Approval of the Zoning Bylaws. Approved site plans shall be drawn on a reproducible mylar both for recording and to file with the Planning Board.

3.4.2. Contents. The Site Plan shall contain, at a minimum, the following information to assist the Planning Board in evaluating the site plan. Separate sheets shall be used as appropriate to retain plan legibility:

3.4.2.1. The names and address of the record owner of the land, the name and address of the developer and/or applicant (if different from the owner, and the name, seal, and address of the designer, engineer, and surveyor who made the plan, all of which shall appear in the lower right hand corner.

3.4.2.2. A Signature Block located on the right side of each drawing with suitable space to record the action of the Planning Board and the signatures of the members of the Board, and indicating the date of approval and date of endorsement.

3.4.2.3. A locus plan drawn to a scale of 1" = 1000' showing the general location of the site in relation to all adjacent and nearby roads, railroads, waterways, and utility easements. Name of

development, scale and north arrow, date of plan and legend.

3.4.2.4. The lot shall be tied into the nearest town, county, and state bound. Bearings and curve data distances of all lot lines. Locations of driveways, parking and service areas, names of all parties of interest including abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred feet of the property line as they appear on the most recent applicable tax list including those in other cities or towns. The plan shall also show the location of easements, rights of way, public or private ways, and other reservations existing, planned or proposed, on, adjacent to, or intersecting the subject site.

3.4.2.5. Assessor's Map and Lot numbers of subject property.

3.4.2.6. Zoning district(s) and any boundary of zoning districts within the lot, along any lot line, or within any adjoining property.

3.4.2.7. Topography for the entire site shall be shown in two-foot intervals except where the Board requires that a one-foot contour interval be used. Contours and elevations of existing and proposed features shall be based on the North American Vertical Datum of 1988 (NAVD 88). Existing contours are to be shown as dashed lines and proposed contours are to be shown as solid lines.

3.4.2.8. The location and dimensions (including height) of all existing and proposed buildings and structures, including ground coverage, gross floor area, and breakdown of indoor and outdoor floor area. Open area uses and other uses and improvements. All doorways and their way of opening shall be shown for all existing and proposed buildings. Location of buildings existing on the tract to be developed and on adjacent tracts within a distance of 100 feet from the property line, indicating whether existing buildings on the tract are to be retained, modified, or removed. Existing soil conditions and soil suitability test results.

A statement of the amount of area of land involved in the site, the percentage of the site proposed to be covered by buildings and parking areas, the number of square feet of gross floor area, the area to be proposed to be devoted to open space, the area proposed to be paved for parking, driveways, loading space, and sidewalks, the total number of parking spaces proposed and required by the Zoning Bylaws for the uses proposed, the number of employees expected per shift, and the total floor area of proposed commercial, industrial, office or other use.

Where the zoning bylaws set requirements related to the above figures, those requirements also shall be listed in a manner that permits comparison of the required vs. the proposed quantities.

3.4.2.9. Existing and proposed front, side, and rear yard dimensions. Proposed dimensions shall be in accordance with the Town of Sherborn Zoning Bylaws as most recently revised.

3.4.2.10. Parking lots; showing driveway entrances and exits designed for safe ingress and egress, curb cuts, layout of parking spaces, aisles, pedestrian walks, necessary ramps, and representative cross sections of all proposed service and parking areas and driveways. All of the above shall be in accordance with the applicable sections of the Town of Sherborn Zoning Bylaws as most recently revised. All parking and access shall comply with the Architectural Access Board and Americans with Disabilities Act regulations. The applicant shall indicate the basis for determining the number of parking spaces.

The plan for any new building shall include appropriate access for fire equipment, such

access to be approved by the Fire Chief on the plans prior to construction of the building. Access to present buildings shall be kept clear of hazardous substances and obstacles which may, in the opinion of the fire department, impede the proper placement of fire apparatus and personnel in case of fire.

Proposed traffic circulation systems, including the volume and proposed direction of projected traffic flows into, out of, and within the site for both vehicles and pedestrians for an average day and for peak hours.

Off-street loading facilities, necessary ramps, and representative cross sections of all proposed parking areas and driveways. Curb stops shall be shown where, in the opinion of the Planning Board, they are necessary.

3.4.2.11. All existing and proposed landscape features such as fences, walls, planting areas, and walks. Planting details in buffer zones and green belts shall include species, height of species, spacing of plantings and shall be shown at sufficient scale to illustrate clearly the landscaping design. (See those Sections of the Sherborn Zoning Bylaw, as most recently amended, pertaining to landscaping and buffers, including but not limited to Sections 3.4, 4.5.3, 5.1.5, and 5.6.5.) Plans for walks, walls, and fences shall include dimensions, materials and finishes.

3.4.2.12. All plans shall show the edge of wetlands, the edge of the 100 year (FEMA) flood plain, the edge of isolated areas subject to flooding, the banks of intermittent streams, the banks of perennial streams, the banks of lakes and ponds, the banks of rivers, the riverfront area (including the 100 foot and 200 foot riparian zones), and the edge of the 100 foot wetland buffer zones. The limits of these resource areas shall be determined in accordance with applicable Massachusetts Department of Environmental Protection Regulations (310 CMR 10.00-10.60, including appendices) and any Town of Sherborn Zoning Bylaw, General Bylaw or Town Regulation relative to wetland protection, aquifer protection, and/or water resource protection. FEMA panel number, zone designation, and base flood elevation shall be indicated on the plan. Wetland boundaries shall be identified according to the requirements of the Conservation Commission as to criteria and time of year analyzed. If no resource areas or buffer zones are located on the subject property, then a statement to that effect shall be on the plans.

3.4.2.13. All facilities for water supply and distribution, fire protection, lighting, and facilities for the prevention of air pollution and protection of the groundwater. All utilities are to be installed underground.

3.4.2.13.1. The following site lighting information shall be provided: type, height, wattage, foot candle output directly under the light source, and foot candle output at the property line and a photometric layout/diagram showing direction and intensity of outdoor lighting. Lighting fixtures shall be of "cut-off" design, and not floodlight design, unless otherwise approved by the Planning Board. Foot candle output directly under the light source shall not exceed five (5) and shall not exceed .25 at the property line. Lighting (poles and fixtures combined) shall not exceed 15' in height.

3.4.2.13.2. A duplicate site plan showing a photometric diagram/layout to establish the boundaries of the illumination shall be provided. The duplicate site plan need not show the detail of the actual site plan, but shall show the lot, building(s) on the lot, light standard location, and perimeter of the illumination of each light.

3.4.2.14. Location and dimensions (including height) of all storage facilities for equipment, material, and other like items.

3.4.2.15. Location and dimensions (including height) of facilities for garbage, rubbish, and other waste collection and disposal. Description and plan of capacity and location of means of sewage disposal together with approval of the Board of Health and evidence of soil suitability for such disposal (test pit locations shall be shown on the plans).

3.4.2.16. All facilities for accommodating storm-water drainage and snow-melt runoff from all buildings, driveways, parking areas, and service areas on the site. The site plan shall be accompanied by a storm drainage study based on the design criteria of a 25-year storm, certified by a professional engineer and a proposed drainage system plan, both surface and subsurface, showing measures proposed to prevent pollution of surface or ground water, soil erosion, increased run-off, changes in ground water level and flooding. All storm water drainage shall be contained on site unless otherwise approved by the Planning Board. Major structures, culverts, detention basins, and retention basins shall accommodate the 100 year frequency storm event. Leaching pits, basins, and galleys shall be installed**.** The drainage design shall incorporate best management practices and standards in compliance with the most recent edition of the Massachusetts Stormwater Management Handbook.

Soil percolation and/or permeability tests shall be conducted to document the capacity of the soil to accommodate the discharge of the proposed drainage system. Runoff from all structures shall be accommodated into leaching basins unless otherwise approved by the Planning Board. All runoff from parking areas, driveways and service areas on the site shall be directed into a dedicated oil-water separator. Roof runoff shall be discharged into drywells.

3.4.2.17. A plan for the control of erosion, siltation, and dust before and during construction including, but not limited to, appropriate ground cover, crushed stone construction entrance and street sweeping of adjacent public ways as required by the Board. The Board may require seeding.

3.4.2.18. Location and dimensions (including height) of existing and/or proposed free standing signs and the manner of their external illumination.

3.4.2.19. All private wells within 200' of the property.

3.4.2.20. All public or community water supply wells within 1000' of the property.

3.4.2.21. Removal of earth shall be performed in accordance with the requirements in accordance with the Town of Sherborn Bylaws, including Section 5.4 of the Zoning Bylaw and as specified by other agencies. The applicant shall also indicate on the plan the volume of fill and/or gravel borrow that will be trucked onto the site. The Board may require certification of compliance with G.L. c. 21E, as most recently amended, with respect to the existence of contamination or threat of contamination on the site.

3.4.2.22. The maximum size vehicle, including trailers, expected to use the site after construction shall be identified by length, width, height, and AASHTO designation.

3.4.2.23. All existing and proposed structures shall have indicated on the plans their garage and pedestrian entrances and exits and their openings.

3.4.2.24. All existing and proposed public and private utilities, above and below grade, along with their type, size, and class, shall be shown on the plan. All proposed and existing public and private utilities on site shall be located underground.

3.4.2.25. All waivers proposed by the Applicant and approved by the Planning Board or a statement to the effect that no waivers are being requested shall be indicated on the plan.

3.4.2.26. There shall be no impact of drainage on abutting public or private water supply.

3.4.2.23. The construction requirements of parking lots and driveways shall be the same as that for roadways as specified in Schedule A of the Subdivision Rules and Regulations.

As may be specifically allowed under the Sherborn Zoning Bylaws, parking lots may be other than bituminous pavement as follows:

3.4.2.23.1. Parking areas serving municipal open spaces shall be classified as being in one of two use categories: Conservation-Passive Uses for which vehicle use is infrequent (trips/day) and of low capacity (parking less than 20 cars) and Recreation-Active uses for which vehicle use is frequent (trips/day) and of high capacity (parking above 20 cars).

3.4.2.23.2. Drainage for both Conservation-Passive and Recreation-Active parking areas shall be designed such that there is no increased runoff impact from the built condition as compared to the existing condition. All drainage design shall be under the direction of a licensed professional as is required for any site plan documents. The site design shall strive to mitigate existing land deficiencies that create an undesirable impact off-site.

3.4.2.23.3. Parking area design shall establish that there is satisfactory sub-surface soil material to structurally support the proposed vehicle use. The sub-grade shall meet design standards required for local roadway design of residential subdivisions. There shall be a minimum of eight (8) inch thickness of graded, crushed stone base meeting the installation and stone material standards of a local residential subdivision street. There shall be a 4” thick dense graded crushed stone layer and 4” thick bituminous concrete pavement corresponding to the standards for a local residential subdivision roadway.

3.4.2.23.4. Conservation-Passive parking area surfaces may be one of the following surfacing options:

- Pavers and grass at 1-1/2" minimum paver thickness;
- Natural or synthetic honeycomb pavers a minimum of 6" deep and bearing on fully compacted base material and filled/surrounded with porous granular materials;
- A 2" thickness of graded crushed stone with aggregate at 3/4" plus 1" size.

3.4.2.23.5. Recreation-Active area surfaces may be one of the following minimum surfacing options:

- 2-1/2" thick asphalt binder course
- 2-1/2" thick permeable asphalt
- 2-1/2" of compacted stone dust

3.4.2.23.6. Parking spaces are to be adequately denoted by permanent measures as approved by the Planning Board.

3.4.2.23.7. Maintenance Covenant: All municipal parking areas built for Conservation or Recreation uses under a Special Permit shall be subject to a periodic site review permit/use reinstatement.

3.4.2.23.8. Public access and public safety conditions shall be a condition of any such parking lot use. Such conditions as safe access from a public way, lighting and traffic controls, lane and parking stall markings, parking area travel way, etc. shall be in conformance with the regulations for normal Site Plan Approval.

3.4.2.23.9. All other aspects and criteria listed in the Zoning Bylaws for granting of any Special Permit shall be applicable for these Conservation and Recreation Parking Area standards.

3.4.2.24. Parking stalls shall be painted according to MassDOT specifications, as most recently amended. Lines shall be at the head of and along the sides of parking stalls. Lines shall be ~~a~~ 4" wide and shall be one consistent color, either yellow or white. Stalls are measured from the center of lines.

3.4.2.25. Any additional details that may be pertinent.

3.4.2.26. The applicant shall provide a written statement describing how the proposed site plan application meets the general conditions of approval of Sherborn Zoning Bylaw.

3.5. **SUBMISSION**

3.5.1. General. The following shall be submitted to the Planning Board Office: 8 copies of the Site Plan, 8 copies of the application form "Petition for Special Permit," 8 copies of the site plan approval checklist, Application Fee (See Schedule C for amount of fee.) Review Fee (if applicable, to be determined on a case-by-case basis), Certified List of Abutters from Assessors' Office, Copy of any decisions for subject property from Zoning Board of Appeals, 3 copies of stormwater drainage report, 3 copies of traffic assessment (study), Completed Bank Tax ID Form for review fee funds, Letter regarding consent for use of Board's consultant, Good Standing Approval from Tax Collector's Office.

Note: Please also contact the Board of Health office for its Site Plan fee.

The Town Planner shall review the application for completeness within 14 days of submittal. If not substantially complete, the site plan may be returned to the applicant with a list of the discrepancies noted for correction. If found to be substantially complete, the Town Planner shall distribute, within five (5) business days, one (1) copy each to the Building Commissioner, Board of Health, Conservation Commission, Police Chief, Fire Chief, and CMD Director. The agencies receiving these copies shall have up to 21 days to make recommendations to the Planning Board.

3.5.1.1. The application must be accompanied by a copy of a certified list, from the Board of Assessors, of the names and addresses of all abutters and abutters to abutters within 300' of the subject property taken from the most recent tax list.

3.5.1.2. If the property was previously granted a Special Permit or Variance from the Zoning Board of Appeals, a copy of the decision and the site plan reviewed by the Board of Appeals must also accompany the application. If the property is before the Board of Appeals for a Special Permit at the time of application to the Planning Board for Site Plan Approval, a copy of the application form submitted to the Zoning Board of Appeals shall also be submitted to the Planning Board.

3.5.1.3. The site plan shall be prepared by a Professional Engineer (PE) and a Registered Land Surveyor licensed to practice in the Commonwealth of Massachusetts as appropriate, and certified by same with their seal, stamp and signature. The proposed use(s) and site development shall conform to the requirements set forth in the Town of Sherborn Zoning Bylaws and other regulations as applicable. The plan shall conform to the administrative requirements set forth herein.

3.5.1.4. Technical data, as deemed by the Planning Board to be necessary, shall be provided to support the site plan and resulting findings.

3.5.2. Traffic Congestion Control and Analysis. A traffic study shall be required that documents existing and projected traffic within reasonable proximity of the site, the impacts of the

project on level of service of nearby roads and intersections, sight distances at exits/entrances and proposed mitigation measures.

3.5.3. Waivers. Upon request of the applicant, the Planning Board may waive the requirement to provide any of the planning information which it deems not relevant to the proposed development.

3.6. **SITE PLAN SUBMITTAL FEE**

3.6.1. See Planning Board Fee Schedule C.

3.7. **HEARING**

3.7.1. Notice

3.7.1.1. Notice of hearings shall be advertised as required by the provisions of General Laws, Chapter 40A, Section 11.

3.7.1.2. The public hearing shall be held within 65 days from the date of the proper filing of the application.

The public hearing shall be conducted in accordance with the rules and procedures prescribed by the Planning Board as required by the Zoning Act of Massachusetts General Laws and shall be open to the public and in accordance with Mass. G.L. Ch. 39, Sec. 23 a, b, & c, as amended. ("Open Meeting Law")

3.7.3. Representation and Absence. An applicant may appear in his own behalf, and/or be represented by an agent or attorney. In the absence of any appearance without due cause on behalf of an applicant, the board may decide on the matter using the information it has otherwise received.

3.8. **DECISION**

3.8.1. Time. Within 90 days from the conclusion of the public hearing, the Planning Board shall vote on Site Plan Approval and file its decision with the Town Clerk.

3.8.2. Modification/Amendment/Endorsement. The Planning Board shall have the power to modify or amend its approval of a site plan on application of the person owning or leasing the premises, or upon its own motion in the event of changes in physical conditions sufficient to justify such action within the intent of the Zoning Bylaws. All of the provisions applicable to approval shall, where apt, be applicable to such modification or amendment.

3.8.3. Voting Requirement

3.8.3.1. The concurring vote of at least four (4) members of the Board shall be necessary to grant Site Plan Approval. Any amendments or conditions proposed to an original motion to grant Site Plan Approval shall be declared passed, based on a simple majority vote.

3.8.3.2. The record shall show the vote of each member upon each question or, if failing to vote, indicate reasons for its decision.

3.8.4. Written Notification of Decision/Detailed Record

3.8.4.1. The Planning Board shall issue a written decision to the applicant giving the reasons for its

decision.

3.8.4.2. A detailed record of proceedings, including the vote on each question shall be filed with the Town Clerk.

3.8.4.3. If site plan approval is granted by the Board, the applicant shall submit a revised plan reflecting any and all Conditions of Approval within 60-days of filing of the Board's decision with the Town Clerk.

3.9. **GENERAL**

3.9.1. Application. Prior to acceptance, all applications shall be reviewed by the Planning Board or its agent. If the Planning Board decides that an application is incomplete, it shall be deemed invalid and the fee returned. If desired, the applicant may resubmit a completed application, which shall be treated as a new application.

3.9.2. Withdrawal. An application may be withdrawn, without prejudice, by notice in writing to the Board at any time prior to the hearing by the Planning Board. After an advertisement, withdrawal, without prejudice, is only by Planning Board Approval.

3.10. **ONE-YEAR LIMITATION OF GRANTS; EXTENSIONS**

3.10.1. If an approval is granted by the Planning Board, all permits necessary for the prosecution of the work shall be obtained and construction shall be commenced within one year from the date of filing of the Planning Board's decision in the office of the Town Clerk.

3.10.2. It is recommended that requests for extensions be submitted in writing to the Planning Board at least 60 days prior to the expiration date of Site Plan Approval.

3.10.3. Reasonable extension of said time may be granted by the Board for good cause shown.

3.10.4. The Planning Board is herein authorized to assess observation fees and require applicants to have site plan improvements observed during the construction phase of the project

3.11. **APPEAL OF DECISION**

3.11.1. Any appeal of the decision of the Planning Board to any order or decision relative to Site Plan Approval shall be made in conformance with the conditions set out by the Zoning Act. All such appeals shall be conducted in accordance with the Zoning Act. (MGL Ch. 40A, Section 17)

SHERBORN PLANNING BOARD

RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND

SECTION 1 GENERAL

1.1. AUTHORITY

Pursuant to General Laws, Chapter 41, Section 81Q, the Planning Board of the Town of Sherborn has adopted the following Rules and Regulations governing the subdivision of land in the Town of Sherborn.

1.2. PURPOSE

These Rules and Regulations Governing the Subdivision of Land in Sherborn have been adopted for the purposes set forth in MGL Chapter 41, Section 81M as amended.

1.3. DEFINITIONS

1.3.1. Subdivision. A division of land into two or more lots in such a manner as to constitute "subdivision" as defined in MGL Ch. 41, Section 81-L, as amended from time to time.

1.3.2. Applicant. Applicant shall include an owner or his agent or representative, or his assigns.

1.3.3. Owner. Owner shall mean the owner or owners of record of all land included within the subdivision as shown by the records of the Registry of Deeds for the Southern District of Middlesex County or the Middlesex South Registry District of the Land Court.

1.3.4. CMD. CMD shall mean the Community Maintenance and Development Department.

1.3.5. Board. Board shall mean the Planning Board.

1.4. SUBDIVISION

1.4.1. 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.

1.4.2. No subdivision shall be approved unless it complies with these Regulations and with the applicable provisions of zoning and other Town bylaws and regulations and of the General Laws of the Commonwealth of Massachusetts, or unless, in the opinion of the Board, such subdivision meets the requirements of public safety, including reasonable precautions against possible natural disasters, of traffic safety and convenience, of adequate water supply, storm water drainage and sewage disposal and is designed with due regard to the rights, health and welfare of Sherborn's inhabitants, including the residents of such subdivision. Proposed subdivisions shall conform to over-all development plans adopted by the Planning Board and shall adhere to the principles of correct land use, sound planning and good engineering.

1.4.3. The approval of a subdivision by the Board does not affect any rights others may have in or over the land to be subdivided, nor does it give the Applicant the right to perform work on land owned by others. The Board is entitled to rely upon the accuracy of the information submitted by the Applicant. 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 or inability to obtain all necessary permits, licenses, releases or rights may constitute a reason for the disapproval or recision of approval of a subdivision plan.

SECTION 2 PROCEDURES FOR THE SUBMISSION OF PLANS NOT REQUIRING APPROVAL UNDER THE SUBDIVISION CONTROL LAW

2.1. SUBMISSION OF PLAN

Any persons who wish 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 the plan does not require approval under the subdivision control law because the plan does not constitute a subdivision, shall:

a. Schedule Planning Board review by contacting the Town Planner to be placed on the agenda of an upcoming meeting.
b. Fill out Form A as indicated on the Form (see Appendix)
c. File, by delivery or registered mail, a notice with the Town Clerk. Such notice shall describe the land to which the plan relates sufficiently for identification, and shall state the date when such plan was submitted and the name and address of the owner of such land.
d. Submit to the Town Planner the following:
   - -- A completed Form A
   - -- A completed original Mylar plan of land <u>and</u> four (4) copies at a scale of 1"-40', or at an alternate scale appropriate for the size of the property as may approved by the Planning Board.
   - -- One 1"-200' scale copy of plan of land, or an electronic copy in a form compatible with the Town's GIS system.
   - -- One (1) copy of a plan of land showing the existing boundaries of the land at the same scale as the plan indicating the proposed changes.
   - -- Filing fee as specified in Schedule C (check payable to Town of Sherborn)

2.2. CONTENTS OF PLAN

Each plan shall contain the following information:

a. Existing and proposed boundary lines, dimensions and areas (in square feet or to the nearest 1/100 of an acre) of all lots, the boundary lines of which are to be changed or shown without change.
b. Title, north point, date of survey, date of plan and date of each revision, if any, Assessor's map number and lot number, and scale legend.
c. Name of owner of record, and name, address, signature and imprint of the seal of the registered engineer or registered land surveyor preparing the plan.
d. Names of the owners of all abutting lots from the current Assessors' records.
e. Indication of the Zoning district or districts and district boundary lines, if any, coinciding with or intersecting any lot line.
f. Existing and proposed lines of streets, ways, and easements with an indication on the plan of their intent and whether they are public or private.The width and construction materials of the traveled way from which the property derives its frontage, as well as notice as to whether or not the street is a Scenic Road, shall be indicated on the plan.
g. Existing and proposed public or common areas, if any.
h. Location of all existing buildings on proposed lots and abutting lots.
i. Indication of the floodplain district, if any, within or in close proximity to the proposed lots.
j. Existing and proposed permanent boundary markers, and existing stone walls.
k. Limits of any wetlands subject to State or local jurisdiction, located on or adjacent to the property.
l. A vicinity map showing all other adjacent land of the Applicant and other adjacent properties as far as the nearest existing street in every direction. The vicinity map may be a copy of the Assessors' maps.
m. A figure indicating <u>total</u> frontage, and a dimension illustrating <u>width</u> at the front setback line and a proposed building line shall also be shown on the plan.
n. Frontage and area of any remaining adjoining land owned by the Applicant.
o. Notice of any special permits/variances issued which affect the proposed change in lot lines.

p. Deed reference of record owner by Book and Page number and Land court Certificate number if applicable.

q. Printed legend for Planning Board endorsement in the following form:

Approval under the Subdivision Control Law not required.

SHERBORN PLANNING BOARD

_____

_____

_____

_____

_____

Date _____ 20____

q. The following statement shall appear below the space for the signature for the Planning Board: "The above endorsement is not a determination by the Planning Board as to conformance with zoning requirements."

2.3. ENDORSEMENT

If the Board finds that the plan meets the requirements of this section and does not require approval under the Subdivision control Law, at least a majority of the members of the Board shall endorse the plan without a public hearing and return the original thereof to the Applicant within the time period required by MGL Ch. 41, Section 81-P from the date of submission of the plan. If the Board shall determine that in its opinion the plan requires approval under the Subdivision Control Law, it shall give written notice of its determination to the Town Clerk and to the Applicant within such statutory period.

SECTION 3 PROCEDURES FOR THE SUBMISSION OF PLANS REQUIRING APPROVAL UNDER THE SUBDIVISION CONTROL LAW

3.1. PRELIMINARY PLAN

3.1.1. Preliminary Conference

In order to insure full compliance with these Rules and Regulations and thereby facilitate the preparation, submission and processing of preliminary plans and definitive plans requiring approval under the Subdivision Control Law, the Board invites any owner intending to subdivide his land to request an informal preliminary conference with the Board prior to his submission of a preliminary or definitive plan.

3.1.2. Filing Procedures for Preliminary Plan

Any person submitting a preliminary plan shall file ~~five (5)~~ **six (6)** copies thereof with the Planning Board together with a fully executed Application Form B, and shall simultaneously file two (2) copies with the Board of Health. On a related but separate matter of compliance, Applicants should reference the Board of Health Regulations Section II "Public and Environmental Health Review Regulations for Other than a Single Family Dwelling on a Single Lot". After delivery of the plan and the above forms to the Board, the Applicant shall file by delivery or registered mail a notice with the Town Clerk stating the date of submission of said plans for approval, together with a copy of Form B and a copy of the plans as submitted. Such notice shall describe the land sufficiently for identification and shall state the name and address of the owner.

3.1.3. Contents of a Preliminary Plan

A preliminary plan shall contain the following information:

a. Subdivision name and title "Preliminary Plan".
b. Names and addresses of record owner, Applicant, subdivider, and seal and signature of the engineer, surveyor or landscape architect preparing the plan.
c. Subdivision boundaries, north point, date, Assessor's map number and lot number, and scale legend.
d. Boundary lines of existing and proposed lots with areas, dimensions, and bearings.
e. Delineation of floodplain districts, riparian areas and wetland areas as determined under Ch. 131, Sect. 40 (Mass Wetland Protection Act) and regulations thereunder, and under the Town of Sherborn's Wetlands Bylaw and any regulations thereunder, within or adjacent to the subdivision.
f. Delineation of existing buildings and other site features, including but not limited to, existing driveways, cart paths, trails, fences, walls, stone walls, wooded areas, large trees over 12" in diameter, rock ridges and outcroppings.
g. Existing and proposed topography at two (2) feet contour intervals showing the elevation of the tops of rises, hills or hummocks and of water courses and ponds. Existing and proposed contours on preliminary plan are to tie in with existing and proposed contours on individual lot plans.
h. Existing and proposed drainage systems including the approximate location and size of all proposed inlets, outlets, pipes, drains, detention/retention ponds, and drainage easements within or appurtenant to the subdivision.
i. Proposed locations of municipal services and utility installations.
j. The lines of all existing and proposed streets and ways, including proposed connections, if any, with existing or proposed streets or ways on adjoining land.
k. The boundaries of all proposed easements or public or common areas within the subdivision and notations indicating the purposes thereof.
l. The lines and grades of existing streets for a minimum of 500 feet either side of each proposed subdivision street intersection with an existing street.

m. Proposed street names.
n. The names of all abutters as determined from the most recent Assessors' list.
o. A separate transparent reproducible plan at a scale of 1" = 600' showing the following:
    1. Boundaries of existing streets and ways, and easements which bound, approach or are in reasonable proximity to the subdivision in solid lines.
    2. Boundaries of proposed streets, ways, easements and public or common areas in broken lines.
    3. Name of subdivision, north point and scale legend.

3.1.4. Groundwater Impact Assessment

The Board may require that the following be submitted where such information is necessary to evaluate the plan because of special circumstances of the proposal or its location;

a. Location of aquifers, recharge areas, or watersheds for existing or potential drinking water supplies.
b. Maximum groundwater table elevation and direction and velocity of groundwater flow.
c. Projection of nutrient loading (nitrate-nitrogen concentrations) in groundwater downgradient of the subdivision in the water resources protection district.
d. Analysis of open and closed drainage system alternatives, examining effects upon the recharge of aquifers and the quality of groundwater and surface water.

3.1.5. Approval or Disapproval of Preliminary Plan

After submission of a preliminary plan and within the period set forth in Section 81-S of the Mass. General Laws, both the Planning Board and the Board of Health shall notify by certified mail the Applicant and Town Clerk that the plan has been approved, or that the plan has been approved with modifications suggested by either the Board or agreed to by the Applicant, or that the plan has been disapproved. In the case of disapproval, each board so disapproving shall state in detail its reasons therefor. Approval of a preliminary plan shall not constitute approval of the proposed subdivision by either Board.

3.2. DEFINITIVE PLAN

3.2.1. General

The term "Definitive Plan" as used in these Rules and Regulations shall mean a plan of a subdivision within the meaning of the Subdivision Control Law prepared by a professional engineer, land surveyor or landscape architect registered in Massachusetts.

The objectives of a Definitive Plan are:

1) presentation of detailed and specific plans, of the construction documents type, for the development of the subdivision,
2) provision of a specific plan for reference in granting a certificate of action and a special permit with subdivision plan approval.

The Planning Board encourages thorough analysis and resolution of design issues in the preliminary plan stage prior to submission of the Definitive Plan. At the time of the filing of the Definitive Plan, it should be accurate, correct and complete on the day of submission and based on a clear direction as to a design acceptable to the Board. Any deficiencies and inaccuracies shall be grounds for denial of the Definitive Plan.

It is recommended that a licensed design professional be responsible for the coordination of the elements of the Definitive Plan, prepared by other professionals.

3.2.2. Filing Procedure for Definitive Plan

Any Applicant submitting a Definitive Plan for approval shall comply with the following filing requirements:

a. File with the Planning Board the following:
   1. An original drawing of the Definitive Plan, and eight (8) contact prints thereof in dark lines on white background (Section 3.2.3.).
   2. The original and eight (8) contact prints of the locus plan (Section 3.2.3.u).
   3. The original and eight (8) contact prints of the profile plan (Section 3.2.4.).
   4. Two (2) paper copies and an electronic copy of the drainage calculations and drainage run-off plan (Sections 3.2.5.).
   5. Three (3) signed copies of the report of subsurface conditions and soil percolation tests (Sections 3.2.6.(a)).
   6. Three (3) signed copies of the statement concerning filling or earth removal (Section 3.2.6.(b)).
   7. Three (3) certified copies of certain recorded instruments and plans affecting the subdivision (Section 3.2.6.(c)).
   8. Three (3) conformed copies of instruments establishing easements in contiguous land (3.2.6.(d)).
   9. Three (3) properly executed copies of each of the following forms:
      (i) Application Form C
      (ii) Designer's Certificate (Form D)
      (iii) List of Abutters (Form E)
      (iv) Covenant (Form F) (1)
   10. One (1) 1" = 200' scale copy of the Definitive Plan.
   11. A filing fee payable to the Town of Sherborn in an amount indicated in the attached fee schedule. A statement signed by the engineer or surveyor preparing the Definitive Plan setting forth the computation of the filing fee shall accompany such payment.

b. Give written notice to the Town Clerk, by delivery or by registered mail, postage prepaid, that the Applicant has submitted such Definitive Plan to the Planning Board, together with a copy of Form C and a copy of the Definitive Plan as submitted. Such notice shall describe the land to which the plan relates sufficiently for identification, and shall state the date when such plan was submitted and the name and address of the owner of such land.

   A Definitive Plan shall not be considered to have been submitted until the Applicant has filed with the Town Clerk a notice stating the date of submittal. If the notice is given by delivery, the Town Clerk shall give a written receipt or a dated stamp of receipt on a copy of Application Form C.

c. Such plan shall be considered submitted, unless within 21 days of such delivery the Board determines that the application is incomplete because it does not contain the information required in Sections 3.2.3, 3.2.4, 3.2.5, 3.2.6 (if applicable) and 3.2.7 of these Regulations or the proper procedure was not followed. If the application is considered incomplete, the Planning Board shall notify the Applicant and the Town Clerk in writing.

d. File with the Board of Health, at the time of filing the Definitive Plan with the Planning Board, three (3) copies of each plan and document as submitted to the Planning Board along with the Board of Health filing fee.

e. At the same time as the submission of the Definitive Plan to the Planning Board, the Applicant shall have made application for all other local, state, and federal permits or approvals required for the construction of streets, easements, utilities, and other improvements in the subdivision as provided in these Regulations. Evidence of such filing, or inquiry, in the form of a copy of such

application, and of any action by other agencies, shall be submitted to the Planning Board with the application for the Definitive Plan.

f. An Applicant may withdraw a Definitive Plan upon written request which is approved by vote of the Board.

g. Subsequent submission of a revised Definitive Plan may be handled in the same manner as an original submittal, including the payment of an additional fee for review of the alternate or revised plan. Submission of a plan, which in the opinion of the Board, is so substantially revised as to constitute a new application shall be treated as a new application and will be accepted for processing only upon a written request from the Applicant for the withdrawal of an earlier application.

3.2.3. Contents of the Definitive Plan

The Definitive Plan shall be clearly and legibly drawn in india ink or laser plotted on 4 mil double sided mylar or 3 mil single sided mylar to a scale of 1" = 40' on sheets measuring 24" X 36" and shall comply with the recording requirements of the Register of Deeds or of the filing requirements of the Land Court, in the case of registered land. If multiple sheets are used, they shall be accompanied by an index sheet of the same dimensions drawn to an appropriately reduced scale. The Definitive Plan shall be prepared in accordance with the 2006 Land Court Manual of Instructions as amended and shall contain the following:

a. Subdivision name, perimeter boundaries, north point, Assessor's map number and lot number, names and addresses of the record owner and the subdivider and name, address, signature and imprint of the seal of the registered civil engineer and registered land surveyor preparing the plan;

b. Proposed boundaries, north point, date of survey, date of plan and date of each revision thereto, scale legend and land area table showing the total acreage of the subdivision and the total acreage included in each of the following categories:
(i) building lots,
(ii) streets and ways
(iii) utility, drainage and other easements,
(iv) recreation and conservation sites,
(v) all wetland areas including brooks, ponds and other water bodies,
(vi) other categories, if any;

c. Names of all abutters as they appear on the most recent Assessors' list;

d. Side and center lines of all proposed streets, ways, and passageway easements, and sidelines of proposed driveways, including connections with existing or proposed ways on adjoining land. Numbered station locations shall be marked along the center lines of all streets at fifty (50) foot intervals and at all changes in direction. If the plan contains dead-end streets, provision for future access to existing or previously approved streets or to adjoining land which is not yet subdivided shall be shown. Lines shall be indicated by bearings referred to the north point. Relative error of closure shall conform to the requirements of the 2006 Land Court Manual of Instructions as amended;

e. Accurate dimensions, bearings, length and radius of arc, tangent (or chord) distances, central angles of curves and such other data as may be required to determine readily the precise location of every street and way line and width, lot boundary, easement line, common or public area boundary, and to establish these lines on the ground;

f. Permanent boundary markers properly identified as to whether existing or proposed, the number and locations of which shall comply with Section 5.11;

g. Location, names and present widths of **both** the rights-of-way and the paved or traveled way for streets bounding, approaching or within reasonable proximity to the subdivision;

h. Location, purpose, dimensions, and center line courses of all drainage and utility easements, existing or proposed, and location, purpose and dimensions of all passageways, bridlepaths, trails and other easements, existing or proposed;
i. Proposed street names on the original Definitive Plan and profiles;
j. A closed traverse of the whole subdivision and of every street and lot within the subdivision;
k. Proposed public ways shall be shown as separate parcels, labeled as such, and title to the parcel shall be retained by the applicant or his successor until such time as the public way is accepted by the Town at Town Meeting;
l. Location and outline of all existing buildings and site features including, but not limited to, large trees (diameter 12 inches, three feet above ground level) within the proposed right of way and within 10 feet of either side of the proposed right-of-way and/or building envelope, existing walls, fences, wooded areas, rock ridges, and outcroppings; all wetland resource areas subject to local jurisdiction (bogs, swamps, marshes, water courses, ponds and floodplain areas) within or adjacent to the subdivision;
m. Indication of the zoning districts within which the subdivision is located;
n. Zoning district boundary lines and floodplain district lines, if any, located within or in close proximity to the subdivision;
o. Minimum building setback lines on all lots as determined by Section 4.2 of the Sherborn Zoning By-Laws;
p. Location and description of all proposed and existing drainage facilities, including the size, type and location of storm sewers, manholes, catch basins, infiltration galleys, pipes, culverts, headwalls and drainage ditches, swales, detention/retention ponds and other incidental and special facilities;
q. Existing and proposed topography at two (2) foot contour intervals prepared from a topographical field survey, showing the elevation of the tops of rises, hills, hummocks, and ledge outcroppings, the bottoms of all low points , bowls and swales, and boundaries of wetlands and riverfront area as determined under Ch. 131, Sect. 40 (Mass Wetland Protection Act) and regulations thereunder, and under the Town of Sherborn's Wetlands Bylaw. Elevations and two (2) permanent bench marks shall be based on, in the same datum as, and referenced to U.S. Coast and Geodetic Survey Monuments. Existing and proposed contours on the Definitive Plan are to tie in with existing and proposed contours on individual lot plans;
r. Location of sidewalks and delineation of natural terrain features, including trees six (6) inches or more in diameter, to be preserved in areas between the proposed roadway and the right of way lines; and within 10 feet of the right of way lines;
s. Typical cross sections of each street;
t. An erosion and sedimentation control plan including, but not limited to:
(i) a temporary drainage plan capable of handling a ten-year storm event to be used during construction,
(ii) a crushed stone construction entrance to minimize off site tracking of materials,
(iii) barriers to prevent off site washing of soil, and measures to protect components of the permanent drainage system from sedimentation,
(iv) a dust control plan,
(v) a soil stabilization plan that ensures that disturbed areas where no work is being performed are not left unstabilized for more than 30 days,
(vi) identification of areas to be used for stockpiling materials during construction, and (vii) any other measures that may be necessary based on specific site conditions,
(vii) a copy of an National Pollution Discharge Elimination System (NPDES) permit application has been filed with DEP or documentation that no NPDES permit is necessary.
u. A construction sequencing plan;
v. Printed legend for endorsement of the Board's approval in the following form:

"This plan is approved on condition that no lot in the subdivision shown hereon shall be sold until the streets, ways, municipal services and utilities are constructed in accordance with the terms and conditions of an agreement dated _____ , 20__, between the Town of Sherborn acting through its Planning Board and _____(1)_____ a copy of which agreement is recorded herewith and subject to conditions imposed by the Board of Health and to the recording of this plan and said agreement with the Middlesex South District Registry of Deeds (or Land court) on or before _____, 20__.

_____
_____
_____
_____
_____
Being a majority of the Sherborn Planning Board
Date _____, 20__"

(1) Insert name of each owner of land within the subdivision.

w. Printed legend for the Town Clerk's endorsement in the following form:

"I, Town Clerk of the Town of Sherborn, hereby certify that notice of approval of this plan has been received and recorded at this office and no notice of appeal was received during the twenty (20) days next after the receipt and recording of such notice.

_____ _____
Date Town Clerk"

x. A separate transparent reproducible locus plan at a scale of 1" = 600" showing the following:

1. Boundaries of existing lots, streets, ways, easements and public or common areas which bound, approach or are in reasonable proximity to the subdivision in solid black lines;
2. Boundaries of the subdivision and of all proposed lots, streets, ways, easements and public or common areas in broken lines;
3. North point and scale legend;
4. Name of subdivision, name of each owner and subdivider, date of plan and name, signature and imprint of seal of the engineer or surveyor preparing the plan.

3.2.4. Contents of Plans and Profiles

Profiles shall be drawn in ink or laser printer on 4 mil double sided mylar or 3 mil single sided mylar at a vertical scale of 1" = 4' and a horizontal scale of 1" = 40' and corresponding sections of the street survey plan shall also be shown at the same horizontal scale on each profile sheet. Profiles shall show the following:

a. The centerline of all proposed streets, ways, drains, sewers, headwalls, and waterways, together with cross sections of all headwalls, under drains, drainage ditches, open channel brooks and other water courses. See Appendix, Schedule B, Typical Sections.
b. The existing ground surface profiles along the centerline and each sideline of proposed streets.
c. Elevations and two permanent bench marks based on, in the same datum, and referenced to U.S. Coast and Geodetic Survey monuments;
d. Proposed drainage system showing the types and sizes of all pipes, catch basins, manholes, culverts and headwalls, the invert and rim elevations of all catch basins and manholes, the approximate surface elevation at 100-foot intervals, of all waterways within the subdivision and at each point where a drainage pipe ends and the approximate depth of water at these points;

e. Rates of gradient of all streets, ways, drainage pipes, culverts and waterways shown in percentage figures at each change in grade;
f. Calculations of volumes of cuts and fills necessary to construct road, including drainage system;
g. Legend:
    1. Existing surface at center line in fine black solid line;
    2. Existing surface at right side line in fine black long dash line;
    3. Existing surface at left side line in fine black short dash line;
    4. Proposed surface at centerline in heavy line with grade elevations shown at every 50-foot station along vertical tangents and at every 25 foot station along vertical curves.
    5. Proposed grades in percent along vertical tangents and vertical curve data.

3.2.5. Drainage Calculations and Run-off Plan

Drainage calculations and run-off plan shall be certified by a registered professional engineer to substantiate the proposed pipe sizes and adequacy of design of the subdivision drainage system prepared in compliance with Section 4.4.

3.2.6. Groundwater Impact Assessment

The Board may require that the following be submitted where such information is necessary to evaluate the plan because of special circumstances of the proposal or its location;

a. Location of aquifers, recharge areas, or watersheds for existing or potential drinking water supplies.
b. Maximum groundwater table elevation and direction and velocity of groundwater flow.
c. Projection of nutrient loading (nitrate-nitrogen concentrations) in groundwater downgradient of the subdivision in the water resources protection district.
d. Analysis of open and closed drainage system alternatives, examining effects upon the recharge of aquifers and the quality of groundwater and surface water.

3.2.7. Accompanying Documents

a. A report in writing certified by a registered professional engineer describing the subsurface conditions within the subdivision, including locations and results of all tests made to ascertain subsurface conditions within the subdivision, and on each proposed lot in the subdivision, provide locations and results of tests made to ascertain subsurface soil, rock and ground water conditions, depth to ground water and locations and results of all soil percolation tests conducted in accordance with the requirements of the Board of Health;
b. A statement in writing, signed by the Applicant and by the engineer and surveyor preparing the Definitive Plan, describing in detail any recent or contemplated filling, excavation, relocation or removal of earth, (including, but not limited to soil, loam, sand, clay or gravel) within the subdivision. With respect to each such filling or removal operation within the subdivision, including all filling, cutting and grading required in the construction of the subdivision streets and ways, the statement shall indicate, by reference to the definitive survey and profile plans, the approximate perimeter of the area affected thereby, the approximate amount of earth to be placed, relocated or removed and the changes in elevation resulting therefrom. Specific explanation is required on any fill to be added, if removal is also proposed, and such fill shall be "clean fill" and subject to review by the Planning Board or its agent.
c. Three (3) certified copies of all instruments and plans of record, if any, describing or delineating existing easements, covenants, agreements, and restrictions affecting any land within the subdivision;
d. Three (3) copies of agreement, if any, providing for the acquisition by the record owner of the subdivision of such rights and easements in land contiguous to the subdivision as may be necessary for the lawful discharge of water from the subdivision drainage system onto such contiguous land or for the extension to the subdivision of utilities or municipal services over, across or under such land;

e. Engineer's and surveyor's field notebooks, if requested by the Board.

f. A statement signed by the Applicant and by the engineer and surveyor preparing the Definitive Plan that either the proposed work is outside any Estimated Habitat or Priority Habitat area as defined by the most recent version of a map of such areas prepared by the Natural Heritage and Endangered Species Program (NHESP) of the Massachusetts Division of Fisheries and Wildlife or any successor organization, or that permission for such work has been applied for or granted by NHESP.

3.2.8. Review by Other Boards and Commissions

a. The Planning Board shall promptly after the date a submission of a Definitive Plan is considered to be complete notify the following department and boards of such submission and request their review and recommendations.

Conservation Commission
Board of Health
Fire Department
Police Department
Building Inspector
Community Maintenance and Development Department
And such other department, boards, committees or commissions as it may consider appropriate, given the substance of the application.

b. Except for the Board of Health who shall report to the Planning Board within forty-five (45) days after receipt of the plan, all other departments and boards who are notified shall be given thirty-five (35) days after receipt of such notice to make a report to the Planning Board, in writing, of their recommendations.

The Planning Board shall not render a decision on the plan until forty-five (45) days from the date of such notice has expired or earlier if all reports are received.

c. Any report submitted to the Planning Board by a reviewing department or board shall be considered by the Planning Board in making its decision on a Definitive Plan. The Board may also request any department or board to review the plan with the Planning Board and/or to provide information regarding the Definitive Plan at the public hearing.

d. A copy of any report submitted to the Planning Board, by another department, or board as part of the review of a Definitive Plan will be furnished to the Applicant upon request.

3.2.9. On-Site Inspection

a. After the application is considered complete, the Planning Board may request an on-site inspection.

b. Within 14 days of a request to do so by the Planning Board, the Applicant shall proceed to staking and preparation for the on-site inspection by the Board. Staking shall consist of placing stakes in the ground delineating the location of proposed ways, driveway centerlines and such other features as the Board may request.

The centerline of the proposed streets shall be marked with stakes at no more than 100 foot intervals with sufficient markings on said stakes to relate to the station locations as shown on the plan. After the staking, the Board will conduct a site inspection at a time to be arranged with the Board.

3.2.10. Public Hearing

a. Before approval, modification and approval, or disapproval, of a Definitive Plan is given, a public hearing shall be held by the Planning Board, notice of the time and place and of the subject matter, sufficient for identification and including the location of the proposed subdivision and the name of the Applicant, shall be given by the Planning Board at the expense of the Applicant by advertisement in a newspaper of general circulation in the Town of Sherborn, once

in each of two successive weeks, the first publication being not less than fourteen (14) days before the day of such hearing, and by mailing a copy of such advertisement to the Applicant and to all owners of land abutting upon the land included in such plan as appearing on the most recent assessors list. (M.G.L. Chapter 41, Section 81T)

b. Prior to the endorsement of the Definitive Plan, the Applicant shall file evidence that he has paid the cost of providing required notice, and of conducting the hearing, if any. No plan shall be endorsed until such expenses have been paid.

c. The Applicant shall be given the opportunity to present his proposal at the public hearing.

d. The public shall be provided with an opportunity to be heard with respect to the proposed development, and any comments or documents submitted by the Applicant, Town Boards, Commissions or Departments, members of the public, or other relevant information shall be made a part of the public record.

3.2.11. Action

a. The Board will either approve, approve with conditions, or disapprove the Definitive Plan within the time set for Board action by M.G.L. Ch. 41, Section 81U.

b. The action of the Board, including any conditions of approval or specific reasons for disapproval, shall be stated in a Certificate of Action and filed with the Town Clerk and ~~a~~ copies sent by the Board to the Applicant by certified or registered mail.

   Unless an appeal is taken to the Superior or Land Court from the action of the Board and a written notice of such appeal is received by the Town Clerk within 20 days of the receipt by the Town Clerk of the certificate of action, the Planning Board shall endorse the approved Definitive Plan and refer thereon to any conditions of approval or to any instrument describing such conditions.

c. The approval by the Board of a Definitive Plan does not constitute a laying out or acceptance by the Town of the streets within the subdivision as public ways.

d. The Applicant shall be responsible for the expense of furnishing the Board, prior to recording, three sets of full size black or blue line prints and one set of 3 mil diazo mylars of all drawings comprising the Definitive Plan. Prior to the start of construction of a subdivision, the Planning Board shall cause to be recorded at the Applicant's expense, the Definitive Plan and all legal documents which relate thereto.

e. Unless otherwise waived, any such certificate shall be deemed to include without limitation the following:

   1. The construction of all streets and ways and the installation of all municipal services shall be completed in accordance with these Rules and Regulations, within a period of **two years** from the date that the approved plan and this Subdivision Covenant are recorded/filed at the appropriate registry. During street construction, the Applicant shall conduct compaction testing as requested by the agent appointed by the Planning Board to oversee the subdivision or, if no agent, CMD.

   2. Any sale, transfer or other transfer of ownership of rights or interests in all, or any part of, the subdivision property described in the approved Subdivision Plan shall include a condition that successors are bound to these General Conditions. In the event of the sale of the entire subdivision: 1) the Planning Board shall be provided with the name, the address and telephone number of the new owner and of the representative, if other than the owner, responsible for the project and 2) for projects in which construction is secured by covenant, a new covenant shall be executed by the new owner and recorded/filed at the applicable registry.

3. No construction work may be started until the Definitive Plan, the Certificate of Action, the Covenant (if applicable), and any required easements have been recorded/filed at the applicable registry.

4. After recording the documents listed above and before construction may begin, the following shall be completed:

   a. Mark the proposed "limit of work" in the field, stake the location of the street, mark the trees to be preserved in the street rights-of-way, and schedule an appointment with the agent appointed by the Planning Board to oversee the subdivision or, if no agent, CMD for inspection by an authorized representative. The "limit of work" is defined as a point 5 feet beyond the extent of the cut slope, fill slope or other areas of grading necessary to construct the proposed subdivision street.

   b. Make arrangements with the agent appointed by the Planning Board to oversee the subdivision or, if no agent, CMD for periodic inspections of work during the construction period.

5. The "limit of work" line shall remain marked until all construction is completed. The area outside the "limit of work line" shall be protected from damage or loss caused by construction activities by erecting barriers and avoiding stockpiles of earth materials on the root systems of trees during construction. The following is also required in relation to the limit of work line:

   a. All workers shall be informed that no construction activity is to occur beyond this line.

   b. The relocation of the line is not permitted without the prior written approval of the Planning Board or its representative.

   c. The area outside the limit of work line shall be protected from damage during construction. The area outside the limit of work line shall not be used for the storage of building or earth materials, equipment, vehicles or construction debris or as a construction staging area.

6. The developer shall maintain a copy of the approved Definitive Plan and of any approved change orders and a copy of the Certificate of Action (and the Covenant, if applicable) at his/her normal place of business and on the site during construction. The developer shall provide a copy of the approved plans and the Certificate to any broker, agent, development entity, builder or attorney authorized to act in the subdivision, sale or rental of property within the subdivision and they shall maintain a copy of the plans and this Certificate and the Covenant at their normal place of business and furnish them to any person interested in purchasing a lot.

7. No construction activity in the subdivision shall take place (i) prior to 7:00 a.m., (ii) after 5:00 p.m. (or sunset, whichever is later), or (iii) at any time on Sunday or on any legal holiday.

8. As soon as possible during construction, all disturbed upland areas shall be brought to final finished grade and all slopes created as a result of cut or fill shall be stabilized to prevent erosion by either: (a) loaming and seeding in accordance with USDA Soil Conservation

Service Guidelines for permanent stabilization, or (b) another way approved by the Conservation Commission and/or the Planning Board.

9. All debris, including stumps, and construction refuse shall be disposed of offsite, promptly and properly, and the construction site shall be maintained in clean condition.

10. Final contours, for the construction of the street, are to remain as shown on the Definitive Plan. Any desired change must be requested in writing and can be made only with the prior approval of the Board or, where authorized by the Board, the CMD. Such approvals shall not require a public hearing nor an amendment to the approved Definitive Plan.

11. Permanent bounds, as specified by the Town's standard details, shall be set at all angle points and at the beginning and end of each curve on the sidelines of the right-of-way. Permanent bounds shall be installed to delineate any easements offered to the Town in the same manner.

    Iron pins or equivalent permanent markers or monuments shall be set at each corner of each lot and at each change of bearing on any lot line.

    Temporary markers at the location of all permanent bounds, markers or, monuments, as noted on the approved Definitive Plan, shall be set prior to the construction of the street and the issuance of any building permit, including a foundation permit; but permanent bounds or monuments, shall not be installed, within the limit of work line, until all construction which might damage or destroy them is completed. The markers for each Lot must be permanently installed before a "Certificate of Occupancy" for any dwelling unit thereon will be issued.

12. Electric, telephone, and other types of transmission wires, such as cable television, and the provision for foundations for street lights with wiring in place, shall be installed underground to one side of the pavement, as shown in the typical section but not under the pavement. Utility crossings of subdivision streets required for utility system continuity shall be laid out in a manner that minimizes the crossings.

13. Prior to the installation of the binder course for the street, all underground connections that will be placed in the right-of-way, shall be made to the limits of the right-of-way. No trenching will be allowed within the right-of-way subsequent to the installation of the binder course. No building permit, except for a foundation permit, may be issued until this work is complete.

14. No building permit, including a foundation permit, shall be issued until lots are released from the subdivision covenant as specified in Section 3.2.14 or a performance bond is in place as described in Section 3.2.13.a.

    a. The location of the bounds on the subdivision street and on any easements are temporarily marked if the construction is not at the point where the permanent bounds may be installed.

    b. A performance guarantee in compliance with Section 3.2.13.a has been executed.

15. After the installation of the binder course, no utility structure shall be left protruding in the right-of-way if the finish course cannot be placed before winter. If utility structures are up

above the binder course as winter approaches, the utility structures shall be lowered to the binder course level without the use of temporary asphalt pavement.

16. The Applicant shall prepare and update an accurate and complete set of the construction plans showing each element "as built," and a signed set of the as built plans shall be delivered to the Board prior to release of final security. At the request of the Board, such as builts shall be confirmed for accuracy by an outside engineer at the Applicant's expense. Minor changes from the approved plan may be made in the field provided there is a written change order which must have the prior written approval of the appropriate Town supervising entities, as designated by the Planning Board for such purpose. A copy of all such change orders shall be furnished to the Planning Board and shall be maintained by the Applicant. These approved changes shall be included in the "as-built" plans.

17. The Applicant shall be responsible for maintaining, in a healthy condition, all new trees and shrubs planted within the right-of-way of the subdivision streets for a minimum period of one year after planting, and until the street is accepted at Town Meeting. If the location and/or species of the plants is changed from the approved landscape plan, by direction of the Tree Warden, the Planning Board or their representative, the new information shall be submitted in the form of a plan to the Planning Board upon completion of the planting. After one season, trees that are dead, damaged or not likely to survive in a healthy state, shall be replaced in kind and maintained for at least one additional year.

18. If, at any time, the construction of the subdivision is not in compliance with the approved plans, or any approved change order, the Certificate, and/or the Covenant, the Board may order that work on the construction of the subdivision be stopped, and request that the Building Inspector defer the issuance of any additional building permits or certificates of occupancy until the non-complying construction is corrected and brought into compliance. If the Board issues a stop work order, the Board, or its designees, may also: 1) require that additional surety be provided to allow for the correction of the noncomplying construction. 2) suspend or rescind the release of any, or all, lots which have not already been conveyed to a homeowner by filing a notice of such suspension or rescission in the Registry of Deeds.

19. The Board reserves the right to release the lots on an individual basis in relation to the amount of work that has been completed, and provided further that, if required by the Planning Board, adequate alternative surety has been made available.

3.2.12. Street Names

Street names shall be submitted to the Historical Commission for comment and be approved by the Planning Board to prevent duplication or close similarity to names of existing streets and to provide names in keeping with the character of the Town. Names reflecting geographic, natural or historical features are preferred to names of persons.

3.2.13. Performance Guarantee

No Definitive Plan will be endorsed until the Applicant has furnished surety as, required by law, to insure that all required improvements within or appurtenant to the subdivision will be made in compliance with these Rules and Regulations and in conformity to the approved Definitive Plan, as modified or amended by the Planning Board and/or the Board of Health. All such required improvements shall be secured by one, or in part by one and part by the other, of the two methods described in Sections 3.2.13 (a) and 3.2.13 (b), respectively, which the Applicant may vary from time to time at his election. (M.G.L., Chapter 41, Section 81U)

a. **Method One - Performance Bond**
A performance bond of the Applicant running to the Town of Sherborn secured by surety (Form H) or by money or negotiable securities deposited with the Town Treasurer (Form I or Form J) in such amount as the Board shall determine to be sufficient to cover the cost of completing the required improvements, or such portion thereof not secured by covenant under Section 3.2.13.b. Such Bond shall be conditioned upon full and satisfactory completion of all such improvements within such time as the Board shall determine, but in no event more than two years from the date of the Board's endorsement of its approval of the Definitive Plan.

b. **Method Two - Covenant**
A covenant running with the land duly executed by each record owner of the land within the subdivision. Such covenant shall be either inscribed on the Definitive Plan or be contained in a separate recordable document (Form F) referred to on the plan and shall provide in part that no lot shall be built upon or sold until all improvements required under these Rules and Regulations shall have been completed and approved by the Board as provided herein.

If the Applicant elects to secure performance by covenant, either in whole or in part, approval of the Definitive Plan by the Board will be made conditional upon (i) the recording of the Definitive Plan with the covenant (either endorsed on the plan or contained in the separate document) not later than 60 days after the Board's endorsement of its approval of the plan and (ii) completion of all required improvements within such time as the Board shall determine but in no event more than 24 months from the date of such endorsement.

The covenant, whether inscribed on the plan or contained in a separate document, shall contain a proviso that the construction of all streets and ways and the installation of all municipal services shall be completed in accordance with the applicable Rules and Regulations of the Board within ___?____ months[1] from the date of the Board's endorsement of its approval of the Definitive Plan, and that failure to so complete shall automatically rescind approval of the plan.

[1]*The number of months as determined by the Board at the time of approval (not exceeding 24 months) shall be inserted in the covenant proviso.*

3.2.14 Normally, a covenant will be recorded with the definitive plan. Lots will be released from the covenant following execution of a preformance guarantee. This will take place following installation of the underground utilities, drainage system and binder course of the roadway.

3.3 UTILITY PLANS

Plans prepared by a Registered Engineer in compliance with Section 4.9. showing the proposed location and placement of each underground utility system, including pipes, conduits, cables, transformers, substations and other facilities appurtenant thereto shall be filed with and approved by the Board prior to the installation of such utility.

SECTION 4 DESIGN STANDARDS

4.1. GENERAL

4.1.1. Basic Requirements

The Applicant shall observe all design standards for land subdivision as hereinafter provided. These standards shall be considered minimum standards and shall not be varied from except as allowed by a waiver in accordance with Section 6.2.

4.1.2. Conformance to General Plan

Any proposed subdivision shall conform, insofar as practicable, to the proposals and intentions of the Sherborn General Plan, as amended and as in effect, and the Conservation Plan of the Conservation Commission and the Open Space and Recreation Plan as adopted in whole or in part by the Open Space Committee, unless substitute proposals are shown to the satisfaction of the Board to be better for the general area of the subdivision in the Town.

4.1.3. Lot Size and Frontage

All lots shall be of such size and dimensions to meet the minimum dimensional requirements of the Zoning By-Laws.

4.1.4. One Dwelling per Lot

Except as otherwise allowed under the Zoning Bylaws, only one single family residential dwelling may occupy each lot.

4.1.5. Protection of Natural Features

All natural features, such as large trees, wooded areas, water courses, wetlands, rock outcroppings, scenic points, historic spots, and similar community assets, which will add attractiveness and value to the subdivision, shall be preserved or enhanced.

4.1.6. Groundwater Protection

a. Design and construction shall reduce, to the extent possible, the following:
   - dimensions of paved areas
   - encroachment within any wetland or floodplain
   - volume of cut and fill
   - area over which vegetation will be disturbed
   - extent of waterways altered or relocated

b. Pollution control devices, including provisions for contaminant removal employing detention basins, subsurface drains or perforated risers, oil and grit separator catch basins, and other appropriate devices.

c. Measures to restrict nutrient loading in downgradient groundwater to a maximum of five milligrams per liter (mgl) nitrate-nitrogen.

d. Measures to control erosion and sedimentation, as specified in an erosion and sedimentation control plan to be submitted with the Definitive Plan, and the use of construction site best management practices (BMPs). The erosion and sedimentation control plan should emphasize phased construction, temporary and permanent ground cover, and sedimentation control devices.

e. The retention of a vegetative buffer around open streams or surface water.

4.2 GRADING

4.2.1. Minimum Disturbance

All excavation, filling, sloping and grading outside the right-of-way of each subdivision street shall be designed and completed to minimize disturbance to the existing natural conditions encountered.

4.2.2. Stabilization

All new slopes and areas disturbed by grading operations shall be topsoiled, seeded or sodded and planted to stabilize the finished ground forms and surfaces. Seeding and planting shall take place as soon as possible following the completion of grading. A temporary cover crop of winter rye shall be planted within 30 days on all soils disturbed during months not suitable for seeding, sodding or planting or surfaces shall be stabilized by mulch or an erosion control fabric.

4.2.3. Landscape Plan

A Landscape Plan, prepared by a Registered Landscape Architect, shall be required where site clearing for a street may affect watersheds, affects more than one-half acre, is visible from an existing public way, or where significant changes in grades or topography are involved.

4.2.4. Slope Easements

The Board may require that defined slope easements be shown on the Definitive Plan and that such easements be reserved by the Applicant for future conveyance to the Town for maintenance purposes.

4.3 STREETS & DRIVEWAYS

4.3.1. Location

a. All streets and driveways in the subdivision shall be designed so that, in the opinion of the Planning Board, they will provide safe vehicular and pedestrian travel and an attractive street layout to obtain the maximum safety and amenity for future residents of the subdivision and the Town. Ways should run along rather than across a slope to the extent possible.
b. The proposed streets shall conform in location, so far as practicable, to any existing plans of the Planning Board and where required by the Planning Board, to the existing street system and include only a minimum number of intersections with streets classified as major arterials.
c. Provision shall be made for the proper future projection of streets to, or for access to, adjoining property, whether or not subdivided.
d. No subdivision shall be approved unless the streets therein connect to, and are accessible from, a public way in which the Applicant has the necessary access rights.
e. Reserve strips, prohibiting access to streets or adjoining property, shall not be permitted, except where the Board finds them to be in the public interest.
f. Driveway cuts into streets shall be prohibited until the Planning Board finds that the location, width, length, line of sight, proximity to other driveways and streets, grade and elevation will provide adequate provisions for the public safety.
g. Existing streets that will be used to access the proposed subdivision shall be of a pavement width and condition adequate for the projected traffic. The Board may require the Applicant to fund or conduct off-site improvements if the existing streets are not adequate.

4.3.2. Alignment

a. Subdivision streets shall be continuous and of uniform width.
b. Subdivision streets intersecting existing streets or other existing or proposed subdivision streets shall do so:
    i) as nearly as possible at right angles, and no less than 60 degrees or more than 120 degrees;

ii) either directly opposite or with at least 150 feet centerline offset from existing **or** proposed street intersections.

c. The minimum centerline radii of curved streets shall be one hundred fifty (150) feet with greater radii on arterial streets.

d. A tangent at least on hundred fifty (150) feet in length shall separate all reverse curves except where the centerline radius of one curve is five hundred (500) feet or more.

e. Street lines at intersections shall be rounded or cut back to provide for a curb radius of not less than thirty (30) feet.

4.3.3. Width (See Appendix, Schedule A, Typical Street Cross-Sections for each of the above categories.)

a. The minimum width of street rights of way shall be sixty feet.

4.3.4. Grade

a. The minimum centerline grade for any street shall not be less than one-half percent (.5%).

b. The maximum centerline grade for streets shall not be more than eight percent (8%).

c. Where changes in grade exceed one percent (1%), vertical curves, as required by the Board shall be provided. The length of vertical curve shall be designed to provide a minimum sight distance of two hundred (200) feet to an object 4.5 feet above the roadway surface from an eye height of three feet, six inches (3.5 feet). The sight distance shall be shown on the proposed street profiles.

d. Where a grade is five percent (5%) or greater within one hundred fifty (150) feet of the intersection of street right-of-way lines, a relatively level area at least seventy-five (75) feet long, with a maximum grade of three percent (3%) shall be provided.

4.3.5. Street Trees and Planted Shrubs

a. Wherever feasible, shade trees twelve (12) inches in diameter or larger shall not be removed from within street rights-of-way.

b. The Planning Board may require that street trees not less than six (6) feet in height and with caliper of at least two and one half (2-1/2) inches, shall be planted at varying distances along both sides of every street and spaced on average not more than forty (40) feet on center.

c. Street trees, shrubs and plant materials shall be selected from an approved list supplied by the Tree Warden.

d. A design prepared by a registered landscape architect with intent to maintain rural character of Town may be required if not included in the Plan prepared under Section 4.2.3.

e. A continuous healthy growth for all planted trees, shrubs, plants and seeded areas shall be maintained for one (1) year from the date of completion of all work on the street or until the street is accepted by the Town of Sherborn, whichever is later.

4.3.6. Curb Cuts

a. Driveways shall be at least ten (10) feet wide, but no more than twenty (20) feet wide, and have a curb return at the street of three (3) feet in radius.

b. Where no curbs exist, the driveway flare should have a three (3) foot radius.

c. Unless otherwise allowed by the Planning Board, driveway cuts shall be permitted only at the street where the frontage requirement has been met.

d. Shared, or common, driveways serving two dwellings shall be allowed by right. Common driveways serving three or more dwelling units are permitted with a special permit from the Planning Board.

e. Driveway cuts shall not be permitted within one hundred (100) feet of the sideline of intersecting streets or railroad crossings.

f. No more than one driveway cut shall be permitted per lot.

4.3.7. Dead-end Streets

a. Any proposed street which connects only with a dead-end street shall be deemed to be an extension of the dead-end street.
b. Dead-end streets and their extensions, if allowed, shall not exceed six hundred (600) feet in length, measured from the centerline of the nearest through street with which it intersects, to the centerline of the circle or ellipse.
c. Dead-end streets shall be provided with a turn-around (see section 4.3.7.f below) at the closed end.
d. The Definitive Plan shall show the right-of-way lines of each dead-end street projected through the turn-around to the subdivision property line. Street easements in the segments of a turnaround lying outside of such projected lines (including sufficient land beyond the pavement for snow storage or other street maintenance needs) shall be temporary and shall terminate pursuant to MGL Ch. 41, Sec. 81M, when the street is extended beyond the turnaround. The land between such right-of-way lines between the edge of the paved turn-around and the subdivision property line shall be designated as a separate parcel and shall be conveyed to the Town of Sherborn along with the constructed portion of the street right-of-way at the time of street acceptance. The purpose of the parcel shall be designated on the plan as future street right-of-way.
e. An Applicant who extends a dead-end street at a later date shall remove the pavement, relocate any sidewalks, extend any driveway entrance and properly grade, loam and seed the areas included within the temporary easements. All such work shall be deemed to be a part of the required improvements of the connecting subdivision.
f. If, by reason of topography or other physical characteristics of land within or adjoining the subdivision, or by reason of the present use or development of the adjoining land, the Board is of the opinion that a particular dead-end street will not be extended beyond the turn-around, the Board may require that the outside right-of-way line of the turn-around be laid out with a radius of sixty (60) feet. A paved circle with a radius of forty-five (45) feet and a circular landscaped island having a radius of twenty two (22) feet less than the designed radius of the turn-around[specify 23 feet or maybe a smaller radius of perhaps 15 feet with input from Fire Dept.] shall be provided at the center of the turn-around. The circumference of such island shall coincide with the inside edge of the circular paved street.
g. The centerline profile grade of a turnaround from its beginning to its terminus shall not exceed 3% unless otherwise approved by the Board.

4.4. DRAINAGE DESIGN

4.4.1. General

The Definitive Plan shall provide adequate drainage facilities within the subdivision for collecting, conveying and disposing of storm water in a manner which will insure proper protection of the streets and the areas adjacent thereto. Drainage design shall provide for groundwater recharge to the maximum extent practicable. All drainage facilities shall be designed in compliance with these Rules and Regulations. Low impact development, including best management practices, and other more natural drainage design techniques are encouraged, and waivers from these regulations will be strongly considered if needed to accommadate such techniques when, in the opinion of the Planning Board, they provide environmental benefits while adequately managing storm water and preventing negative impacts on surrounding properties.

4.4.2. Lot drainage

Lots shall be laid out and graded in a manner that ensures development of one shall not cause detrimental drainage onto another and with the intent that such drainage shall maximize loc-al groundwater recharge. If it is necessary to carry drainage from one lot to or across another lot, the

Definitive Plan shall show a drainage easement of adequate width. A copy of the instrument creating such easement shall be made a part of the Definitive Plan submission as provided in Section 3.2.2.a.8. To the extent possible, the Subdivision Plan shall retain natural patterns of drainage and storm water recharge.

4.4.3. Drainage Calculations

To substantiate the proposed subdivision drainage mitigation system, drainage calculations prepared and certified by a Registered Professional Engineer shall be filed as a part of the Definitive Plan (Section 3.2.5) and shall include the following:

a. Drainage run-off plans, prepared at an adequate scale to show the full extent of both existing and proposed contributing watershed areas, including existing and proposed contours at two (2) foot intervals, and existing and proposed drainage systems (shown schematically) with tributary areas to each inlet.
b. Back-up calculations for the approved methodology as stated in section 4.4.4.a, which include a narrative and over-all drainage design philosophy with data supporting the following:

    1. Existing site conditions and drainage computations,
    2. Proposed site conditions and drainage computations,
    3. Impacts to adjacent properties. If surface water drains onto adjacent existing street right-of-way or onto adjacent properties not owned by the Applicant, the Applicant shall clearly indicate what course the discharge will take, and shall present to the Board and to the owner of adjacent property, evidence that such discharge is satisfactory and permitted by public or private ownership of adjacent street or property.

    Back-up calculations shall reference all sources of information, supporting data and assumptions used.

4.4.4. Drainage Criteria

a. Drainage design computations shall be based on currently accepted methods (including but not necessarily limited to the Rational, SCS TR-55, SCS TR-20 methods), as appropriate for the size, characteristics, and complexity of the existing/proposed drainage system.
b. A twenty-five (25) year storm frequency shall be used for street drainage components and cross-culverts.
c. To insure that no properties shall be at risk in the event of a 100 year storm condition, the impact of a greater than 100 year storm shall be assessed at the Applicant's expense including:
    1. Potential for damage to property inside and outside of the subdivision;
    2. Potential for reduction in safety inside and outside of the subdivision;
    3. Impact downstream; and
    4. Changes to offsite runoff.
d. The proposed drainage system shall be shown to allow sufficient recharge within the subdivision to maintain existing water levels in the area of private wells, within, abutting and downstream of the subdivision.
e. In no case shall a drainage line of less than 12" in diameter be used.
f. All drains shall be sloped to provide for a minimum velocity of 2-1/2 feet per second at design flow for self-cleaning purposes. The maximum culvert design velocity shall be 10 feet per second (flowing full).
g. Where it appears that any street may be extended to connect with an existing or proposed street on land adjoining the subdivision, the Board may require that provision be made for extension of the drainage system to a point at or near the subdivision property line.

4.4.5. Retention/Detention Basins

a. Waiver Required

The incorporation of retention/detention systems into the proposed drainage improvement program of the Definitive Plan shall require a waiver by the Board, which may be granted only after the Applicant has exhausted all other studies of means of accommodating stormwater run-off by natural drainage strategies. The Board may require that an outside consultant be hired to confirm these studies at the Applicant's expense (see Administration Section of these Rules).

b. Design Criteria

Design calculations and criteria shall meet the applicable requirements of sections 4.4.3 and 4.4.4 of these Regulations and the following:

1. Where retention/detention facilities are deemed necessary by the Board, they shall be designed to contain the diverted site run-off generated from 2 year, 10 year, and 100 year design storms. Run-off greater than that occurring from the 100 year, 24-hour storm shall be passed over an emergency spillway.
2. Detention shall be provided such that after development, the peak rate of flow from the site shall not exceed that by similar storms prior to development.
3. Retention/detention basins shall maintain existing drainage patterns and flows and shall be located and discharged within the natural drainage area that they serve to control.
4. The design storage volume depth of basins shall not exceed four (4) feet.
5. A crushed stone berm at least twelve (12) inches in height shall be placed across the basin perpendicular to the direction of flow. The berm shall be situated no more than 1/3 of the basin length from the inlet. The purpose of the berm is to promote sediment retention and prevent the discharge of sediments from the outlet.
6. The outlet shall be a minimum of twelve (12) inches above the bottom of the detention basin and shall be located at an extreme distance from the basin inlet. Outlets shall be designed to minimize the potential for clogging by leaves or debris.

c. Basin Landscaping

1. Basins shall be provided generally within the landform and contours of undisturbed, naturally occurring topography and terrain. Basins shall not be regular geometric shapes but shall use an irregular or undulating shoreline.
2. Basin side slopes shall be as flat as possible and shall not exceed four (4) foot horizontal to one (1) foot vertical.
3. Sideslopes shall be landscaped to provide a natural appearance, using native trees and shrubs. A twelve-foot wide path shall be maintained to provide access to basins inlets and outlets.
4. Sides and bottoms of basins shall be stabilized with a perennial grass cover. One hundred percent cover by grasses shall be required within two years after planting. One hundred percent survival of trees and shrubs shall be demonstrated two years after planting.

4.4.6. Protection

a. All drains and related systems shall be protected from erosion and siltation at all times. Prior to construction, all disturbed soils shall be temporarily stabilized and after construction all disturbed soils shall be immediately and permanently stabilized.
b. Any damage to these drainage systems, prior to acceptance by the Town, shall be repaired in a manner satisfactory to the Planning Board and the Superintendent of Highways, the full cost of which shall be borne by the Applicant.

4.5 EASEMENTS

4.5.1. Layout of utility and drainage easements

a. Easements shall be continuous from lot to lot and street to street and their layout shall create as few irregularities as possible.

b. Center lines of easements shall follow lot lines so far as practicable and shall not be less than twenty (20) feet in width.

4.5.2. Water Course Easements

Where a subdivision is traversed by a water course, or stream, an emergency maintenance access easement shall be provided to encompass twenty five (25) feet on either side of the ~~wetland~~ centerline of the water course or stream or the Mean Annual High Water Line as defined by 310 CMR Chapter 10.00, whichever is greater.

4.5.3. Slope Easements

Slope easements shall be provided where necessary to ensure lateral support and protection of streets and other construction features.

4.5.4. Pedestrian Ways and Bridle Paths

a. Easements, or fee strips for pedestrian ways or footpaths, at least twenty (20) feet in width will normally be required to provide convenient circulation and access to parks, schools, playgrounds and conservation areas.
b. Bridle path easements at least twenty (20) feet in width may be required to connect with conservation areas, open spaces and existing trails.
c. Existing bridle paths and trails traversing the subdivision shall be preserved with as little relocation as practicable.

4.5.5. Conservation Restrictions

a. The Applicant is encouraged in appropriate cases to grant to the Town or to any private, non-profit corporation devoted to conservation purposes, a conservation restriction or wildlife corridor over any portion of the subdivision in accordance with the procedure prescribed by General Laws, Ch. 184, Sects. 31 and 32.
b. The Board may require the Applicant to impose uniform restrictions for the benefit of each lot in the subdivision designed to preserve any wetland areas, brooks, streams, ponds and other bodies of water located within the subdivision. The boundaries of the areas subject to such restrictions shall conform substantially with the edge of the wetlands as defined by 310 CMR Chapter 10.00, the course of the stream or the banks of the body of water as the case may be, and shall include all land falling within a line at least twenty five (25) feet beyond the normal high water line.
c. Where feasible, the Applicant is encouraged to set aside green belt sections within the subdivision consisting of wooded or other scenic areas to be preserved by mutual covenants and traversed by reciprocal trail easements for the benefit of each lot in the subdivision.

4.6 OPEN SPACE

4.6.1. Parks

Before approval of a Definitive Plan the Planning Board may also require the plan to show a park or parks, suitably located for playground or recreation purposes or for providing light and air for the residents of the subdivision. The Board may, by appropriate endorsement on the plan, require that no building be erected upon such park or parks without its approval for a period of three (3) years.

4.6.2. Topsoil and Grading Limitations

No stripping of topsoil shall be permitted in a reserved area. If required by the Board, the land shall be graded as necessary for surface drainage and left in a suitable condition for the intended use.

4.7 SIDEWALKS AND TRAILS

4.7.1. General

a. A sidewalk shall be constructed on one side of all subdivision streets and all frontage. The Board may require sidewalks on both sides of streets or portions thereof if deemed necessary for the safety and convenience of pedestrians.
b. Connections between existing trails or bridle paths may be laid out along subdivision streets within the street right-of-way in addition to the sidewalk.

4.7.2. Design

a. Sidewalks shall be set back not less than six (6) feet from the edge of the paved street, but may be reduced to as little as three (3) feet if a meandering sidewalk is proposed with a minimum of six feet in the area of street trees.
b. The grading and construction of sidewalks shall conform to design shown on the Typical Street Cross-Section (Schedule A). [needs to be updated]
c. Sidewalks need not be parallel to the street and shall be laid out along a curvelinear course within the right-of-way with a minimum disturbance of the natural terrain. Sidewalks shall be laid out and constructed so as to preserve trees having a caliper of three (3) inches or more, rock outcroppings, stone walls and other attractive features of the terrain. Prior to the start of clearing and grubbing, the Applicant shall walk the proposed street locations with the Planning Board agent or a member or members of the Board and mark all trees to be preserved within the street rights-of-way.
d. Open areas between the sidewalk and street shall be landscaped.
e. Sidewalks shall be four (4) feet in width, unless the Board shall specify a greater width.
f. Sidewalks shall be paved with bituminous concrete placed on a compacted foundation of gravel as detailed in Schedule "A", typical section, subdivision street.
g. Sidewalks shall fully comply with the Massachusetts Architectural Access Board requirements, including handicapped access ramps at appropriate locations, as stated in 521 CMR 21.00 and 22.00. Also, temporary accessible routes shall be provided as applicable in accordance with 521 CMR 3.10.

4.8 UTILITIES

4.8.1. General

All utilities, including house connections, shall be placed underground at the time of initial construction. Complete location plans of each utility system shall be filed with and approved by the Board in compliance with Section 3.3. prior to installation. All utility pipes and conduits and appurtenant facilities shall be located along the side of the streets preferably between the street and the sidewalk as described in section 4.8.2. If such facilities must be located under the sidewalk, they shall be installed before placement of the gravel base of the sidewalk. All manholes shall be placed along the side of the road outside the pavement area. See Appendix, Schedule B, Typical Sidewalk Cross-Section.

4.8.2. Installation

a. Electric, Telephone & Other Telecommunication Services
   - Exposed, above-grade pull or distribution boxes are prohibited.
   - Electric power supply cables and telephone cables shall be placed in a trench centered two (2) feet from the edge of the street pavement on the side of the street where the sidewalk is to be placed.
   - All electric and telephone service connections to be located underground shall be placed in conduit extending from the electric service transformers and telephone distribution box to the right-of-way lines on both sides of the street.

- All service transformers shall be located in vaults below the finished grade unless otherwise specified by the Board and located as far from dwellings as practical given the nature of the site.

b. Gas Service
- Distribution pipes for gas service, when provided in a subdivision, shall be placed in a trench centered two (2) feet from the edge of the street pavement on the side of the street opposite from the sidewalk. Service stubs for all house lots shall be placed at the time of initial installation.
- All pipes to be located under the street or sidewalk shall be installed prior to the placing of the gravel base and bituminous concrete pavement.

4.8.3. Protection

a. The subdivider shall protect all utilities and appurtenances installed from any and all damage, until the entire subdivision is completed and approved as a whole by the Planning Board.

b. Any damage to these utilities and appurtenances, prior to the approval by the Planning Board shall be repaired in a manner satisfactory to the Planning Board and Superintendent of Highways, the full cost of which shall be borne by the subdivider.

SECTION 5 REQUIRED IMPROVEMENTS

5.1 BASIC REQUIREMENTS

The Applicant shall install all of the improvements required under the Rules and Regulations except those which may be specifically waived in writing by the Board. No bond or covenant given as surety for such work under Section 3.2.10. shall be fully released until the Board has received (i) a survey plan of the improvements as built in compliance with Section 5.2.2.; (ii) a copy of such as-built plan in electronic format. Such copy shall be capable of conversion to a .DXF file and/or shall be submitted in a format approved by the Planning Board. The plan shall be referenced to Massachusetts State Plane NAD83 format, at a minimum of two (2) points on the plan, and (iii) a report in writing from its Construction Inspector giving full approval of the work.

5.2 GENERAL

5.2.1. Standard Specifications

Except as otherwise provided in these Rules and Regulations, all work and materials used in the installation of the required improvements shall conform to the requirements of the "Commonwealth of Massachusetts, Standard Specifications for Highways and Bridges 1988 Edition", as amended, hereinafter referred to as the Standard Specifications.

5.2.2. Survey of Improvements as Installed

a. After all street construction is completed and before the release of any bond or covenant, the developer shall file with the Board one (1) reproduction copy and two (2) contact prints of the Definitive Plan corrected, including one (1) 1"-200' scale copy of the plan of land, and certified by a Registered Professional Engineer and Registered Land Surveyor to show the following:
   1. Sideline locations of streets and sidewalks as built;
   2. Centerline elevations at 50-foot intervals of all streets built;
   3. Profiles of the drainage system as installed;
   4. Monuments as installed;
   5. Utilities as installed; and
   6. Easements added.

b. A certificate, signed by the engineer and surveyor preparing such as built plan, shall be endorsed on the Plan in the following form:

"Date:_____ , 20__

I hereby certify that the within Plan shows the actual as built locations, profiles and elevations of the streets, drainage facilities and utilities based upon a field survey made during the period from _____ to _____.

_____ _____

Registered Land Surveyor Registered Engineer"

5.2.3. Acceptance of Streets by the Town

a. No street or way through private property shall be accepted unless it has been constructed and completed in accordance with the Typical Section of a Subdivision Street (Schedule A) and the specifications set forth or incorporated in these Rules and Regulations. *Insert name of street or way to be accepted by the Town*???, or, if only a portion is to be accepted, a description of such portion.

b. Where a street or way or portion thereof is ready for acceptance by the Town, the Applicant, in order to facilitate such acceptance, shall cause a Proposed Layout Plan to be prepared by a Registered Land Surveyor and filed with the Board of Selectmen. Such plan shall be the same as

required in Section 3.2.3. (size 18" x 24" or 24" x 36") to an appropriate scale and show the following:

1. Widths, lengths, bearings of all boundary lines of streets and easements and radii, tangents and central angles of all curves in street lines.
2. All required monuments with indication that the same have been correctly set.
3. Name and Assessors' list and lot number of each abutting owner appearing on the most recent Assessors' list.
4. Certificate signed by the Surveyor preparing the plan shall be endorsed on the plan in the following form:

"Date:_____, 20___

I hereby certify that_____has been laid out and the bounds have been set as shown on the within plan.

_____

Registered Land Surveyor"

The original of such plan shall be filed with the Board of Selectmen and three (3) copies thereof filed with the Planning Board.

5.3. STREETS

5.3.1. General

a. Each street or portion thereof necessary to serve each lot in a subdivision shall be constructed and brought to finish grade as indicated on the approved Definitive Plan and in accordance with the requirements of this section.
b. The Applicant or his contractor shall furnish and maintain all stakes and such temporary structures as may be necessary or required by the Planning Board or its Agent for marking and maintaining points and lines for the installation of the street related utilities throughout the construction of the subdivision.
c. Streets and ways shall be constructed in accordance with the Typical Section, Subdivision Street attached to these Rules and Regulations and marked "Schedule A".

5.3.2. Clearing and Grubbing of Streets

Clearing and grubbing of the roadway and sidewalk locations shall be done according to the requirements of Schedule A and shall include the removal from the Subdivision of all stumps, brush, roots, boulders and similar materials from the subdivision property as well as all trees which have not been marked for preservation in compliance with Sections 4.3.5.(a), 6.3.2.a.1 and 6.3.2.a.3.

5.3.3. Excavation and Subgrade Preparation

a. The Street locations shall be excavated to a depth of at least eighteen and one-half (18 & 1/2) inches below the established finished grade and shall be graded and compacted to conform to Schedule A, Typical Section.
b. The conditions of the subgrade surface at the bottom of the excavation shall be inspected by the Planning Board Agent, and, if, in his opinion, such conditions are wet or spongy or otherwise unsatisfactory due to the presence of clay, sand pockets or organic materials, the bottom shall be excavated below the subgrade to a depth determined by the agent to be sufficient to insure removal of all such materials. Suitability of subgrade should also depend upon compacted field density.
c. If any portion of the street location is required to be excavated below the designed surface of the subgrade, the space so excavated shall be filled with clean, bank gravel or such other suitable material containing no stones over six (6) inches in diameter, as approved by the Planning Board

Agent. The street location shall then be graded and compacted so as to conform to the Typical Section.

d. All ledge, boulders and large stones located within the full cross section of the street shall be cleared to a minimum depth of eighteen and one-half (18.5) inches below the established finish grade.
e. All drainage pipes, culverts, catch basins and manholes and all utility pipes, conduits and appurtenances thereto to be placed under the roadway and sidewalk locations shall be installed and properly back-filled prior to construction of the street and sidewalk gravel base course.

5.3.4. Gravel Base

a. The gravel base of the street shall consist of hard, durable stone and course sand, free from loam and clay, uniformly graded, containing no stone having a diameter of more than three (3) inches and conforming to the requirements of the Standard Specifications for processed gravel for subbase.
b. After the street subgrade has been graded and properly compacted to an elevation of eighteen and one-half (18.5) inches below the designed finish grade, gravel for the base shall be spread in two layers of equal thickness, each thoroughly watered and compacted true to lines and grades with a vibrating roller weighing not less than twelve (12) tons so as to yield a total depth of fourteen (14) inches after thorough compaction. Each layer shall be compacted to not less than 95 percent of the maximum dry density of the material as provided in the Standard Specifications. The gravel base shall be formed as shown on the Typical Section, Subdivision Street. Any depression that appears during or after rolling shall be filled with gravel and the area rerolled until the surface is true and even.
c. When required by the Board or by the Board's Agent, samples of the gravel to be used shall be tested for graduation by sieve analysis and the rolled gravel tested for compaction. Such tests shall be made at the expense of the Applicant.

5.3.5. Pavement

a. The pavement of the street in a subdivision shall consist of Class 1 Bituminous Concrete Type I-1 constructed in two courses, binder course and the top course. The binder course shall be three (3) inches thick and the top course shall be one and one-half (1.5) inches thick after rolling so as to form a compacted final pavement depth of four and one-half (4.5) inches over the gravel base in conformity with the lines, grades and typical cross section shown on the approved Definitive Plan.
b. Material and construction methods shall conform to the Standard Specifications.
c. No street pavement shall be constructed before March 30th of any year nor after November 1st of any year without written permission of the Board.

5.3.6. Street Embankments and Retaining Walls

a. Embankments outside of the street right-of-way shall be evenly graded and pitched at a slope of not greater than 2 horizontal to 1 vertical in fill as shown on Schedule A.
b. Where cuts are made in ledge, other slopes may be permitted upon written approval of the Board. Where terrain is such that greater slopes are essential, retaining walls made of stone or natural stone facing or other material as may be approved by the Planning Board. Terracing or rip-rap may be used either alone or in combination provided that plans of such proposed grading methods are filed with and approved by the Board prior to the commencement of road construction.
c. The Board may require that defined slope easements be shown on the Definitive Plan and that such easements be reserved by the Applicant for future conveyance to the Town for maintenance purposes.
d. All major changes in the gradients of the land and streets as shown on the approved Definitive Plan shall be completed prior to the installation of the drainage system, utilities and streets.

5.3.7. Curbs and Berms

a. Sloped granite edging shall be installed at all street intersections on the curve and extending at least eight (8) feet beyond the tangent point. The method at installing the edging shall conform to the Standard Specifications.
b. Sloped granite edging segments at least eight (8) feet in length shall be installed at all catch basins so as to extend not less than four (4) feet in either direction from the catch basin center line.
c. Unless otherwise specified by the Board, the Cape Cod type berm as shown on the Typical Section, Subdivision Street (Schedule A) shall be installed along all streets where sloped granite edging is not required .

5.3.8 Fire Protection

a. No lot within the subdivision shall be further than 1000 feet from an adequate source of water, as defined below, measured along an existing public way and/or proposed subdivision road shown on the Definitive Subdivision Plan and the access way to the source of water.
b. A source of water shall be adequate if it is no farther (vertically or horizontally) than 10 feet from the nearest access point which can be reached by the Fire Department and is (in order of desirability):
   1. A water hole having a minimum recharge rate of 500 gallons per minute, for a minimum period of two hours, or
   2. A water hole containing a minimum of 40,000 gallons throughout the year.
   3. Distances to and from a water hole may be measured to and from a dry hydrant connection, specifications for which shall be approved by the Fire Chief, and connected to a water hole as described in paragraph b.1. and b.2. above.

   (In the event that an adequate source of water cannot be provided by means of a water hole as specified in subparagraphs b.1. or b.2. above, then the Board may, upon the recommendation of the Fire Chief and a showing that said water holes are not feasible as a matter of engineering, approve the installation of a dry hydrant connected to a storage tank with minimum capacity of 40,000 gallons (or such other lesser minimum 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.)
c. A five (5) foot high chain link fence with locking gate shall be providedto enclose each water hole.
d. An easement shall be given to the Town to provide access from the existing public way or proposed subdivision road to the source of water and for maintenance of the water hole or dry hydrant system.
e. All equipment associated with a dry hydrant system and fencing surrounding water holes shall be given to the Town for maintenance as Town property. However, until such time as the Town accepts such equipment or fencing, it shall be maintained in good repair and working order by the developer.

5.4. STORM AND SURFACE DRAINAGE

5.4.1. General

A system of storm drains, culverts, ditches, retention/detention basins, and related installations, including catch basins, gutters and manholes, shall be designed and installed to provide adequate disposal of surface water, including control of erosion, flooding and standing water from or in the subdivision and adjacent lands.

5.4.2. Pipes, Culverts and Drains

a. The size of pipe shall be in accordance with the approved Definitive Plan and in any case shall not be less than twelve (12) inches in diameter.

b. Pipe for the construction of all culverts and drains shall be Class III reinforced concrete. Reinforced concrete pipe of higher class may be required where conditions warrant.
c. All pipes shall be laid out true to line and grade as shown on the approved Definitive Plan. Each section of pipe shall have a full, firm bearing throughout its length and shall be installed in compliance with the Standard Specifications. All joints shall be made of Portland Cement Mortar with jute filler, or rubber type ring gaskets, unless otherwise directed. No backfilling of pipes or culverts shall be done until the installation has been inspected and approved by the Board or its agent. All drainage trenches except cross drains shall be filled with clean gravel borrow in accordance with the Standard Specifications. All cross drains shall be backfilled with selected bank run gravel approved by the Agent. Minimum covering of all pipe shall be not less than thirty-six (36) inches.
d. Concrete or masonry head wall or reinforced concrete flared end sections shall be constructed at the open ends of all drain pipes which serve as outlets to the drainage system. Construction of head walls and flared end sections shall conform to the Standard Specifications (see Appendix, Schedule B, Typical Sections).

5.4.3. Catch Basins and Manholes

a. Catch basins shall be located on both sides of the street on continuous grades at intervals of not more than three hundred (300) feet, and at all low points and at the corners of intersecting streets. Intervals of less than three hundred (300) feet may be required on steep grades.
b. Catch basins and manholes shall consist of cement brick masonry, concrete block masonry, precast solid segments or precast concrete structures, all conforming to the Mass. Highway Department Standard specifications.
c. Catch basins and manholes shall have an inside diameter of not less than four (4) feet at a point two and one-half (2 1/2) feet below the bottom of the frame.
d. Catch basins shall be at least three (3) feet in depth measured from the invert of the outlet pipe.
e. Walls of catch basins and manholes shall be not less than eight (8) inches in thickness and shall be laid in mortar composed of one (1) part Portland Cement and two (2) parts sand and sufficient water to form a workable mixture if made of blocks, or 5” if made of precast concrete.
f. The base of a catch basin or manhole shall consist of one course of brick or precast concrete pies laid flat with all joints thoroughly flushed full of mortar with a twelve (12) inch weep hole left in the center.
g. Backfill shall not be applied until after inspection or within five (5) days of setting the mortar.
h. Frame castings for catch basins and manholes shall be set in full mortar beds at the pavement binder course. Manhole castings shall be set flush with the designed finish grade of the pavement, except if the finish course cannot be placed before winter, then the castings shall temporarily be set flush with the pavement binder course. When the finish course is to be placed, the manhole castings shall be raised to be flush with the finish course. In either case, the catch basin grates shall be set one (1) inch below gutter grade.

5.4.4. Responsibility for Subdivision Drainage

The responsibility for adequate drainage shall rest with the Applicant. This shall include connection with existing drainage facilities, if any, provided by the Town. When private drains are connected to Town drainage, the Town will not be responsible for any damage. If necessary to connect to Town drainage systems, the Applicant shall be responsible for any necessary upgrades of the Town systems.

5.4.5. Extension of Drains to Adjacent Property

Where property adjacent to the subdivision, but within the same watershed, is not subdivided, provision shall be made for proper projection of the drainage systems by continuing appropriate drains and easements to the exterior boundaries of the subdivision at such size and grade as will allow for such projection.

5.5. SIDEWALKS

5.5.1. Location and Width

Sidewalks four (4) feet in width, unless otherwise specified by the Board, shall be constructed along all streets as per Section 4.7.

5.5.2. Sidewalk Drainage

Areas included between the outside line of the sidewalk and the outside line of the paved street shall be graded and filled where necessary to insure adequate drainage.

5.5.3. Sidewalk Base

The sidewalk base shall consist of not less than eight (8) inches of clean gravel after thorough compaction with a five (5) ton roller.

5.5.4. Sidewalk Pavement

The sidewalk pavement shall consist of Bituminous Concrete Type I-1, laid in two courses each one and one-half (1 & 1/2) inches thick after rolling so as to form a final pavement depth of three (3) inches over the gravel base as shown on Schedule A.

5.5.5. Loaming and Seeding

All disturbed areas between the sidewalk and the paved roadway shall be loamed and seeded in accordance with Section 5.8.

5.5.6. Sidewalk Pavement at Street Intersections

At street intersections, the sidewalk pavement shall be constructed flush with the outside edge of the sloped granite edging at a grade even with the top of the curbing.

5.6. UTILITIES

All utilities shall be installed underground in compliance with Section 4.8.

5.7. GUARD RAILS

Guard rails of an approved design shall be installed as required by the Board.

5.8. GRASS STRIPS

All cleared open areas included within the street right-of-way or within slope or drainage easements shall be suitably graded and loamed with not less than ~~four (4)~~ **six (6)** inches of good quality loam after compaction and rolled and seeded with perennial lawn grass seed. Seeding shall be done at appropriate times of the year and in a manner to insure the growth of grass.

5.9. TREES

Trees and shrubs shall be planted in accordance with Section 4.3.5.

5.10. STREET SIGNS

Street signs approved by the CMD shall be furnished and installed at all street intersections prior to the occupancy of any house on the street. Street signs shall be set in concrete and the location and height of each sign shall be as prescribed by CMD.

5.11. BOUNDARY MARKS AND MONUMENTS

Markers or monuments shall be set on the right-of-way lines of each street at all angle points, at the beginning and end of all curves, at all intersections with other streets and ways and at subdivision

boundary lines. Markers shall also be set along the entire perimeter of the subdivision at intervals of not more than five hundred (500) feet pursuant to Land Court Instructions. All markers or monuments shall be of stone or reinforced concrete, shall be not less than four (4) feet in length and not less than six (6) inches in width and breadth and shall have a drill hole in the center. All bounds shall be set flush with the surface of the adjoining ground. Wrought iron rods may be used where the points fall on exposed ledge. The placement and accurate location of these markers shall be certified in writing to the Board by a Registered Land Surveyor.

5.12. STREET LIGHTING

The Board may require that street lighting with underground wiring be installed in the subdivision concurrently with the installation of the underground domestic electric service. Plans showing proposed locations of poles and underground cables, conduits, transformers and related equipment shall be filed with and approved by the Board before installation is commenced.

5.13. FINAL CLEANING UP

Upon completion of the streets and other required improvements, the Developer shall remove from the highway and adjoining property all temporary structures, logs, brush, rubbish, loose stumps, loose stones and boulders, surplus earth, gravel and other materials which may have accumulated or been placed during construction and shall leave the subdivision in a neat and sightly condition.

SECTION 6 ADMINISTRATION

6.1. AUTHORITY

The Planning Board shall be the administrative agency of these regulations and shall have all the powers conferred upon the Board by the Subdivision Control Law, MGL Ch. 41, Sect. 81A to 81GG, inclusive.

The Planning Board may designate as their agents appropriate town agencies or officials and may from time to time hire professional assistance to review plans and inspect improvements at the cost of the Applicant.

The Board on its own motion or on the petition of any interested person shall have the power to modify, amend or rescind its approval of a subdivision plan, or to require a change in a plan as a condition of its retaining the status of an approved plan (per MGL Ch. 41, Sect. 81W).

6.2. WAIVER OF COMPLIANCE

Strict compliance with the requirements of these Rules and Regulations may be waived only when, in the judgement of the Board, such action is in the public interest and not inconsistent with the intent and purpose of the Subdivision Control Law. In waiving strict compliance the Board may impose such alternative conditions as will serve substantially the same objective as the standards or regulations waived.

Any definitive plan requiring waivers from Section 4 Design Standards and/or Section 5 Required Improvements must be accompanied by fully engineered plans complying with Section 3.2.3 illustrating that a subdivision road in compliance with Sections 4 and 5 is feasible. The Planning Board shall submit these plans to the Conservation Commission, Board of Health, and the Director of Community Maintenance and Development for review. The Planning Board shall request the advice of such Board, Commission and Director as to whether the proposed road could be built under applicable regulations and standards. The Planning Board shall not act to approve such a definitive plan until it has received such advice or at least 45 days has passed since the date of the requests.

6.3. INSPECTIONS

6.3.1. General

a. Inspection of the required subdivision improvements shall be made by the Planning Board Agent during the work and arrangements therefore shall be made by the Applicant with the Agent prior to the starting of street construction.
b. Inspections shall be requested at least forty-eight (48) hours in advance of each inspection by written notice to the Planning Board Agent, a copy of which notice shall be sent to the Board.
c. All weight slips for bituminous concrete shall be furnished to the Planning Board Agent.

6.3.2. Required Inspections

a. The following scheduled inspections shall be required in all subdivisions during the installation of the required improvements:
    1. Marking of trees to be preserved in the street rights-of-way;
    2. Satisfactory clearing and grubbing of the proposed paved areas, embankments and trimmed slopes of each street;
    3. Satisfactory excavation of street and subgrade preparation;
    4. Satisfactory installation of all mechanisms to prevent erosion and contain siltation.
    5. Satisfactory installation of drainage pipes, conduits, catch basins, manholes and other below-grade facilities;
    6. Satisfactory installation of utility pipes and conduits located under street and sidewalk locations;

7. Satisfactory filling, grading and compaction of the street and sidewalk subgrades;
8. Satisfactory installation of sloped granite edging at catch basins and at street intersections;
9. Satisfactory placement and compaction of gravel base for streets;
10. Satisfactory installation of underground electric and telephone services;
11. Satisfactory installation of catch basins and manhole frames, headwalls, rip-rapping and measures to prevent erosion;
12. Satisfactory placement of bituminous binder course on streets;
13. Satisfactory placement of bituminous finish course on streets;
14. Satisfactory construction of sidewalks;
15. Satisfactory installation of street lights, if required;
16. Satisfactory loaming, grading and seeding of grass strips;
17. Satisfactory installation of street signs;
18. Satisfactory installation of street trees where required;
19. Satisfactory installation of monuments;
20. Satisfactory clean-up;
21. Satisfactory maintenance.

b. The Board may authorize its agent to make additional inspections at his discretion during any stage of the work.

6.4 REVIEW FEES

a. When reviewing an application for, or when conducting inspections in relation to a special permit or approval of a subdivision or any modification of a special permit or approval of subdivision, the Board may determine that the assistance of outside consultants is warranted due to the size, scale or complexity of a proposed project, because of a project's potential impacts, or because the Town may lack the necessary expertise to perform the work related to the special permit or approval. The Board may require that Applicants pay a "project review fee' consisting of the reasonable costs incurred by the Board for the employment of outside consultants engaged by the Board to assist in the review of a proposed project.

b. In hiring outside consultants, the Board may engage engineers, planners, lawyers, hydrologists, landscape architects, or other appropriate professionals who can assist the Board in analyzing a project to ensure compliance with all relevant laws, ordinances/bylaws, and regulations. Such assistance may include, but not be limited to, analyzing an application, monitoring or inspecting a project or site for compliance with the Board's decision or regulations, or inspecting a project during construction or implementation.

c. Funds received by the Board pursuant to this section shall be deposited with the Town Treasurer who shall establish a special account for this purpose. Expenditures from this special account may be made at the direction of the Board without further appropriation. Expenditures from this special account shall be made only for services rendered in connection with a specific project or projects for which a project review fee has been or will be collected from the Applicant. Accrued interest may also be spent for this purpose. Failure of an Applicant to pay a review fee shall be grounds for denial of the special permit or disapproval of the subdivision.

d. At the completion of the Board's review of a project, any excess amount in the account, including any remaining interest, attributable to a specific project shall be repaid to the Applicant or the Applicant's successor in interest. A final report of said account shall be made available to the Applicant or the Applicant's successor in interest. For the purpose of this regulation, any person or entity claiming to be an Applicant's successor in interest shall provide the Board with documentation establishing such succession in interest.

e. Any Applicant may take an administrative appeal from the selection of the outside consultant to the Board of Selectmen. Such appeal must be made in writing and may be taken only within 20 days after the Planning Board has mailed or hand-delivered notice to the Applicant of the selection. The grounds for such an appeal shall be limited to claims that the consultant selected has a conflict of interest or does not possess the minimum, required qualifications. The minimum qualifications shall consist either of an educational degree in, or related to, the field at issue or three or more years of practice in the field at issue or a related field. The required time limit for action upon an application by the Board shall be extended by the duration of the administrative appeal. In the event that no decision is made by the Board of Selectmen within one month following the filing of the appeal, the selection made by the Board shall stand.

6.5 BUILDING PERMITS

No building permit shall be issued by the Building Inspector for any lot in a subdivision until the Inspector has received written confirmation from the Board that such lot has been released from any surety covenant.

6.6 MAINTENANCE

a. If the developer shall obtain the release of any lots from his recorded covenant security agreement by the filing of a performance bond, he shall thereafter maintain the roads and utilities serving such lots and the properties adjacent thereto in a safe, satisfactory and sightly condition. Maintenance shall include:
   1. Plowing the streets to full width;
   2. Sanding the streets;
   3. Keeping drainage structures clear of snow, ice and silt;
   4. Prevention of erosion on the street right-of-way, abutting property, lots retained and lots sold.

b. Upon completion of the required improvements and release of all security, the Applicant shall properly maintain all roads and other municipal services within the subdivision until acceptance of the roads by vote of the Town or until the expiration of a one-year period from the date of the Board's release of security. The costs of such maintenance shall be included in the performance guarantee as applicable.

6.7 CHANGES IN THE DEFINITIVE PLAN

6.7.1. Modifications

No change shall be made in an approved Definitive Plan nor in the installation of the required improvements until a revised plan showing such change (prepared from a field survey and signed by a Registered Engineer and/or Registered Land Surveyor) is filed with the Board for its consideration and approval. No change in the location of a street right-of-way line shall be permitted or approved by the Board until a public hearing is held as required by law (MGL Ch. 41, Section 81Q). All revisions shall be dated, and references to the approved Definitive Plan shall be provided as per Section 6.7.3. below.

6.7.2. Minor revisions

The Board may permit relocation of lot lines without a public notice or a public hearing and may permit relocation of utility easements and other minor changes which do not affect names, grades or exterior lines of streets without a public notice or a public hearing.

6.7.3. Reference and Dating Requirements for Revised Plans

Any plan showing a revision to an approved Definitive Plan and submitted prior to the complete release of all lots or sureties in that portion of the subdivision affected by such revisions, shall bear notation referring to the original Definitive Plan. The original Definitive Plan shall be re-signed and dated to correspond to the revision date by the Registered Engineer who originally signed the Plan.

6.8 RESCISSION AFTER TWO YEARS

The failure of the Applicant to begin work in a subdivision or a portion thereof within two (2) years of the approval of the Definitive Plan shall constitute a reason for the rescission of such approval.

6.9 SEPARABILITY

If any part of these regulations shall be adjudged invalid, such invalidity shall not affect the remainder.

6.10 AMENDMENTS

These regulations or any portion thereof may be amended, supplanted or repealed from time to time by the Board after a public hearing on its own motion or by petition (MGL Ch. 41, Section 81Q).

SHERBORN PLANNING BOARD

RULES AND REGULATIONS GOVERNING THE ADMINISTRATION OF THE SCENIC ROAD ACT

(MGL CH. 40, SEC. 15C)

Adopted April 22, 1991
Revised April 14, 1994

1. STATUTORY PROVISIONS OF THE SCENIC ROAD ACT - M.G.L. CHAPTER 40, SECTION 15 C

"Upon recommendation or request of the Planning Board, Conservation Commission, or Historical Commission of any city or town, such city or town may designate any road in said city or town other than a numbered route or state highway, as a scenic road.

After a road has been designated as a scenic road, any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with prior written consent of the Planning Board, or if there is no planning board, the Selectmen of a town, or the city council of a city, after a public hearing duly advertised twice in a newspaper of general circulation in the area, as to time, date, place and purpose, the last publication to occur at least seven days prior to such hearing; provided, however, that when a public hearing must be held under the provisions of this section and under section three of Chapter eighty-seven prior to the cutting or removal of a tree, such hearings shall be consolidated into a single public hearing before the Tree Warden and the Planning Board, or if there is no planning board, the Selectmen of a town, or the city council of a city, and notice of such consolidated public hearing shall be given by the Tree Warden or his deputy as provided in said section three of Chapter eighty-seven.

Designation of a road as a scenic road shall not affect the eligibility of a city or town to receive construction or reconstruction aid for such road pursuant to the provisions of Chapter ninety."

2. PURPOSE

The Sherborn Planning Board has adopted these regulations with the following objectives:

a. To maintain the natural beauty that currently exists along scenic roads in Sherborn.

b. To maintain and enhance the rural character of the Town and encourage compatibility with existing roadside features.

c. To implement more fully the provisions of the Scenic Road Act, with acknowledgement that the roads serve a transportation function for pedestrians, equestrians and non-motorized as well as motorized vehicles.

3. SHERBORN STREETS SUBJECT TO THE PROVISIONS OF THE SCENIC ROAD ACT

Designated as scenic roads at the Annual Town Meeting held on March 11, 1974, except as noted:

Apple Street	Goulding Street East*	Maple Street	Snow Street
Ash Lane	Goulding Street West	Mill Street	South Street
Brush Hill Road	Green Lane	Nason Hill Road	Western Avenue
Cross Street	Greenwood Street	Perry Street	Whitney Street
Curve Street	Hollis Street	Pleasant Street	Woodland Street
Farm Road	Hunting Lane	Prospect Street	
Forest Street	Lake Street	Rockwood Street	

*Designated at Town Meeting held on April 24, 2001.

4. PROCEDURE TO DESIGNATE ROADS AS A SCENIC ROAD

The Planning Board, the Board of Selectmen, the Conservation Commission, the Historical Commission, or by petition of citizens of the Town (consistent with petition requirements to place an article on the warrant) may propose "scenic road" status for any road in Sherborn other than a numbered route or state highway as a scenic road. The Planning Board shall hold a Public Hearing on the petition, notifying the Selectmen, the Tree Warden, the Superintendent of Highways, the Conservation Commission, and the Historical Commission, and advertising twice in a newspaper of general circulation, the first advertisement at least fourteen days prior to the date of the public hearing.

The Planning Board shall make a recommendation to the Town Meeting on the merits of designation of the proposed road as a scenic road.

A majority vote of Town Meeting is required for designation. Such designation shall be effective as of the date of Town Meeting action. Any work on any portion of the right-of-way of a scenic road which was not physically commenced at the time the road was designated as a scenic road shall conform to these regulations.

5. DEFINITIONS

In the absence of contrary meaning established through legislation or judicial action pursuant to MGL Chapter 40, Sec. 15C, these terms contained in that statute shall be construed as follows:

"Road" shall mean a vehicular traveled way plus its necessary appurtenances within the right-of-way including bridge structures, drainage systems, retaining walls, traffic control devices, pedestrian facilities, and the air space above them, but not intersecting streets or driveways.

"Cutting or removal of trees" shall not be construed to include clearing of nuisance growth, routine or emergency tree maintenance which removes only permanently diseased or damaged limbs, trunks or roots and dead whole trees, or thinning out of overcrowded trees as determined by the Tree Warden, but shall include such cutting or removal done in contemplation of, or following, repair, maintenance, reconstruction or paving work for a road.

"Repair, Maintenance, Reconstruction, or Paving-work" shall mean any such work done within the right-of-way by any person or agency, public or private. Construction of new driveways or alterations of existing ones is also included to the extent such work takes place within the right-of-way. Except as

allowed in the preceding paragraph, roadside cutting for clearance for vehicles or for improvement of line-of-sight shall also be included within this definition.

"Trees" shall mean any trees (not bushes) having a trunk diameter of one and one half inches or larger at one foot above the ground. All trees within the right-of-way of a scenic road or on the boundaries thereof shall be subject to these regulations; if for whatever reason, it is uncertain whether the tree is within the right-of-way of the scenic road, it shall be taken to be within the coverage of these rules and regulations until the contrary is shown.

"Stone walls" shall not be construed to include assemblages of stone involving less than one cubic foot of wall material per linear foot nor totaling less than five feet in length. All stone walls within the entire right-of-way of a scenic road or on the boundaries thereof shall be subject to these regulations; if for whatever reason, it is uncertain whether the stone wall is within such right-of-way of the scenic road, it shall be taken to be within the coverage of these rules and regulations until the contrary is shown.

"Tearing down or destruction of stone walls" shall not be construed to include temporary removal and replacement within a reasonable period of time, not to exceed six months, at the same location with the same materials according to the original character.

6. CONSTRUCTION AND APPLICABILITY OF THE RULES AND REGULATIONS CONTAINED HEREIN

The Planning Board authority and jurisdiction shall be consistent with MGL Ch. 40, Sec. 15C. These rules and regulations shall be controlling and may be amended from time to time.

7. DESIGN STANDARDS FOR DRIVEWAYS

7.1 Curb Cuts

The driveway standards shall be consistent with the regulation for curb cuts contained in the Planning Board Subdivision Regulation Section 4.3.6.

7.2 Stone Wall Removal Limitations

Where stone walls exist, the maximum amount of stone wall to be removed shall be the width of the driveway or new road at the location of the stone wall plus three feet on each side.

a. Unless otherwise waived, removed stone shall be used to repair other sections of the wall along the road.

b. No wall shall be cut without construction of an appropriate terminus. Appropriate end points are shown in the Appendix, Figures 1 & 2, and consist of stone piers, granite posts, stone walls with tapered ends turning back onto the lot along the drive, or wooden posts with or without a gate.

7.3 Tree Removal Limitations

No tree with a trunk exceeding 8" in diameter four and one half feet above ground level shall be cut for a driveway or new road unless the curb cut cannot be safely located otherwise. Unless

otherwise waived, whenever trees are removed, trees in a species and location suitable to the Planning Board and the Tree Warden shall be planted.

8. PROCEDURES

8.1 Filing Instructions

Any person or organization seeking consent of the Planning Board under MGL Ch. 40, Sec. 15C (the Scenic Road Act) regarding the cutting or removal of trees or the tearing down or destruction of stone walls, or portions thereof, in connection with the Repair, Maintenance, Reconstruction or Paving-work (as defined in Section 5) on Scenic Roads, shall submit a request to the Planning Board together with the following:

a. A plan showing the location and the nature of the proposed action and a description of the proposed changes to trees and stone walls;

b. A statement of the purpose(s) for the change;

c. A list of owners of property located in whole or in part within 500 feet of the proposed action;

d. Except in the case of town agencies, a filing fee of $25.00 shall be paid; and

e. Any further explanatory material useful to adequately inform the Planning Board prior to the public hearing.

Notice of submittal shall be filed with the Town Clerk and a copy of the submittal transmitted to the Tree Warden after it is accepted and signed for by the Planning Board or its staff.

8.2 Tree Warden

Planning Board hearings shall be held in conjunction with those held by the Tree Warden acting under MGL Ch. 87. Consent to an action by the Planning Board shall not be construed as inferring consent by the Tree Warden or the reverse, nor shall execution of these rules and regulations in any way lessen the Tree Warden's duties under MGL Ch. 87.

8.3 Notice

The Planning Board shall, as required by statute, give notice of its public hearing by advertising twice in a newspaper of general circulation in the area, the last publication at least seven days prior to the public hearing.

This notice shall contain a statement as to the time, date, place, and purpose of the hearing with a description of the action proposed by the applicant. Copies of this notice shall be sent to the applicant, the Selectmen, the Tree Warden, the Superintendent of Highways, the Conservation Commission, the Historical Commission, and the owners of property located within 500 feet of the proposed action.

In the event that the Planning Board holds a joint hearing with the Tree Warden acting under MGL Ch. 87, the advertisement shall be made by the Tree Warden.

8.4 Timing

The Planning Board shall hold a Public Hearing as soon as practical but in no event later than forty five days from the date on which notice of submittal is received by the Town Clerk unless a longer time is agreed to by the applicant.

8.5 Decision

a. The Planning Board shall make a decision as soon as practical but in no event later than 15 days from the hearing unless a longer time is agreed to by the applicant.

b. In rendering its decision, the Planning Board shall consider the application based on compliance with the "Scenic Road Act" and the considerations listed in Section 9.

c. The Planning Board may require sufficient bond to be posted to cover the costs of required work within the road right-of-way and to protect existing vegetation and stone walls. Such bonding shall be specified in the Board's decision.

d. The decision of the Planning Board shall be filed within fifteen days of the close of the Public Hearing with the Town Clerk unless a longer time is agreed to by the applicant; copies of which shall be sent to the applicant, the Selectmen, the Tree Warden, the Superintendent of Highways, the Conservation Commission, the Historical Commission, and those persons who have requested a copy of the decision.

e. The approval by the Planning Board under these regulations of a proposed action shall be valid for two years, after which it shall be void.

9. CONSIDERATIONS

In acting in regard to a Scenic Road request, the Planning Board shall consider the following:

a. Scenic and aesthetic characteristics;

b. Public safety;

c. Accident history within 500 feet of tree(s) and stone walls at issue;

d. Location and setback of telephone poles in relation to the pavement, trees and stone walls (in no case shall a tree be removed for safety purposes which is as far as or further from the center of the paved right-of-way than a utility pole within 500 feet thereof);

e. Traffic volume, congestion and posted speed limit;

f. Preservation of natural resources;

g. Environmental and historical values;

h. Recreational uses of road, taking into account the nature and extent;

i. Relationship of the road design to the standards of the Planning Board's Subdivision Rules and Regulations but recognizing that a variance from standard should be allowed when a road has been designated scenic by the Townspeople;

j. Compensatory actions proposed, such as replacement of trees or walls;

k. Financial and other consequences of design revision to avoid or reduce damage to trees or stone walls;

l. Evidence contributed by abutters, town agencies, and other interested parties; and

m. Other sound planning principles.

10. ENFORCEMENT

10.1 Remedy for Failure to File

Failure to file with the Planning Board for permission to cut or remove trees or for destruction of any portion of a stone wall within the layout of the scenic road will require an immediate filing as detailed above and shall be subject to restoration of the features. Unless waived, this restoration shall consist of replacing the stone wall on a square-foot per square-foot basis as necessary and replacing the trees cut on a diameter-inch per diameter-inch basis at locations specified by the Planning Board and the Tree Warden. A diameter-inch per diameter-inch replacement means that the combined diameter of the replacement trees measured one foot above ground level for trees up to 8" in diameter and four and one half feet above ground level for trees in excess of 8" diameter must equal the total diameter of the original tree trunks.

10.2 Compliance

Failure to comply with the duly issued decision of the Planning Board shall be subject to restoration as detailed above and other remedial measures the Planning Board deems necessary, including, but not limited to the enforcement of the bonding and restoration as detailed above.

10.3 Authority

The Planning Board and the Tree Warden shall have the authority to enforce the provisions of these Regulations.

APPENDICES AND FORMS

APPENDIX

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PLANNING BOARD, SHERBORN, MA

PETITION FOR SPECIAL PERMIT

Date Submitted _____, 20_____

INSTRUCTIONS
Submit the number of copies indicated below of this form and plans and a check, payable to the Town of Sherborn, for the filing fee in the amount of $950 ($750 for a Site Plan, $475 for special permit renewal) plus Applicant should be prepared to reimburse Town for associated and related costs such as advertising and engineering review.

TO THE SHERBORN PLANNING BOARD:
The undersigned hereby petitions for the following special permit under the Sherborn Zoning By-Laws.

_____ 3.2.29 Accessory storage/parking cars (5 copies)
_____ 4.4 Street Frontage (3 copies)
_____ 4.5 Open Space Subdivision (7 copies)
_____ 4.6 Planned Unit Development (7 Copies)
_____ 5.3.1 Site Plan (7copies)
_____ 5.6 Residence M Multidwelling (7 copies)
_____ 5.7 Residence EA Multidwelling (7 Copies)
_____ 5.8 Wireless Communications Facility (5 Copies)

DESCRIPTION OF PREMISES:
_____
_____
_____

REASONS WHY PERMIT SHOULD BE GRANTED: _____
_____

Has there been a previous application for a special permit on these premises? _____
If so, what was the date of the previous application? _____
State your interest in the premises. (Owner, lessee, etc.) _____
Does anyone else have an interest in the premises? (Owner, lessee, mortgagees, etc.) _____
If so, state names and respective interests.
_____
_____

LOCATION OF PROPERTY: Assessors' Plans, Map No._____, Lot No.(s)_____

NAME AND ADDRESS OF SURVEYOR/ENGINEER:
_____
_____

SOURCE OF OWNER'S TITLE:
(a) Deed from _____dated_____recorded in Middlesex S. District Registry of Deeds Book_____, Page_____,
OR
(b) Land Court Certificate of Title No._____registered with Middlesex S. District Registry, Book_____, Page_____

Applicant's: Signature: _____Date:_____
Name(printed):_____ Tel.: _____
Address:_____

PLANNING BOARD, SHERBORN, MA
FORM A

APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL UNDER THE SUBDIVISION CONTROL LAW

Date submitted: _____

INSTRUCTIONS:
For all applications believed not to require approval under the subdivision control law, and in accordance with Massachusetts General Law Ch. 41, Sec. 81P, please do the following:

1. Schedule a review by the Planning Board. (See or call the Town Planner, 508.651.7855.)
2. Fill out this FORM A as specified below.
3. Submit to the Town Planner (to bring to the Planning Board review meeting):
    a. Completed original of this FORM A **and one (1) additional** copy of this completed form.
    b. A completed original Mylar plan of the land **and four (4)** copies of the plan at a scale appropriate for the size of the property as may be approved by the Planning Board.
    c. **One (1) 1" = 200' scale** copy of the plan of the land or an electronic copy in a form compatible with the Town's GIS system.
    d. **One (1)** copy of a plan showing the existing boundaries of the land at the same scale as the plan indicating the proposed changes.
    e. Filing fee as specified in Schedule C (check payable to: Town of Sherborn).

Note that the time period of MGL Ch. 41, Sec. 81P **does not commence** until the applicant files with the Town Clerk.

TO THE SHERBORN PLANNING BOARD:
The undersigned wishes to record the accompanying plan and requests a determination by your Board that approval under the Subdivision Control Law is not required. The undersigned believes that such approval is not required because the plan does not constitute a subdivision (fill in Section 1 or Section 2 below, but not both):

1. **Either because**:
    a. Either lot shown thereon has the minimum frontage, area and width required by the Sherborn Zoning By-Laws; **and**
    b. Each lot show thereon has frontage on _____, a public way ___ or a private way ___ (check one).

2. **Or because**: _____
_____

LOCATION OF PROPERTY: Assessors' Plans, Map No._____, Lot No(s)._____

NAME OF SURVEYOR: _____

SOURCE OF OWNER'S TITLE:
(a) Deed from_____dated_____recorded in Middlesex S. District registry of Deeds Book _____, Page _____; or
(b) Land Court Certificate of Title No. _____ registered with Middlesex S. District Registry, Book_____, Page _____

APPLICANT'S SIGNATURE: _____ **Address:** _____
_____

PLANNING BOARD ACTION:
Date of decision: _____
Approval not required: _____
Approval required: _____
Authorized Signature: _____

I/we certify that I am/we are the owner(s) of record of the above- described property:
Signature(s)_____
_____
Name(s)_____
_____
Address_____
_____

PLANNING BOARD, SHERBORN, MA
FORM B

APPLICATION FOR APPROVAL OF A PRELIMINARY PLAN

Sherborn, MA
Date submitted: _____

INSTRUCTIONS:
File **two (2)** completed forms with the Planning Board and **one (1)** completed form with the Town Clerk and in accordance with Massachusetts General Law Ch. 41, Sec. 81S. **Two (2)** copies of the Preliminary Plan shall also be filed with the Board of Health.

TO THE SHERBORN PLANNING BOARD:
The undersigned submits herewith **five (5)** copies of a Preliminary Plan of a subdivision of land in the Town of Sherborn for approval under the Subdivision Control Law and the current Rules and Regulations of your Board.

1. **NAME OF SUBDIVISION**
   _____

2. **NAME OF REGISTERED LAND SURVEYOR AND ENGINEER**
   _____

3. **LOCATION OF PROPERTY:** Assessors' Plans, Map No._____, Lot No(s)._____

4. **NAME OF SURVEYOR: _____**

5. **SOURCE OF OWNER'S TITLE:**
   (c) Deed from_____dated_____recorded in Middlesex S. District registry of Deeds Book _____, Page _____; or
   (d) Land Court Certificate of Title No. _____ registered with Middlesex S. District Registry, Book_____, Page _____

Applicant's signature: _____

Applicant's address: _____

_____

PLANNING BOARD ACTION:

Date filed: _____

Approved: _____

Disapproved: _____

I/we certify that I am/we are the owner(s) of record of the above described property:

Signature(s)_____

_____

Name(s)_____

_____

Address_____

_____

PLANNING BOARD, SHERBORN, MA
FORM C

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

Date: _____

To the Planning Board of the Town of Sherborn:

The undersigned, being the owner of certain land shown on proposed subdivision plan entitled
_____
_____
_____
_____
_____

By
_____
_____

Dated _____, hereby submits said plan as a definitive plan in accordance with the Rules and Regulations of the Town and makes application to the Board for approval of said plan.

The applicant's title to said land is derived from
_____
_____
by deed dated _____ and recorded in Middlesex County Registry of Deeds, Book _____, Page _____, and/or registered in the Middlesex S. Registry District of the Land Court, as Document No._____ and noted on Certificate of Title No. _____, Registration Book _____, Page _____, and said land is free of encumbrances except for the following:
_____
_____
_____
Said plan has ( )/has not ( ) evolved from a preliminary plan submitted to the Planning Board on _____, and approved ( )/approved with modifications ( )/disapproved ( ) on _____.

The applicant hereby applies for the approval of said definitive plan by the Planning Board, and in furtherance thereof hereby agrees to abide by the Rules and Regulations of the Planning Board of the Town. The applicant hereby further covenants and agrees with the Town, upon the approval of said definitive plan by the Planning Board:

1. To construct ways and install municipal services as shown on the approved definitive plan in accordance with the Rules and regulations of the Planning Board of the Town, with such modifications or conditions, if any as may be imposed by the Planning Board or Board of Health of the Town, such modifications or conditions to be set forth in a Certificate of Action to be filed by the Planning Board with the Town Clerk. Such construction of ways and installation of municipal services shall, if begun, be completed within two years from the date of endorsement by the Planning Board of its approval of the plan unless the Planning Board shall specify a different period of time for the completion of such work. If the construction of ways and installation of municipal services is not begun within two years from the date of endorsement by the Planning Board of its approval of the plan, or within such shorter or longer period of time as the Planning Board may specify, such approval shall terminate and the applicant shall be required to resubmit the plan to the Planning Board for re-approval with such modifications or conditions as the Planning Board may then deem appropriate.

2. To give security for the construction of ways and installation of municipal services required under Paragraph 1 above in accordance with G.L.C. 41, S. 81U. The giving of such security shall not operate so as to relieve the applicant of his or its obligations under Paragraph 1 above, and if the applicant fails to construct ways and install municipal services as therein required and the security given under this paragraph proves insufficient to pay for the completion of such work, then the applicant shall be liable to the Town for the additional cost of completing such construction of ways and installation of municipal services.

3. To permit the Planning Board, its duly authorized agents and employees, and any agent or employee of the Town or any person authorized by the Town, to enter upon the land included in the subdivision for the purpose of determining whether the work required under Paragraph 1 has been begun or completed, and for the purpose of completing such work, if begun, in the event the applicant fails to do so within the required time. The applicant shall grant to the Town an easement, which shall be referred to on the plan and recorded with the plan, to enter upon the land for the purposes set forth in the preceding sentence.

4. To record the definitive plan and any covenant given under G.L.C. 41, S. 81U in the appropriate district Registry of Deeds or Registry District of the Land Court within sixty (60) days of the date of the Planning Board's endorsement of its approval of the plan. Any covenant given under G.L.C. 41, S. 81U shall be referred to on the recorded definitive plan. If the Planning Board shall impose modification or conditions on its approval of the definitive plan, its Certificate of Action setting forth such modifications or conditions shall be referred to on the plan and shall be attached to ad recorded with the plan. Any condition required by the Board of Health or Health Officer of the Town not incorporated in the Planning Board's Certificate of Action shall also be inscribed on the plan or contained in a separate document referred to on the plan recorded with the plan.

The applicant hereby requests that the time within which the Planning Board must action the subdivision plan submitted herewith be extended to a period of 135 days from the date of submission.

Received by Town Clerk:
Date: _____
Time: _____

Signature: _____

Applicant's:
*Signature:_____

Address:_____
_____
_____
_____

_____
* All owners of the land must sign the application. If the land is owned by a corporation or trust, a copy of the instrument authorizing the person who signs the application to act for the owner must be attached to the application. If the applicant is not the owner of the land, a separate sheet listing the names addresses of the owners and the interest of the applicant in the land should be attached to the application.

PLANNING BOARD, SHERBORN, MA
FORM D

DESIGNER'S CERTIFICATE

Sherborn, MA
Date: _____

TO THE SHERBORN PLANNING BOARD:

I/We hereby certify that the accompany plan, being a Definitive Plan of a subdivision located in the Town of Sherborn entitled

_____

and dated _____, is true and correct and complies in all respects with the current Rules and Regulations of your Board, except as follows:[1]

_____
Registered Land Surveyor

_____
Address

_____
Registered Professional Engineer

_____
Address

[1] List all exceptions. If no exceptions, so state.

PLANNING BOARD, SHERBORN, MA
FORM E

CERTIFIED LIST OF ABUTTERS

Sherborn, MA
Date: _____

TO THE SHERBORN PLANNING BOARD:

The undersigned, being an applicant for approval of a Definitive Plan of a proposed subdivision entitled

_____,

submits herewith the following sketch showing the land included within the subdivision and the names and relative locations of all land owners who properties abut the subdivision or are located on a street or way on the side opposite therefrom. The mailing addresses of all such owners are listed on a separate sheet attached hereto.

Applicant's signature: _____

Address: _____

Sherborn, MA
Date: _____

TO THE SHERBORN PLANNING BOARD:

This is to certify that according to the most recent real estate tax list for the Town of Sherborn, the names and addresses of the assessed owners of properties abutting (or opposite) the parcel(s) shown on the above sketch are the same as those markd on such sketch and listed on the attached sheet, except as follows:

_____
Assessor of the Town of Sherborn

PLANNING BOARD, SHERBORN, MA
FORM F

COVENANT

Date: _____

Whereas
_____

_____[Name of Owner(s)] _____

_____(the Developer)

has submitted an application dated _____, to the Planning Board of the Town of Sherborn (the Town), a municipal corporation situated in Middlesex County, Massachusetts, for approval of a definitive plan of a certain subdivision entitled
_____

_____

_____

By_____

_____

dated _____, and has requested the Planning Board to approve such plan without requiring a performance bond or other surety;

Now therefore, in consideration of the Planning Board approving said plan without requiring a performance bond or other surety, and in consideration of one dollar in hand paid, receipt whereof is hereby acknowledge, the Developer represents, covenants and agrees with the Town pursuant to G.L.C. 41, S. 81U, as amended as follows:

1. The Developer is the owner in fee simple of all the land included in the aforesaid subdivision and there are no mortgages of record or otherwise on any of said land, except those described below and subordinated to the Covenant, and the present holders of said mortgages have assented to this Covenant prior to its execution by the Developer.

   Description of Mortgages (Give complete names of mortgagees and Registry of Deeds reference to mortgage.):
   _____
   _____
   _____

2. This Covenant shall run with the land included in the aforesaid subdivision and shall operate as a restriction upon said land.

3. The ways and municipal services required to serve the lots in said subdivision shall be installed and constructed as shown on the definitive plan and in accordance with the Rules and Regulations of the Planning Board of the Town, with such modifications or conditions, if any, as have been imposed by the Planning Board or Board of Health of the Town, such modifications or conditions being set forth in a Certificate of Action dated _____ to be recorded herewith, before such lot may be built upon or conveyed other than

by a mortgage deed; provided that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lot subject to the limitation

that no lot shall be built upon until such was and services have been provided to serve such lot; and provided further that nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to this Covenant, of either the entire parcel of land shown on said subdivision plan or of all lots shown on such plan not previously released by the Planning Board.

4. Reference to the Covenant shall be entered upon said plan and this Covenant shall be recorded when said plan is recorded.

5. Lots within the subdivision may be released from the foregoing conditions only upon the recording of a written release executed by a majority of the Planning Board and specifically enumerating the lots to be released there under.

6. This Covenant shall be binding upon the executors, administrators, devisees, heirs, successors and assigns of the Developer.

7. The construction of ways and installation of municipal services shall, if begun, be completed within two years from the date of endorsement by the Planning Board of its approval of the plan. If the construction of ways and installation of municipal services is not begun within two years from the date of endorsement by the Planning Board of its approval of the plan, such approval shall terminate and the applicant shall be required to resubmit the plan to the Planning Board for re-approval with such modifications or conditions as the Planning Board may then deem appropriate.

Executed as a sealed instrument this _____day of _____, 20___.

(Signatures of individuals, trustees under a declaration of trust or corporate officers, thereunto duly authorized, as owner(s) or mortgagee(s), as applicable.)

Owner(s)*

_____

_____

_____

*If there is more than one owner, all must sign.

Assents of Mortgagee(s):

_____

_____

_____

PLANNING BOARD, SHERBORN, MA
FORM G

CERTIFICATE OF ACTION

Date: _____

This is to certify that the Planning Board of the Town of Sherborn has this day approved a definitive subdivision plan entitled

_____
_____
_____
_____
_____

by

_____
_____

dated _____. This approval is subject to receipt of a covenant or other proper security under G.L.C. 41, S. 81U to secure the construction of ways and installation of municipal services in accordance with the Rules and Regulations of the Planning Board of the Town and the terms and conditions of this approval. The giving of such security shall not, however, relieve the owner of the subdivision of his or its obligation to construct ways and install municipal services in accordance with the Rules and Regulations of the Planning Board of the Town and the terms and conditions of this approval. If the owner fails to construct ways and install municipal services as required and the security given proves insufficient to pay for the completion of such work, then the owner shall be liable to the Town for the additional cost of completing such construction of ways and installation of municipal services.

This approval is subject to the following terms and conditions:

1. The construction of ways and installation of municipal services shall, if begun, be completed within two years from the date of endorsement by the Planning Board of its approval of the plan. If the construction of ways and installation of municipal services is not begun within two years from the date of endorsement by the Planning Board of its approval of the plan, such approval shall terminate and the applicant shall be required to resubmit the plan to the Planning Board for re-approval with such modifications or conditions as the Planning Board may then deem appropriate.

2. [etc.]

_____
_____
_____
_____
_____

Majority of the Planning Board of the Town of Sherborn

PLANNING BOARD, SHERBORN, MA
FORM H

PERFORMANCE BOND
SURETY COMPANY

Know all men by these presents that
_____
_____ _____,

as Principal, and _____
a corporation duly organized and existing under the laws of the State of _____ and having a usual place of business in_____, as surety, herby bind and obligate themselves and their respective executors, administrators, devisees, heirs, successors and assigns, jointly and severally, to the Town of Sherborn, a Massachusetts municipal corporation, in the sum of _____dollars.

The condition of this obligation is that if the Principal shall fully and satisfactorily observe and perform in the manner and in

the time therein specified, all of the covenants, conditions, agreements, terms and provisions contained in the application

signed by the Principal and dated _____, under which approval of a definitive plan of a

certain subdivision entitled
_____
_____
_____

by
_____

dated _____, has been granted by the Planning Board of the Town, with such modifications or conditions, if any, as have been imposed by the Town acting through its Planning Board or Board of Health, then this obligation shall be void; otherwise, it shall remain in full force and effect and the aforesaid sum shall be paid to the Town to satisfy and complete the Principal's obligation.

The Surety hereby assents to any and all changes and modifications that may be made of the aforesaid covenants, conditions, agreements, terms and provisions to be observed and performed by the Principal, and waives notice thereof.

In witness whereof we have hereunto set our hands and seals this _____ day of _____, 20____.

Principal

_____

By: _____
(Title)

Surety

_____

By: _____
(Title)

PLANNING BOARD, SHERBORN, MA
FORM I

I-11

PERFO
SECURED BY DEPOSIT

Know all men by these presents that _____

_____ ,

as Principal, hereby binds and obligates himself/itself and his or its executors, administrators, devisees, heirs, successors and

assigns, jointly and severally, to the Town of Sherborn, a Massachusetts municipal corporation, in the sum of

_____dollars, and has secured this obligation by depositing said sum in money or negotiable securities with the Treasurer of the Town.

The condition of this obligation is that if the Principal shall fully and satisfactorily observe and perform in the manner and in

the time therein specified, all of the covenants, conditions, agreements, terms and provisions contained in the application

signed by the Principal and dated _____, under which approval of a definitive plan of a

certain subdivision entitled

_____
_____
_____

by _____

dated _____, has been granted by the Planning Board of the Town, with such modifications or conditions, if any, as have been imposed by the Town acting through its Planning Board or Board of Health, then this obligation shall be void; otherwise, it shall remain in full force and effect and the aforesaid sum shall be paid to the Town to satisfy and complete the Principal's obligation.

In witness whereof the Principal has hereunto set his hand and seal this _____ day of _____, 20____.

Principal

_____

By: _____
(Title)

PLANNING BOARD, SHERBORN, MA
FORM J

PERFORMANCE BOND
SECURED BY BANK PASSBOOK

Know all men by these presents that _____

_____ ,

as Principal, hereby binds and obligates himself/itself and his or its executors, administrators, devisees, heirs, successors and

assigns, jointly and severally, to the Town of Sherborn, a Massachusetts municipal corporation, in the sum of

_____dollars, and has secured this obligation by depositing in the name of the Town of Sherborn

the sum of _____ in _____[Name of Bank], evidenced by Bank Book No. _____,

and by depositing said bank book with the Treasurer of the Town.

The condition of this obligation is that if the Principal shall fully and satisfactorily observe and perform in the manner and in

the time therein specified, all of the covenants, conditions, agreements, terms and provisions contained in the application

signed by the Principal and dated _____, under which approval of a definitive plan

of a certain subdivision entitled

_____
_____

by _____

dated _____, has been granted by the Planning Board of the Town, with such

modifications or conditions, if any, as have been imposed by the Town acting through its Planning Board or Board of Health, then this obligation shall be void; otherwise, it shall remain in full force and effect and the aforesaid sum shall be paid to the Town to satisfy and complete the Principal's obligation.

In the event the Principal shall fail to perform its obligation as above set forth, the Town may use the funds in said account, or any part thereof, to satisfy and complete the Principal's obligation on said project, without further notice to or consent by the Principal.

Upon completion of all the work required to be completed by the Principal as above set forth, the aforesaid bank book shall be returned to the Principal.

In witness whereof the Principal has hereunto set his hand and seal this _____ day of _____, 20____.

Principal

_____

By: _____
(Title)

The _____ Bank hereby acknowledges that it has received notice of the Principal's obligation under this bond, and, in the event the Principal fails to perform said obligation, agrees to pay the Town in accordance with the provision of this bond.

_____
Authorized Signature

To be executed in four (4) copies, all of which are to be considered originals. Two (2) copies are to be forwarded to the above Bank and one (1) signed copy returned to the Planning Board. In addition to the bank book, the Town should also receive a written assignment of the account and a withdrawal slip signed in blank.

PLANNING BOARD, SHERBORN, MA
FORM K

RELEASE OF LOTS
(Provision of Surety)

The undersigned, being a majority of the Planning Board of the Town of Sherborn, Massachusetts, hereby certify that in the opinion of the Planning Board sufficient surety has been provided to secure performance of the construction of ways and the installation of municipal services required to serve certain lots, hereinafter designated, in accordance with the provisions of the Covenant dated _____ and recorded in Middlesex County Registry of Deeds, Book _____,

Page _____, and/or registered in the Middlesex S. Registry District of the Land Court, as Document No._____ and

noted on Certificate of Title No. _____, Registration Book _____, Page _____, said lots being shown on a plan entitled
_____
_____

recorded with said Registry of Deeds in Plan Book _____, Page _____, Plan No. _____, and/or registered in said Registry District of the Land Court in Plan Book _____, Plan _____, and said lots are hereby released from the restrictions as to building and sale specified in paragraph 3 of said Covenant.

Lots designated on said plan and released hereunder:
_____
_____

Executed as a sealed instrument this _____ day of _____, 20_____.

_____

_____

_____

_____

_____

Majority of the Planning Board of the Town of Sherborn

COMMONWEALTH OF MASSACHUSETTS

_____, ss. Date: _____

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

_____
Notary Public

My Commission expires: _____

PLANNING BOARD, SHERBORN, MA
FORM L

RELEASE OF LOTS
(Completion of Work)

The undersigned, being a majority of the Planning Board of the Town of Sherborn, Massachusetts, hereby certify that in the opinion of the Planning Board the construction of ways and the installation of municipal services required to serve certain lots, hereinafter designated, has been completed in accordance with the provisions of the Covenant dated _____ and recorded in Middlesex County Registry of Deeds, Book _____, Page _____, and/or registered in the Middlesex S. Registry District of the Land Court, as Document No._____ and noted on Certificate of Title No. _____, Registration Book _____, Page _____, said lots being shown on a plan entitled

_____

_____

recorded with said Registry of Deeds in Plan Book _____, Page _____, Plan No. _____, and/or registered in said Registry District of the Land Court in Plan Book _____, Plan _____, and said lots are hereby released from the restrictions as to building and sale specified in paragraph 3 of said Covenant.

Lots designated on said plan and released hereunder:

_____

_____

Executed as a sealed instrument this _____ day of _____, 20_____.

_____

_____

_____

_____

_____

Majority of the Planning Board of the Town of Sherborn

COMMONWEALTH OF MASSACHUSETTS

_____, ss. Date: _____

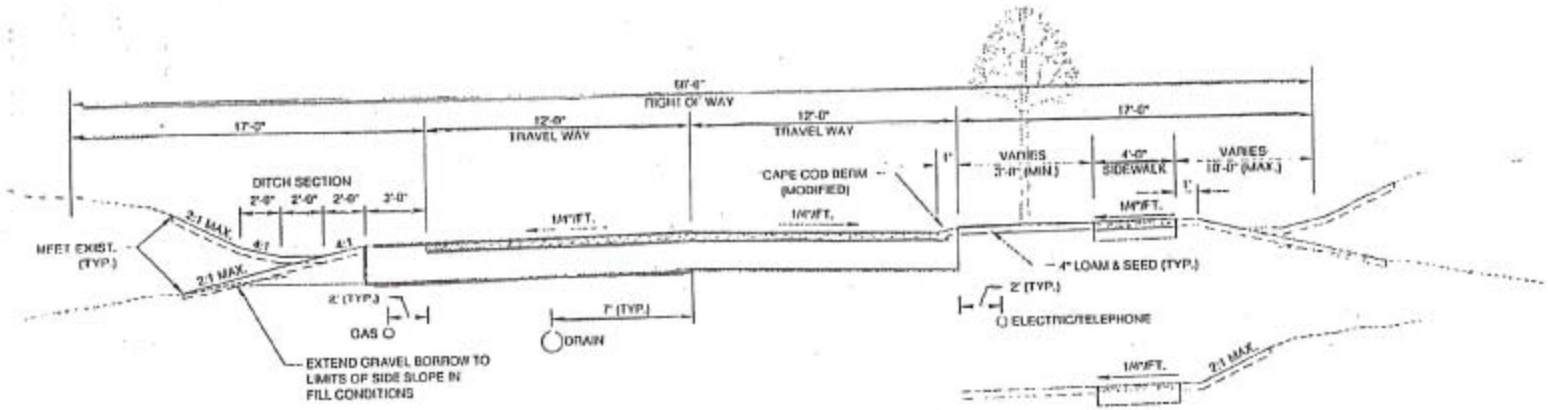
Then personally appeared one of the above-named members of the Planning Board of the Town of Sherborn, Massachusetts and acknowledged foregoing instrument to be the free act and deed of said Planning Board, before me.

_____
Notary Public

My Commission expires: _____

TYPICAL SECTION
SUBDIVISION STREET
N.T.S.

SCHEDULE "A"



ALTERNATE GRADING AT BACK OF SIDEWALK
IN EARTH CUT SECTION
(TO BE USED ONLY UPON APPROVAL OF TH BOARD)

ROADWAY PAVEMENT

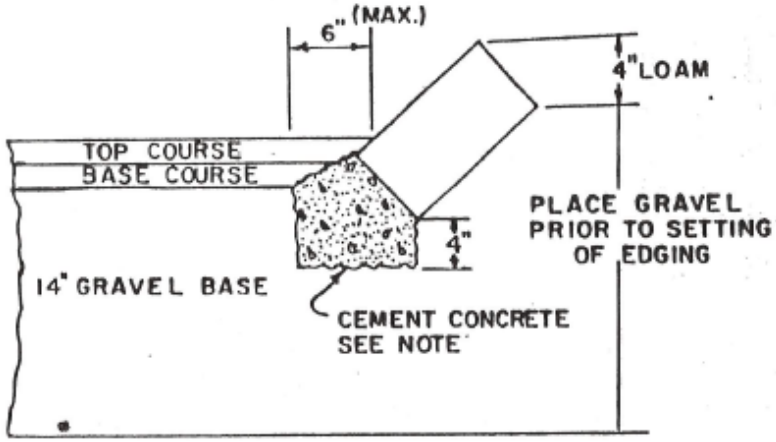
TOP COURSE: 1-1/2" CLASS I BIT. CONC. TYPE I-1
BINDER COURSE: 3" CLASS I BIT. CONC. TYPE I-1
BASE COURSE: 14" GRAVEL BORROW

SIDEWALK PAVEMENT

TOP COURSE: 1-1/2" CLASS I BIT. CONC. TYPE I-1
BINDER COURSE: 1-1/2" CLASS I BIT. CONC. TYPE I-1
BASE COURSE: 8" GRAVEL BORROW

TYPICAL SECTION
SUBDIVISION STREET
N.T.S.

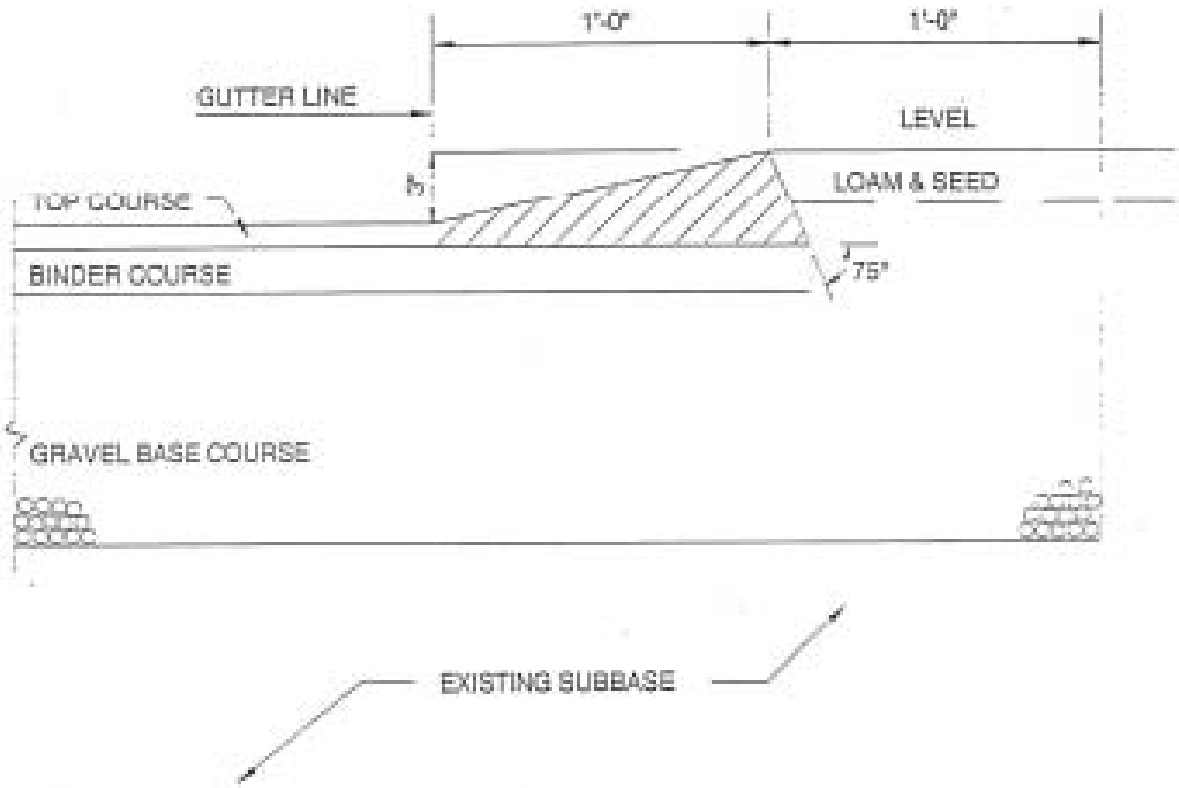
ACCEPTABLE METHOD OF SETTING SLOPED GRANITE EDGING



SLOPED GRANITE
EDGING

NOTE: ANY CLASS CEMENT CONCRETE THAT IS ACCEPTABLE TO THE DEPARTMENT UNDER SECTION M4 OF THE 1988 STANDARD SPECIFICATIONS: ALL TEST REQUIREMENTS ARE WAIVED. BITUMINOUS CONCRETE IS NOT TO BE USED AS A SUBSTITUTE.

SCHEDULE B-2

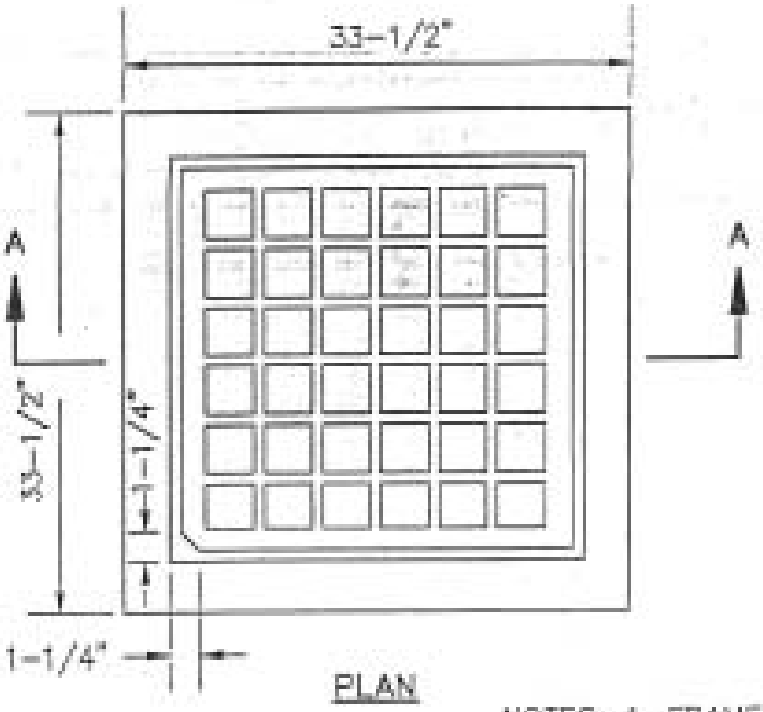


BITUMINOUS CONCRETE BERM TYPE A-MODIFIED

SCALE: NOT TO SCALE

S-STD.

H-STD. H60

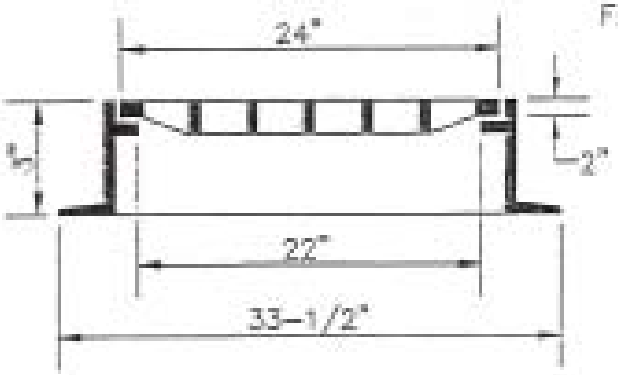


PLAN

NOTES: 1. FRAME AND GRATE SHALL BE RATED FOR HS-20 LOADING.

2. MIN. FRAME WEIGHT
   4 FLANGE 295 LBS.
   3 FLANGE 265 LBS.

3. USE 3 FLANGE FRAMES AT CURB INLETS.



SECTION

MUNICIPAL STANDARD CATCH BASIN FRAME & GRATE

SCALE: NOT TO SCALE

S-STD. II-4

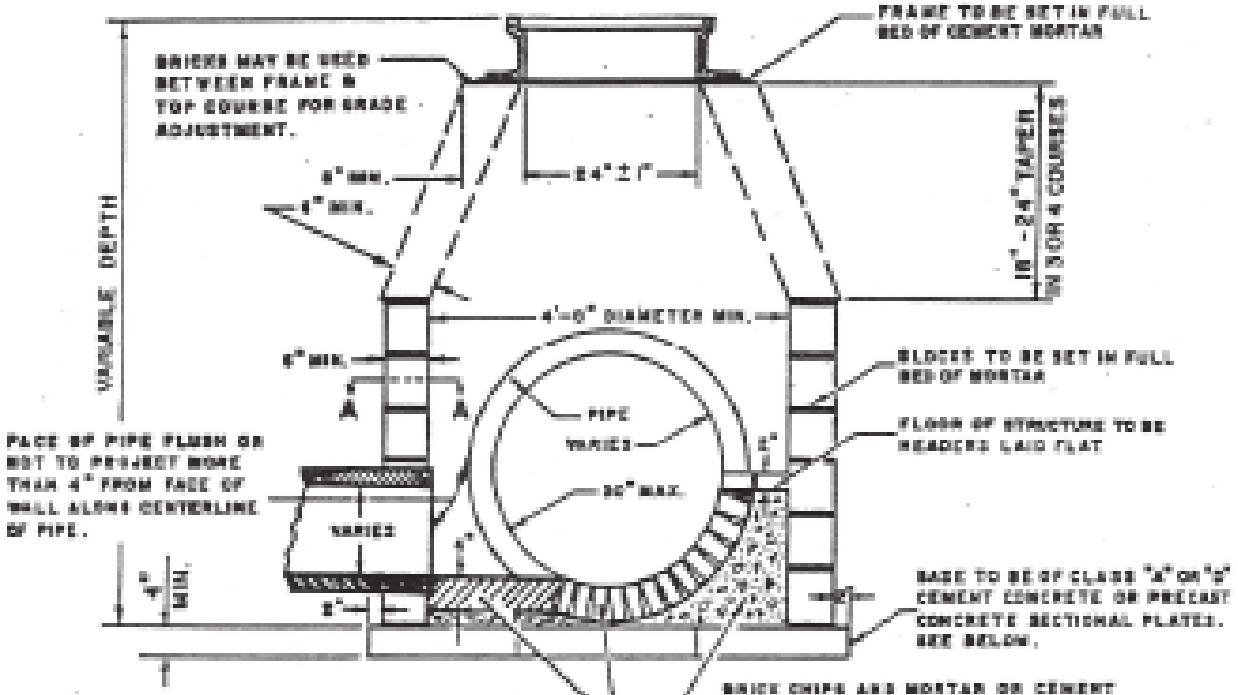
H-STD. H90

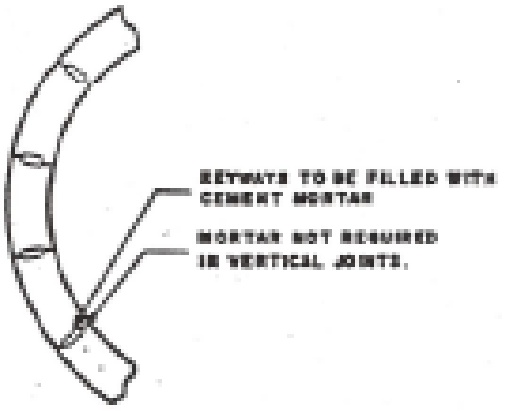
CONCRETE BLOCK MANHOLES

MANHOLES 9 FT. OR LESS IN DEPTH

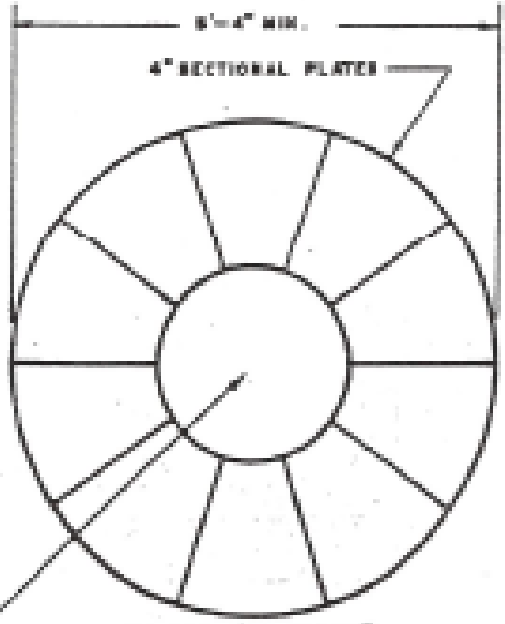
NOTE:

1. DESIGN SHOWN IS FOR MANHOLE DEPTHS OF 9 FT. OR LESS AND PIPE DIAMETER OF 30 INCHES OR LESS.
2. STANDARD MANHOLE DEPTH TO BE 4 FEET 4 INCHES.





SECTION A-A



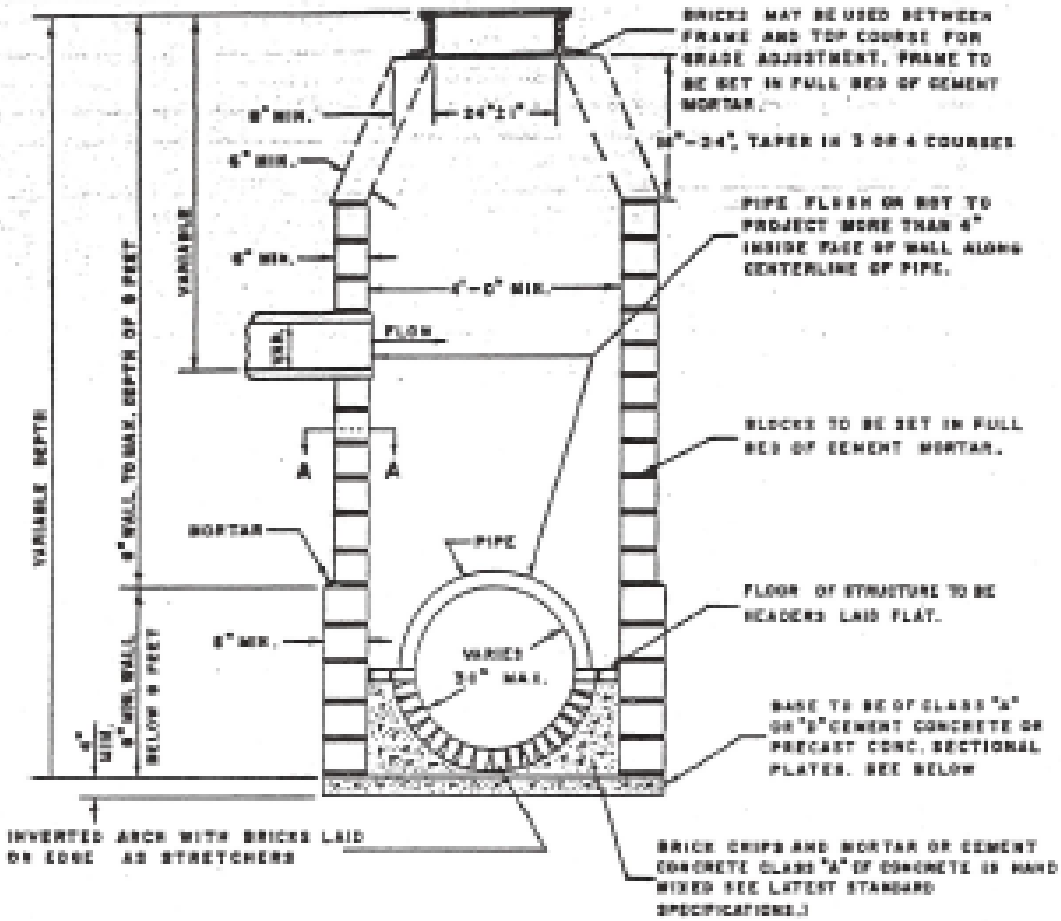
PLAN OF BASE

SOLID SECTION; OR FILL HOLE WITH BRICKS AND MORTAR; OR FILL HOLE WITH CLASS "A" OR "B" CONCRETE. (IF CONCRETE IS HAND MIXED SEE LATEST STANDARD SPECIFICATIONS.)

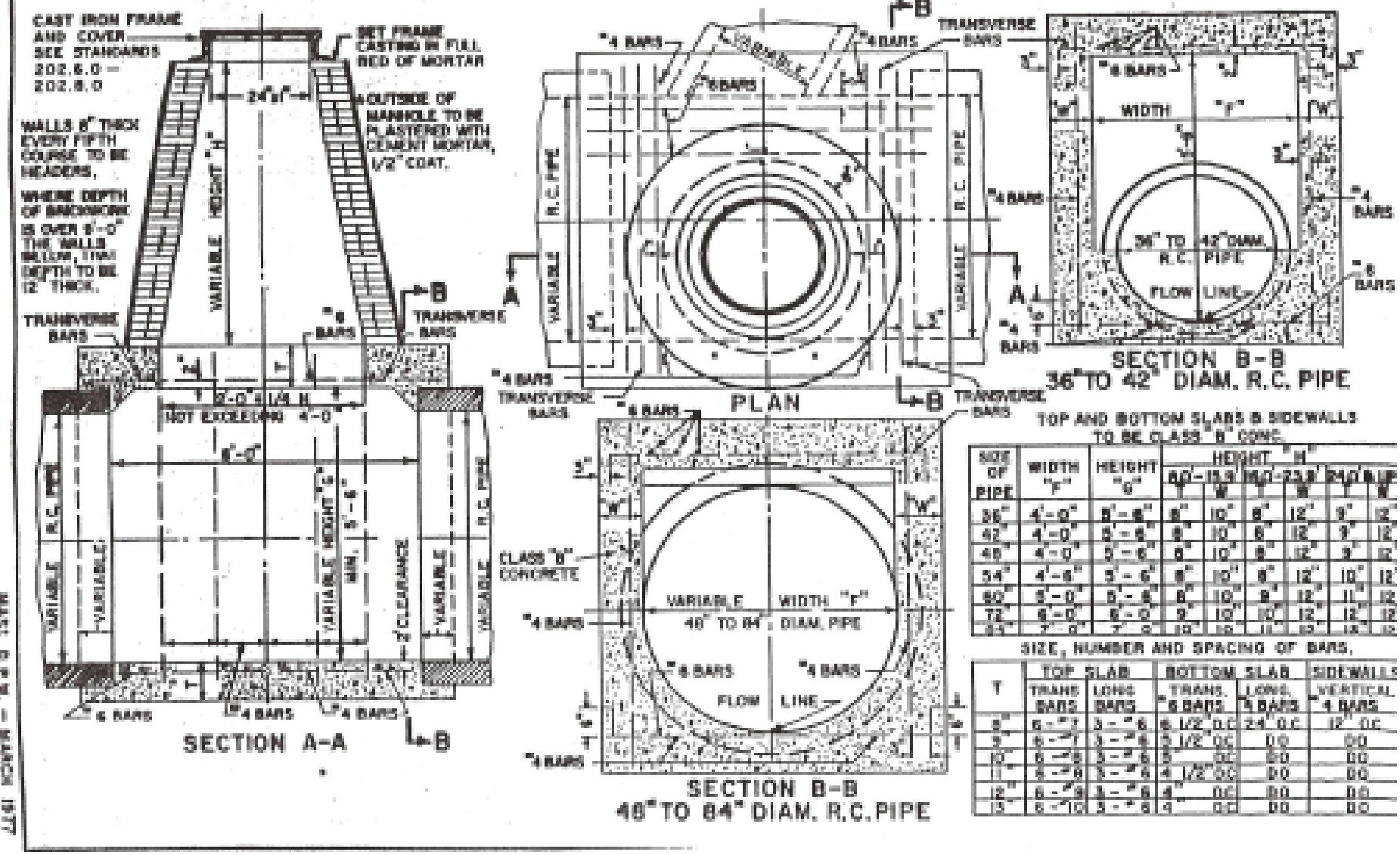
MASS. D.P.W. — MARCH 1977

CONCRETE BLOCK MANHOLES
MANHOLES OVER 9 FT. IN DEPTH

NOTE:
MANHOLE DESIGN SHOWN IS FOR PIPE DIAMETER OF 30 INCHES OR LESS



SPECIAL MANHOLES FOR 36" TO 84" DIAM. R.C. PIPE



TOP AND BOTTOM SLABS & SIDEWALLS TO BE CLASS "B" CONC.

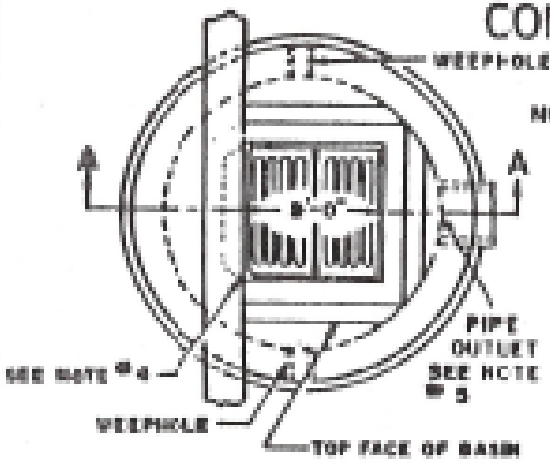
SIZE OF PIPE	WIDTH "F"	HEIGHT "G"	HEIGHT "H" 8'0"-15'8" T	W	16'0"-23'8" T	W	24'0" & UP T	W
36"	4'-0"	5'-6"	8"	10"	8"	12"	9"	12"
42"	4'-0"	5'-6"	8"	10"	8"	12"	9"	12"
48"	4'-0"	5'-6"	8"	10"	8"	12"	9"	12"
54"	4'-6"	5'-6"	8"	10"	8"	12"	10"	12"
60"	5'-0"	5'-6"	8"	10"	9"	12"	11"	12"
72"	6'-0"	6'-0"	9"	10"	10"	12"	12"	12"
84"	7'-0"	7'-0"	10"	10"	11"	12"	12"	12"

SIZE, NUMBER AND SPACING OF BARS.

T	TOP SLAB TRANS. BARS	TOP SLAB LONG. BARS	BOTTOM SLAB TRANS. #6 BARS	BOTTOM SLAB LONG. #4 BARS	SIDEWALLS VERTICAL #4 BARS
5"	6 – #7	3 – #6	6 1/2" O.C.	24" O.C.	12" O.C.
9"	6 – #7	3 – #6	5 1/2" O.C.	DO	DO
10"	6 – #8	3 – #6	5" O.C.	DO	DO
11"	6 – #8	3 – #6	4 1/2" O.C.	DO	DO
12"	6 – #9	3 – #6	4" O.C.	DO	DO
13"	6 – #10	3 – #6	4" O.C.	DO	DO

BASIC, D.P.W. – MARCH 1977

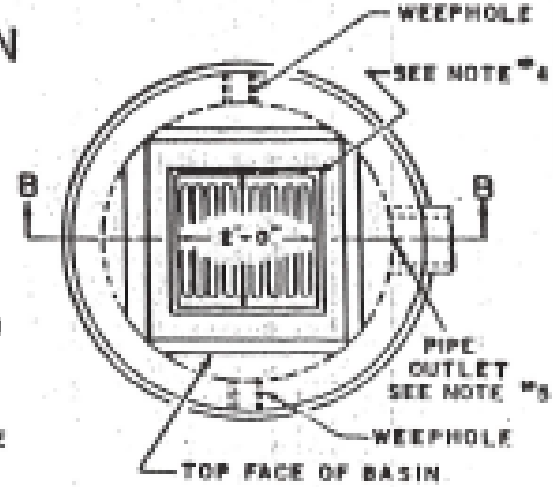
CONCRETE BLOCK CATCH BASIN



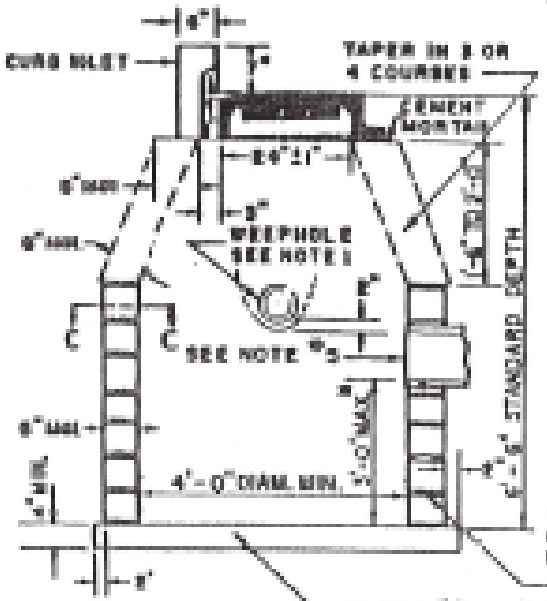
NOTES

1. WEEPHOLES SHALL BE 4" PIPE OPENING OR EQUIVALENT WITH 1/4 IN. MESH, 33 GAGE, GALVANIZED WIRE SCREEN COVERING; 8 CUBIC FEET OF CRUSHED STONE SHALL BE PLACED AROUND EACH WEEPHOLE.
2. BRICKS MAY BE USED BETWEEN TOP COURSE AND C.I. FRAME FOR GRADE ADJUSTMENT. FRAME SHALL BE SET IN FULL BED OF MORTAR.
3. FOR DESCRIPTION, MATERIALS AND CONSTRUCTION METHODS, SEE SPECIFICATIONS.
4. DETAILS SHOWN ON 201.6.0 — 201.11.0
5. FACE OF PIPE FLUSH OR NOT TO PROJECT MORE THAN 4" FROM FACE OF WALL ALONG CENTER LINE OF PIPE.

\# MINIMUM DEPTH OF SUMP TO BE 2'

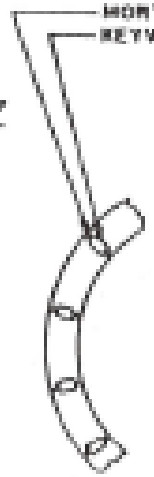


BASIN WITH CURB INLET

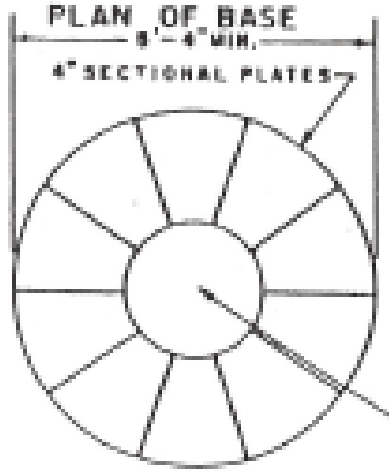


MORTAR NOT REQUIRED IN VERTICAL JOINTS

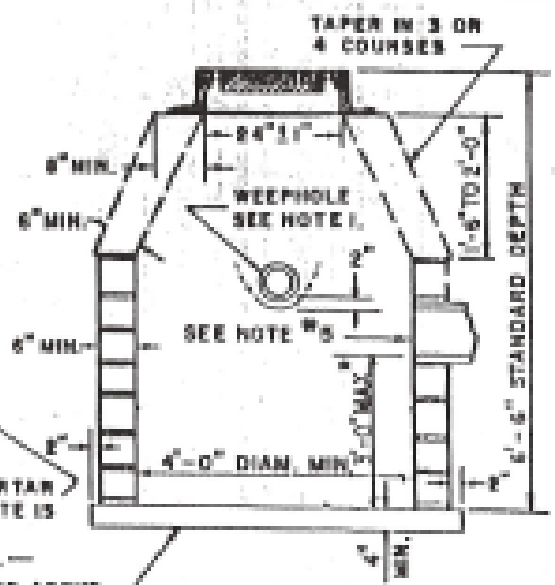
KEYWAYS TO BE FILLED WITH CEMENT MORTAR



PLAN OF BASE



BASIN WITH 4 FLANGE FRAME



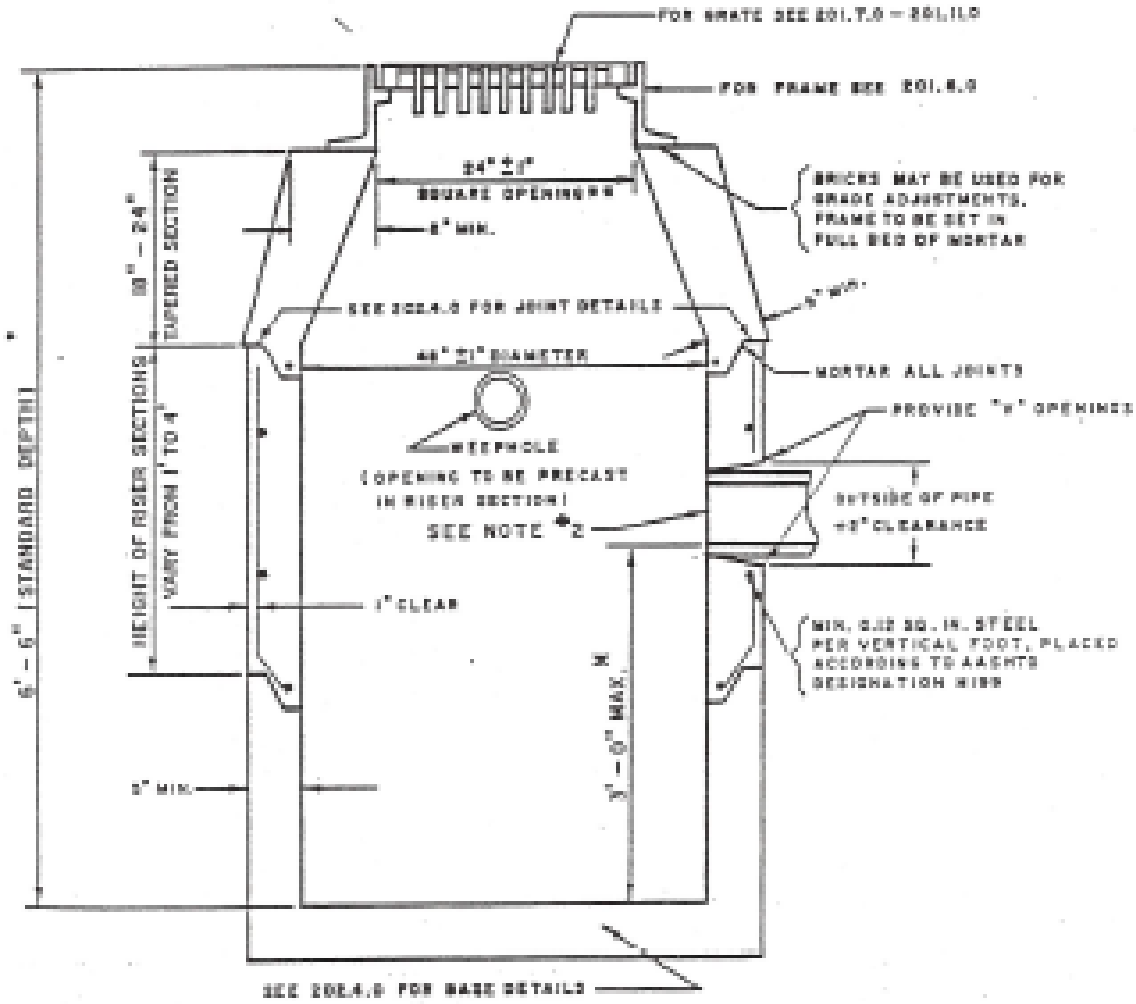
SECTION C-C

SOLID SECTION; OR FILL HOLE WITH BRICKS AND MORTAR OR FILL WITH CLASS "A" OR "B" CONCRETE. (IF CONCRETE IS HAND MIXED SEE LATEST SPECIFICATIONS.)

BLOCKS TO BE SET IN FULL BED OF CEMENT MORTAR.

CLASS "A" OR "B" CEM. CONC. OR PRECAST CONC. SECTIONAL PLATES. SEE ABOVE.

PRECAST CONCRETE CATCH BASIN



NOTES:

1. DETAILS NOT INDICATED ABOVE ARE TO BE SIMILAR TO THOSE SHOWN ON 201.2.0, 201.3.0
2. FACE OF PIPE FLUSH OR NOT TO PROJECT MORE THAN 4" FROM FACE OF WALL ALONG CENTERLINE OF PIPE.
3. FOR DESCRIPTION, MATERIALS AND CONSTRUCTION METHOD, SEE SPECIFICATIONS.

* MINIMUM DEPTH OF SUMP TO BE 2'

** K. WHEN A CURB INLET IS INSTALLED, THE OPENING IS TO BE 24" ± 1" X 27" ± 1"

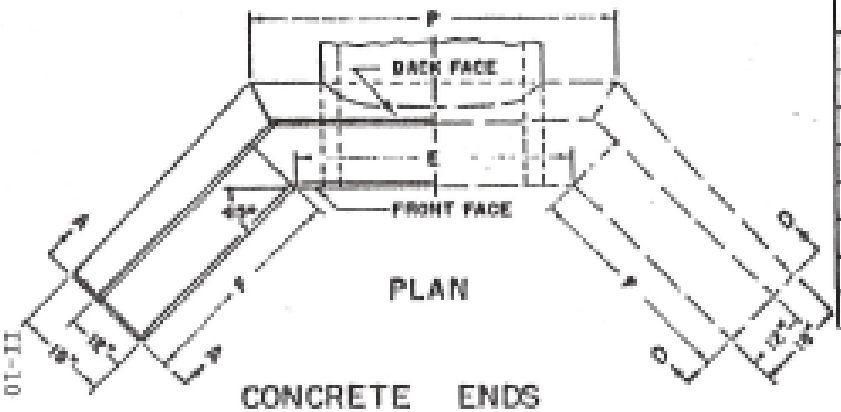
MASS. D.P.W. — MARCH 1977

CONCRETE AND FIELD STONE MASONRY ENDS FOR 30" TO 84" PIPE CULVERTS

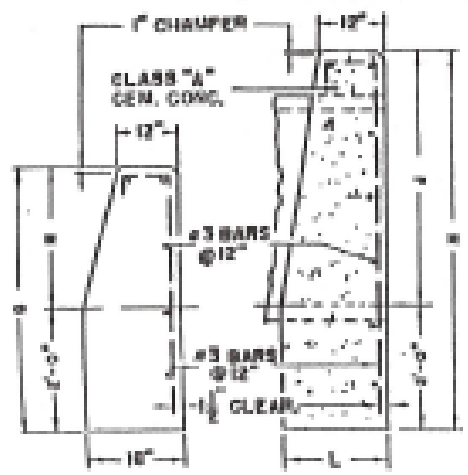
NOTE

1. FOR DESCRIPTION, MATERIALS, AND CONSTRUCTION METHODS, SEE SPECIFICATIONS.
2. ALL CONCRETE DIMENSIONS SHOWN ARE MINIMUM.
3. PAYMENTS WILL BE BASED ON THE QUANTITIES SHOWN IN THE ACCOMPANYING TABLE.

1½:1 AND 2:1 SLOPES								1½:1 SLOPE			2:1 SLOPE			TRENCH EXCAV. FOR PIPE FOR 1'-0" BUFF
D	E	G	H	J	L	N	P	F	CU. YDS.	LBS.	F	CU. YDS.	LBS.	
30"	4'-0"	4'-0"	5'-6"	3'-6"	1'-6"	2'-0"	5'-3"	3'-0"	2.60	45	4'-3"	3.16	54	55.16
36"	4'-6"	4'-3"	6'-0"	4'-0"	1'-8"	2'-3"	5'-11"	3'-6"	3.35	54	5'-0"	4.15	64	64.35
42"	5'-0"	4'-6"	6'-6"	4'-6"	1'-10"	2'-6"	6'-6"	4'-0"	4.20	59	5'-9"	5.28	70	73.70
48"	5'-6"	4'-9"	7'-0"	5'-0"	2'-0"	2'-9"	7'-2"	4'-6"	5.19	65	6'-6"	6.50	83	83.96
54"	6'-0"	5'-0"	7'-6"	5'-6"	2'-2"	3'-0"	7'-10"	5'-0"	6.26	73	7'-3"	7.88	93	94.48
60"	6'-6"	5'-3"	8'-0"	6'-0"	2'-4"	3'-3"	8'-6"	5'-6"	7.43	85	8'-0"	9.37	106	105.30
72"	7'-6"	5'-9"	9'-0"	7'-0"	2'-8"	3'-9"	9'-9"	6'-6"	10.25	98	9'-6"	12.39	128	128.92
84"	8'-6"	6'-3"	10'-0"	8'-0"	3'-0"	4'-3"	11'-0"	7'-6"	13.49	120	11'-0"	17.32	154	153.86

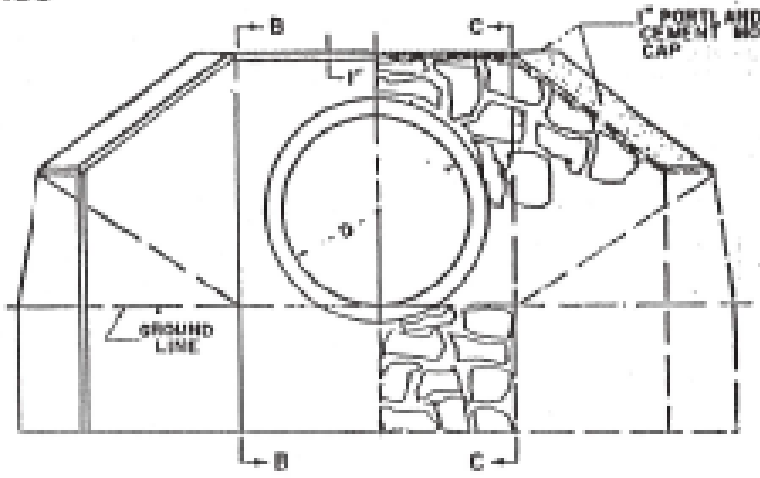


CONCRETE ENDS

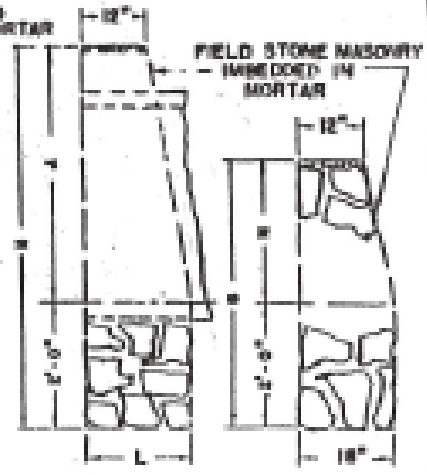


ELEV. A-A SECTION B-B

FIELD STONE MASONRY ENDS

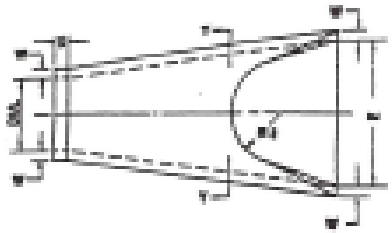


FRONT ELEVATION

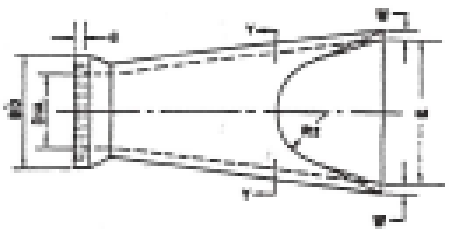


SECTION C-C ELEV. D-D

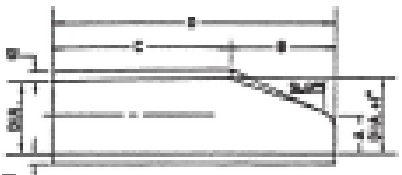
REINFORCED CONCRETE PIPE FLARED ENDS



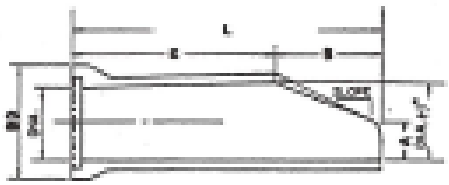
PLAN



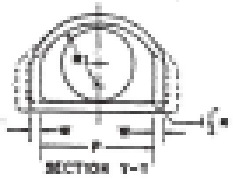
PLAN



SECTION
INLET END



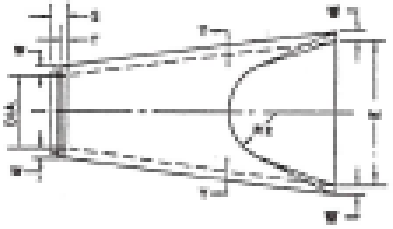
SECTION
OUTLET END



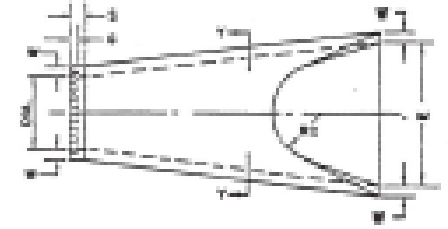
SECTION Y-Y

DIA.	W	A	B	C	D	E	R1	K	L	P	DIA. + 2"	R1	R2	S	G	SLOPE
12	2'	4"	2'-0"	4'-0"	8'-1"	2'-0"	30"	2'-6"	6'-6"	36"	14"	30"	9"	4"	3 1/2	3:1
15	2 1/2	6"	2'-6"	5'-0"	8'-1"	2'-6"	36"	2'-6"	6'-6"	36"	17"	36"	11"	4"	4 1/2	3:1
18	3	8"	3'-0"	5'-6"	8'-1"	2'-6"	36"	2'-6"	6'-6"	36"	20"	36"	13"	4"	5 1/2	3:1
21	3 1/2	9"	3'-6"	6'-0"	8'-1"	2'-6"	36"	2'-6"	6'-6"	36"	23"	36"	15"	4	6 1/2	3:1
24	4'	10"	4'-0"	6'-6"	8'-1"	2'-6"	36"	2'-6"	6'-6"	36"	26"	36"	17"	4"	8	3:1

FOR BELL & SPIGOT PIPE

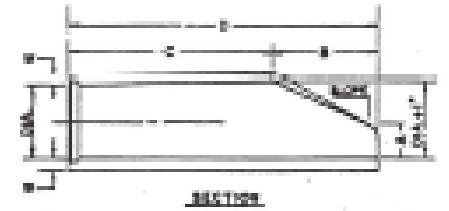


PLAN

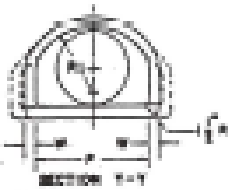


PLAN

SECTION
INLET END



SECTION
OUTLET END



SECTION Y-Y

DIA.	W	A	B	C	D	E	F	DIA. + 2"	R1	R2	S	G	SLOPE
27	3 1/2	10"	4'-6"	7'-0"	8'-1"	2'-6"	36"	36"	36"	24"	17"	5"	3:1
30	3 1/2	11"	4'-6"	7'-0"	8'-1"	2'-6"	36"	39"	36"	27"	19"	5 1/2	3:1
36	4"	13"	5'-0"	8'-0"	8'-1"	2'-6"	36"	45"	36"	30"	23"	6 1/2	3:1
42	4 1/2	15"	5'-6"	9'-0"	8'-1"	2'-6"	36"	51"	36"	33"	26"	7 1/2	3:1
48	5	17"	6'-0"	9'-6"	8'-1"	2'-6"	36"	57"	36"	36"	29"	8"	3:1

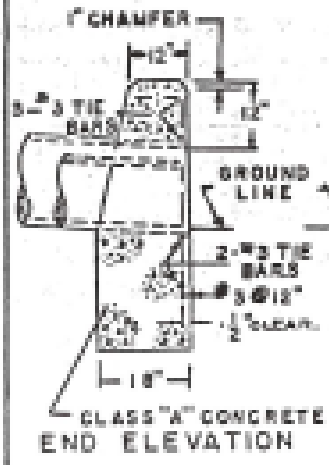
FOR TONGUE & GROOVE PIPE

NOTES:
1. SEE SPECIFICATIONS FOR THE TYPE OF PIPE TO BE USED (BELL SPIGOT OR TONGUE & GROOVE)
2. SEE SPECIFICATIONS FOR THE TYPE AND PLACING OF STEEL REINFORCEMENT
3. THE JOINTS ARE TO BE COMPATIBLE WITH THE MAIN RUN OF PIPE

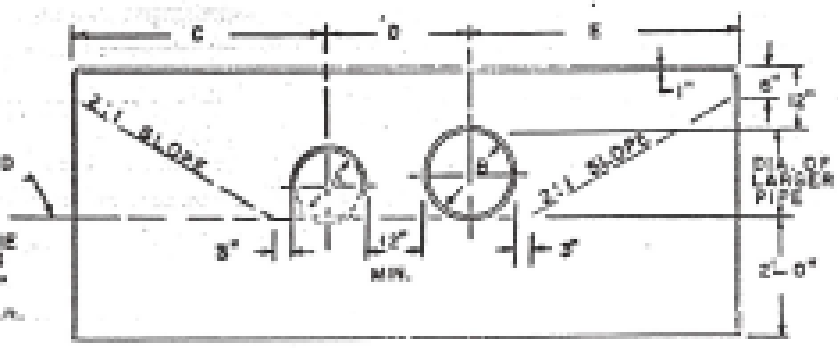
MASS. D.P.W. — MARCH 1977

CONCRETE AND FIELDSTONE MASONRY COMBINATION ENDS FOR PIPES UP TO 30" DIAMETER

CONCRETE ENDS

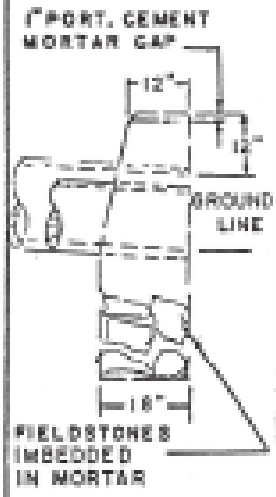


END ELEVATION



FRONT ELEVATION

FIELD STONE MASONRY ENDS

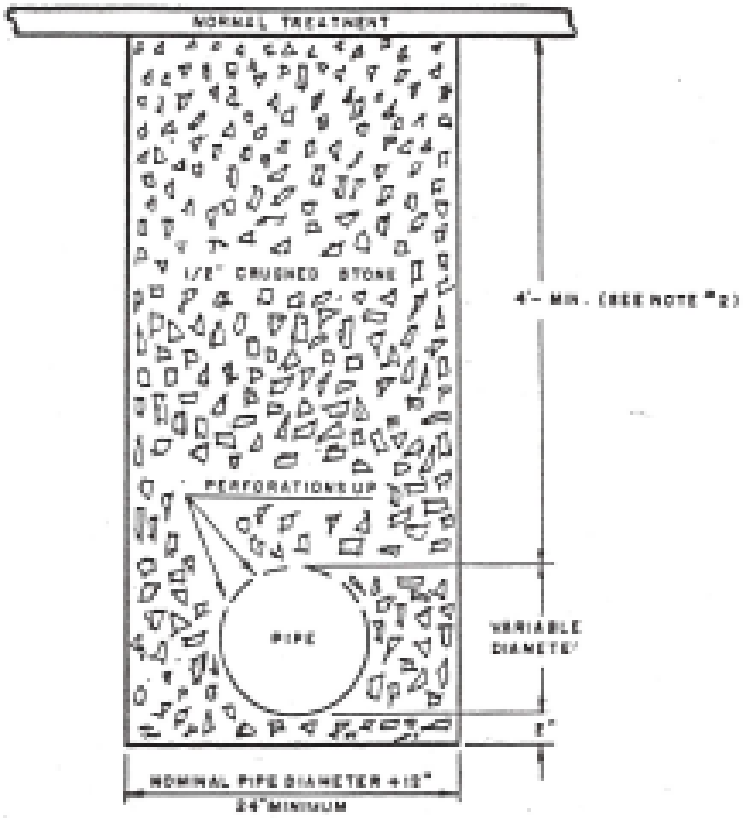


END ELEVATION

DESIGN NO.	DIAMETER IN INCHES		LENGTHS			CUBIC YARDS OF MASONRY	POUNDS OF STEEL	CU. FT. TRENCH EX. 1.0' DEPTH
	A	B	C	D	E			
1	12"	12"	3'-9"	2'-2"	3'-9"	1.88	3.7	40.85
2	12"	15"	4'-3"	2'-4"	4'-3"	2.27	4.2	45.50
3	12"	18"	4'-9"	2'-6"	5'-0"	2.65	4.8	49.88
4	12"	21"	5'-4"	2'-8"	5'-8"	3.12	5.4	54.85
5	12"	24"	5'-9"	2'-10"	6'-3"	3.54	5.9	58.91
6	12"	30"	6'-9"	3'-0"	7'-6"	4.48	7.1	67.38
7	15"	15"	4'-5"	2'-6"	4'-8"	2.32	4.1	46.66
8	15"	18"	4'-11"	2'-8"	5'-0"	2.72	4.8	51.03
9	15	21"	5'-5"	2'-10"	5'-8"	3.16	5.4	55.72
10	15"	24"	5'-11"	3'-0"	6'-3"	3.60	6.0	60.10
11	15"	30"	6'-11"	3'-2"	7'-6"	4.54	7.2	68.53
12	18"	18"	5'-0"	2'-8"	5'-0"	2.72	4.8	51.35
13	18"	21"	5'-7"	2'-10"	5'-8"	3.17	5.2	56.28
14	18"	24"	6'-0"	3'-0"	6'-3"	3.50	6.0	60.30
15	18"	30"	7'-0"	3'-2"	7'-6"	4.53	7.2	68.85
16	21"	21"	5'-8"	3'-0"	5'-8"	3.20	5.3	57.19
17	21"	24"	6'-2"	3'-4"	6'-3"	3.69	6.1	62.13
18	21"	30"	7'-2"	3'-6"	7'-6"	4.65	7.3	70.60
19	24"	24"	6'-3"	3'-4"	6'-3"	3.67	6.1	62.40
20	24"	30"	7'-2"	3'-8"	7'-6"	4.69	7.4	64.47
21	30"	30"	7'-3"	4'-0"	7'-6"	4.76	7.5	73.50

NOTE: 1. FOR DESCRIPTIONS, MATERIALS, AND CONSTRUCTION METHODS, SEE SPECIFICATIONS.
2. ALL CONCRETE DIMENSIONS SHOWN ARE MINIMUM.
3. PAYMENTS WILL BE BASED ON THE QUANTITIES SHOWN IN THE ACCOMPANYING TABLE.

SUBDRAIN

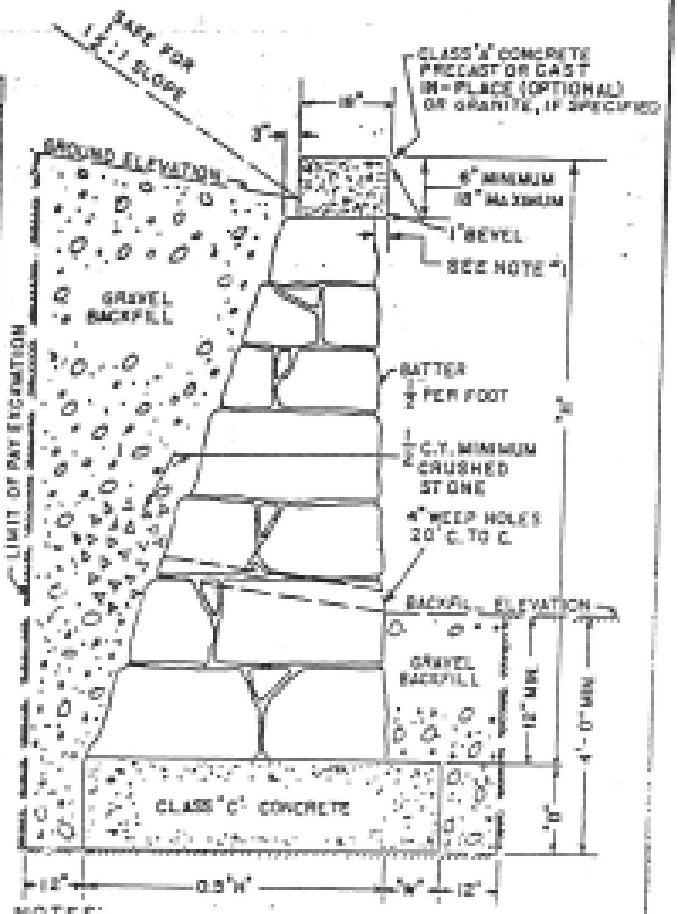


NOTES:

1. PIPES TO BE LAID WITH PERFORATIONS UP.
2. THIS DIMENSION IS SUBJECT TO CHANGE IN ORDER TO MEET FIELD CONDITIONS.
3. FOR MATERIALS, DESCRIPTIONS AND METHODS OF CONSTRUCTION, SEE SPECIFICATIONS.

CEMENTED STONE MASONRY WALL

H	W	D	CONC. MASONRY FOOTING		STONE MASONRY EXCLUDING COPING	
			SECTION AREA SQ. FT.	CU. YD. PER LIN. FT.	SECTION AREA SQ. FT.	CU. YD. PER LIN. FT.
5.0	0.75	1.25	4.06	0.150	8.00	0.333
5.5			4.38	0.162	10.63	0.394
6.0			4.69	0.174	12.38	0.458
6.5			5.00	0.185	14.16	0.524
7.0			5.31	0.197	16.05	0.594
7.5			5.63	0.208	18.06	0.669
8.0	1.0	1.5	7.50	0.278	20.16	0.747
8.5			7.88	0.292	22.40	0.829
9.0			8.25	0.306	24.78	0.917
9.5			8.63	0.319	27.22	1.008
10.0	1.2	2.0	12.40	0.459	29.80	1.104
10.5			12.90	0.478	32.50	1.204
11.0			13.40	0.496	35.28	1.307
11.5			13.90	0.515	38.21	1.415
12.0			14.40	0.533	41.25	1.528
12.5			14.90	0.552	44.41	1.645
13.0	1.5	2.5	20.00	0.741	47.68	1.766
13.5			20.63	0.764	51.07	1.891
14.0			21.25	0.787	54.55	2.020
14.5			21.88	0.810	58.14	2.153
15.0			22.50	0.833	61.86	2.292
15.5			23.13	0.856	65.72	2.434
16.0			23.75	0.880	69.68	2.581
16.5	1.8	3.0	30.15	1.117	73.76	2.732
17.0			30.90	1.144	77.90	2.885
17.5			31.65	1.172	82.21	3.045
18.0			32.40	1.200	86.63	3.208
18.5			33.15	1.228	91.18	3.377
19.0			33.90	1.256	95.86	3.550
19.5			34.65	1.283	101.25	3.750
20.0			35.40	1.311	106.38	3.940
20.5			36.15	1.339	111.63	4.134
21.0			36.90	1.367	117.00	4.333
21.5			37.65	1.394	122.50	4.537
22.0			38.40	1.422	128.13	4.745
22.5			39.15	1.450	133.88	4.958
23.0			39.90	1.478	139.75	5.176
23.5			40.65	1.506	145.75	5.398
24.0			41.40	1.533	151.88	5.625
24.5			42.15	1.561	158.13	5.856
25.0			42.90	1.589	164.50	6.093
25.5			43.65	1.617	171.00	6.333
26.0			44.40	1.644	177.63	6.579
26.5			45.15	1.672	184.38	6.829



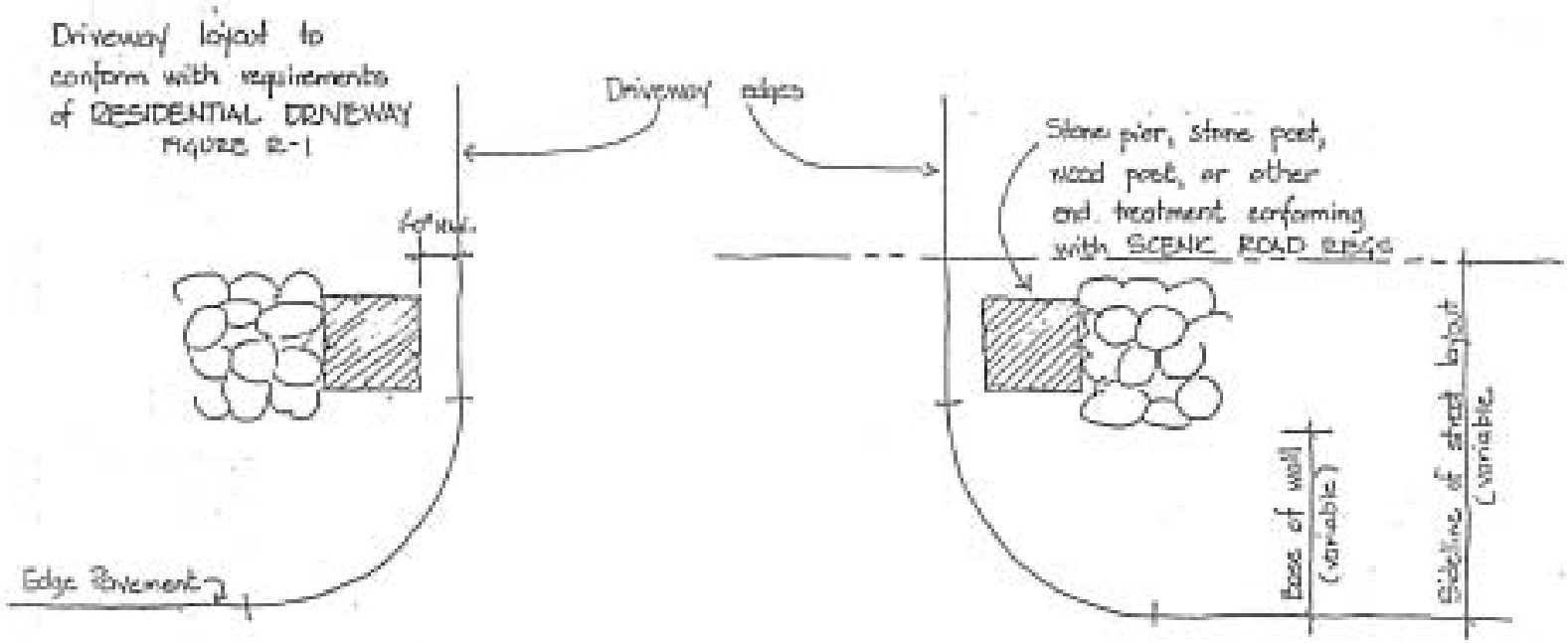
NOTES:

1. COPING OVERHANG TO BE APPROXIMATELY 3" FOR WALLS 10' OR MORE IN HEIGHT AND APPROXIMATELY 2" FOR WALLS LESS THAN 10' IN HEIGHT; IN A CONTINUOUS WALL OF VARYING HEIGHT THE OVERHANG WILL BE APPROXIMATELY 2" TO 3" FOR THE ENTIRE LENGTH.
2. ALL DIMENSIONS SHOWN ARE MINIMUM
3. PAYMENT WILL BE BASED ON THE ACCOMPANYING TABLE

COPING TO BE PRECAST CONCRETE OR GRANITE OF UNIFORM DEPTH FOR ENTIRE LENGTH. DEPTH OF CONCRETE TO BE $\frac{1}{12}$ THE AVERAGE "H" WITHIN THE LIMITS SHOWN. DEPTH OF GRANITE TO BE AS SHOWN ON THE PLANS, 6" OR 9".

FOR CHAIN LINK FENCE ON TOP OF WALL, THE COPING SHALL BE CONCRETE CAST-IN-PLACE WITH A MINIMUM DEPTH OF 12". THE LENGTH OF GALVANIZED PIPE SLEEVES FOR FENCE POSTS SHALL BE EQUAL TO THE DEPTH OF COPING.

MASS. D.P.W. — MARCH 1977



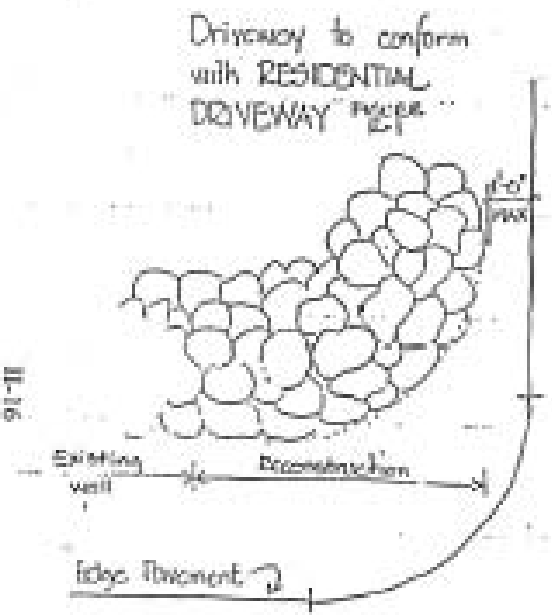
Not to scale unless noted

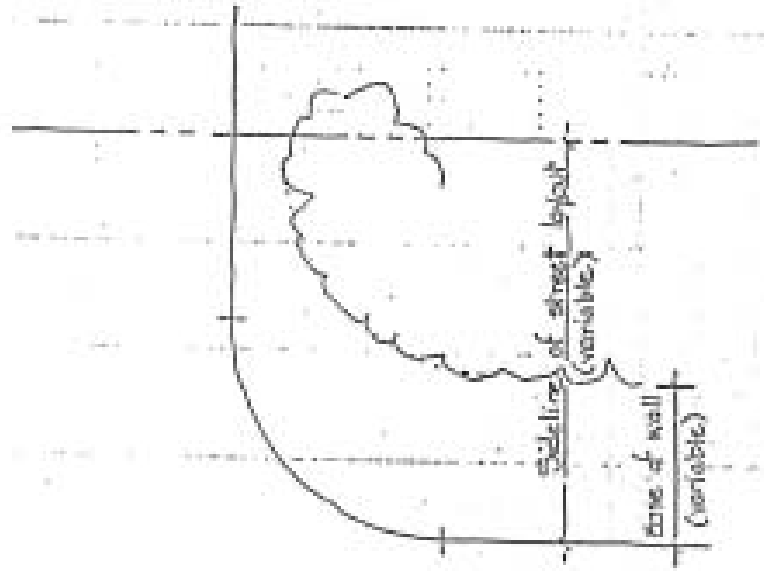
SCENIC ROAD

Figure 1

SHERBORN PLANNING BOARD

1981





Not to scale unless noted

SCENIC ROAD

Figure 2

SHERBORN PLANNING BOARD

1991

SCHEDULE C

FEES

Approval Not Required	$250 for zero or one additional lot plus $50 per lot for each additional lot.
Subdivision Plans	
Preliminary Plan	$750 plus $125 per lot
Definitive Plan	$1500 plus $250 per lot after a preliminary plan approval, or $2500 plus $750 per lot if there was no preliminary plan Applicant pays out of pocket costs, including engineering review.
Modification	$500, plus out of pocket costs, including engineering review
Site Plan	$750 plus out of pocket costs, including engineering review No fee for preliminary site plan review or minor modification $250 for major modification plus out of pocket costs, including engineering review
Special Permit	$950 plus associated and related costs, including engineering review. Renewal fee is $475
Scenic Road Permit	$25 plus associated out of pocket costs including advertising costs

This fee schedule was adopted by the Planning Board at a hearing held on February 9, 2011